

Earthworks and ground level

Earthworks are essential to the development of Wellington City, but they can have adverse effects on the environment. Poorly engineered excavations or areas of fill can cause landslips on the site, on neighbouring properties and on publicly owned legal road. Because of this, rules are in place to manage earthworks.

Earthworks involve the removal, relocation or deposit of earth (including soil, clay and rock). They exclude topsoil mining, turf farming, ground cultivation, gardening, grave digging, maintenance of sports fields, cleanfills, landfills, quarrying, archaeological excavations, piling and trenching.

Rules relating to earthworks can be found in Plan Change 70, which is now operative. The rules listed apply to areas where earthworks can be done as of right, as long as certain criteria are met. If any proposed earthworks do not comply with any of the District Plan earthworks rules or standards, resource consent will be required.

Residential Area, Suburban Centre Area (except the Churton Park Village Concept Area), Institutional Precinct, Rural Area (excluding sites within the Ridgelines and Hilltops overlay), Open Space A and Open Space C	Rule 30.1.1
Urban Coastal Edge, Open Space B, Conservation sites, sites within the Ridgelines and Hilltops overlay and Heritage Areas or sites containing heritage buildings	Rule 30.1.2
Central Area	Rule 30.1.3
Churton Park Village Concept Area	Rule 30.1.4

In all areas (where rules 30.1.1 and 30.1.2 do not apply), structures or materials to retain or stabilise landslips are permitted, provided they are no higher than 2.5m measured vertically.

What should I provide to the Council with an application for resource consent?

- Detailed plans:

- a site plan indicating any cuts or fill
- elevations and cross sections of the cuts or fill, and details of retaining structures

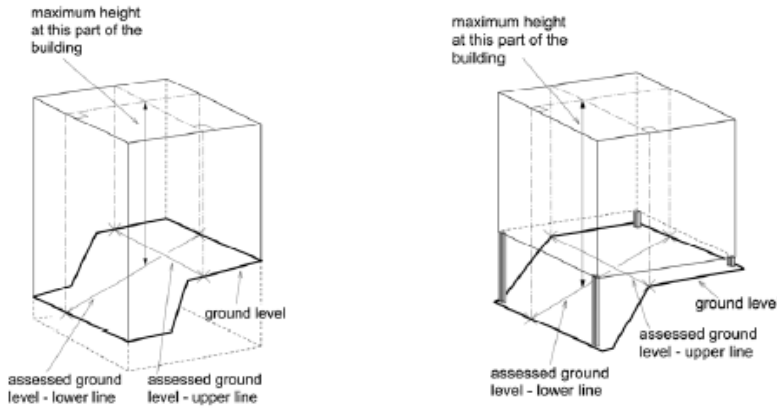
- Assessment of environmental effects, including details of:

- the effects of the earthworks, in particular visual effects, and proposed mitigation measures
- how silt and sedimentation run-off is to be controlled [refer to the booklet, *Small Earthworks – Erosion and Sediment Control for Small Sites*]
- whether earth is to be transported off site and, if so, how.

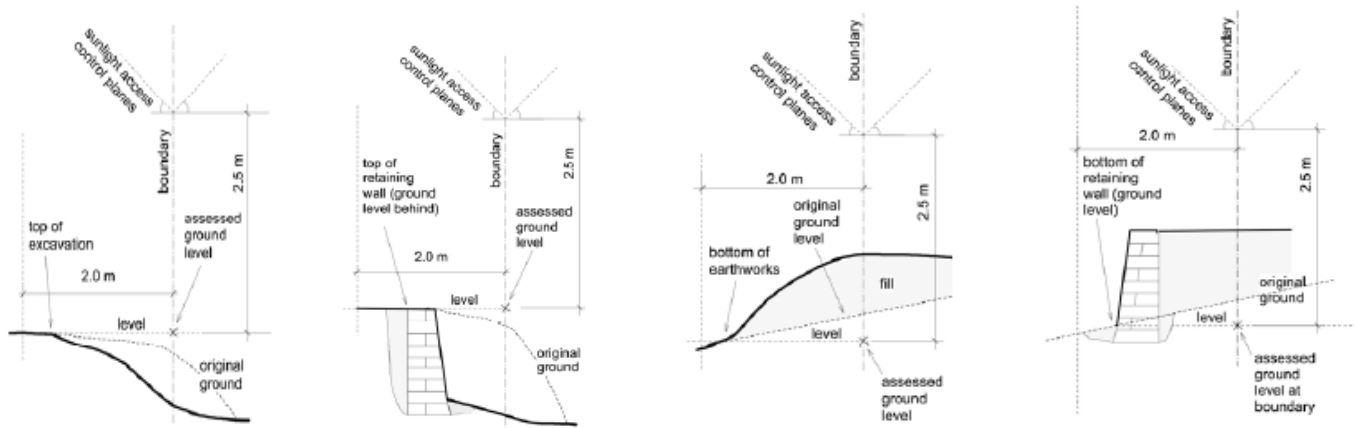
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In the operative District Plan, **ground level** means the existing ground level, except:

- where measuring ground level under a building for the purpose of calculating maximum height, the ground level will be an assessed ground level as shown on the following diagrams:



- where there is visible evidence that the ground level on the boundary has been altered by earthworks **and** the altered ground level has not been approved in association with a subdivision (at any date) or by a land use consent since July 2004, then ground level shall be an assessed ground level as shown on the following diagrams:



Where the top of the excavation is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the top of the excavation.

Where the retaining wall supports cut ground, and the ground level behind the top of the retaining wall is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the ground level behind the top of the retaining wall.

Where the original ground has been raised by earthworks, and the bottom of the earthworks is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the bottom of the earthworks.

Where the retaining wall supports fill material, and the ground level at the bottom of the retaining wall is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the ground level at the bottom of the retaining wall.

[The ground level definitions in Plan Change 72: Residential Review differ from those in Chapter 3 of the operative District Plan. Both definitions will need to be considered when determining ground level in a Residential Area until the plan change becomes operative.]

Rules within the District Plan are regularly updated, with updates going through a consultation and hearings process. Recent plan changes include Plan Change 72: Residential Review. The applicant must be aware of these changes and may need to meet both the operative and proposed plan requirements. You can see the operative District Plan and plan changes on our website Wellington.govt.nz or contact a planning technician on 801 3590 or planning@wcc.govt.nz.