

instances, this earthworks component would not trigger the need for a resource consent, provided the Environmental Protection Measures are employed.

Due to the way data is collected when consents are received, the figures below are indicative only, and likely undercount the actual number of consents that require approval for earthworks. Limitations arise because:

- Lakes Environmental record the 'primary' reason for consent, and often earthworks are not the primary reason for consent, it will be part of a larger proposal, for example to construct a new visitor accommodation building.
- It was not possible to determine in all instances whether subdivision consents also required earthworks.

The following table show the total number of consents and the number of those applications that specifically breached the earthworks rules, or required a specific assessment of earthworks as part of another consent.

<i>Year</i>	<i>Total Number of Consents Lodged</i>	<i>Number of consents specifically requiring consent under earthworks rules, or as a controlled activity</i>	<i>% of consents specifically requiring consent under earthworks rules</i>
2007 – 2009	3845	634	16.5%

A minimum of at least 16% of all consents lodged require resource consent under the earthworks rules. This is a significant proportion of all consents, and is approximately 191 consents per year over 2007 – 2009.

6. How many complaints have been received about earthworks?

A review of the Lakes Environmental complaints database has shown the following in relation to complaints involving earthworks:

<i>Year</i>	<i>Total Number of Complaints Received</i>	<i>Number of complaints relating to earthworks</i>	<i>% of complaints relating to earthworks</i>
2007	132	37	28%
2008	109	18	16.5%
2009	256	42	16.5%
Averages	166	32	19%

For the three year study period, a large proportion of complaints received by Lakes Environmental are related to earthworks. On average there were 32 complaints a year in the 2007 – 2009 period. 19% of all the complaints received related to earthworks / earthworks related activities in that time.

Earthworks complaints vary widely in terms of their topic, with the majority relating to the lawfulness of earthworks being undertaken, and dust / mud on the road as a result of earthworks.

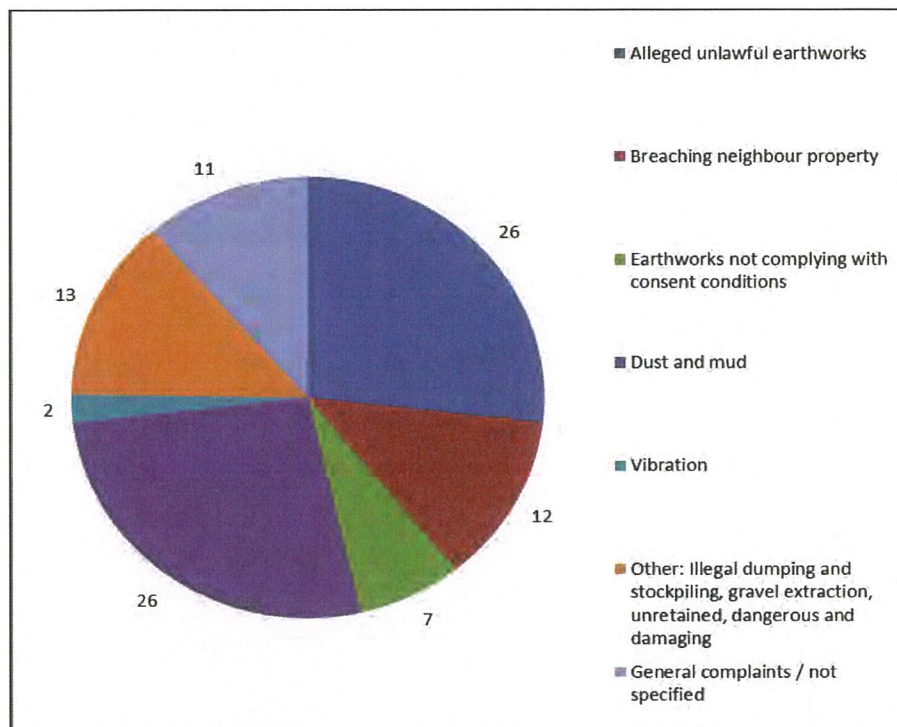


Figure 1. above simply shows the topic of the complaint. It does not show how many of the complaints of alleged unlawful earthworks were correct in terms of no consent having been obtained.

7. What do the earthworks provisions seek to achieve?

The objectives and policies relating to earthworks sit in 'Section 4: District Wide' of the District Plan, reflecting the 'district wide' nature of the activity. The primary 'District Wide' objectives relating to earthworks are set out below:

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**