

# Earthworks

Ngā Mahi Keri Whenua



## What is the Earthworks chapter about?

Earthworks are managed through the Earthworks chapter, which is a general district-wide matters section in the Proposed District Plan- Decisions version. This means the rules apply across all zones in the district, unless a more specific rule applies in another chapter.

Earthworks involve disturbing or reshaping land, such as cutting, filling, excavating, levelling or contouring the ground. These activities are a normal and often necessary part of development, subdivision, farming, horticulture and infrastructure.

The Earthworks chapter enables earthworks where appropriate, while managing potential adverse effects on neighbouring properties, amenity, land stability, infrastructure, and natural hazard risk.

## What does the Proposed District Plan – Decisions Version (PDP-DV) do?

The PDP-DV:

- Enables earthworks across the district where they meet set standards.
- Uses a single, effects-based earthworks framework rather than multiple activity-specific rules.
- Sets clear thresholds and standards to manage the scale and location of earthworks.
- Focuses on managing effects such as land stability, amenity, dust, sediment movement onto roads and neighbouring sites, and natural hazards.
- Works alongside regional and national rules, avoiding unnecessary duplication with Northland Regional Council responsibilities.

## What's changed from the Operative District Plan (ODP)?

The ODP contains a section within the Natural and Physical Resources chapter that addresses soils and minerals. These provisions primarily focus on excavation and filling volumes for the relevant zones, along with other earthworks-related controls. There are also some more specific earthworks provisions located elsewhere in the ODP for example in outstanding landscapes.

The PDP-DV adopts a similar approach, with a dedicated Earthworks chapter that applies district-wide. However, it includes a more comprehensive and detailed framework for managing earthworks. In addition to controls on earthworks volumes, the PDP-DV contains provisions relating to the area of earthworks, accidental discovery protocols, site reinstatement, erosion and sediment control, setbacks, land stability, the nature of filling materials, and the management of flood and coastal hazard risks. Similar to the ODP, the PDP-DV also includes more specific earthworks provisions for special areas, such as the Coastal Environment chapter.

Overall, the PDP-DV expands on the ODP provisions by introducing a broader range of controls to better manage the environmental effects associated with earthworks activities.

## When do I need a Resource Consent?

You do not need a resource consent for earthworks if your activity meets all the rules and standards in the PDP-DV.

You will need a resource consent if your earthworks:

- Go over the allowed volume or area limits for your zone.
- Exceed cut or fill limits.
- Do not meet setback requirements.
- Do not manage effects properly, such as:
  - sediment or runoff.
  - dust.
  - land stability.
  - flooding or drainage.
- Are near electricity lines and don't meet the safety requirements.
- Are within special areas, such as coastal, heritage, or landscape overlays and exceed the stricter earthworks provisions that apply to these areas.

If any of these standards are not met, you will usually need a resource consent, and the council will assess the effects of your proposal.

You may also need approvals under regional or national rules, for example if your earthworks affect waterways, wetlands, or potentially contaminated land.

## What do I need to know?

The PDP-DV generally allows earthworks, as long as they are done in a way that manages environmental effects.

Here are the key things to keep in mind:

- **Follow the limits and standards**  
There are clear standards on the volume, size, depth, and setback from boundaries your earthworks can be. Some of these limits vary depending on the zone.
- **Manage environmental effects**  
Other aspects associated with earthworks need to be controlled including erosion and sediment runoff, dust, stormwater, drainage and land stability.
- **Watch for hazards and flooding**  
Earthworks must not increase flood risk on your site or neighbouring properties or block natural drainage paths.
- **Stop work if you find anything significant**  
If you find items like archaeological material, kōiwi (human remains) and cultural artefacts. You must stop work immediately and contact the relevant authorities before continuing.
- **Reinstate the site afterwards**  
When the work is finished, the site should be recontoured to match surrounding land and replanted or stabilised where needed.
- **Other rules may still apply**  
You may also need to consider regional council rules, national environmental standards and other District Plan chapters (e.g. natural features, heritage, biodiversity).