

**RESOURCE CONSENT FILE COVER**  
(Resource Management Act 1991)

**BR**

Consent No.

**125013**

Overseer:

Valuation Ref:

**24190 - 221-00****APPLICANT**

Name: SOUTHERN SCREENWORKS LTD Phone: \_\_\_\_\_ (Home)  
 Address: 11-BROWN + CO PLANNING GROUP 03.4092258 (Work)  
PO BOX 1467 QUEENSTOWN 9348 Fax: 03.4092259

**OWNER (if different from above)**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ (Home)  
 Address: \_\_\_\_\_ (Work)  
 \_\_\_\_\_ Fax: \_\_\_\_\_

Property Location: BEALEY RD  
 Legal Description: LOT 1 DP 354364

VARIATION TO 115008 - TO INCREASE

Proposal: Land Use/~~Subdivision~~ SIZE OF PROPOSED WORKSHOP/OFFICE  
 Type of Activity: Permitted/Controlled/Discretionary/Non-Complying/Prohibited  
 Other Resource Consents: \_\_\_\_\_

Processing: Notified/Non-Notified Receipt No: 638482  
 Authority: Delegated/Committee Amount: 560.00  
 Date: 27.1.12

**APPLICATION PROCESSING TIME FRAMES**

Lodged: <u>26.1.12</u>	Pre-hearing meeting: _____
Additional information requested: _____	Hearing date: _____
Formally received: <u>27.1.12</u>	Hearing location: _____
Newspaper Publication: _____	Notice of day of hearing: _____
Signage erected: _____	Notify decision by: <u>27.2.12</u>
Signage removed: _____	Decision notified: <u>1.3.12</u>
Submissions Close: _____	Appeals lodged: _____
Engineers report due: <u>N/A</u>	Completion certificate: _____
EHO report due: _____	Engineer's report received: _____
	EHO's report received: _____

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152013

## Benjamin Rhodes

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**From:** Grant Finn <grant@brownandcompany.co.nz>  
**Sent:** Tuesday, 28 February 2012 11:59 a.m.  
**To:** Benjamin Rhodes  
**Subject:** RE: Sth Screenworks

Ben, condition 1(a) is seeking to supersede the landscape plantings that are shown on drawings attached at Appendix 1.

Reads fine and is acceptable to me.

Grant Finn  
Senior Planner

Level 1, The Forge Building, 20 Athol St  
PO Box 1467, Queenstown  
Ph (03) 409 2258 Fax (03) 409 2259  
Mob 027 24 24 876

[www.brownandcompany.co.nz](http://www.brownandcompany.co.nz)

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**From:** Benjamin Rhodes [<mailto:Benjamin.Rhodes@selwyn.govt.nz>]  
**Sent:** Tuesday, 28 February 2012 11:55 a.m.  
**To:** Grant Finn  
**Subject:** Sth Screenworks

Hi Grant,

Draft condition below. Any comments/changes?

*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 (Floor Plan, No. S2.2, Revision 1 & Elevation Plans, Drawing No S3.1, Revision 1, both now marked SDC 125013)*
- *The landscape assessment and landscape plans prepared by Earthwork Landscape Architects (Appendix 1, Revised - Development Proposal, dated 12 December 2011) except as specifically amended by the following conditions:*

*1(a). Further to the proposed landscaping shown in Appendix 1 (referred to above) 12 evergreen trees shall be planted at a height of 2.5m – 3m between the front of the proposed building and Bealey Road and shall be generally located around the access way.*

Regards

Ben Rhodes  
Resource Management Planner  
DDi: (03) 3472 824

**Selwyn District Council, 2 Norman Kirk Drive, Rolleston 7614;** Post: PO Box 90, Rolleston 7643,  
Christchurch

Phone: (03) 347-2800 or (03) 318-8338, Fax: (03) 347-2799

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## PLANNING REPORT

**BY:** Resource Management Planner: Ben Rhodes  
**DATE:** 28 February 2012  
**SUBJECT:** **RESOURCE CONSENT APPLICATION 125013**

<b>Applicant:</b>	Southern Screenworks Ltd
<b>Description of Activity:</b>	Variation of conditions pursuant to Section 127 of the Resource Management Act 1991 in respect to landuse consent 115008 granted on 22 August 2011 by delegated authority.
<b>Site address:</b>	Bealey Road
<b>Legal Description:</b>	Lot 1 DP 354364
<b>Zoning:</b>	Partially Operative District Plan: Outer Plains

### 1. Introduction

1.1. The applicant is seeking to vary condition 1 of resource consent 115008 which was granted by delegated authority on 22 August 2011.

1.2. The original consent was to establish and operate a quarry.

1.3. The activity was subject to the Partially Operative District Plan, with the following rules considered to be breached:

Rule	Topic	Compliance
1	Earthworks	<b>Does not comply – 1.6</b> – volume and cut exceeded
2	Trees	Complies
3	Buildings	Complies
4	Roading	<b>Does not Comply 4.6</b> - no cycle parking
5	Utilities	Complies

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Rule	Topic	Compliance
6	Signs	Complies
7	Hazardous substances	Complies
8	Waste	Complies
9	Activities	<b>Does not comply –</b> <b>9.4</b> – exceeds 100m <sup>2</sup> area and two fulltime staff <b>9.13</b> – vehicle movements exceeded

1.4. The applicant seeks to vary conditions 1 of resource consent 115008.

1.5. The original wording of the condition is:

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 F - Development Proposal dated 1 August 2011 - Revision 2 and Appendix C – Solutions and Elevations dated 27 June 2011 – Revision 3) except as specifically amended by the following conditions:

1.6. The proposed new wording is:

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
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- The building plans prepared by Bond Frew Ltd (Floor Plan, No. S2.2, Revision 1 & Elevation Plans, Drawing No S3.1, Revision 1, both now marked SDC 125013)
- The landscape assessment and landscape plans prepared by Earthwork Landscape Architects (Appendix 1, Revised - Development Proposal, dated 12 December 2011) except as specifically amended by the following conditions:

1(a). Further to the proposed landscaping shown in Appendix 1 (referred to above) 12 evergreen trees shall be planted at a height of 2.5m – 3m between the front of the proposed building and Bealey Road and shall be generally located around the access way.

## 2. Statutory Requirements

2.1. Section 127 of the Resource Management Act states:

**“127. Change or cancellation of consent condition on application by consent holder –**

- (1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent (other than any condition as to the duration of the consent).
- (3) Sections 88 to 121 apply, with all necessary modifications, as if –
  - (a) the application were an application for a resource consent for a discretionary activity; and
  - (b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.
- (4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who –
  - (a) made a submission on the original application; and
  - (b) may be affected by the change or cancellation.”

## 3. Consideration

3.1. The applicant has proposed to increase the size of the consented workshop/ office from 2600m<sup>2</sup> to 4565m<sup>2</sup> an increase of 43% and locate it slightly closer to Bealey Road. Although a larger building it is not any higher than that consented and is still within the permitted baseline of what could be constructed as of right. It will still be associated with the quarry operation, which although not a permitted activity has already been approved. This application is not proposing to alter or increase this activity. The proposed building at its new size will still be of a rural appearance and would be in keeping with the rural environment. The quarry operation is still consented from the site and the building will also

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be associated with this and so I do not believe its size would be unexpected. In my opinion the proposed building increase would not adversely affect the rural character and amenity of the area beyond that already approved. The applicant has also proposed a revised landscape plan with additional landscaping. Council's consultant Landscape Architect, Mr Andrew Craig, has reviewed this and has not raised any concerns. Mr Craig considered that even though the shed is almost doubling in size he is confident it will not result in substantially greater appreciable effects when viewed from key public access points or the nearest neighbouring properties. Mr Craig did recommend that 6 evergreen plants be planted to the front of the building at 4m high to provide a more effective immediate screen. The applicant requested this be altered to 12 plants at 2.5m to 3m high as they would have more chance of survival in the high wind area. This was acceptable to Mr Craig.

3.2. With regard to the submitters on the original application all their properties are to the north of SH73. The proposed building is actually being located further from these sites with additional landscaping to the subject sites northern boundary. This will reduce the visual effects of the built form on site from these properties.

3.3. The proposed building although larger in floor area will be the same height and within the permitted baseline and there will be no change to the scale and intensity of the operation. The effects to the change to the neighbours and submitters is expected to be insignificant if noticeable at all. Overall I consider the effects of the change to be less than minor to the rural character and amenity of the area and the neighbours.

**4. Has written approval been obtained from every person who may be adversely affected by the granting of the change or cancellation? [Section 127(4)]**

4.1. The effects of this proposal on the environment are considered to be no more than minor, and so the application need not be notified pursuant to section 95A of the Resource Management Act 1991.

4.2. Although the original consent required neighbours approval it does not mean these affected parties are automatically considered affected again. Consideration is given to those that were previously affected; however a change of condition consent is treated as a resource consent for discretionary activity. I consider that after assessing this application on its merits the effects of the proposed condition change would be insignificant and no parties are affected to a minor or more than minor degree. Therefore under Section 95B of the Resource Management Act 1991 limited notification is not required.

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## 5. Recommendation

That pursuant to Section 127 of the Resource Management Act 1991, the Selwyn District Council grants Change of Condition Application 125013 to change Condition 1 of 115008, Bealey Road

Condition 1 shall now read:

1. That the proposed activities shall proceed generally in accordance with the information submitted in the application including:

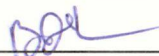
- The Acoustic Engineering Services Letter dated 11 May 2011
- The building plans prepared by Bond Frew Ltd (Floor Plan, No. S2.2, Revision 1 & Elevation Plans, Drawing No S3.1, Revision 1, both now marked SDC 125013)
- The landscape assessment and landscape plans prepared by Earthwork Landscape Architects (Appendix 1, Revised - Development Proposal, dated 12 December 2011) except as specifically amended by the following conditions:

1(a). Further to the proposed landscaping shown in Appendix 1 (referred to above) 12 evergreen trees shall be planted at a height of 2.5m – 3m between the front of the proposed building and Bealey Road and shall be generally located around the access way.

## Notes to the Consent Holder

1. All other conditions of Resource Consent 115008 shall remain unchanged and in effect.

## 6. Recommendation Approved:

  
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Delegated Planner

Date: 28 / 2 / 12

  
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Rosie Flynn, Team Leader Consents

Date: 29 / 2 / 12

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