

22 Earthworks

22.1 Purpose

Earthworks can be significant and result in long term effects. They have the potential to alter landforms, landscapes and natural features to such an extent that the identity, amenity values and character of an area can be changed permanently.

The majority of earthworks are associated with subdivision and building development. The topography of the Queenstown Lakes District means that land modification through earthworks typically precedes subdivision and development. Some modification of the natural landscape is inevitable in order to provide for development, including safe and stable building sites and access with a suitable gradient.

During the construction phase, earthworks can generate temporary effects, including sediment run-off and erosion, dust, noise and vibration and traffic effects. On most sites these effects can be mitigated through putting in place appropriate environmental protection measures.

The District Plan seeks to encourage an integrated assessment of activities. In many instances the completed subdivision engineering works or building will remedy the effects of the earthworks.

The National Policy Statement Freshwater Quality (2011) sets out objectives and policies that direct local government to manage water in an integrated and sustainable way. This includes improved integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land and associated ecosystems.

The provisions of this section seek to be consistent with the Otago Regional Plans. Where the provisions refer to aquifers, reference should be made to the Otago Regional Council Water Plan maps. Four main aquifers are noted - Hawea Basin, Wanaka Basin, Cardrona alluvial ribbon and Wakatipu Basin.

22.2 Objectives and Policies

Objective 1 Earthworks and Environmental Effects

To enable earthworks that are a necessary part of subdivision, development, and access, provided that they are undertaken in a manner that avoids adverse effects on communities and the natural environment.

Policies:

- 1.1 *To promote earthworks designed to be sympathetic to natural topography, and that provide safe and stable building sites and access with suitable gradients.*
- 1.2 *To use environmental protection measures to avoid adverse effects of earthworks, including:*
 - *Sediment run-off erosion control techniques*
 - *Dust control measures to avoid nuisance effects of dust beyond the boundary of the site*
 - *Management of storm water and overland flows*
 - *Management of construction noise and vibration effects*
 - *Limits on the duration of construction taking into account the receiving environment*
 - *Traffic management and implementation of techniques to avoid the depositing of sediment onto roads, particularly where access is gained through residential areas.*
- 1.3 *To promote use of engineering standards and good practice on site.*
- 1.4 *To require remedial works and re-vegetation to be implemented in a timely manner.*

1.5 To avoid the long term adverse effects of unfinished projects.

Objective 2 Landscape and Visual Amenity values

To protect landscape and visual amenity values from the adverse effects of earthworks.

Policies:

- 2.1 To avoid adverse effects of earthworks on Outstanding Natural Features and Outstanding Natural Landscapes.
- 2.2 To avoid adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.
- 2.3 To ensure cuts and batters are sympathetic to the line and form of the landscape.
- 2.4 To ensure remedial works and revegetation mitigation are effective, taking into account altitude and the alpine environment.

Objective 3 Land Stability and Flooding

To ensure earthworks do not adversely impact on the stability of land, adjoining sites or exacerbate flooding.

Policies:

- 3.1 To ensure earthworks, in particular cut, fill and retaining do not impact on the stability of adjoining sites and are undertaken in accordance with appropriate engineering standards.
- 3.2 To ensure earthworks do not cause or exacerbate flooding and avoid de-watering.

3.3 To avoid earthworks including tracking on steeply sloping sites and land prone to erosion or instability. Where this cannot be avoided, to ensure techniques are adopted that minimise the potential to decrease land stability.

Objective 4 Earthworks in Rural Areas and Ski Area Subzones

Subject to Objective 2, to enable earthworks that improves efficiency of farming operations, health and safety and public recreation values.

- 4.1 To provide for earthworks associated with farming activities where they enhance the efficiency of operations, including the maintenance and improvement of track access and fencing.
- 4.2 To provide for earthworks to create fire breaks.
- 4.3 To provide for earthworks associated with public recreation trails.
- 4.4 To provide for earthworks that provide for the growth, development and consolidation of ski fields within Ski Area Sub-Zones.

Objective 5 Water bodies

To maintain or improve water quality of rivers, lakes and aquifers.

Policies:

- 5.1 To avoid sediment run-off into water bodies through the adoption of sediment control techniques.
- 5.2 To avoid the location of earthworks in close proximity to water bodies. Where this cannot be avoided, to ensure that sediment control techniques are put in place to avoid sediment run-off.
- 5.3 To avoid earthworks contaminating water aquifers, including Hawea Basin, Wanaka Basin, Cardrona alluvial ribbon and Wakatipu Basin aquifers.

Objective 6 Cultural Heritage and Archaeological Sites

To protect cultural heritage, including waahi tapu, waahi taonga, archaeological sites and heritage landscapes from the adverse effects of earthworks.

Policies:

- 6.1 To protect waahi tapu, waahi taonga and other archaeological sites from potential disturbance resulting from earthworks.
- 6.2 To notify Kai Tahu ki Otago or Te Ao Marama Incorporated (as appropriate) where earthworks are proposed, in areas identified in either the District Plan or the Natural Resource Management Plans as significant to iwi.
- 6.3 To notify Kai Tahu ki Otago or Te Ao Marama Incorporated (as appropriate) where earthworks are proposed adjacent to, or within Statutory Acknowledgement Areas
- 6.4 To notify the NZ Historic Places Trust where proposed earthworks may affect archaeological sites.
- 6.5 To ensure that work is suspended and Kai Tahu ki Otago or Te Ao Marama Incorporated (as appropriate) and the NZ Historic Places Trust are notified when archaeological remains are observed or unearthed during earthworks activities.
- 6.6 To include accidental discovery protocol as a condition of earthworks resource consents.
- 6.7 To recognise and protect those values associated with heritage landscapes.

Objective 7 Cleanfill Facilities

To provide for cleanfill capacity and to promote diversion of cleanfill material from landfills.

Policies:

- 7.1 To ensure materials for deposition at cleanfill facilities meet acceptance criteria.
- 7.2 When considering the location of new cleanfill facilities, the following matters shall be taken into account:
 - Suitability of the site in terms of topography and landform
 - Suitability of the site in terms of adverse effects on landscape and visual amenity values
 - The stability of the site
 - Accessibility and whether the location minimises travel distance from the main source/s of materials
 - The option/s provided for long term use,

and in addition sites shall:

 - Avoid significant water bodies,
 - Avoid sites of cultural heritage or archaeological significance.
- 7.3 To ensure cleanfill facilities avoid or mitigate the adverse effects of dust, noise and traffic on neighbours and residential areas.
- 7.4 To ensure cleanfill sites are rehabilitated and remedial restoration works carried out in a timely manner.

22.3 Earthworks Rules

22.3.1 General Provisions / Cross Referencing

i District Wide Rules

(a) Attention is drawn to the following District Wide Rules that may apply in addition to the Section 22 Earthworks Rules. If District Wide Rules are not met then resource consent will be required in respect of that matter.

- (i) Statutory Acknowledgement
- (ii) Rural (Section 5 and Appendix 5 for Significant Indigenous Vegetation)
- (iii) Heritage (Section 13 and Appendix 10 for heritage landscapes)
- (iv) Transport (Section 14)
- (v) Subdivision (Section 15)
- (vi) Hazardous Substances (Section 16)
- (vii) Utilities (Section 17)
- (viii) Relocated Buildings and Temporary Activities (Section 19)

(b) **Some Earthworks may also require consents under the Regional Plan provisions. As such, users of this Plan are advised to consult Otago Regional Council documentation when considering their projects.**

ii Subdivision

(a) The rules in Section 22 do not apply to earthworks;

- (i) That are approved as part of a subdivision, that has resource consent pursuant to Rule 15.2.20, or,
- (ii) For development involving earthworks that have been explicitly included in a subdivision consent, or by way of conditions or consent notices, prior to 02 July 2014 (public notification date of this Section).

iii Noise

(a) Noise generated by earthworks activities is to be in accordance with the NZ Construction Noise Standard (refer to NZS 6803:1999).

iv Archaeological Sites

- (a) All archaeological sites within the District are protected from modification, damage or destruction through the Historic Places Act 1993. They also defined within "historic heritage" in Section 2 of the Resource Management Act 1991. All earthworks must also comply with the Historic Places Act 1993, which protects recorded, suspected and unrecorded archaeological sites from destruction, damage and modification. In addition to resource consent for earthworks, an archaeological authority (a consent) may need to be applied for, from the New Zealand Historic Places Trust.
- (b) A Recorded Archaeological Site is a site recorded via the New Zealand Archaeological Association's Site Recording Scheme and information is available at www.archsite.org.nz. Additionally some sites are identified in District Plans.
- (c) Any development affecting an archaeological site (or any other item in the Inventory of Protected Features at Appendix 3) is also subject to the Rules in Section 13 of this Plan.

v National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011

The status of some activities will be determined by the requirements of the Resource Management (National Environmental Standard for

Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. Reference should be made to the Ministry of Environment website for a copy of the regulations, user's guide, and latest version of documents incorporated by reference in the regulations. This regulation will be applicable to Earthworks on sites where a *“hazardous activity or industry has been, is more likely than not to have been or is currently operating”*.

vi QLD Earthworks Guideline

- (a) Reference should also be made to the Queenstown Lakes District Earthworks Guideline to assist in the achievement of the following standards and best practice.

22.3.2 Activities

22.3.2.1 Permitted Activities

Earthworks are defined in Section D (definitions).

- (a) Any earthworks activity which complies with all the relevant Site Standards and is not listed as a **Restricted Discretionary, Discretionary, Non-Complying or Prohibited Activity** shall be a **Permitted Activity**.
- (b) The following earthwork activities are **exempt** from Rule 22.3.3(i) Volume of earthworks, and 22.3.3(ii) Height of cut and fill and Slope:
- (i) Earthworks associated with maintenance of:
 - a. farm track access,
 - b. fencing,
 - c. firebreaks,
 - d. public recreational tracks, and
 - e. trails and operational areas within Ski Area Sub-Zones,

- provided that the maintenance work results in less than a 10% increase in exposed surface area of that feature in any 10 year period.

- (ii) Earthworks associated with the replacement and/or removal of a fuel storage system as defined and controlled in the 'National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011'.
- (iii) In the **Remarkables Park Zone**, earthworks approved as part of:
 - a. Any building granted a resource consent pursuant to Rule 12.11.3.2 (i)
 - b. Any activities which are listed as controlled activities and have been granted resource consent.
- (c) In the **Ski Area Sub-Zones**, the following **exemptions** apply:
 - (i) Earthworks and bulk earthworks carried out in accordance with any relevant Conservation Management Plan or Concession approved by the Department of Conservation.
 - (ii) Earthworks in the Ski Area Sub-Zones are exempt from Rule 22.3.3(i) Volume of Earthworks.

22.3.2.2 Controlled Activities

- (a) The following shall be **Controlled Activities** provided they are not listed as a **Permitted, Restricted, Discretionary, Non-Complying or Prohibited Activity** and they comply with all the relevant Site Standards.
- (b) In the **Jacks Point Zone**, earthworks associated with golf course development, that exceeds 1,000m³ in volume and/or 2,500m² of exposed topsoil at any time.
- (c) The matters in respect of which Council has reserved control are:

- (i) The nature and scale of the earthworks
 - (ii) Environmental Protection Measures
 - (iii) Remedial works and revegetation
 - (iv) The effects on landscape and visual amenity values
 - (v) The effects on land stability and flooding
 - (vi) The effects on water bodies
 - (vii) The effects on Cultural and Archaeological Sites
 - (viii) Noise.
- (d) In the **Open Space Zones** the formation of cycling and walking trails (including boardwalks and viewing platforms) and associated earthworks, is a Controlled Activity, with additional matters that Council has reserved being:
- (i) Location of trails and viewing platforms.
 - (ii) Size of viewing platforms and boardwalks.
 - (iii) Cumulative effect of the number of other trails within the Zone.
- ### 22.3.2.3 Restricted Discretionary Activities
- (a) Earthworks that are not listed as a **Permitted, Controlled, Discretionary, Non-Complying** or **Prohibited Activity** and that do not comply with one or more of the Site Standards within Rule 22.3.3 shall be a **Restricted Discretionary Activity**.
- (b) The matters in respect of which Council has reserved discretion are:
- (i) The nature and scale of the earthworks
 - (ii) Environmental Protection Measures
 - (iii) Remedial works and revegetation
 - (iv) The effects on landscape and visual amenity values
 - (v) The effects on land stability and flooding
 - (vi) The effects on water bodies
 - (vii) The effects on Cultural and Archaeological Sites
 - (viii) Noise.
- (c) In the **Shotover Country Special Zone** the following shall be Restricted Discretionary Activities;
- (i) Earthworks carried out within 12 metres of the closest visible edge of any foundation of the Frankton – Cromwell A 110kV high voltage transmission line support structure.
 - (ii) Earthworks carried out within 12 metres of the centreline of the Frankton – Cromwell 110kV high voltage transmission line that results in an increase in ground level.
- (d) The matters in respect of which the Council has reserved discretion in the **Shotover Country Zone** relating to the high voltage transmission line are;
- (i) The extent of earthworks required, and use of mobile machinery near the transmission line which may put the line at risk;
 - (ii) Effects on the integrity of the transmission line;
 - (iii) Volume, area and location of the works, including temporary activities such as stockpiles;
 - (iv) Time of the works;
 - (v) Site remediation;

- (vi) The use of mobile machinery near the transmission line which may put the line at risk;
- (vii) Extent of compliance with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34: 2001).

22.3.2.4 Discretionary Activities

The following are **Discretionary Activities**, provided they are not listed as **Permitted, Restricted Discretionary, Non-Complying** or **Prohibited Activities**

Cleanfill Facilities

- (a) Creation of a new cleanfill facility, providing that the cleanfill material is strictly limited to acceptable materials (see definitions).

Bulk Earthworks

- (b) Earthworks with a total volume of over 50,000 cubic metres. The maximum total volume of earthworks shall be calculated per site, within one consecutive 12 month period.

Jacks Point Zone

- (c) In the Jacks Point Zone, earthworks which are not associated with a subdivision, the construction, addition or alteration of any building, or golf course development, **and** do not comply with the site standards for earthworks.

22.3.2.5 Non-complying Activities

The following are **Non-Complying Activities**, providing that they are not listed as **Permitted, Restricted Discretionary, Discretionary** or **Prohibited Activities**.

Cleanfill Material

- (a) The introduction of any other material than that detailed in Rule 22.3.2.4 into a cleanfill facility, or any other earthworks, under this Plan.

Open Space Zones

- (b) Earthworks not associated with the creation of cycling or walking trails as provided for in Rule 20.2.2.2(ii).

22.3.2.6 Non-notification of applications

- (a) Any application for resource consent for the following matters shall not require the written consent of other persons and shall not be notified or limited-notified:
 - (i) Rule 22.3.3 i Volume of Earthworks in Tier 5 Zones (see Table 22.1), except where the site adjoins a Residential Zone, Open Space Zone or an Activity Area in a Special Zone for Residential or Open Space activities.
 - (ii) Rule 22.3.3 i Volume of Earthworks in the Remarkables Park Zone.
 - (iii) Ski Areas Subzones
 - (iv) Earthworks – except for earthworks involving special circumstances such as blasting, presence of substantial groundwater (including but not limited to the Wanaka Basin Cardrona Gravel Aquifer as shown in Appendix A4- Interpretative Diagrams, Diagram 11) or earthworks located within any required building setback from an internal or road boundary. (Refer to 7.5.4 (iv))
- (b) Any application for resource consent in respect of Rule 22.3.3 (viii) Frankton-Cromwell Electricity Transmission Lines shall obtain the written approval of the tower owner.

22.3.3 Site Standards

- i Volume of Earthworks**
 - (a) The maximum total volume of earthworks (m³) shall not exceed that specified in **Table 22.1**.
 - (b) The maximum total volume of earthworks shall be calculated per site, within one consecutive 12 month period.
 - (c) Volume shall mean the sum of all earth that is moved within a site and includes any combination of cut and fill, removing fill off-site and replacing fill on site - refer Interpretive diagrams 5 (a), (b) and (c).
- ii Height of cut and fill and slope**
 - (a) Rural General, Gibbston Character Zone and Ski Area Sub-Zones
 - (i) No road, track or access way shall have an upslope cut or batter greater than 1 metre in height, measured vertically.
 - (ii) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees.
 - (iii) The maximum height of any fill shall not exceed 2 metres.
 - (b) All other Zones
 - (i) The maximum height of any cut shall not exceed 2.4 metres.
 - (ii) The maximum height of any fill shall not exceed 2 metres.
 - (iii) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- iii Fill**
 - (a) All fill for residential building platforms and associated retaining walls is to be in accordance with the requirements of NZS 4404:2010 and NZS 4431:1989 as appropriate.
- iv Environmental Protection Measures**
 - (a) Any person carrying out earthworks shall implement sediment and erosion control measures to avoid sediment effects beyond the boundary of the site.
 - (b) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site.
 - (c) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be re-vegetated as soon as practicable taking into account planting seasons provided this shall be no longer than 12 months from the completion of the works.

Table 22.1

Tier	Zones	Maximum Total Volume
Tier 1	<ul style="list-style-type: none"> • Residential Arrowtown Historic Management Zone • Arrowtown Town Centre • Town Centre Special Character Areas • Townships – Makarora, Glenorchy, Kingston, Kinloch • Makarora Rural Lifestyle Zone 	100m ³
Tier 2	<ul style="list-style-type: none"> • Outstanding Natural Landscapes • Outstanding Natural Features • Heritage Landscapes • Open Space Zone • Special Zone Activity Areas that relate to the provisions of Open Space Activity 	200m ³
Tier 3	<ul style="list-style-type: none"> • Low Density Residential • High Density Residential (Subzone C) • Townships – Hawea, Luggate and Albert Town • Special Zone Activity Areas that relate to the provision of Low Density Residential Activity 	300m ³
Tier 4	<ul style="list-style-type: none"> • High Density Residential (Subzones A and B) • Special Zone Activity Areas that relate to the provision of Medium and High Density Residential Activity • Rural Residential • Rural-Lifestyle (except Makarora) • Rural Visitor Zones • Special Zone Activity Areas that relate to the provision of Visitor Accommodation, Rural Residential and Rural-Lifestyle Activity 	400m ³
Tier 5	<ul style="list-style-type: none"> • Business and Industrial Zones • Ballantyne Road Mixed Use Zone • Town Centre Zones (except Arrowtown and Special Character Areas) • Special Zone Activity Areas that relate to the provision of Commercial, Business and Industrial Activity 	500m ³
Tier 6	<ul style="list-style-type: none"> • Rural General (except where classified as Outstanding Natural Landscape, Outstanding Natural Feature or within a Heritage Landscape, or in an area containing significant indigenous vegetation (refer Section 5.3.5.1(v))) • Gibbston Character Zone 	1000m ³
Tier 7	<ul style="list-style-type: none"> • Any zone or Special Zone Activity Area not listed above in Tier 1 to 6 • Except for Ski Area Sub-Zones (refer Rule 22.3.2.1(c)(ii)) 	100m ³

- v Water bodies**
- (a) Earthworks within 7m of the bed of any water body shall not exceed 20m³ in total volume.
- (b) Any material associated with earthworks activity shall not be positioned within 7m of the bed of any water body or where it may dam, divert or contaminate water.
- (c) Earthworks shall not:
- (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.
- vi Cultural heritage and archaeological sites**
- (a) Earthworks shall not modify, damage or destroy any waahi tapu, waahi taonga or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago or Te Ao Marama Incorporated Natural Resource Management Plan.
- (b) Earthworks shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within a Statutory Acknowledgment Area (see Section 3).
- (c) In the Rural General Zone, earthworks within areas identified as Ngai Tahu Statutory Acknowledgment Areas shall not exceed 20m³ in volume.
- vii Construction Noise**
- (a) Construction noise arising from earthworks activities shall be subject to the limits in, and shall be measured and assessed in accordance with, NZS 6803:1999 "Acoustics – Construction Noise".
- (b) This Standard covers sound from construction work which is of a limited duration. Where the sound from a construction activity is part of the overall sound emission from an ongoing land use activity, then the overall sound level shall meet the relevant standard within the zone in which the activity is located, or the higher of the two values for the duration of the earthworks activity.
- viii Frankton-Cromwell Electricity Transmission Lines**
- (a) Earthworks on land near any tower supporting the Frankton – Cromwell A 110 kV high voltage transmission line shall not:
- (i) Be greater in depth than 300mm within 6m of the outer edge of the visible foundation of the tower;
 - (ii) Be greater in depth than 3m between 6m and 12m of the outer visible edge of any tower support structure
 - (iii) Create an unstable batter.
- This rule shall not apply to Earthworks for agricultural cultivation, or the repair, sealing or resealing of a road, footpath or driveway.
- Refer to NZ Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001)*

22.4 Resource Consents – Assessment Matters

i Nature and scale of the Earthworks

- (a) Whether the earthworks are a necessary part of subdivision, development or access construction and the extent to which the subdivision engineering works, building or finished project will remedy the effects of the earthworks.
- (b) Whether the design of the finished earthworks is sympathetic to natural topography, provides safe and stable building sites and access with suitable gradient.
- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Whether the mitigation measures proposed, reflect the level of environmental effects from the project.

In Rural areas and Ski Area Sub-Zone:

- (e) Whether the proposed earthworks are associated with farming activities and will enhance operational efficiency including maintenance and improvement of track access and fencing.
- (f) Whether the earthworks are to create a fire break and whether the area is identified on the Natural Hazards Register as a high fire risk.
- (g) Whether the earthworks are associated with public recreation trails that enhance recreational opportunities and access.
- (h) Within Ski Area Sub-Zones, the improvements to trails, accessibility of terrain, and safety.

ii Environmental Protection Measures

- (a) Whether and to what extent proposed sediment and erosion control techniques are adequate to ensure sediment remains on-site.
- (b) Whether appropriate measures to control dust emissions are proposed.
- (c) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
- (d) Hours of operation, including whether the activity will generate noise and vibration effects, which detract from the amenity values of the surrounding area.
- (e) The effects of traffic generated and whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (f) Whether the applicant / operator has a track record of good practice on site and any opportunities to promote good practice on site.

iii Remedial works and revegetation

- (a) The proposed rehabilitation of the site and to what extent re-vegetation will mitigate any adverse effects.
- (b) The timeframes proposed for remedial works and revegetation.
- (c) The effectiveness of the remedial works and re-vegetation taking into account altitude and the alpine environment.

- iv Effects on landscape and visual amenity values, in particular Outstanding Natural Features and Outstanding Natural Landscapes.**
- (a) Whether and to what extent, the scale and location of any cut and fill will adversely affect:
- (i) the visual quality and amenity values of the landscape;
 - (ii) the natural landform of any ridgeline or visually prominent areas;
 - (iii) the visual amenity values of surrounding sites.
- (b) Whether the earthworks will take into account the sensitivity of the landscape.
- (c) The potential for cumulative effects on the natural form of existing landscapes.
- (d) Whether and to what extent the earthworks create an area that is inconsistent with the character of the surrounding landscape.
- (e) Whether the location and/or design of any new tracking can be modified in order to decrease the effects on the stability, visual quality and amenity values of the landscape.
- v Land Stability and Flooding**
- (a) Where earthworks are proposed on a site gradient > 18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks
- (b) Whether the earthworks will adversely affect the stability of neighbouring sites.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.
- (d) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (e) Whether and to what extent earthworks are necessary in order to undertake flood protection works recognising the long-term benefits of effective flood mitigation measures on the surrounding environment.
- vi Water bodies**
- (a) The effectiveness of sediment control techniques.
- (b) Whether and to what extent any groundwater is likely to be affected, and if any mitigation measures are proposed to address likely effects.
- vii Impacts on Sites of Cultural Heritage Value:**
- (a) The extent to which the activity modifies or damages waahi tapu or waahi taonga, and whether tangata whenua have been notified.
- (b) The extent to which the activity affects Ngai Tahu's cultural and traditional association with the Statutory Acknowledgment Area.
- (c) Whether the subject land contains a recorded archaeological site, and if so the extent to which the proposal would affect any such site and whether any necessary archaeological authority has been obtained from the NZ Historic Places Trust.
- (d) The extent to which earthwork activities adversely affect values within heritage landscapes of the District.

viii Bulk Earthworks

In addition to the assessment matters above:

- (a) Whether and the extent to which the earthworks are an integral part of subdivision and land use.
 - (b) Whether the effect of the earthworks will be temporary and the extent to which revegetation and future buildings will mitigate the visual effects.
 - (c) Provision of engineering and geotechnical assessments that reflect the scale of the bulk earthworks.
 - (d) Whether there will need to be off-site disposal of excess material and assessment of any traffic effects.
 - (e) Whether a comprehensive site management plan has been supplied and the adequacy of sediment and erosion control, dust control, vibration and noise, traffic, hours of operation, health and safety and any other measures employed to reduce the impact on residential neighbours.
 - (f) Whether the use of legal instruments, such as a bond to ensure work is completed, are proposed.
- (e) Provision of plans addressing site rehabilitation, remedial restoration works and timeframes.
 - (f) Use of legal instruments such as a bond to ensure work is completed.

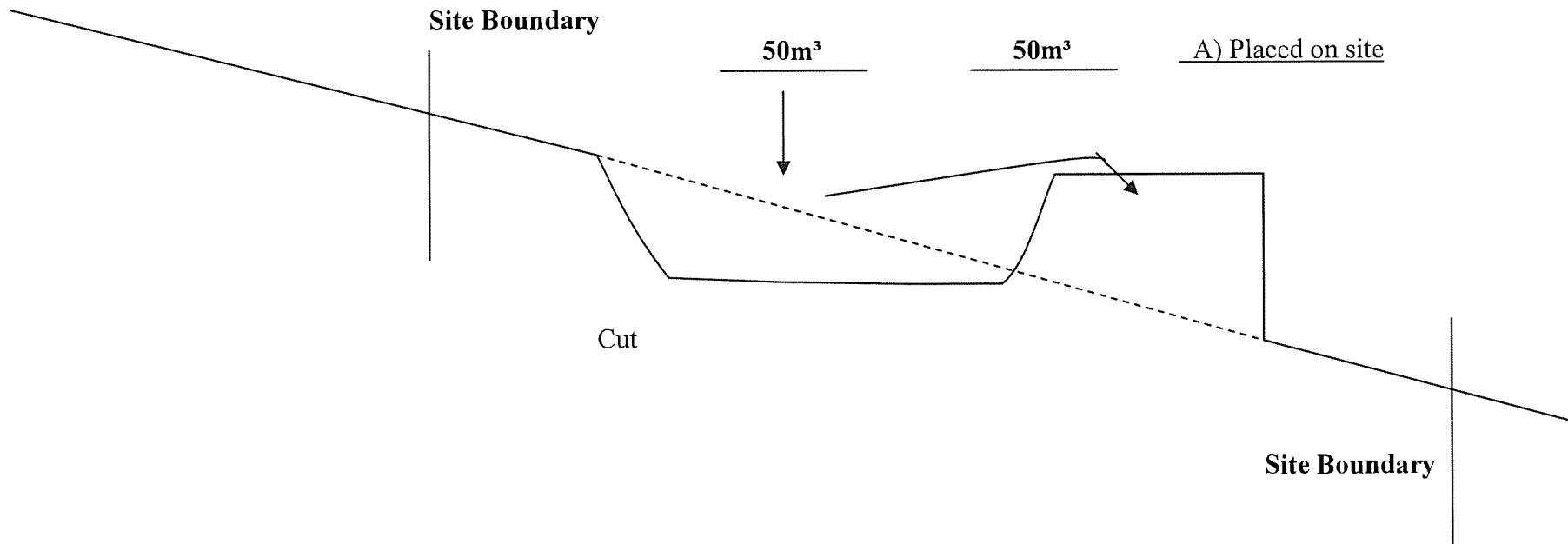
ix Cleanfill Facilities and Cleanfill Material

- (a) The source and type of cleanfill material.
- (b) The suitability of the topography for cleanfill development and whether the site has been demonstrated to be stable.
- (c) Whether location of a new cleanfill facility meets the criteria in Policy 7.2.
- (d) Whether a comprehensive site management plan has been supplied and the adequacy of sediment and erosion control, dust

5(a) The total volume of earthworks means 'the total volume of all earthworks that is moved within a site' as below:

A) Total Volume = 50m^3 (Cut) + 50m^3 (Fill)
= 100m^3

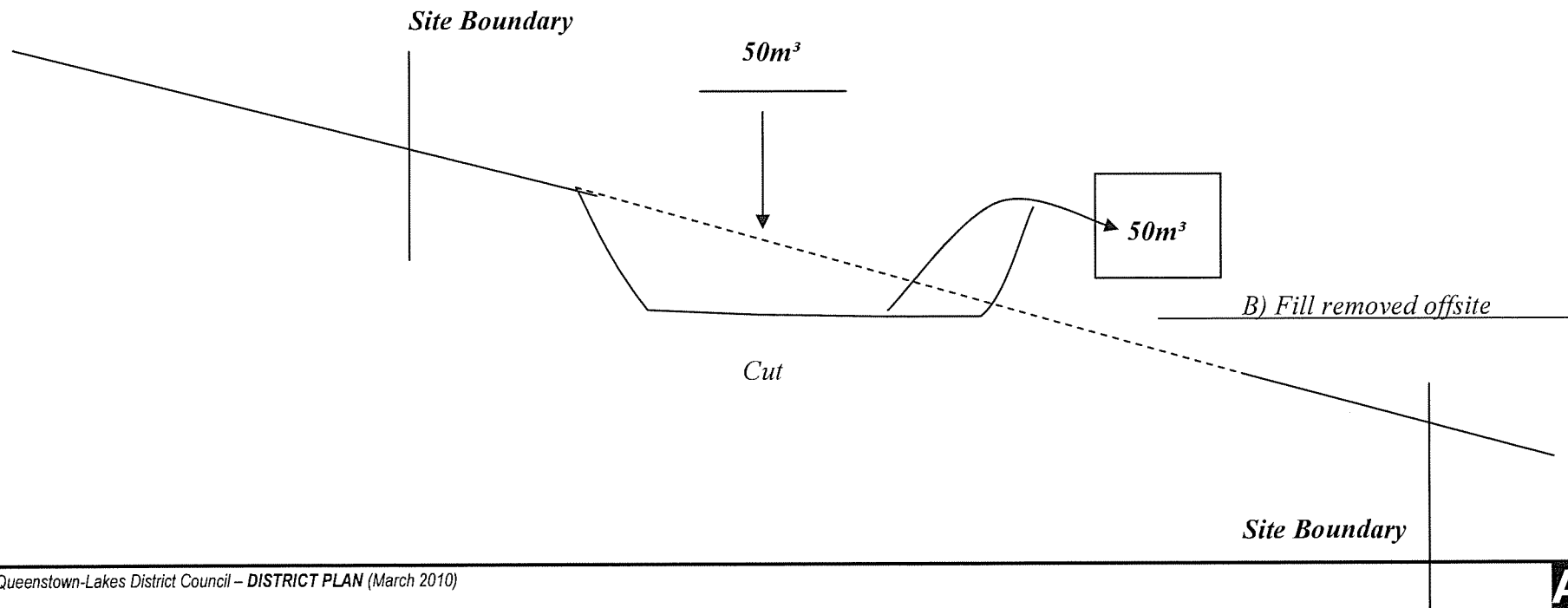
Original ground level



5 (b) The total volume of earthworks means 'the total volume of all earthworks that is moved within a site'. For Example:

B) Total Volume = $50m^3$ (Cut) removed off-site
= $50m^3$

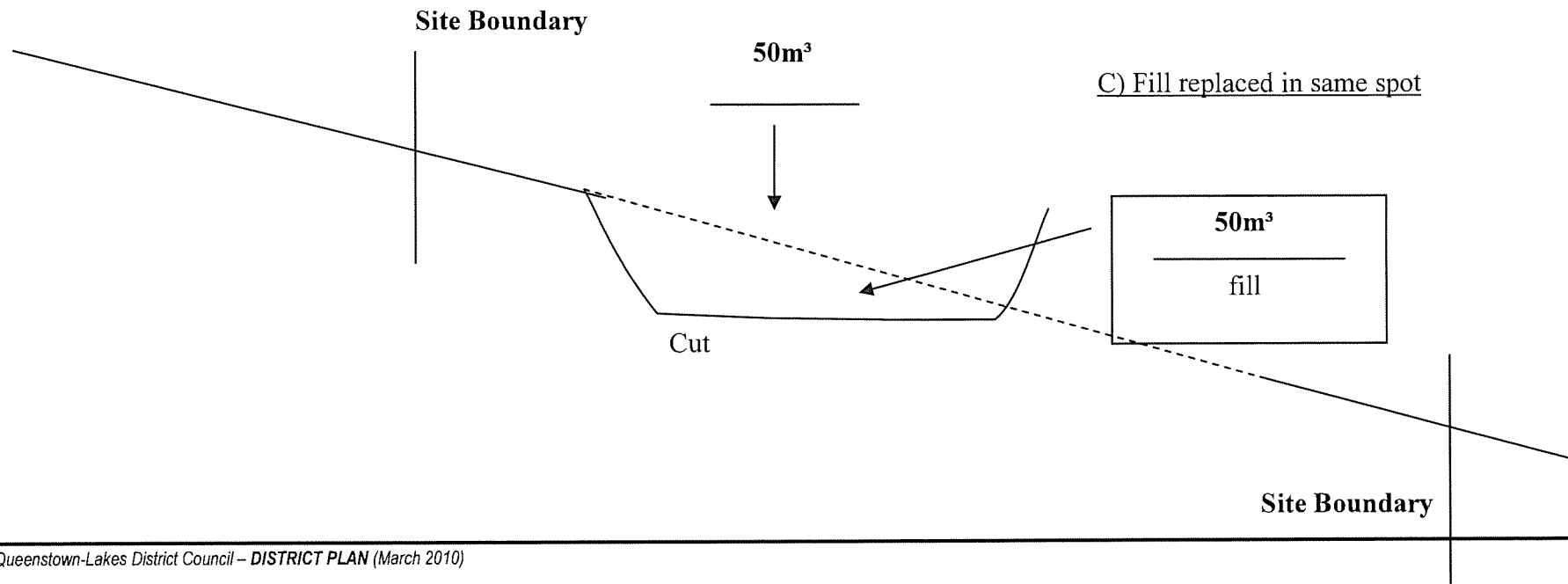
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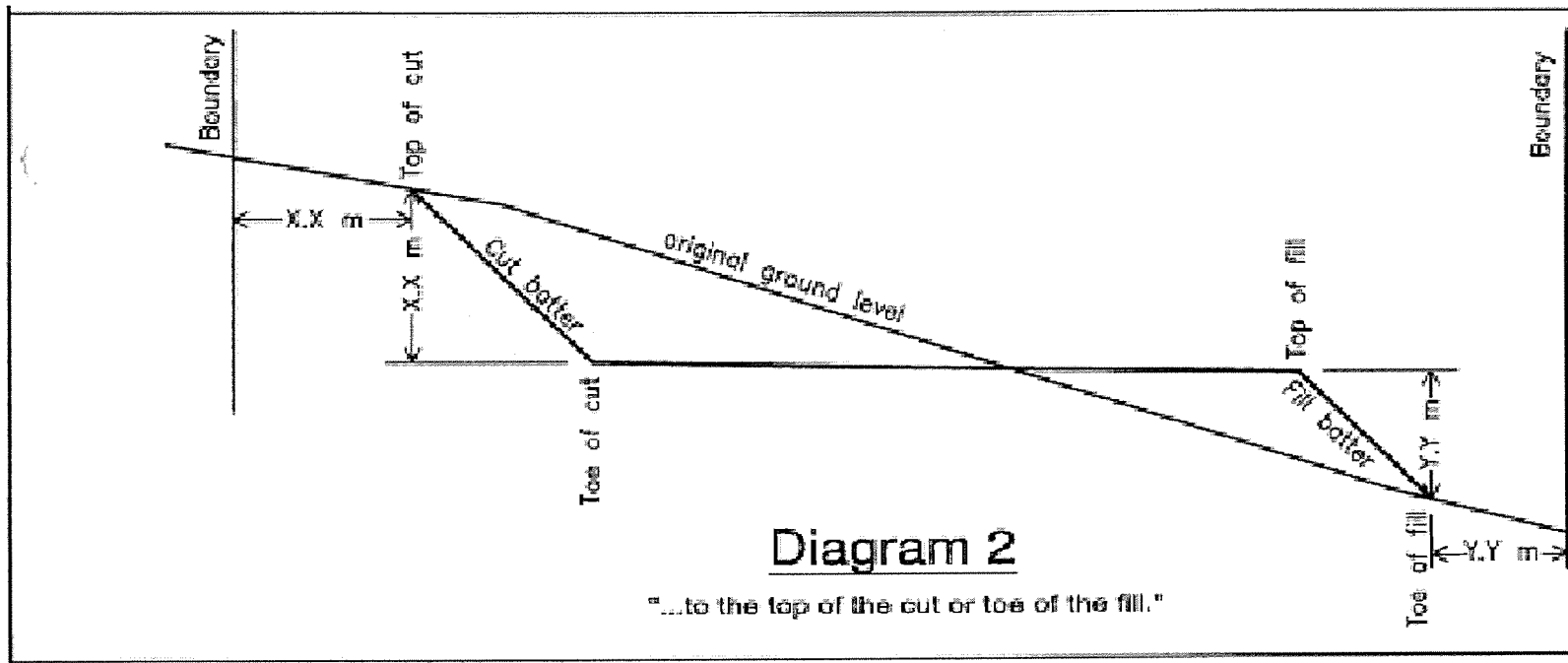
5 (c) The total volume of earthworks means 'the total volume of all earthworks that is moved within a site' for Example:

C) Total Volume = 50m^3 (Cut) removed, refilled in the same spot
= 100m^3

Original ground level



6. The distance between the boundary and the cut or fill shall be at the top of the cut batter/slope/face or to the toe of the fill batter/slope/face (as below).



Plan Change 49 Earthworks

Proposed amendments as notified 02 July 2014

The proposed amendments are shown as ~~strikethrough~~ and proposed additions are shown as underlined.

1. ~~Delete the 4.11 Earthworks from Section 4 District Wide Issues as follows:~~

4. District Wide Issues

4.1 Natural Environment

...

4.1.2 Resources, Activities and Values

The resources and values of the natural environment of the District and the activities that interact with those resources and values are described in various parts of this District Plan, namely:

- ~~Part 4 Section 2~~ 4.2 Landscape and Visual Amenity
- ~~Part 4 Section 3~~ 4.3 Takata Whenua
- ~~Part 4 Section 4~~ 4.4 Open Space and Recreation
- ~~Part 4 Section 6~~ 4.6 Surface of Lakes and Rivers
- ~~Part 4 Section 8~~ 4.8 Natural Hazards
- ~~Part 4 Section 10~~ Section 22 Earthworks
- ~~Part Section 5~~ Rural Issues, Objectives and Policies

4.1.3 Issues

Additional relevant issues are found in the following Parts of the District Plan:

- | | | |
|------------------------------|---|-----------------|
| Landscape and Visual Amenity | - | Part 4.2 |
| Takata Whenua | - | Part 4.3 |

- | | | |
|-----------------------------|---|-----------------------------|
| Surface of Lakes and Rivers | - | Part 4.6 |
| Natural Hazards | - | Part 4.8 |
| Earthworks | - | Part 4.10 Section 22 |
| Rural Areas | - | Part 5.3 |

...

4.11 Deleted Earthworks

4.11.1 Resources, Activities and Values

~~The topography of the Queenstown Lakes District often means that land modification, through earthworks, generally precedes the development of land. Some modification of the natural landscape is inevitable in order to provide safe and stable building platforms and roads with a suitable gradient. For example, in Queenstown, extensive excavation is often required to enable the further development of steep land. This has the potential to cause problems in terms of stability of adjacent properties, run-off and de-watering. Filling may also be used to increase the height of building platforms. This has the potential to alter the natural form of the landscapes, and has the potential to adversely affect the amenity values of neighbouring properties, and can alter drainage patterns.~~

~~Earthworks have the potential to alter landforms, landscapes and natural features to such an extent that the identity, amenity values and character of an area can be changed permanently. Therefore, while earthworks are temporary, their effects are often both significant and long term.~~

4.11.2 Issues

~~Sediment and soil run-off associated with earthworks have the potential to adversely affect water quality and the amenity values of neighbouring properties.~~

~~The direct results of sediment run-off include damage to neighbouring properties, the blocking of drains and the sedimentation of waterways.~~

The factors that affect the amount of sediment run-off are rainfall, soil erodability, slope length and slope gradient. The closer the earthworks operation locates to a waterway, the more immediate the potential impact.

~~Earthworks, either through excavation or filling, have the potential to permanently alter the natural shape and form of the landscape, particularly in areas of Outstanding Natural Features and Outstanding Natural Landscapes.~~

Potential adverse effects from earthworks on landforms and landscapes range from the widespread practice of remodelling the land for subdivisions, cut and fill operations, to more minor earthworks such as ground contouring for building platforms or driveways. Cut and fill operations can adversely affect privacy, cause physical domination and over-shadowing if located too close to neighbouring property boundaries, and have the potential to permanently alter the form and shape of Outstanding Natural Features and Outstanding Natural Landscapes.

~~Earthworks, including filling and excavation, have the potential to affect land instability and the potential for flooding.~~

Earthworks activities have the potential to weaken soil structure and exacerbate soil instability, subsidence, and soil erosion. This may be caused by incorrectly placed excavated fill, unsupported excavations, inherent weak rock strata combined with steep slopes, or steep slopes stripped of vegetation. Excavations close to the boundary also have the potential to reduce the overall stability of the soil of the adjacent property. Particularly in Queenstown, the excavation of sites to develop building platforms has the potential to undermine neighbouring properties.

Earthworks may also cause or exacerbate flooding by altering the natural profile of landforms, including the modification of stormwater run-off channels and catchment topography. The effects of modifying the landscape, if carried out inappropriately may cause downstream flooding and inundation. Further, by placing impervious structures beneath ground level, the potential for flooding is increased through the process of 'de-watering'.

~~Earthworks have the potential to adversely affect amenity values by creating noise and dust emissions.~~

Earthworks activities can emit high levels of noise, vibrations and dust. Dust emissions can cause irritation to people living nearby, and in some cases can cause adverse health effects such as asthma.

Earthworks operations cause noise emissions through the use of large machinery, vehicle movements and in some cases blasting. These are particularly disturbing to amenity values if they occur early in the morning or late at night.

~~Earthworks can disturb cultural heritage sites, including Waahi Tapu and Waahi Taoka, and archaeological sites.~~

Waahi Tapu and Waahi Taoka and archaeological sites in the District can be destroyed through the excavation and filling of land. A process of identifying these sites needs to be established so that the adverse effects of earthworks can be avoided.

~~Earthworks associated with tracking on highly visible slopes have the potential to adversely affect amenity values and permanently alter the landform.~~

Earthworks associated with the formation of tracks on highly visible slopes have the potential to have an adverse effect on the landscape and/or feature, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.

~~Earthworks have the potential to affect groundwater.~~

Earthworks have the potential to adversely affect the groundwater resource by either exposing the groundwater or by reducing the depth of the protective mantle that overlies the aquifer, which reduces the filtering capacity of the protective mantle. In the Wakatipu Basin the risk of aquifer contamination the filtering capacity of the protective mantle. In the Wakatipu Basin the risk of aquifer contamination due to excavation is particularly high, because in parts the protective soil mantle is very thin.

4.11.3 Objectives and Policies

Objectives

To avoid, remedy or mitigate the adverse effects from earthworks on:

- (a) ~~Water bodies~~
- (b) ~~The nature and form of existing landscapes and landforms, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.~~
- (c) ~~Land stability and flood potential of the site and neighbouring properties~~
- (d) ~~The amenity values of neighbourhoods~~
- (e) ~~Cultural heritage sites, including waahi tapu and waahi taoka and archaeological sites~~
- (f) ~~The water quality of the aquifers.~~

Policies:

- 1. ~~To minimise sediment run-off into water bodies from earthworks activities through the adoption of sediment control techniques.~~
- 2. ~~To avoid the location of earthworks in close proximity to water bodies. Where this can not be avoided, to ensure that sediment control measures are put in place to minimise sediment run-off.~~
- 3. ~~To minimise the area of bare soil exposed and the length of time it remains exposed.~~
- 4. ~~To avoid or mitigate adverse visual effects of earthworks on outstanding natural landscapes and outstanding natural features.~~
- 5. ~~To avoid earthworks including tracking on steeply sloping sites and land prone to erosion or instability. Where this can not be avoided, to~~

~~ensure techniques are adopted that minimise the potential to decrease land stability.~~

- 6. ~~To protect the existing form and amenity values of residential areas by restricting the magnitude of filling and excavation.~~
- 7. ~~To ensure techniques are adopted to minimise dust and noise effects from earthworks activities.~~
- 8. ~~As far as practicable, to protect Waahi Tapu, Waahi Taoka, and other archaeological sites from potential disturbance resulting from earthworks.~~
- 9. ~~To notify Kai Tahu ki Otago where earthworks are proposed in areas identified in either the District Plan or the Natural Resource Management Plan as significant to iwi.~~
- 10. ~~To notify the NZ Historic Places Trust where proposed earthworks may affect archaeological sites.~~
- 11. ~~To ensure that work is suspended and Kai Tahu ki Otago and the NZ Historic Places Trust are notified when archaeological remains are observed or unearthed during earthworks activities.~~
- 12. ~~To avoid contaminating the water aquifers of the Queenstown Lakes District.~~

Implementation methods

(i) District Plan

- (a) ~~The inclusion of rules controlling the effects of earthworks activities in the Residential, Rural Living Areas, Townships, Town Centre, Business and Industrial, and Special Zones.~~

(ii) Other methods

- ~~(a) The provision of sediment control guidelines, which provide information on sediment control techniques, and best management practices for earthworks activities.~~
- ~~(b) Advise and provide information to local community groups, landholders and organisations~~
- ~~(c) Coordination with Te Runanga O Ngai Tahu, Kai Tahu ki Otago and the NZ Historic Places Trust in the identification and protection of sites of cultural heritage value.~~
- ~~(d) Advise and provide information to all those proposing to undertake earthworks with detailed information of the Wakatipu aquifers and mantle as provided by the Otago Regional Council.~~

Explanation and Principal Reasons for Adoption

~~The Council recognises that most development requires some modification of the natural environment through earthworks, and that such operations have the potential to cause adverse environmental effects. Consequently, the Council has adopted an approach that enables development, while ensuring adverse environmental effects are minimised. This is achieved through placing controls on earthworks activities that are of a large magnitude, are on a steep site, close to neighbouring property, or within close proximity to a water body or within an Outstanding Natural Feature or Outstanding Natural Landscape.~~

~~Earthworks that comply with the site standards are a permitted activity. While the effects from such earthworks may be minor, the cumulative effects may be significant. It is therefore considered important that landowners are made aware of techniques they can adopt to minimise adverse effects.~~

2. Delete the Earthworks rules from Section 5 Rural Areas as follows:

5.3 Rural General and Ski Area Sub-Zone – Rules

...

5.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part **Section 13**
- (ii) Transport - Refer Part **Section 14**
- (iii) Subdivision, Development and Financial Contributions - Refer Part **Section 15**
- (iv) Hazardous Substances - Refer Part **Section 16**
- (v) Utilities - Refer Part **Section 17**
- (vi) Signs - Refer Part **Section 18**
- (vii) Relocated Buildings and Temporary Activities - Refer Part **Section 19**
- (viii) Earthworks - Refer Section 22

...

5.3.3.2 Controlled Activities

...

viii Deleted Earthworks

The following rules apply to all earthworks except:

- ~~— within the Ski Area Sub-Zone (as defined in this Plan);~~
- ~~— for earthworks approved as part of a subdivision where that subdivision has resource consent;~~
- ~~— for routine repair and maintenance of operational tracks; and~~
- ~~— for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service).~~
- ~~— for earthworks approved as part of a resource consent for a residential building platform or a building.~~

~~— for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.~~

~~(a) Earthworks where the maximum area of bare soil exposed is between 1000m² and 2500m² per site within any one consecutive 12 month period.~~

~~(b) Earthworks where the maximum volume of earth moved is between 300m³ and 1000m³ per site within any one consecutive 12 month period.~~

...

5.3.5.1 Site Standards

...

viii Deleted Earthworks

~~— The following limitations apply to all earthworks except:~~

~~— within the Ski Area Sub-Zone (as defined in this Plan);~~

~~— for earthworks approved as part of a subdivision where that subdivision has resource consent;~~

~~— for routine repair and maintenance of operational tracks;~~

~~— for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service);~~

~~— for earthworks approved as part of a resource consent for a residential building platform or a building; and~~

~~— for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.~~

1. Earthworks

~~(a) Earthworks shall not exceed a maximum area of bare soil exposed of 2500m² per site, within any one consecutive 12 month period.~~

~~(b) Earthworks shall not exceed a maximum volume of moved earth greater than 1000m³ per site, within any one consecutive 12 month period.~~

~~(c) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed 20m³ (except for earthworks undertaken within a road designation for the purpose of establishing, upgrading and/or maintaining a State Highway network).~~

2. Height of cut and fill and slope

~~(a) No road, track or access way shall (other than the Arrow Irrigation Scheme and flood protection works) have an upslope cut or batter greater than 1 metre in height, measured vertically.~~

~~(b) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees unless previously determined.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3. Environmental Protection Measures

~~(a) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(b) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(c) Cut or fill shall not expose the groundwater aquifer (water bearing gravels) causing ponding or causing artificial drainage of the aquifer.~~

~~4. Protection of Archaeological sites and sites of cultural heritage~~

~~The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the District Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(a) Where any earthworks are undertaken in areas identified as Ngai Tahu Statutory Acknowledgement Areas the earthworks shall not exceed 50m² in area or 20m³ in volume, in any one consecutive 12 month period.~~

...

5.4.2.3 Assessment Matters General

xxvii Deleted Earthworks

~~1. Environmental Protection Measures:~~

~~(a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site gradient > 18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether measures to minimise dust emissions are proposed and to what extent these mitigation measures are effective.~~

~~(f) Whether and to what extent any groundwater is likely to be affected, and if any mitigation measures are proposed to address likely effects.~~

~~(g) Whether and to what extent earthworks are necessary in order to undertake flood protection works recognising the long term benefits of effective flood mitigation measures on the surrounding environment.~~

~~2. Effects on landscape and visual amenity values, in particular Outstanding Natural Features and Outstanding Natural Landscapes.~~

~~(a) Whether and to what extent the scale and location of any cut and fill will adversely affect:~~

- ~~• the visual quality and amenity values of the landscape;~~

- ~~• the natural landform of any ridgeline or visually prominent areas;~~

- ~~• the visual amenity values of surrounding sites.~~

~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~

- ~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~
- ~~(d) The proposed rehabilitation of the site and to what extent re-vegetation will mitigate any adverse effects.~~
- ~~(e) Whether and to what extent the earthworks create an area that is inconsistent with the character of the surrounding landscape.~~
- ~~(f) Whether the location and/or design of any new tracking can be modified in order to decrease the effects on the stability, visual quality and amenity values of the landscape.~~

~~3. Effects on adjacent sites~~

- ~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites~~
- ~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~
- ~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General Amenity Values~~

- ~~(a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

- ~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

- ~~(c) Whether natural ground levels will be altered.~~

~~5. Impacts on sites of cultural heritage value:~~

- ~~(a) The extent to which the activity modifies or damages Waahi Tapu or Waahi Taoka, and whether tangata whenua have been notified.~~

- ~~(b) The extent to which the activity affects Ngai Tahu's cultural and traditional association with the Statutory Acknowledgment Area.~~

- ~~(c) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

~~6. Activities~~

- ~~(a) Whether the proposed tracking or other earthworks is necessary or desirable for the ongoing and reasonable maintenance and use of the land.~~

- ~~(b) Whether the proposed tracking or other earthworks are necessary or desirable to achieve a reasonable or appropriate use of the land for the proposed activity.~~

~~...~~

5.7 Gibbston Character Zone - Rules

~~...~~

5.7.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part Section 13
- (ii) Transport - Refer Part Section 14
- (iii) Subdivision, Development and Financial Contributions - Refer Part Section 15
- (iv) Hazardous Substances - Refer Part Section 16
- (v) Utilities - Refer Part Section 17
- (vi) Signs - Refer Part Section 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part Section 19
- (viii) Earthworks - Refer Section 22

...

5.7.5.1 Site Standards

...

iv Deleted Earthworks

~~(a) No cut or batter (other than routine repair and maintenance of operational tracks and flood protection works) shall exceed 2m in vertical height, except that such cut or batter shall not exceed 3m in vertical height for more than 10% of its length.~~

~~(b) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees.~~

~~(c) All pervious surfaces are to be vegetated.~~

~~(d) No earthworks (other than the formation of tracks and earthworks within Ski Area Sub-Zones) shall exceed 1000 m³ in total volume or 2500 m² in total area.~~

3. Delete the Earthworks rules from Section 7 Residential Areas as follows:

7.5 Low Density and High Density Residential Zone Rules

...

7.5.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part Section 13
- (ii) Transport - Refer Part Section 14
- (iii) Subdivision, Development and Financial Contributions - Refer Part Section 15
- (iv) Hazardous Substances - Refer Part Section 16
- (v) Utilities - Refer Part Section 17
- (vi) Signs - Refer Part Section 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part Section 19
- (viii) Earthworks - Refer Section 22

...

7.5.5.2 Site Standards - Residential Activities and Visitor Accommodation

...

xvi Deleted Earthworks

~~The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

(a) Earthworks

- ~~(i) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~

- ~~(ii) — The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).~~
- ~~(iii) — Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~
- ~~(iv) — No earthworks shall:

 - ~~a. — expose any groundwater aquifer;~~
 - ~~b. — cause artificial drainage of any groundwater aquifer;~~
 - ~~c. — cause temporary ponding of any surface water.~~~~
- ~~(b) — Height of cut and fill and slope

 - ~~(i) — The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~
 - ~~(ii) — The maximum height of any cut shall not exceed 2.4 metres.~~
 - ~~(iii) — The maximum height of any fill shall not exceed 2 metres.~~~~
- ~~(c) — Environmental Protection Measures

 - ~~(i) — Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~
 - ~~(ii) — Any person carrying out earthworks shall:

 - ~~a. — Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District~~~~~~

~~earthworks guideline to assist in the achievement of this standard.~~

- ~~b. — Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~
- ~~c. — Implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~
- ~~(d) — Protection of archaeological sites and sites of cultural heritage

 - ~~(i) — The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~
 - ~~(ii) — The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~~~

7.5.6.2 Site Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone).

xi Deleted Earthworks

~~— The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

- ~~(a) — Earthworks~~

- ~~(i) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~
 - ~~(ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).~~
 - ~~(iii) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~
 - ~~(iv) No earthworks shall:

 - ~~a. expose any groundwater aquifer;~~
 - ~~b. cause artificial drainage of any groundwater aquifer;~~
 - ~~c. cause temporary ponding of any surface water.~~~~
 - ~~(b) Height of cut and fill and slope

 - ~~(i) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~
 - ~~(ii) The maximum height of any cut shall not exceed 2.4 metres.~~
 - ~~(iii) The maximum height of any fill shall not exceed 2 metres.~~~~
 - ~~(c) Environmental Protection Measures

 - ~~(i) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~
 - ~~(ii) Any person carrying out earthworks shall:

 - ~~a. Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~
 - ~~b. Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~
 - ~~c. Implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~~~~~
 - ~~(d) Protection of Archaeological sites and sites of cultural heritage

 - ~~(i) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~
 - ~~(ii) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~~~
- ...
- 7.6.5.1 Site Standards - Residential Activities**
- ...
- vi Deleted Earthworks**
- The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.
- ~~(a) Earthworks~~

- ~~(i) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~
- ~~(ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).~~
- ~~(iii) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~
- ~~(iv) No earthworks shall:

 - ~~a. expose any groundwater aquifer;~~
 - ~~b. cause artificial drainage of any groundwater aquifer;~~
 - ~~c. cause temporary ponding of any surface water.~~~~
- ~~(b) Height of cut and fill and slope

 - ~~(i) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~
 - ~~(ii) The maximum height of any cut shall not exceed 2.4 metres.~~
 - ~~(iii) The maximum height of any fill shall not exceed 2 metres.~~~~
- ~~(c) Environmental Protection Measures

 - ~~(i) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~~~

- ~~(ii) Any person carrying out earthworks shall:

 - ~~a. Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~
 - ~~b. Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~
 - ~~c. Implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~~~
- ~~(d) Protection of Archaeological sites and site of cultural heritage

 - ~~(i) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~
 - ~~(ii) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~~~

...

7.6.6.1 Site Standards - Non-Residential Activities

...

v Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

~~(a) Volume of earthworks~~

- ~~(i) The total volume of earthworks does not exceed 100m³ per site.~~
- ~~(ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m³ in the area within that site.~~

~~(b) Height of cut and fill~~

- ~~(i) The height of any cut or fill shall not be greater than the distance of the cut or fill from the site boundary. Except where the cut and fill is retained, in which case it may be located up to the boundary, if less than or equal to 0.5m in height.~~
- ~~(ii) The maximum height of any cut shall not exceed 2.4 metres.~~
- ~~(iii) The maximum height of any fill shall not exceed 2 metres.~~

~~(c) Measures to control sediment~~

- ~~(i) No contamination, including siltation, of any water body shall occur.~~
- ~~(ii) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~
- ~~(iii) No vegetation, soil, earth, rock or any other debris shall be allowed to enter or shall be positioned where it may dam or divert any river or stream or adversely affect instream habitats.~~
- ~~(iv) Measures to minimise dust emissions shall be adopted.~~

~~(d) Protection of sites of cultural heritage value~~

- ~~(i) The activity shall not interfere with or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~
- ~~(ii) The activity shall not effect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within a Statutory Acknowledgement Area.~~

...

7.7.2 Assessment Matters

...

xxxii Deleted Earthworks

In the High Density Residential Zone notification may be required in situations involving special circumstances with regard to any aspect of earthworks to include, but not limited to, work schedules, blasting or extensive drilling, unstable or suspect geological conditions, substantial subsurface water, safety and traffic management.

In all zones covered by this section of the District Plan,

~~(a) Environmental Protection Measures~~

- ~~(i) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~
- ~~(ii) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~
- ~~(iii) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~
- ~~(iv) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(vi) Whether appropriate measures to control dust emissions are proposed.~~

~~(vii) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

4. **Delete the Earthworks rules from Section 8 Rural Living Areas as follows:**

8.2 Rural Living Areas Rules

...

8.2.1 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part Section 13 |
| (ii) Transport | - Refer Part Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part Section 15 |
| (iv) Hazardous Substances | - Refer Part Section 16 |
| (v) Utilities | - Refer Part Section 17 |
| (vi) Signs | - Refer Part Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part Section 19 |
| <u>(viii) Earthworks</u> | - Refer Section 22 |

...

8.2.4.1 Site Standards

...

x Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

~~(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~

~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).~~

~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

- ~~(i) expose any groundwater aquifer;~~
- ~~(ii) cause artificial drainage of any groundwater aquifer,~~
- ~~(iii) cause temporary ponding of any surface water.~~

2. Height of cut and fill and slope

~~(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3. Environmental Protection Measures

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4. Protection of Archaeological sites and sites of cultural heritage

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

...

8.3.2 Assessment Matters

...

xiv Deleted Earthworks

1. Environmental Protection Measures

~~(a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

2. Effects on landscape and visual amenity values

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

- ~~the visual quality and amenity values of the landscape;~~
- ~~the natural landform of any ridgeline or visually prominent areas;~~
- ~~the visual amenity values of surrounding sites.~~

~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~(d) The proposed rehabilitation of the site.~~

~~3. Effects on adjacent site:~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~5. Delete the Earthworks rules from Section 9 Townships as follows:~~

9.2 Townships Zone Rules

9.2.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part Section 13 |
| (ii) Transport | - Refer Part Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part Section 15 |
| (iv) Hazardous Substances | - Refer Part Section 16 |
| (v) Utilities | - Refer Part Section 17 |
| (vi) Signs | - Refer Part Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part Section 19 |

~~(viii) Earthworks~~

~~- Refer Section 22~~

~~9.2.5.1 Site Standards~~

~~xii Deleted Earthworks~~

~~The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

~~1. Earthworks~~

~~(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~

~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).~~

~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

- ~~(i) expose any groundwater aquifer;~~
- ~~(ii) cause artificial drainage of any groundwater aquifer;~~
- ~~(iii) cause temporary ponding of any surface water.~~

~~2. Height of cut and fill and slope~~

~~(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where~~

the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3. ~~Environmental Protection Measures~~

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a waterbody or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4. ~~Protection of Archaeological sites and sites of cultural heritage~~

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

...

9.3.2 ~~Assessment Matters~~

...

xviii ~~Deleted Earthworks~~

1. ~~Environmental Protection Measures~~

~~(a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

2. ~~Effects on landscape and visual amenity values~~

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

- ~~— the visual quality and amenity values of the landscape;~~
- ~~— the natural landform of any ridgeline or visually prominent areas;~~
- ~~— the visual amenity values of surrounding sites.~~
- (b) ~~Whether the earthworks will take into account the sensitivity of the landscape.~~
- (c) ~~The potential for cumulative effects on the natural form of existing landscapes.~~
- (d) ~~The proposed rehabilitation of the site.~~

3. ~~Effects on adjacent sites:~~

- (a) ~~Whether the earthworks will adversely affect the stability of neighbouring sites.~~
- (b) ~~Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~
- (c) ~~Whether cut, fill and retaining are done in accordance with engineering standards.~~

4. ~~General amenity values~~

- (a) ~~Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~
- (b) ~~Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~
- (c) ~~Whether natural ground levels will be altered.~~

5. ~~Impacts on sites of cultural heritage value~~

- (a) ~~Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~
- (b) ~~Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

6. ~~Delete the Earthworks rules from Section 10 Town Centres as follows:~~

10.6 ~~Queenstown Town Centre Zone Rules~~

...

10.6.2 ~~District Rules~~

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part Section 13 |
| (ii) Transport | - Refer Part Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part Section 15 |
| (iv) Hazardous Substances | - Refer Part Section 16 |
| (v) Utilities | - Refer Part Section 17 |
| (vi) Signs | - Refer Part Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part Section 19 |
| (viii) Earthworks | - Refer Section 22 |

...

10.6.5.1 ~~Site Standards~~

...

x ~~Deleted Earthworks~~

PLAN CHANGE 49 - EARTHWORKS

B

~~The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

1. ~~Earthworks~~

~~(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~

~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).~~

~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

- ~~(i) expose any groundwater aquifer;~~
- ~~(ii) cause artificial drainage of any groundwater aquifer;~~
- ~~(iii) cause temporary ponding of any surface water.~~

2. ~~Height of cut and fill and slope~~

~~(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3. ~~Environmental Protection Measures~~

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4. ~~Protection of Archaeological sites and sites of cultural heritage~~

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

...

10.7.5.1 Site Standards

...

x Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.

(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).

(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).

(d) No earthworks shall:

- (i) expose any groundwater aquifer;
- (ii) cause artificial drainage of any groundwater aquifer;
- (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.

(b) Any person carrying out earthworks shall:

(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.

(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

...

10.8.5.1 Site Standards

...

ix Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

...

10.9.5.1 Site Standards

...

vi Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume” see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site.
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The height of any cut or fill shall not be greater than the distance of the cut or fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not interfere with or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

...

10.10.2 Assessment Matters

...

xxi Deleted Earthworks

1. Environmental Protection Measures

- ~~(a) — The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~
- ~~(b) — Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~
- ~~(c) — Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~
- ~~(d) — Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~
- ~~(e) — Whether appropriate measures to control dust emissions are proposed.~~
- ~~(f) — Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects.
NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

~~2. — Effects on landscape and visual amenity values~~

- ~~(a) — Whether the scale and location of any cut and fill will adversely affect:
 - ~~— the visual quality and amenity values of the landscape;~~
 - ~~— the natural landform of any ridgeline or visually prominent areas;~~
 - ~~— the visual amenity values of surrounding sites.~~~~
- ~~(b) — Whether the earthworks will take into account the sensitivity of the landscape.~~
- ~~(c) — The potential for cumulative effects on the natural form of existing landscapes.~~

- ~~(d) — The proposed rehabilitation of the site.~~

~~3. — Effects on adjacent sites:~~

- ~~(a) — Whether the earthworks will adversely affect the stability of neighbouring sites.~~
- ~~(b) — Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~
- ~~(c) — Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. — General amenity values~~

- ~~(a) — Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~
- ~~(b) — Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~
- ~~(c) — Whether natural ground levels will be altered.~~

~~5. — Impacts on sites of cultural heritage value:~~

- ~~(a) — Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~
- ~~(b) — Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

7. ~~Delete the Earthworks rules from Section 11 Business and Industrial Areas as follows:~~

11.2 Business Zone Rules

...

11.2.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part <u>Section 13</u> |
| (ii) Transport | - Refer Part <u>Section 14</u> |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part <u>Section 15</u> |
| (iv) Hazardous Substances | - Refer Part <u>Section 16</u> |
| (v) Utilities | - Refer Part <u>Section 17</u> |
| (vi) Signs | - Refer Part <u>Section 18</u> |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part <u>Section 19</u> |
| <u>(viii) Earthworks</u> | - Refer <u>Section 22</u> |

...

11.2.5.1 Site Standards

...

vii Deleted Earthworks

~~The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

1. Earthworks

- (a) ~~The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~

- ~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).~~

- ~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

- ~~(i) expose any groundwater aquifer;~~
~~(ii) cause artificial drainage of any groundwater aquifer;~~
~~(iii) cause temporary ponding of any surface water.~~

2. Height of cut and fill and slope

- ~~(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3. Environmental Protection Measures

- ~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) Any person carrying out earthworks shall:~~

- ~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District~~

~~earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4. ~~Protection of Archaeological sites and sites of cultural heritage~~

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

11.3 Industrial Zone Rules

11.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part Section 13
- (ii) Transport - Refer Part Section 14
- (iii) Subdivision, Development and

- Financial Contributions - Refer Part Section 15
- (iv) Hazardous Substances - Refer Part Section 16
- (v) Utilities - Refer Part Section 17
- (vi) Signs - Refer Part Section 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part Section 19
- (viii) Earthworks - Refer Section 22

11.3.5.1 Site Standards

vii Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

~~(a) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretive diagram 5.~~

~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (with in a 12 month period).~~

~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

- ~~(i) expose any groundwater;~~
- ~~(ii) cause artificial drainage of any groundwater aquifer;~~
- ~~(iii) cause temporary ponding of any surface water.~~

2. Height of cut and fill and slope

~~(a) The height of any cut or fill shall not be greater than the distance of the cut or fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

~~3. Environmental Protection Measures~~

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~4. Protection of Archaeological sites and sites of cultural heritage~~

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

...

11.4.2 Assessment Matters

...

xi Deleted Earthworks

1. Environmental Protection Measures

~~(a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

2. Effects on landscape and visual amenity values

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

~~_____ the visual quality and amenity values of the landscape;~~

~~_____ the natural landform of any ridgeline or visually prominent areas;~~

~~_____ the visual amenity values of surrounding sites.~~

~~_____ (b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~_____ (c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~_____ (d) The proposed rehabilitation of the site.~~

3. ~~Effects on adjacent sites:~~

~~_____ (a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~_____ (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~_____ (c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

4. ~~General amenity values~~

~~_____ (a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

~~_____ (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~_____ (c) Whether natural ground levels will be altered.~~

5. ~~Impacts on sites of cultural heritage value:~~

~~_____ (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~

~~_____ (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

~~...~~

11.5 Industrial B Zone

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11.5.6 Performance Standards

6	<p><u>Deleted Earthworks</u> The following limitations apply to all earthworks (as defined in this Plan); except for earthworks associated with a subdivision or Outline Development Plan that has both resource consent and engineering approval.</p> <p>1. Earthworks</p> <p style="padding-left: 20px;">(a) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.</p> <p style="padding-left: 20px;">(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).</p> <p style="padding-left: 20px;">(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).</p> <p style="padding-left: 20px;">(d) No earthworks shall:</p> <p style="padding-left: 40px;">(i) expose any groundwater aquifer;</p> <p style="padding-left: 40px;">(ii) cause artificial drainage of any groundwater aquifer;</p> <p style="padding-left: 40px;">(iii) cause temporary ponding of any surface water.</p> <p>2. Height of cut and fill and slope</p> <p style="padding-left: 20px;">(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.</p> <p style="padding-left: 20px;">(b) The maximum height of any cut shall not exceed 2.4 metres.</p> <p style="padding-left: 20px;">(c) The maximum height of any fill shall not exceed 2 metres.</p> <p>3. Environmental Protection Measures</p> <p style="padding-left: 20px;">(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall</p>	RDIS
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PLAN CHANGE 49 - EARTHWORKS

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	<p>be revegetated within 12 months of the completion of the operations.</p> <p>(c) — Any person carrying out earthworks shall:</p> <p>(i) — Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</p> <p>(ii) — Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.</p> <p>(c) — Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</p> <p>_____</p> <p>4. — Protection of Archaeological sites and sites of cultural heritage</p> <p>(a) — The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.</p> <p>(b) — The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.</p> <p>Note: Earthworks in the open space areas shown on the Structure Plan are also subject to an additional performance standard in this table.</p>	
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19	<p><u>Deleted Earthworks in the fixed open space areas</u></p> <p>i. — There shall be no excavation within the fixed open space areas identified on the Structure Plan entitled 'Industrial B Zone - Connell Terrace Precinct';</p> <p>Note: Any ODP or Landscape Plan which proposes excavation will become non-complying.</p> <p>ii. — All earthworks within the fixed open space areas identified on the relevant Structure Plan shall be in accordance with an approved ODP or Landscape Plan.</p>	N-C
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11.6.3 Assessment matters relating to performance standards

iv ~~Deleted Earthworks—Assessment Matters~~

~~In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the assessment matters contained in Section 11.4.2(xi) of the District Plan and, in addition:~~

- ~~(a) With regard to impacts on sites of cultural heritage value, whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.~~

8. ~~Delete the Earthworks rules from Section 12 Special Zones as follows:~~

12.2 Resort Zone Rules

...

12.2.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part <u>Section 13</u> |
| (ii) Transport | - Refer Part <u>Section 14</u> |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part <u>Section 15</u> |
| (iv) Hazardous Substances | - Refer Part <u>Section 16</u> |
| (v) Utilities | - Refer Part <u>Section 17</u> |
| (vi) Signs | - Refer Part <u>Section 18</u> |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part <u>Section 19</u> |
| <u>(viii) Earthworks</u> | - Refer <u>Section 22</u> |

...

12.2.3.2 Controlled Activities

...

~~x Earthworks~~

~~In the Jacks Point Zone, earthworks associated with golf course development, that exceed 1,000m³ in volume and/or 2,500m² of exposed topsoil at any time.~~

...

12.2.3.4 Discretionary Activities

...

~~vi Earthworks (Jacks Point Zone)~~

~~In the Jacks Point Zone, earthworks which are not associated with a subdivision, the construction, addition or alteration of any building, or golf course development, and do not comply with the site and zone standards for earthworks, with the exercise of Council's discretion being limited to:~~

~~— The protection of amenity values;~~

~~— The protection of adjoining sites;~~

~~— Any other necessary environmental protection measures; and~~

~~— The potential impacts on sites of cultural and archaeological heritage value.~~

12.2.5.1 Site Standards

...

~~vi Deleted Earthworks~~

~~The following limitations apply to all earthworks (as defined within this Plan) within the Jacks Point Zone, **except** for earthworks associated with:~~

~~_____ A subdivision~~

~~_____ The construction, addition or alteration of any building; and~~

~~_____ Golf course development.~~

1 ~~Volume of Earthworks~~

~~(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~

~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).~~

~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

~~(i) expose any groundwater aquifer;~~

~~(ii) cause artificial drainage of any groundwater aquifer;~~

~~(iii) cause temporary ponding of any surface water.~~

2 ~~Height of cut and fill and slope~~

~~(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe from the site boundary (See interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3 ~~Environmental Protection Measures~~

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4 ~~Protection of Archaeological sites and sites of cultural heritage~~

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Area.~~

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12.4 Rural Visitor Zone Rules

...

12.4.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part <u>Section 13</u> |
| (ii) Transport | - Refer Part <u>Section 14</u> |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part <u>Section 15</u> |
| (iv) Hazardous Substances | - Refer Part <u>Section 16</u> |
| (v) Utilities | - Refer Part <u>Section 17</u> |
| (vi) Signs | - Refer Part <u>Section 18</u> |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part <u>Section 19</u> |
| <u>(viii) Earthworks</u> | - Refer <u>Section 22</u> |

...

12.4.5.1 Site Standards

...

iv Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not

exceed **200m²** in area within that site (within a 12 month period).

- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).

(d) No earthworks shall:

- (i) expose any groundwater aquifer;
- (ii) cause artificial drainage of any groundwater aquifer;
- (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.

(c) Any person carrying out earthworks shall:

- (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~4. Protection of Archaeological sites and sites of cultural heritage~~

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

...

12.5.2 Assessment Matters

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~~xi Earthworks - Controlled Activity (Jacks Point Zone)~~

~~(a) The extent to which sediment/erosion control techniques will mitigate effects upon stormwater and overland flows.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) The time period within which the earthworks will be completed.~~

~~(d) The slope of the site.~~

~~(e) The location of the earthworks.~~

~~(f) The extent to which the earthworks and methods take into account the sensitivity of the landscape.~~

~~(g) The proposed rehabilitation of the site.~~

~~(h) The extent to which the natural ground levels will be altered.~~

~~(i) The purpose of the earthworks.~~

~~(j) Whether the proposed earthworks represent the best available alternative.~~

~~(k) The extent to which the earthworks are necessary to give effect to the intent of the Zone.~~

~~xii Earthworks~~

~~1. Environmental Protection Measures~~

~~(a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

~~2. Effects on landscape and visual amenity values~~

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

- ~~_____ the visual quality and amenity values of the landscape;~~
- ~~_____ the natural landform of any ridgeline or visually prominent areas;~~
- ~~_____ the visual amenity values of surrounding sites.~~

~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~(d) The proposed rehabilitation of the site.~~

~~3. Effects on adjacent sites:~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General amenity values~~

~~(a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of~~

~~sediment, particularly where access to the site is gained through residential areas.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) Whether natural ground levels will be altered.~~

~~5. Impacts on sites of cultural heritage value:~~

~~(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~

~~(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

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12.7 Penrith Park Zone Rules

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12.7.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part Section 13 |
| (ii) Transport | - Refer Part Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part Section 15 |
| (iv) Hazardous Substances | - Refer Part Section 16 |
| (v) Utilities | - Refer Part Section 17 |
| (vi) Signs | - Refer Part Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part Section 19 |
| <u>(viii) Earthworks</u> | - Refer Section 22 |

...

12.7.5.1 Site Standards

...

iv Deleted Earthworks

~~The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

~~(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~

~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).~~

~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

- ~~(i) expose any groundwater aquifer;~~
- ~~(ii) cause artificial drainage of any groundwater aquifer;~~
- ~~(iii) cause temporary ponding of any surface water.~~

2. Height of cut and fill and slope

~~(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6); except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3. Environmental Protection Measures

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(d) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4. Protection of Archaeological sites and sites of cultural heritage

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgement Areas.~~

...

12.7.6 Resource Consents - Assessment Matters

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v Deleted Earthworks

1. Environmental Protection Measures

- ~~— (a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~
- ~~— (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~
- ~~— (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~
- ~~— (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~
- ~~— (e) Whether appropriate measures to control dust emissions are proposed.~~
- ~~— (f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

2. Effects on landscape and visual amenity values

- ~~— (a) Whether the scale and location of any cut and fill will adversely affect:

 - ~~— the visual quality and amenity values of the landscape;~~
 - ~~— the natural landform of any ridgeline or visually prominent areas;~~
 - ~~— the visual amenity values of surrounding sites.~~~~
- ~~— (b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~— (c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~— (d) The proposed rehabilitation of the site.~~

3. Effects on adjacent sites:

- ~~— (a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~
- ~~— (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~
- ~~— (c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

4. General amenity values

- ~~— (a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~
- ~~— (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~
- ~~— (c) Whether natural ground levels will be altered.~~

5. Impacts on sites of cultural heritage value:

- ~~— (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~
- ~~— (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

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12.9 Bendemeer Zone Rules

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12.9.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part <u>Section 13</u> |
| (ii) Transport | - Refer Part <u>Section 14</u> |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part <u>Section 15</u> |
| (iv) Hazardous Substances | - Refer Part <u>Section 16</u> |
| (v) Utilities | - Refer Part <u>Section 17</u> |
| (vi) Signs | - Refer Part <u>Section 18</u> |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part <u>Section 19</u> |
| <u>(viii) Earthworks</u> | - Refer <u>Section 22</u> |

...

12.9.5.1 Site Standards

iii Deleted Earthworks

~~The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

1. Earthworks

- ~~(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~
- ~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).~~

~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).~~

~~(d) No earthworks shall:~~

- ~~(i) expose any groundwater aquifer;~~
- ~~(ii) cause artificial drainage of any groundwater aquifer;~~
- ~~(iii) cause temporary ponding of any surface water.~~

2. Height of cut and fill and slope

~~(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6); except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

3. Environmental Protection Measures

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(e) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within~~

~~7m of a water body or where it may dam or divert or contaminate water.~~

- ~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4. ~~Protection of Archaeological sites and sites of cultural heritage~~

- ~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~
- ~~(c) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgement Areas.~~

iv Deleted Earthworks

- ~~(a) No cut or batter (other than routine repair and maintenance of operational tracks in Activity Area (11) of the Bendemeer Zone Plan 'A') shall exceed 2.0 m in vertical height. **Except that** such cut or batter shall not exceed 3.0 m in vertical height for more than 10% of its length.~~
- ~~(b) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees.~~
- ~~(c) All impervious surfaces are to be vegetated.~~
- ~~(d) No earthworks shall exceed 1000m³ in total volume or 2500m² in total area.~~

...

12.9.6 Resource Consents - Assessment Matters

...

i Deleted Earthworks

1. Environmental Protection Measures:

- ~~(a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~
- ~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~
- ~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~
- ~~(d) Where earthworks are proposed on a site with a gradient > 18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~
- ~~(e) Whether appropriate measures to control dust emissions are proposed.~~
- ~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

2. Effects on landscape and visual amenity values

- ~~(a) Whether the scale and location of any cut and fill will adversely affect:

 - ~~— the visual quality and amenity values of the landscape;~~
 - ~~— the natural landform of any ridgeline or visually prominent areas;~~
 - ~~— the visual amenity values of surrounding sites.~~~~

~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~(d) The proposed rehabilitation of the site.~~

~~3. Effects on adjacent sites:~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General amenity values~~

~~(a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) Whether natural ground levels will be altered.~~

~~5. Impacts on sites of cultural heritage value:~~

~~(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~

~~(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified~~

...

12.11 Remarkables Park Zone - Rules

...

12.11.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. The provisions of the District Wide Rules are to be met unless inconsistent with any particular Remarkables Park Zone rule in which case the latter shall prevail.

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part Section 13 |
| (ii) Transport | - Refer Part Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part Section 15 |
| (iv) Hazardous Substances | - Refer Part Section 16 |
| (v) Utilities | - Refer Part Section 17 |
| (vi) Signs | - Refer Part Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part Section 19 |
| (viii) Earthworks | - Refer Section 22 |

...

12.11.3.3 Discretionary Activities

...

~~iii Any earthworks (as defined in this plan) except for earthworks approved as part of:~~

- ~~(a) a subdivision that has resource consent; or~~
~~(b) any building granted a resource consent pursuant to Rule 12.11.3.2(i); or~~
~~(c) any activities which are listed as controlled activities and have been granted resource consent—~~

~~shall be restricted discretionary activities with the Council's discretion restricted to:~~

~~(a) The measures proposed to avoid, remedy or mitigate any effects of earthworks on:~~

~~— Land stability and erosion;~~

~~— Runoff of water or sediment;~~

~~— Groundwater quality;~~

~~— Dust generation;~~

~~— Any significant stands of indigenous vegetation.~~

~~(b) The measures proposed to mitigate the effects of exposed cut and fill.~~

~~(c) The measures proposed to appropriately integrate the proposed earthworks to avoid, remedy or mitigate effects on any rural landscapes adjoining the Remarkables Park Zone.~~

~~Provided that no earthworks shall:~~

~~— expose any groundwater aquifer;~~

~~— cause artificial drainage of any groundwater aquifer;~~

~~— cause temporary ponding of any surface water~~

~~Refer to the Queenstown-Lakes District earthworks guideline to assist in achievement of this rule.~~

...

12.11.6 Resource Consents – Assessment Matters

...

~~p Deleted Earthworks – Controlled and Restricted Discretionary activity~~

~~1. Environmental Protection Measures~~

~~(a) Whether a comprehensive site management plan has been provided showing sediment/erosion and dust control techniques that are adequate to ensure that sediment and dust remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) The duration the earthworks will be exposed.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied by a suitably qualified engineer to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected and any mitigation measures are proposed to deal with any effects.~~

~~(g) The effects of the earthworks proposed for the development, the methods proposed for the disposal of excess soil or vegetation, and the need for any conditions to avoid or mitigate any adverse effects, including effects at the disposal site.~~

~~2. Effects on landscape and visual amenity values:~~

~~(a) Whether the scale and location of any cut and fill will adversely affect the visual quality and amenity value of the landscape and urban environment.~~

~~(b) The proposed rehabilitation of the site.~~

~~(c) The potential for effects on the natural form of existing landscapes with particular regard to areas of interface with the rural landscape or topographical features.~~

~~3. Effects on adjacent sites:~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General amenity values:~~

~~(a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) Whether natural ground levels will be altered.~~

~~5. Impacts on sites of cultural heritage value:~~

~~(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~

~~(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

...

12.15 Quail Rise Rules

...

12.15.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part Section 13
- (ii) Transport - Refer Part Section 14
- (iii) Subdivision, Development and

- Financial Contributions - Refer Part Section 15
- (iv) Hazardous Substances - Refer Part Section 16
- (v) Utilities - Refer Part Section 17
- (vi) Signs - Refer Part Section 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part Section 19
- (viii) Earthworks - Refer Section 22

...

12.15.5.1 Site Standards

...

iii Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- ~~(a) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~
- ~~(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).~~
- ~~(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~
- ~~(d) No earthworks shall:

 - ~~(i) expose any groundwater aquifer;~~
 - ~~(ii) cause artificial drainage of any groundwater aquifer;~~
 - ~~(iii) cause temporary ponding of any surface water.~~~~

2. Height of cut and fill and slope

~~_____~~
~~_____~~ (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

~~_____~~ (b) The maximum height of any cut shall not exceed 2.4 metres.

~~_____~~ (c) The maximum height of any fill shall not exceed 2 metres.

~~3. Environmental Protection Measures~~

~~_____~~ (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.

~~_____~~ (b) Any person carrying out earthworks shall:

~~_____~~ (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

~~_____~~ (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.

~~_____~~ (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

~~4. Protection of Archaeological sites and sites of cultural heritage~~

~~_____~~ (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

~~_____~~ (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

~~...~~

~~12.15.6 Resource Consent Assessment Matters~~

~~...~~

~~v Deleted Earthworks~~

~~1. Environmental Protection Measures~~

~~_____~~ (a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.

~~_____~~ (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.

~~_____~~ (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.

~~_____~~ (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.

~~_____~~ (e) Whether appropriate measures to control dust emissions are proposed.

~~_____~~ (f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.

~~2. Effects on landscape and visual amenity values~~

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

~~the visual quality and amenity values of the landscape;~~

~~the natural landform of any ridgeline or visually prominent areas;~~

~~the visual amenity values of surrounding sites.~~

~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~(d) The proposed rehabilitation of the site.~~

~~3. Effects on adjacent sites:~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General amenity values~~

~~(a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) Whether natural ground levels will be altered.~~

~~5. Impacts on sites of cultural heritage value:~~

~~(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~

~~(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

...

12.17 Meadow Park Zone Rules

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12.17.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter. The District Wide Rules which shall apply to the Meadow Park Zone are as for the District Wide Rules as listed.

i	Transport	- Refer Part Section 14
ii	Subdivision	- Refer Part Section 15
iii	Hazardous Substances	- Refer Part Section 16
iv	Utilities	- Refer Part Section 17
v	Signs	- Refer Part Section 18
vi	Relocated Buildings and Temporary Activities	- Refer Part Section 19
vii	Earthworks	- Refer Section 22

...

12.17.5.1 Site Standards

...

iv Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan) on the eastern side of Manse Road, except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks shall not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.
- (b) Within DUE(E), the maximum area of bare soil exposed from any earthworks shall not exceed 15% of any site. (within a 12 month period)
- (c) Within RES(E), the maximum area of bare soil exposed from any earthworks shall not exceed 15% of any site. (within a 12 month period)
- (d) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).
- (e) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of an aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance to the top of the cut or the toe of the fill from the site boundary (See Interpretive Diagram 6 in Appendix 4 of the Plan), except where the cut or fill is retained, in which case it may be located up to the boundary, if less than or equal to 1.5m in height (with no surcharge).

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion and any sediment entering any waterbody. Refer to the Guideline Erosion and Sediment Control Measures to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a waterbody or where it may dam or divert or contaminate water.
- (b) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Guideline Erosion and Sediment Control Measures to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

...

12.17.6 Assessment matters

...

5. Deleted Earthworks

1. General Amenity Values

- (a) ~~Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~
- (b) ~~Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding areas.~~
- (c) ~~The proposed rehabilitation of the site through planting and/or other landscaping.~~
- (d) ~~Whether the proposed earthworks will have a positive effect on stability and landform of the site.~~

2. ~~Effects on adjacent sites~~

- (a) ~~Whether the earthworks will adversely affect the stability of neighbouring sites.~~
- (b) ~~Whether the earthworks will changes surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~
- (c) ~~Whether cut, fill and retaining are done in accordance with engineering standards.~~

3. ~~Environmental Protection Measures~~

- (a) ~~The extent of proposed sediment/erosion control techniques to adequately ensure that sediment remains on-site.~~
- (b) ~~Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~
- (c) ~~The duration the earthworks will be exposed.~~
- (d) ~~Where earthworks are proposed on a site with a gradient \gt 18.5 degrees (1 in 3) whether a geotechnical report has been supplied by a suitably qualified engineer to assess the stability of the earthworks.~~
- (e) ~~Whether appropriate measures to control dust emissions are proposed.~~
- (f) ~~Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may~~

~~require a resource consent or permit from the Otago Regional Council.~~

4. ~~Impacts on sites of cultural heritage value~~

- (a) ~~Whether earthworks will adversely affect land which contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.~~
- (b) ~~Whether earthworks will adversely affect land which contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~
- (c) ~~Whether earthworks will adversely affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgement Areas.~~

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12.18 Frankton Flats Special Zone Rules

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12.18.5.1 Site Standards

...

iv Deleted Earthworks

~~The following limitations apply to all earthworks (as defined in this plan), except for earthworks associated with a subdivision or development that has both resource consent and engineering approval.~~

1. Earthworks

- (a) ~~The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~
- (b) ~~The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site. (within a 12 month period).~~

~~(c) — Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~

~~(d) — No earthworks shall:~~

- ~~(i) — expose any groundwater aquifer;~~
- ~~(ii) — cause artificial drainage of any groundwater aquifer;~~
- ~~(iii) — cause temporary ponding of any surface water.~~

2. — Height of cut and fill and slope

~~(a) — The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (See Interpretative Diagram 6), except where the cut or fill is retained, in which case it may be located up to the boundary, if less than or equal to 0.5m in height.~~

~~(b) — The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) — The maximum height of any fill shall not exceed 2 metres.~~

3. — Environmental Protection measures

~~(a) — Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) — Any person carrying out earthworks shall:~~

~~i. — Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~ii. — Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) — Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

4. — Protection of Archaeological sites and sites of cultural heritage

~~(a) — The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) — The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgement Areas.~~

...

12.18.7 Resource Consents – Assessment Matters:

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vii. Deleted Earthworks

1. Environmental Protection Measures:

~~(a) — Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) — Whether the earthworks will adversely effect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) — Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) — Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a~~

~~geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

~~2. Effects on landscape and visual amenity values:~~

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

- ~~— the visual quality and amenity values of the landscape;~~
- ~~— the natural landform of any ridgeline or visually prominent areas;~~
- ~~— the visual amenity values of surrounding sites.~~

~~b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~d) The proposed rehabilitation of the site.~~

~~3. Effects on adjacent sites:~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General amenity values:~~

~~(a) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) Whether natural ground levels will be altered.~~

~~5. Impacts on sites of cultural heritage value~~

~~(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.~~

~~(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

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12.22 Mount Cardrona Station Special Zone Rules

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12.22.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone rules. The provisions of the Mount Cardrona Station Special Zone will take precedence over the District Wide Rules in any

situation where the rules differ. Otherwise the provisions of the District Wide Rules shall continue to apply.

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part <u>Section 13</u> |
| (ii) Transport | - Refer Part <u>Section 14</u> |
| (iii) Subdivision | - Refer Part <u>Section 15</u> |
| (iv) Hazardous Substances | - Refer Part <u>Section 16</u> |
| (v) Utilities | - Refer Part <u>Section 17</u> |
| (vi) Signs | - Refer Part <u>Section 18</u> |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part <u>Section 19</u> |
| (viii) Earthworks | - Refer <u>Section 22</u> |

...

12.22.5.1 Site Standards

...

xi. Deleted Earthworks

~~The following limitations apply to all earthworks (as defined in this Plan), except for:~~

- ~~— earthworks associated with a subdivision that has both resource consent and engineering approval, and~~
- ~~— earthworks for the purposes of activities listed in Controlled Activity Rule 12.22.3.2(iii)~~

1. Earthworks

- (a) ~~The total volume of earthworks does not exceed **200m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.~~
- (b) ~~The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **400m²** in area within that site (within a 12 month period).~~
- (c) ~~Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).~~

(d) No earthworks shall:

- (i) ~~expose any groundwater aquifer;~~
- (ii) ~~cause artificial drainage of any groundwater aquifer;~~
- (iii) ~~cause temporary ponding of any surface water.~~

2. Height of cut and fill and slope

(a) ~~The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

(b) ~~The maximum height of any cut shall not exceed 2.4 metres.~~

(c) ~~The maximum height of any fill shall not exceed 2 metres.~~

3. Environmental Protection Measures

(a) ~~Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

(b) ~~Any person carrying out earthworks shall:~~

- (i) ~~Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~
- (ii) ~~Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

...
12.22.5.2 Zone Standards
 ...
 ...

xxii. Deleted Controlled Activity and Site Standard – Earthworks

~~1. Environmental Protection Measures~~

~~(a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects.~~

~~NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

~~2. Effects on landscape and visual amenity values~~

~~(a) Whether the scale and location of any cut and fill will adversely affect:
 - the visual quality and amenity values of the landscape;
 - the natural landform of any ridgeline or visually prominent areas;
 - the visual amenity values of surrounding sites~~

~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~(d) The proposed rehabilitation of the site.~~

~~3. Effects on adjacent sites:~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General amenity values~~

~~(a) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) Whether natural ground levels will be altered.~~

5. Impacts on sites of cultural heritage value:

- (a) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

12.24 Ballantyne Road Mixed Use Zone - Rules

12.24.2 District Rules

The following District Wide Rules apply unless inconsistent with any particular Zone rule in which case the latter shall prevail.

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part <u>Section 13</u> |
| (ii) Transport | - Refer Part <u>Section 14</u> |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part <u>Section 15</u> |
| (iv) Hazardous Substances | - Refer Part <u>Section 16</u> |
| (v) Utilities | - Refer Part <u>Section 17</u> |
| (vi) Signs | - Refer Part <u>Section 18</u> |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part <u>Section 19</u> |
| <u>(viii) Earthworks</u> | - Refer <u>Section 22</u> |

12.24.5.1 Site Standards

iii Deleted Earthworks

The following limitations apply to all earthworks within all Activity Areas except for earthworks associated with a subdivision or building that has both resource consent and engineering approval:

Earthworks

1. The total volume of earthworks, apart from any earthworks associated with the remediation of the oxidation ponds, does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.
2. The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m, apart from any earthworks associated with the remediation of the oxidation ponds, shall not exceed **200m²** in area within that site (within a 12 month period).
3. No earthworks shall:
 - expose any groundwater aquifer;
 - cause artificial drainage of any groundwater aquifer;
 - cause temporary ponding of any surface water.

Height of cut and fill and slope

4. The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
5. The maximum height of any cut shall not exceed 2.4 metres.
6. The maximum height of any fill shall not exceed 2 metres.

Environmental Protection Measures

7. Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
8. Any person carrying out earthworks shall:

~~Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~

~~9. Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

Protection of Archaeological sites and sites of cultural heritage

~~10. The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~The finished ground level of the ponds following any remediation shall not exceed 318 metres above mean sea level.~~

...

12.24.6 Resource Consents – Assessment Matters

...

vi Earthworks and Conservation

- ~~a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~
- ~~b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~e) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~d) Whether appropriate measures to control dust emissions are proposed.~~

~~e) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

...

12.26 Three Parks Special Zone - Rules

...

12.26.2 District Rules

The following District Wide Rules apply unless inconsistent with any particular Three Parks Zone provision in which case the latter shall prevail.

- | | |
|--|--------------------------------|
| (i) Heritage Protection | - Refer Part <u>Section 13</u> |
| (ii) Transport | - Refer Part <u>Section 14</u> |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part <u>Section 15</u> |
| (iv) Hazardous Substances | - Refer Part <u>Section 16</u> |
| (v) Utilities | - Refer Part <u>Section 17</u> |
| (vi) Signs | - Refer Part <u>Section 18</u> |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part <u>Section 19</u> |
| <u>(viii) Earthworks</u> | - Refer <u>Section 22</u> |

...

12.26.3.1 Zone-Wide Performance Standards

...

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
1	<p>Deleted Earthworks in all parts of the 3 Parks Zone except for the deferred urban subzone</p> <p>The following limitations apply to all but the Deferred Urban Subzone and apply to all earthworks (as defined in this Plan) except for earthworks associated with a subdivision that has both resource consent and engineering approval.</p> <p>i Earthworks</p> <p>(a) Any earthworks for which the total volume exceeds 100m³ per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.</p> <p>(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).</p> <p>(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).</p> <p>(d) No earthworks shall:</p> <p style="padding-left: 20px;">(i) expose any groundwater aquifer;</p> <p style="padding-left: 20px;">(ii) cause artificial drainage of any groundwater aquifer;</p> <p style="padding-left: 20px;">(iii) cause temporary ponding of any surface water.</p> <p>ii Height of cut and fill and slope</p> <p>(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.</p> <p>(b) The maximum height of any cut shall not exceed 2.4 metres.</p>	RDIS

PLAN CHANGE 49 - EARTHWORKS

B

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<p>(c) The maximum height of any fill shall not exceed 2 metres.</p> <p>iii Environmental Protection Measures</p> <p>(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.</p> <p>(b) Any person carrying out earthworks shall:</p> <p style="padding-left: 20px;">(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</p> <p style="padding-left: 20px;">(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.</p> <p>(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</p> <p>iv Protection of Archaeological sites and sites of cultural heritage</p> <p>(a) The activity shall not modify, damage, or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.</p> <p>(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.</p> <p>Note: Earthworks in the Deferred Urban Subzone shall be subject to the earthworks provisions of the Rural General Zone.</p>	

...

12.26.3.2 Zone-Wide Assessment matters

...

v Deleted Earthworks

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

(a) Environmental Protection Measures

- (i) ~~Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~
- (ii) ~~Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~
- (iii) ~~Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~
- (iv) ~~Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~
- (v) ~~Whether appropriate measures to control dust emissions are proposed.~~
- (vi) ~~Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects.
NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

(b) Effects on landscape and visual amenity values

- (i) ~~Whether the scale and location of any cut and fill will adversely affect:~~
- (ii) ~~the visual quality and amenity values of the landscape;~~

(iii) ~~the natural landform of any ridgeline or visually prominent areas;~~

(iv) ~~the visual amenity values of surrounding sites~~

(v) ~~Whether the earthworks will take into account the sensitivity of the landscape.~~

(vi) ~~The potential for cumulative effects on the natural form of existing landscapes.~~

(vii) ~~The proposed rehabilitation of the site.~~

(c) Effects on adjacent sites:

(i) ~~Whether the earthworks will adversely affect the stability of neighbouring sites.~~

(ii) ~~Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

(iii) ~~Whether cut, fill and retaining are done in accordance with engineering standards.~~

(d) General amenity values

(i) ~~Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

(ii) ~~Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

(iii) ~~Whether natural ground levels will be altered.~~

(e) Impacts on sites of cultural heritage value:

- ~~(i) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.~~
- ~~(ii) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~
- ~~(iii) Whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.~~

...

PLAN CHANGE 49 - EARTHWORKS

B

12.26.8.2 Activity Table – Deferred Commercial Core Subzone

...

Ref	Activity – Deferred Commercial Core Subzone	Activity status (provided the performance standards are met)
...		
6	Earthworks, as per Rule 5.3.3.2 of the Rural General Zone	CON

...

12.26.8.3 Performance Standards

...

Ref	Standard – Deferred Commercial Core Subzone	Resource consent status if standard not met
...		
4	Earthworks, as per Site Standard 5.3.5.1(viii) of the Rural General Zone	RDIS

12.26.8.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

...

iv Deleted Earthworks – Assessment Matters

~~In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, those matters listed in 5.4.2.3(xxviii) of the Rural General Zone.~~

12.26.8.5 Restricted Discretionary Activities – Matters over which discretion is reserved and Assessment Matters

...

iv Deleted Earthworks – Assessment Matters

~~In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, those matters listed in 5.4.2.3(xxviii) of the Rural General Zone.~~

...

12.28 Kingston Village Special Zone Rules

...

12.28.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|-------------------------|
| (i) Heritage Protection | - Refer Part Section 13 |
| (ii) Transport | - Refer Part Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part Section 15 |
| (iv) Hazardous Substances | - Refer Part Section 16 |

- | | |
|--|-------------------------|
| (v) Utilities | - Refer Part Section 17 |
| (vi) Signs | - Refer Part Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part Section 19 |
| (viii) Earthworks | - Refer Section 22 |

...

12.28.5.1 Site Standards

...

viii. Deleted Earthworks

~~— The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.~~

1. Earthworks

- ~~(a) — The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.~~
- ~~(b) — The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).~~
- ~~(c) — Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~
- ~~(d) — No earthworks shall:

 - ~~— (i) — expose any groundwater aquifer;~~
 - ~~— (ii) — cause artificial drainage of any groundwater aquifer;~~
 - ~~— (iii) — cause temporary ponding of any surface water.~~~~

2. Height of cut and fill and slope

- ~~(a) — The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the~~

~~site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~

~~(b) The maximum height of any cut shall not exceed 2.4 metres.~~

~~(c) The maximum height of any fill shall not exceed 2 metres.~~

~~3. Environmental Protection Measures~~

~~(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~

~~(b) Any person carrying out earthworks shall:~~

~~(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a waterbody or where it may dam or divert or contaminate water.~~

~~(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~4. Protection of Archaeological sites and sites of cultural heritage~~

~~(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

~~...~~

~~12.28.6.2 Assessment Matters~~

~~...~~

~~xix. Deleted Earthworks~~

~~1. Environmental Protection Measures~~

~~(a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

~~2. Effects on landscape and visual amenity values~~

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

- ~~— the visual quality and amenity values of the landscape;~~
- ~~— the natural landform of any ridgeline or visually prominent areas;~~
- ~~— the visual amenity values of surrounding sites.~~
- ~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~
- ~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~
- ~~(d) The proposed rehabilitation of the site.~~

3. ~~Effects on adjacent sites:~~

- ~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~
- ~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~
- ~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

4. ~~General amenity values~~

- ~~(a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~
- ~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~
- ~~(c) Whether natural ground levels will be altered.~~

5. ~~Impacts on sites of cultural heritage value~~

- ~~(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.~~
- ~~(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

12.30 Shotover Country Special Zone - Rules

12.30.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer **Part Section 13**
- (ii) Transport - Refer **Part Section 14**
- (iii) Subdivision, Development and Financial Contributions - Refer **Part Section 15**
- (iv) Hazardous Substances - Refer **Part Section 16**
- (v) Utilities - Refer **Part Section 17**
- (vi) Signs - Refer **Part Section 18**
- (vii) Relocated Buildings and Temporary Activities - Refer **Part Section 19**
- (viii) Earthworks - Refer **Section 22**

12.30.3.3 Restricted Discretionary Activities

- v **Setbacks from high voltage transmission line**

~~(b) Earthworks carried out within 12 metres of the closest visible edge of any foundation of the Frankton – Cromwell A 110kV high voltage transmission line support structure in respect of Assessment Matter 12.30.6.2.vi.2~~

~~(c) Earthworks carried out within 12 metres of the centreline of the Frankton – Cromwell 110kV high voltage transmission line that results in an increase in ground level in respect of Assessment Matter 12.30.6.2.vi.2.~~

...

12.30.5.1 Site Standards

...

v Deleted Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision consent and earthworks associated with construction of the Area 1f fill works undertaken in accordance with Rule 12.25.9.2.xvii and earthworks associated with the construction or installation of Utilities.

(a) Earthworks

- ~~(i) The total volume of earthworks does not exceed 200m³ per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.~~
- ~~(ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 400m² in area within that site (within a 12 month period).~~
- ~~(iii) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).~~

~~(iv) No earthworks shall:~~

- ~~— expose any groundwater aquifer;~~
- ~~— cause artificial drainage of any groundwater aquifer;~~
- ~~— cause temporary ponding of any surface water.~~

~~(b) Height of cut and fill and slope~~

- ~~(i) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.~~
- ~~(ii) The maximum height of any cut shall not exceed 2.4 metres.~~
- ~~(iii) The maximum height of any fill shall not exceed 2 metres.~~

~~(c) Environmental Protection Measures~~

- ~~(i) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.~~
- ~~(ii) Any person carrying out earthworks shall:

 - ~~§ Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~
 - ~~§ Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.~~~~

~~(iii) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.~~

~~(d) Protection of Archaeological sites and sites of cultural heritage~~

~~(i) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.~~

~~(ii) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.~~

...

12.30.6.2 Assessment Matters

...

vii Restricted Discretionary Activity – Setbacks from High Voltage Transmission Line

~~2. For earthworks:~~

~~(a) Effects on the integrity of the transmission line;~~

~~(b) Volume, area and location of the works, including temporary activities such as stockpiles;~~

~~(c) Time of the works;~~

~~(d) Site remediation;~~

~~(e) The use of mobile machinery near the transmission line which may put the line at risk;~~

~~(f) Extent of compliance with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34: 2001).~~

xiii Deleted Earthworks

1. Environmental protection measures

~~(a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.~~

~~(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.~~

~~(c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.~~

~~(d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.~~

~~(e) Whether appropriate measures to control dust emissions are proposed.~~

~~(f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects.~~

~~NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.~~

2. Effects on landscape and visual amenity values

~~(a) Whether the scale and location of any cut and fill will adversely affect:~~

~~— the visual quality and amenity values of the landscape;~~

~~— the natural landform of any ridgeline or visually prominent areas;~~

~~— the visual amenity values of surrounding sites~~

~~(b) Whether the earthworks will take into account the sensitivity of the landscape.~~

~~(c) The potential for cumulative effects on the natural form of existing landscapes.~~

~~(d) The proposed rehabilitation of the site.~~

~~3. Effects on adjacent sites~~

~~(a) Whether the earthworks will adversely affect the stability of neighbouring sites.~~

~~(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.~~

~~(c) Whether cut, fill and retaining are done in accordance with engineering standards.~~

~~4. General amenity values~~

~~(a) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.~~

~~(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.~~

~~(c) Whether natural ground levels will be altered.~~

~~5. Impacts on sites of cultural heritage value~~

~~(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.~~

~~(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.~~

~~(c) Whether the activity incorporates an accidental discovery protocol agreed to with Kai Tahu Ki Otago.~~

~~9. Amend the Subdivision Rules in Section 15 as follows:~~

~~15.2 Subdivision, Development and Financial Contributions Rules~~

~~...~~

~~15.2.3.6 Assessment Matters for Resource Consents~~

~~(i) The assessment matters to which the Council will have regard in relation to Controlled Subdivision Activities, and Discretionary Subdivision Activities where the exercise of the Council's discretion is limited to a particular matter(s), are specified in Subdivision Rules 15.2.6 to 15.2.1920~~

~~...~~

~~15.2.20 Earthworks~~

~~15.2.20.1 Controlled Subdivision Activity – Earthworks~~

~~Earthworks associated with any subdivision of land in any zone are a **Controlled Activity** with the Council reserving control in respect of the Resource Consent Assessment Matters listed in Chapter 22.~~

~~15.2.20.2 Discretionary Subdivision Activity – Bulk Earthworks~~

~~Bulk Earthworks associated with any subdivision of land in any zone are a **Discretionary Activity**.~~

15.2.20.3 Assessment Matters for Resource Consent

In considering whether or not to grant consent or impose conditions in respect to Earthworks the Council may consider, but not be limited to the Resource Consent Assessment Matters in Chapter 22.

10. *Amend the earthworks rules from Section 20 Open Space Zone as follows:*

20.2 Open Space Zone – Landscape Protection Rules

...

20.2.1 Cross Referencing

Attention is drawn to the following District Wide Rules that may apply in addition to any relevant Open Space Zone Rules. If the District Wide Rules are not met then resource consent will be required in respect of that matter:

- (i) Heritage Protection_____ - Refer Part **Section 13**
- (ii) Transport_____ - Refer Part **Section 14**
- (iii) Subdivision, Development and
Financial Contributions_____ - Refer Part **Section 15**
- (iv) Hazardous Substances_____ - Refer Part **Section 16**
- (v) Utilities_____ - Refer Part **Section 17**
- (vi) Signs_____ - Refer Part **Section 18**
- (vii) Relocated Buildings and Temporary Activities__ - Refer Part **Section 19**
- (viii) Earthworks_____ - Refer **Section 22**

...

20.2.2.2 Controlled Activities

i Cycling and Walking Trails

- Earthworks – see Assessment Matters Section 22

...

20.2.2.5 Non-Complying Activities

i Earthworks

~~Earthworks not associated with the creation of cycling or walking trails as provided for in Rule 20.2.2.2(ii).~~

11. Amend the Definitions as follows:

Definitions

...

<u>BED</u>	<p><u>bed means,—</u></p> <p><u>(a) in relation to any river—</u></p> <p><u>(i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks;</u></p> <p><u>(ii) in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and</u></p> <p><u>(b) in relation to any lake, except a lake controlled by artificial means,—</u></p> <p><u>(i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;</u></p> <p><u>(ii) in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and</u></p> <p><u>(c) in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level;</u></p> <p><u>(refer to RMA Part 1, Section 2).</u></p>
<u>BULK EARTHWORKS</u>	<p><u>Means Earthworks with a total volume greater than 50,000m³ and includes the use of cleanfill but excludes Mining Activities and Cleanfill Facilities</u></p>

<u>CLEANFILL</u>	<p><u>Acceptable cleanfill material is strictly limited to – asphalt (cured), bricks, ceramics, concrete, fibre cement building products, glass, road sub-base, soils, rock, gravel and clay (refer to Ministry for the Environment, A Guide to the Management of Cleanfill, January 2002).</u></p>
<u>CLEANFILL FACILITY</u>	<p><u>Means a site used solely for the disposal of Cleanfill. A Cleanfill Facility may include stockpiling, landscaping and rehabilitation works.</u></p>
<u>EARTHWORKS</u>	<p><u>Means the disturbance of land surfaces by the removal or depositing of material, excavation, filling or the formation of roads, banks, and tracks. Excludes the cultivation of land and the digging of holes for offal pits and the erection of posts or poles or the planting of trees.</u></p> <p><u>Means the disturbance of land by the removal or depositing of material. Earthworks may include excavation, fill, cuts, batters and formation of roads, access and tracks, and the use of Cleanfill, but excludes the cultivation of land, planting of Indigenous Vegetation, Mining Activities and Cleanfill Facilities.</u></p>
<u>MINING ACTIVITY</u>	<p><u>Means the use of land and buildings for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and includes prospecting and exploration.</u></p> <p><u>Means the use of land and buildings for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and includes prospecting and exploration. Mining Activities include gravel extraction and processing.</u></p>
<u>RIVER</u>	<p><u>Includes a stream, and shall have the same meaning as in the Resource Management Act 1991.</u></p> <p><u>Means a continually or intermittently flowing body of</u></p>

	<p>fresh water; and includes a stream and modified watercourse but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, (refer to RMA Part 1, Section 2)).</p>
<p>WASTE MANAGEMENT FACILITY</p>	<p>Means a site used for the deposit of solid wastes onto or into land, but excludes:</p> <ul style="list-style-type: none"> a) sites situated on production land in which the disposal of waste generated from that land takes place, not including any dead animal material or wastes generated from any industrial trade or process on that productive and; b) sites used for the disposal of vegetative material. The material may include soil that is attached to plant roots and shall be free of hazardous substances and wastes. e) Site for the disposal of clean fill. <p><u>Means a site used for the deposit of solid waste onto or into land, but excludes:</u></p> <ul style="list-style-type: none"> a) sites on production land where the disposal of waste generated from that land takes place, not including any dead animal material or waste generated from any industrial trade or process on that productive land, and; b) sites used for the disposal of vegetative material. Vegetative material shall be free of hazardous substances and wastes and may include soil that is attached to plant roots. . c) <u>Cleanfill Facilities.</u>