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# AUCKLAND CITY

AREA OFFICE

20 February 1996

FILE

TAMAKI-MAUNGAKIEKIE

Area Manager, Clive A. Manley

Ref: Onehunga Wharf,  
Onehunga

Tcs Number: TO/95/5877

Milburn New Zealand Ltd  
P O Box 6040  
CHRISTCHURCH

Dear Sir/Madam

**RE: APPLICATION FOR DISCRETIONARY ACTIVITY RESOURCE CONSENT  
AT ONEHUNGA WHARF, ONEHUNGA TO ERECT AN OVERHEIGHT  
CEMENT STORAGE SILO**

This is to advise you that resource consent was granted by the Development Services Manager on the 20th day of February 1996 to the Discretionary Activity application by Milburn New Zealand Ltd to erect an overheight cement storage silo on the site at Onehunga Wharf, Onehunga, described as Lot 1, DP 90709, and CT 47D/1056 pursuant to Sections 104 and 105 of the Resource Management Act 1991.

Pursuant to Section 113 of the Resource Management Act 1991, the reasons for this Discretionary Activity consent are as follows:

- a) Any adverse environmental effects of the proposal will be minor, or are mitigated by virtue of the existing backdrop of larger buildings in the form of the existing silo.
- b) The applicant has secured the consent of all persons who could be affected by this proposal.
- c) Granting of consent will not be contrary to the relevant objectives and policies of the Operative and Proposed District Plans, and the Act's focus of sustainable management of physical and natural resources.

Pursuant to Section 108 of the Resource Management Act 1991, this consent is subject to the following conditions:

- i) That the development proceed in accordance with the plans accompanying the application drawn by Engineering Services Christchurch and described as "Onehunga Marine Terminal Silo 5 Site Plan" comprising one sheet dated 12 December 1995.

## ADVICE NOTES

1. The applicant needs to obtain all other necessary consents and permits, including those under the New Zealand Building Act 1991, and comply with all relevant Council Bylaws.

2. This Resource Consent will expire two years after the date of commencement of consent unless:
  - a) It is given effect to before the end of that period, or
  - b) Upon an application made up to 3 months after the expiry of that period (or such longer period as is fixed under section 37 of the Resource Management Act), the Council fixes a longer period. The statutory considerations which apply to extensions are set out in section 125(1)(b) of the Resource Management Act 1991.

If you disagree with the condition numbered (i) you have a right of objection pursuant to Section 357 of the Resource Management Act 1991 which shall be made in writing to Council within 15 working days of notification of the decision. Council shall as soon as practicable consider the objection at a hearing upon payment of the necessary fee. If you do not intend to object to the above condition numbered (i), please inform Council in writing as soon as possible.

This consent does not constitute building consent approval. Please check as to whether or not a building consent is required under the Building Act 1991. If a building consent application is already lodged with Council or has already been obtained you are advised that unless otherwise stated, the use shall not commence until conditions of this resource consent have been met.

If this consent and its conditions alter or affect a previously approved building consent for the same project you are advised that a new building consent may need to be applied for.

Please also take note that pursuant to Sections 116 and 125 of the Resource Management Act 1991 a resource consent lapses on the expiry of 2 years after the date of commencement of the consent unless the consent has been given effect to within this time or the expiry of such shorter or longer period as is expressly provided for in the consent. An application may be made pursuant to Section 125 of the Resource Management Act 1991 for an extension of time in relation to this consent. Unless otherwise stated all conditions and requirements shall be met before the use commences.

If you have any further queries regarding this decision please contact Aidan Donnelly on 525-9580 extension 5311.

Yours faithfully



**Donna Goldfinch**  
**ADMINISTRATION OFFICER**

it creating in itself an element in the landscape that would be undesirable or unattractive or indeed over dominating.

- 4.2 For the reasons outlined above, the application is recommended to proceed on a non-notified basis and an assessment of effects is attached. There are considered to be no exceptional circumstances that would otherwise require that this proposal proceed on a notified basis pursuant to the provisions of Section 94(5) of the Act. In particular, the proposed additional silo falls below the level of the existing structures and thereby does not adversely impact on the Airport Approach Height Control.

## **5.0 ASSESSMENT (SECTIONS 104 AND 105 AND FOURTH SCHEDULE THE ACT)**

- 5.1 The applicant proposes to construct an additional cement storage silo on the subject site. The structure has the dimensions of 26 metres in height, 6.5 metres in diameter and 900 tonnes capacity. In addition to the 26 metres in height, an additional 4.0 metres is proposed to accommodate a dust filter giving a total height of 30.0 metres. The structure is shown in its entirety on the plans accompanying the application. It is proposed to locate this silo (silo 5) to the north west of the existing four silo's on site. The existing silo's have the effect of obscuring the visibility of the proposed silo site to the south, the east and the north east of the site. The silo is visible as are all of the silo's from the motorway and from almost all vantage points in the surrounding residential environs. The landscape in this area is typically heavy industrial including a number of large pillions which dwarf the existing silo's. As a component of this landscape it is my opinion that the proposed silo (which will generally only be visible looking towards it from the north west) will not adversely impact on the landscape or result in a loss of amenity to any particular persons.
- 5.2 Under those circumstances, it is considered that it is reasonable to consent to this proposal as the purposes of the height control are not compromised to a significant extent by this development which is unique and unusual such that a consent will not comprise the intent and purposes of the rules intended to contain the maximum height of buildings.
- 5.3 Having regard to the particular circumstances surrounding his application it is recommended that an approval be granted subject to the condition that the development proceed in accordance with the plans accompanying the application.

## **6.0 CONCLUSIONS**

- 6.1 Any adverse environmental effects of the proposal will be minor, or are mitigated by virtue of the existing backdrop of larger buildings in the form of the existing silo.
- 6.2 The applicant has secured the consent of all persons whom could be affect by this proposal.
- 6.3 Granting of consent will not be contrary to the relevant objectives and policies of the Operative and Proposed District Plans, and the Act's focus of sustainable management of physical and natural resources.

## 7.0 RECOMMENDATIONS

- 7.1 That the Discretionary Activity application by Milburn New Zealand Ltd to erect an overheight cement storage silo on the Onehunga Wharf on land known as Lot 1 DP 90709 and contained on CT 47D/1056 **be granted** pursuant to Sections 104 and 105 and the Fourth Schedule of the Resource Management Act 1991.
- 7.2 Pursuant to Section 113 of the Resource Management Act 1991, the reasons for this Discretionary Activity consent are as follows:
- a) Any adverse environmental effects of the proposal will be minor, or are mitigated by virtue of the existing backdrop of larger buildings in the form of the existing silo.
  - b) The applicant has secured the consent of all persons who <sup>ed</sup> could be affect<sup>ed</sup> by this proposal. x
  - c) Granting of consent will not be contrary to the relevant objectives and policies of the Operative and Proposed District Plans, and the Act's focus of sustainable management of physical and natural resources.
- 7.3 Pursuant to Section 108 of the Resource Management Act 1991, this consent is subject to the following conditions:
- a) That the development proceed in accordance with the plans accompanying the application drawn by Engineering Services Christchurch and described as "Onehunga Marine Terminal Silo 5 Site Plan" comprising one sheet dated 12 December 1995.

## ADVICE NOTES

1. The applicant needs to obtain all other necessary consents and permits, including those under the New Zealand Building Act 1991, and comply with all relevant Council Bylaws.
2. This Resource Consent will expire two years after the date of commencement of consent unless:
  - a) It is given effect to before the end of that period, or
  - b) Upon an application made up to 3 months after the expiry of that period (or such longer period as is fixed under section 37 of the Resource Management Act), the Council fixes a longer period. The statutory considerations which apply to extensions are set out in section 125(1)(b) of the Resource Management Act 1991.

SIGNED

MARTIN G. GREEN  
CONSULTANT PLANNER

16/02/96  
DATE

KARYN WELCH  
SENIOR ADVISORY OFFICER (CONSENTS)

19/02/96  
DATE

Recommendation Adopted Under Delegated Authority for the Auckland City Council

ROSEMARY HAGG  
DEVELOPMENT SERVICES MANAGER

21/2/96  
DATE