

# Appendix 1C – Officers Recommended Mineral Extraction Zone Chapter Provisions

Note the below provisions represent the Section 42A Report Writing Officer’s recommended provisions for the Proposed District Plan, in response to submissions (with underline used for new text and ~~strikethrough~~ for deleted text).

**Overview**

The mineral extraction zone identifies all known quarrying and mineral extraction activities. It is understood each potentially meet one or more of the criteria for regional significance as identified in the NRPS. Once NRC has identified any additional regionally significant mineral resources, Council or private parties may undertake a plan change to show these areas.

All objectives and policies relating to this zone are contained within the Mineral Extraction chapter of the General District Wide Matters section.

Objectives	
	There are no objectives in the Mineral Extraction Special Purpose Zone. The relevant objectives are contained within the Mineral Extraction chapter of the General District Wide Matters section.
Policies	
	There are no policies in the Mineral Extraction Special Purpose Zone. The relevant policies are contained within the Mineral Extraction chapter of the General District Wide Matters section.

**Rules**

**Notes:**

1. There may be rules in other District-Wide Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. Forestry quarrying is subject to the regulations in the National Environmental Standards for Commercial Forestry. Access to Crown owned minerals is addressed in the Crown Minerals Act 1991.
3. The Northland Regional Plan currently regulates water and soil and enforces the National Environment Standards for Fresh Water. Consent may be required in terms of the rules in those documents.
4. Where soil sampling and land disturbance is proposed on land where a hazardous activity or industry has been, is more likely than not have been or is currently operating, then the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 apply.
5. The Earthworks Chapter rules do not apply to Mineral Extraction Activities. Rules for Mineral Extraction Activities are contained within each zone chapter.

<b>ME-R1</b>	<b><u>New buildings or structures, relocated buildings, or extensions or alterations to existing buildings or structures</u></b>	
<b><u>Mineral Extraction Zone</u></b>	<b><u>Activity status: Permitted</u></b> <b><u>Where:</u></b>	<b><u>Activity status where compliance not achieved: Discretionary</u></b>

	<p><b>PER-1</b> The new <u>building or structure</u>, or extension or alteration to an existing <u>building or structure</u>, will accommodate a permitted activity or is for a mineral extraction activity.</p> <p><b>PER-2</b> The new <u>building or structure</u>, or extension or alteration to an existing <u>building or structure</u> complies with standards:  <u>MEZ-S2 Maximum height;</u>  <u>MEZ-S3 Setback (excluding from MHWS or wetland, lake and river margins);</u>  <u>MEZ-S4 Building or structure coverage};</u></p>	
<b>ME-R2</b>	<b>Farming</b>	
<b>Mineral Extraction Zone</b>	<b>Activity status: Permitted</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>ME-R3</b>	<b>Mineral prospecting and exploration</b>	
<b>Mineral Extraction Zone</b>	<b>Activity status: Permitted</b>	<b>Activity status where compliance not achieved: N/A</b>
<b>ME-R4</b>	<b>Expansion of existing mineral extraction activity</b>	
<b>Mineral Extraction Zone</b>	<p><b>Activity status: Controlled</b></p> <p><b>Where:</b></p> <p><b>CON-1</b> A <u>Mineral Extraction Activity Management Plan</u> has been provided that contains the information required in <u>ME-S1 Mineral extraction activity management plan</u>.</p> <p><b>CON-2</b> <u>The hours of operation remain the same.</u></p> <p><b>CON-3</b> <u>The extraction volumes do not increase by more than 10%.</u></p> <p><b>CON-4</b> <u>Any expansion does not occur within 10 m of a site boundary where the boundary adjoins a site that is not part of the Mineral Extraction Zone.</u></p> <p><b>CON-5</b> <u>The vehicle access to the <u>Mineral Extraction Activity</u> remains unchanged.</u></p> <p><b>Matters of control are limited to:</b></p> <ol style="list-style-type: none"> <li>i. <u>measures to manage off-site effects including dust, odour, lighting, visual amenity, traffic generation, noise and vibration;</u></li> <li>ii. <u>mitigations proposed to manage effects on identified values within and beyond the Mineral Extraction Zone</u></li> <li>iii. <u>landscaping and screening;</u></li> <li>iv. <u>the tenure of activities including extraction, processing and sales;</u></li> </ol>	<b>Activity status where compliance not achieved: Discretionary</b>

	<ul style="list-style-type: none"> <li>v. <u>the proposed rehabilitation programme including provision for clean-filling, recontouring, revegetation;</u></li> <li>vi. <u>monitoring; and</u></li> <li>vii. <u>Recommendations, proposed mitigation measures and conditions of the <a href="#">Mineral Extraction Activity</a> Management Plan, including the means by which the Consent Holder will comply with the relevant rules in the Plan and the conditions of the consent.</u></li> </ul>	
<b>ME-R5</b>	<b><u>New mineral extraction activity</u></b>	
<b>Mineral Extraction Zone</b>	<b><u>Activity status: Discretionary</u></b>	<b><u>Activity status where compliance not achieved: Not applicable</u></b>
<b>ME-R6</b>	<b><u>New noise sensitivity activity or alterations or additions to a building or structure containing an lawfully established sensitive activity</u></b>	
<b>Mineral Extraction Zone</b>	<b><u>Activity status: Discretionary</u></b>	<b><u>Activity status where compliance not achieved: Not applicable</u></b>
<b>ME-R7</b>	<b><u>Any activity not otherwise listed in this chapter</u></b>	
<b>Mineral Extraction Zone</b>	<b><u>Activity status: Non-complying</u></b>	<b><u>Activity status where compliance not achieved: Not applicable</u></b>
<b><u>Standards</u></b>		
<b>ME-S1</b>	<b><u>Mineral extraction area management plan</u></b>	
<b>Mineral Extraction Zone</b>	<p><b><u>A Mineral Extraction Area Management Plan shall include the following information as a minimum:</u></b></p> <ol style="list-style-type: none"> <li>1. <b><u>A <a href="#">site</a> plan showing:</u></b> <ol style="list-style-type: none"> <li>i. <u>existing topography, contours, drainage, <a href="#">waterbodies</a>, vegetation cover and any other significant landform or feature;</u></li> <li>ii. <u><a href="#">site</a> layout, general design and location of <a href="#">buildings and structures</a>;</u></li> <li>iii. <u>areas for extraction (including pits and faces), storage (including overburden), stock piling, processing and distribution;</u></li> <li>iv. <u>predicted final contours and drainage; and</u></li> <li>v. <u>areas where <a href="#">land disturbance</a> / <a href="#">earthworks</a> are not proposed.</u></li> </ol> </li> <li>2. <b><u>A description of current and future operations, including:</u></b> <ol style="list-style-type: none"> <li>i. <u>staging of extraction activities, tenure of extraction activities and the anticipated total volume for extraction;</u></li> <li>ii. <u>the anticipated depth and location of excavations and stockpiling of overburden or aggregate materials, including assessment of slope stability;</u></li> <li>iii. <u>vegetation removal and <a href="#">site</a> preparation, including stripping and stockpiling or disposal of soil and overburden;</u></li> <li>iv. <u>the proposed methodology for clean filling any areas of the <a href="#">quarry</a>;</u></li> <li>v. <u>the method of access, egress and onsite parking;</u></li> <li>vi. <u>the anticipated number of people onsite involved with the <a href="#">quarry</a> activities and sales;</u></li> <li>vii. <u>detail of any rock breaking or <a href="#">blasting</a> activities; and</u></li> </ol> </li> </ol>	

	<p>viii. <u>details of any retail sales of quarry materials.</u></p> <p>3. <u>Monitoring and reporting proposed;</u></p> <p>4. <u>Rehabilitation anticipated for the site following the completion of mineral extraction; and</u></p> <p>5. <u>Integrated traffic assessment.</u></p>	
<b>ME-S2</b>	<b>Maximum height</b>	
<u>Mineral Extraction Zone</u>	<p>The maximum height of a building or structure, or extension or alteration to an existing building or structure is 12m above ground level.</p> <p><b><u>This standard does not apply to:</u></b></p> <p>i. <u>solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; and</u></p> <p>ii. <u>chimney structures not exceeding 1.2m in width and 1m in height on any elevation; and</u></p> <p>iii. <u>chimney structures not exceeding 1.2m in width and 1m in height on any elevation; or</u></p> <p>iv. <u>architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation.</u></p>	<b><u>Matters of discretion: not applicable.</u></b>
<b>ME-S3</b>	<b>Setback</b>	
<u>Mineral Extraction Zone</u>	<u>The new building or structure, or extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries</u>	<b><u>Matters of discretion: not applicable.</u></b>
<b>ME-S4</b>	<b>Building or structure coverage</b>	
<u>Mineral Extraction Zone</u>	<u>The building or structure coverage of any site is no more than 12.5%.</u>	<b><u>Matters of discretion: not applicable.</u></b>

**Recommended amendment to Subdivision Rule SUB-R16**

<b>SUB-R16</b>	<b>Subdivision of a <u>land within site-containing a the mineral extraction overlay zone</u></b>	
<b>All-zones Mineral Extraction Zone</b>	<p><b>Activity status: Discretionary</b></p> <p><b>Where:-</b></p> <p>- <b>DIS-4</b></p> <p>A building platform for each allotment can be setback 100m or more from the Mineral extraction overlay.</p>	<b>Activity status where compliance not achieved: <u>N/A Non-complying</u></b>

**New rule:**

<b>SUB-RXX</b>	<b>Subdivison of land within 100m of a Mineral Extraction Zone</b>	
<b>All zones</b>	<b><u>Activity status: Discretionary</u></b>	<b><u>Activity status where compliance not achieved: N/A</u></b>

**Consequential amendments to other PDP chapters:**

- Amend all references from “Mineral Extraction Overlay” to “Mineral Extraction Zone” (throughout the PDP)
- Amend District-Wide Chapters (Noise, Light, Signs) to include reference to Mineral Extraction Zone (with the same rules and standards as the Rural Production Zone).