

3 December 2014

Supplementary Evidence – Plan Change 49 Earthworks – Daniel Wells

Sir

I was asked to confirm to you where ^{is} a submission it was sought that the Plan be reviewed to identify opportunities to exempt some activities in some zones from the application of the proposed Earthworks rules, on the basis that the matter is being addressed through other existing provisions.

In the John Edmonds and Associates Ltd submission made by my firm, the following submission point was made at paragraph 9:

a. Rule 22.3.2.1 (iii) - Buildings approved under a specific Remarkables Park Zone rule are stated as being exempt from earthworks provisions, as earthworks is a matter of discretion or control for the consideration of those applications. This exemption should be extended to a number of other similar rules in the plan such as for buildings in the Jacks Point Zone and the Nothlake Zone.

Relief Sought - Review the District Plan to identify all rules which already address earthworks and exempt these activities from having to be subject to further earthworks consents.

I have since presenting evidence undertaken a review to identify where I believe an exemption from the applicability of proposed Chapter 22 should apply. With respect to resource consents for buildings I note that the following zones require earthworks to be a matter considered for buildings:

- The Rural General Zone (which, it would seem, is proposed to be exempted in the provisions recommended in the S42a report)
- Gibbston Character Zone
- Rural Living Areas (being the Rural Residential and Rural lifestyle Zones)
- Rural Visitor Zone
- Penrith Park Zone
- Bendemeer Special Zone
- Quail Rise Zone
- Meadow Park Zone
- Frankton Flats Zone

For all of these, except the Frankton Flats Zone, buildings are considered as controlled activities with a matter of control including earthworks. In the Frankton Flats Zone buildings are a Limited Discretionary Activity with earthworks amongst the matters for which discretion is retained.

I note two additional exemptions which I believe should be considered:

- The Hydro Generation Zone, with respect to rules regarding 'existing Hydro Generation Activities'

- the Mount Cardrona Zone which has additional rules controlling earthworks which do not appear to be proposed to be deleted. It would seem reasonable to include these also under an exclusion rule proposed in the Earthworks Chapter.

I hope this is of assistance to you.

Daniel Wells

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