



## SELWYN DISTRICT COUNCIL

### RESOURCE CONSENT DECISION INFORMATION

#### **LAPSING OF CONSENT**

A resource consent lapses on the date specified in the consent or, if no date is specified, **5 years** after the date of the decision (or if any appeal results, from the date of any decision of the Environment Court) **unless, before** the consent lapses,—

- (a) the consent is given effect to; or
- (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account —
  - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
  - (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
  - (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

If you or any future purchaser of your property wish to change or cancel any conditions of this resource consent, an application for a variation of consent must be made to the Council on Form 10. An application for a variation will be processed pursuant to Section 127 of the Resource Management Act 1991, and may or may not be granted by Council.

#### **THIS IS A RESOURCE CONSENT ONLY**

This consent is a resource consent in terms of the Resource Management Act 1991. It is **not** a consent under any other Act, Regulation or Bylaw. Separate applications will need to be made for any other approval, such as a building consent.

#### **RIGHTS OF APPEAL**

This notice of resource consent is distributed in accordance with the terms of Section 114 of the Resource Management Act 1991.

Your attention is drawn to the provisions of Sections 120, 121 and 357 of the Resource Management Act 1991 which allows for objections to, and appeals against, decisions made by consent authorities.

Any party to this application may, within 15 working days of the receipt of this decision, appeal to the Environment Court pursuant to Section 120 of the Resource Management Act 1991. The Christchurch address of the Environment Court is:



# ByteTech INFO







83 Armagh Street (corner Durham Street) Christchurch.  
 The postal address is PO Box 2069 Christchurch.  
 The telephone number is (03) 962 4170 and the fax number is (03) 962 4171.

The procedure for lodging an appeal is set out in Section 121 of the Resource Management Act 1991. The appeal should be made on Form 16. Clauses 16 to 27 of the Resource Management Act Regulations 2003 also set out important information.

Section 121 of the Resource Management Act 1991 sets out the persons upon whom the appeal must be served and the time when service must take place. It is essential that these provisions be adhered to. Failure to do so may result in the appeal being struck out.

Copies of the Resource Management Act 1991 are available for inspection at the Leeston Service Centre and the Christchurch Central Public Library.

If you are in any doubt as to the procedure to be followed, it is strongly recommended that you seek planning and/or legal advice.

## **REFUND POLICY**

If a resource consent application has been lodged on or after 31 July 2010 and has not been processed within the statutory timeframes imposed under the Resource Management Act 1991, a discount on administrative charges will apply under Section 36AA of this Act. The discount is a percentage reduction of the actual and reasonable costs of processing the application calculated at 1% per day the application is processed over the statutory timeframes, up to a limit of 50 %. For more information on the discount policy refer to <http://www.mfe.govt.nz/publications/rma/discount-on-administrative-charges-regulations/index.html>

This discount is automatic and there is no need to apply to Selwyn District Council to receive the discount. Discounts are calculated monthly. The refund will either be in the form of a credit against the final account or as a direct refund depending on whether the final invoice has been issued/paid.

You can request a review of the discount, if you consider that either a larger discount is due or alternatively that a discount is due where the Council has deemed no discount is payable.

A discount review form is available from the Selwyn District Council website at [www.selwyn.govt.nz](http://www.selwyn.govt.nz) or by phoning the Planning Department on 3472868.

## **MONITORING**

### ***Monitoring fees***

Monitoring of this resource consent is carried out by the Council's Resource Monitoring Officers. This is separate from any monitoring or inspections related to a building consent. Pursuant to Section 36 of the Resource Management Act 1991, the fees relating to monitoring conditions are:

#### **a. Basic Monitoring**

The basic monitoring fee is ~~\$51.11~~ <sup>\$50</sup>. This fee covers monitoring of Council records to ensure compliance with the conditions imposed where no site visit is required.



**b. Standard Monitoring**

The standard monitoring fee is ~~\$102.21~~ <sup>\$100</sup>. This fee covers the cost of setting up a monitoring programme and the carrying out of one site inspection to ensure compliance with the conditions imposed.

**c. Specialised Monitoring**

The specialised monitoring fee is ~~\$204.45~~ <sup>\$205</sup>. This fee covers the cost of setting up a monitoring programme and the carrying out of two or more site inspections to ensure compliance with the conditions imposed.

In cases where further site inspections are required for consents with a standard or specialised monitoring programme, due to non-compliance with any of the conditions or for the reasons specified by the consent, the Council may render an account to the consent holder for the additional monitoring fees at the rate of ~~\$147.20~~ <sup>\$145</sup> per hour for time spent and 71 cents/kilometre travelled.

***How often will an account be sent?***

If your consent was processed on a “fixed fee” basis, the monitoring charge has been included in the fee you have already paid.

If your consent was processed on a “time and cost” basis, in addition to the fees payable for the processing of the application, you will be invoiced for monitoring at the time the decision is issued. This is a set fee and forms part of the account sent at the time a decision is issued.

In situations where additional site inspections are required, the Council may render an account for the additional monitoring fees. This will be sent at the time monitoring is undertaken.

***If I'm paying, how can I keep costs down?***

By complying with the conditions of your consent. If you comply with all consent conditions, extra site visits will not be necessary.

***Can I carry out monitoring myself and reduce the Council's programme?***

You have a legal obligation to comply with the conditions of your consent, and you should be monitoring your activity regularly to ensure this happens. Consent holders who ensure good compliance at all times benefit from a reduction in the frequency of Council visits.

However, no matter how good your own monitoring is, the community needs to be reassured of the credibility and independence of a monitoring programme carried out by or on behalf of Council, particularly in situations of non-compliance, where enforcement action may be required.

***Does the Council monitor every consent?***

Yes, although this doesn't mean that every property with a resource consent is visited. For example, some consents can be monitored from the office because they only require the return of certain information, or a confirmation of works completed by a Building Inspector. In these cases, phone calls or site visits are only made if the information is not supplied or is not available from Council records.

Monitoring visits may be spaced several years apart or be close together. They may occur regularly throughout the term of the consent, or be concentrated at the beginning or towards the expiry of a consent.



The consent holder may also request a site inspection if they believe that, for example, all development work has been completed and they wish to have a bond or caveat released.

***Does the Council only monitor for compliance with conditions?***

No. At any site inspection, the Resource Monitoring Officer will observe the area both associated with the consent proposal and the area beyond that. This is to deal with any adverse effect on the environment which may arise from the exercise of the consent. From this, the Council may need to review the conditions of consent or check the accuracy of assessments carried out at the time the resource consent was applied for.

***How will I know whether I'm complying with the conditions of my consent after a monitoring visit?***

After every site visit a Notice of Inspection is completed by the Resource Monitoring Officer. A copy is provided to the consent holder (it may be left on the property or sent later) and a copy placed on the Council's consent file. This notice will tell you whether you complied with all the conditions of your consent, together with any other matter relevant to the visit or to the activity you are carrying out.

If there is an issue of non-compliance, this will either be discussed with you during the inspection, or you will be contacted by telephone or letter.

***Who will see my monitoring report?***

The Council is required to keep copies of all monitoring visit reports. These are summarised and if of a serious nature will be reported to the Regulatory Manager, which may result in a report going to full Council. Being public records, reports of individual site visits are available to the public if requested. This may be particularly important when you apply for a new resource consent – your history of compliance will be a matter of public record.

***What happens if I don't like the conditions?***

If you think that any condition is unreasonable or unnecessary, you can apply to Council to have it changed.

***What happens if I don't comply with the conditions of my consent?***

If you don't comply with your conditions, Council staff may take enforcement action to require compliance. The exact nature of this action will depend on matters such as the degree of non-compliance, frequency and the effect on the environment, but ultimately the Resource Management Act gives Council both the duty and the tools to enforce compliance. The maximum penalties set out in the Act are very severe.

***Who can make a complaint concerning a consent?***

Once a consent has been issued, anyone may make a complaint to Council if they believe that the conditions or the intent of the consent is not being met.

All written complaints are replied to, either by telephone or in writing. If requested, the complainant will be kept informed of any outcome or progress.

The complainant may request to remain anonymous, although the consent holder is often aware of who may have complained.

***What action is taken on complaints?***

A Resource Monitoring Officer will follow up on all complaints made, often contacting the consent holder to discuss the issue and/or to arrange a site inspection. Depending on the nature of the concern, an inspection may be made without contacting the consent holder first.

Enforcement action may need to be taken to ensure further compliance.

A file note will be made concerning any complaints made, a copy of which will be kept on the consent file.

JANUARY 2011

22 August 2011

Dear Sir/Madam

**DECISION ON RESOURCE CONSENT APPLICATION - SOUTHERN  
SCREENWORKS RC115008**

Please find attached a copy of the decision for the above resource consent.

I attach a copy of the appeal procedures for your information.

Yours faithfully  
*Selwyn District Council*



*pp.* Rosie Flynn  
Team Leader, Resource Consents



8 August 2011

Dear Submitter

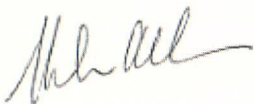
**Southern Screenworks Ltd 115008**

Please find attached a copy of the amendments suggested by the applicant, following discussion at the hearing.

These documents are for information only and are not subject to further comment from submitters.

The decision will be forwarded in due course.

Yours faithfully



**Helen Allison**  
Planning Administrator

## General

1. That the proposed activities shall proceed generally in accordance with the information submitted in the application including:
  - The Acoustic Engineering Services Letter dated 11 May 2011,
  - The building plans prepared by Bond Frew Ltd (No. S2.2 —Floor Plan, S3.2 —Elevations C & D and S3.3 —Elevations A and B dated January 2011.
  - The landscape assessment and Landscape Plans prepared by Earthwork Landscape Architects (Appendix ~~E4~~ — Development Proposal dated ~~1 August 17 January~~ 2011 — Revision ~~24~~ and Appendix ~~C6~~ —Sections and Elevations dated ~~17th January~~27th June 2011 — Revision 3) except as specifically amended by the following conditions.
2. That a vehicle crossing to service the quarry shall be formed in accordance with Appendix 10, Diagram E10.D of the Partially Operative District Plan (Rural Volume) (attached as **Appendix G**). The vehicle crossing shall be sealed to match the existing road surface for the full width of the crossing and for the first ten metres (as measured from the edge of the existing formed carriageway towards the property).
3. That PW50' Truck Warning signs be placed on Bealey Road at the consent holder's expense. The location of these signs shall be arranged and approved by a Council Transportation Asset Engineer.

## Landscape

4. That all planting shall be in accordance with the Landscape Assessment and Appendix 4 —Development Proposal Plan and Appendix 6 —Sections and Elevations as prepared by Earthwork Landscape Architects with the exception of any alterations made by the following conditions:
  - 4.1 All planting shall be implemented prior to the commencement of quarrying.
  - 4.2 That the perimeter shelter belt planting shall be at least ~~1 metre 750mm~~ 1 metre high ~~prior to the commencement of quarrying at time of planting and once achieved,~~ shall be maintained at a height of 4 metres, with the exception of the northern corner of the site where the perimeter shelter belt planting shall be maintained at a height of 3 metres for a distance of 75 metres back from the northern corner in order to provide for some distant views towards the south west of the Southern Alps.
  - 4.3 That all —proposed building screening trees as identified on the key on Appendix 4 —Development Proposal Plan as prepared by Earthwork Landscape Architects, shall be a minimum height of ~~3-2~~ metres prior to the commencement of quarrying. For clarification, this height limit does not apply to the proposed —native planting areas.
  - 4.4 That all perimeter shelter belt and specimen planting shall be irrigated during the establishment period.
  - 4.5 That any dead, diseased or dying vegetation required for mitigation purposes shall be replaced immediately as soon as practicable during the appropriate planting season.
  - 4.6 That the colour of the proposed building shall be a recessive natural colour such as Resene
    - a) Lignite BR34-021-058

Formatted: Indent: Left: 0.63 cm,  
Hanging: 0.63 cm



or

b) Karaka G31-010-106

or

c) New Denim Blue B39-012-250

or an equivalent with reflectivity (RV) is less than 36%.

4.7 That the application site shall be progressively rehabilitated at the conclusion of the quarrying activity fully restored following quarrying so that;

- The head wall batters are naturalistically shaped as shown in the diagrammatic cross section below

*Original ground level Post quarry ground level Curved walls  
Diagram: showing profile of re-shaped quarry walls following closure*

- The entire site is fully re-vegetated, which may include pasture.

4.8 As each stage is completed the affected area shall be re-vegetated with (at least) pasture grass.

4.9 That an earth bund be constructed and hydroseeded around the periphery of the quarry pit in accordance with the landscape plan submitted with the application prior to the commencement of any quarrying activity.

4.10 That the vegetation cover on the earth bund and non quarried areas of the site be maintained to reduce any soil exposure.

4.11 In the event that storage tanks are established on the site, these shall be a recessive natural colour to match the building and shall be located adjacent to the western side of the building as shown on the Landscape Plans prepared by Earthwork Landscape Architects (Appendix F – Development Proposal dated 1 August 2011 – Revision 3).

Formatted: Indent: Left: 0.63 cm,  
Hanging: 0.95 cm

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial,  
Underline, Font color: Blue

Formatted: Font: (Default) Arial,  
Underline, Font color: Blue

#### Hours of operation

5. The quarry operation shall only occur between 0700 – 1800 hours Monday to Friday and 0800 – 1300 on Saturday. The quarry shall not operate during Sundays or statutory holidays.

#### Noise

6. The crusher plant shall not be operated occur no more than 4 times per year for a maximum duration of 3 weeks at each time.

7. Crushing will be limited to the following hours/days of operation:

- 08000730-1800 Monday – Friday.
- No crushing shall occur on Saturdays, Sundays, or any statutory holidays.

7a. The activities carried out pursuant to this consent shall comply with the District Plan noise limits at all times.

Formatted: Indent: Left: 0.63 cm

Formatted: Indent: Left: 0 cm, Hanging: 0.63 cm

#### Dust

8. No explosives or blasting shall be used as part of the quarry activity.
9. All stockpiled material shall be stored on the pit working/excavation area such that it does not extend above the height of the 3 metre earth bund.
10. That the consent holder shall ensure on a continuing basis that dust is not generated from consolidated/stockpiled material by keeping the surface of the material damp or by using another appropriate method of dust suppression.

#### Birds

10a. The consent holder shall undertake monitoring and reporting of bird populations within the site for the first 5 years of operation.

Formatted: Underline

Formatted: Indent: Left: 0 cm, First line: 0 cm

Formatted: Indent: Left: 0 cm, Hanging: 0.95 cm

#### Water

11. Prior to the commencement of quarrying, the consent holder shall provide to Council's Planning Manager ~~for approval~~, documentation confirming that a water supply to or within the site has been legally established. This documentation shall demonstrate that the water supply is sufficient to cater for all required activities on site, particularly the mitigation of dust and irrigation of landscaping.

#### Traffic

11a. The consent holder shall keep a log book to be submitted upon request to the Council detailing the numbers of heavy vehicle movements to and from the site.

Formatted: Indent: Left: 0 cm, Hanging: 0.63 cm

#### Quarry Management Plan

12. The consent holder must submit an Operation Management Plan ~~for the approval of~~ the Selwyn District Council prior to the commencement of quarrying activity. The Operation Management Plan will include:

(a) Construction drawings and procedures, methods and measures to be applied to address, as a minimum, the following:

- (i) dust control from the on-site activities and from vehicles travelling to and from the site,
- (ii) formation of earth bunds and stability of all earthworks and quarry faces,

~~(ii) monitoring and reporting of bird populations within the site for the first 5 years of operation;~~

Formatted: Bullets and Numbering

~~(iii)~~ (ii) speed restrictions of vehicles within the site,

Formatted: Bullets and Numbering



(iv)(iii) security of loads on vehicles travelling to and from the site,

Formatted: Bullets and Numbering

(v)(iv) vehicles associated with the site avoiding unsealed roads where practicablepossible.

Formatted: Bullets and Numbering

(vi)(v) the active maintenance and irrigation of landscaping throughout the site e.g. reticulated timed system or similar.

Formatted: Bullets and Numbering

(vii) the measures to ensure that the internal road network, parking and manoeuvring areas are maintained in a compact manner to avoid potholes which could increase noise and vibration.

#### Term of Consent

~~13. Pursuant to Section 123 of the Act, this consent shall expire 30 years from the date of the decision.~~

#### Review of Conditions

14. That pursuant to section 128 of the Act the consent authority may, at any time review the conditions on this consent to deal with any adverse effect on the environment which may arise from the exercise of the consent.

115 008

FILE WITH SAM  
FREWELLEN - PLANIT

GOING TO HRC  
WITH MIKE GARLAND

28 JULY



Christchurch 7671

J O & P A Crawford

Yes

P.O.Box 16288

Hornby

Christchurch 7675

G R Edwards & J Dixon

Yes

1056 Railway Rd

R.D.1

Christchurch 7671

J K & A M Holt

Yes

153 Bealey Rd

R.D.1

Christchurch 7671

M & S Jones

Yes

158 Bealey Rd

R.D.1

Christchurch 7671

E & S Mildenhall

Yes

1062 Railway Rd

R.D.1

Christchurch 7671

[www.selwyn.govt.nz](http://www.selwyn.govt.nz)

Selwyn District Council, 27 Norman Kirk Drive Rolleston / PO Box 90, Rolleston 7643

Tel: 03 347 2800 Fax: 03 347 2799 Email: [admin@selwyn.govt.nz](mailto:admin@selwyn.govt.nz)





20 July 2011

Dear Submitter

**Southern Screenworks Ltd 115008**

Please find attached the planners report for the hearing to be held on Thursday 28th July. I also attach information on the usual procedure of a hearing for the information of those submitters who will be attending.

Yours faithfully



**Helen Allison**  
Planning Administrator



