

**Facilitator's Notes
Pre-Hearing Meeting**

Application Number: LUC22/0107
Applicant's Name: Daniel Drummond
Street address: 49 Mitcham Road, Ashburton
Zone: Rural A
Application summary: Land use consent to establish and operate a rural contracting business

I facilitated a pre-hearing meeting in respect of an application by Daniel Drummond to establish and operate a rural contracting business on a site at 49 Mitcham Road, Ashburton.

Attending the pre-hearing meeting were:

Daniel Drummond, Lindsay Drummond, Cristine Drummond, and David Harford (planner), for the Applicant

Martyn Fisher and Rachael Whaley, submitters from 48 Mitcham Road

Stewart Fletcher, consultant planner for the Council

Presentations and discussions were made by the parties, focussed on the issues raised in the submission, and by the Council's planner. The main issues raised by the submitters were the location of the driveway (and resultant glare and noise impacts), and noise levels generally. Mr Fletcher, representing the Council also raised a number of issues relating to matters requiring clarification, and appropriate conditions (should the application be granted).

After those discussions, the applicant undertook to investigate re-locating the driveway away from opposite the driveway and dwelling of the submitters, and to prepare a set of proposed conditions.

Without making any comments on the outcome, and appropriate conditions, I record that the following information and possible conditions were raised or suggested for the Applicant to prepare and submit to the Council;

- A revised site plan showing an offered relocation of the driveway
- Plans showing a splayed entrance/exit arrangement at the road edge
- Plans showing the proposed scale and elevations of the two proposed buildings
- Plans showing the location and scale of hay, straw and balage storage
- Conditions relating to the establishment and maintenance of proposed landscape planting, and the retention of existing trees
- A condition limiting the number of inward tractor or machinery movements to two after 10pm and no outward tractor or machinery movements after 10pm
- A condition requiring tractors to idle no more than 10 seconds (or an appropriate time) after reaching their parking area, after 10pm
- Conditions which implement and re-enforce the scale of the operation, which the applicant described as "staying at the current scale of operations, and not growing"
- Conditions requiring the fuel storage area to comply with relevant regulations
- A review condition in favour of the Council

- Conditions setting out a complaints process
- Requiring the applicant to obtain the appropriate consent from the Ashburton-Lyndhurst Irrigation Scheme for works and activities within the area of the application site designated for that Scheme
- Confirmation as to whether the sale of hay / balage would trigger any additional consenting non compliances.

At the pre-hearing meeting, the Applicant agreed to prepare the revised site plan, and a set of suggested (offered) conditions, and agreed to have those to the Council by the close of Friday 23 June. On receipt of those conditions, and following any suggested modifications and additions from the Council's planner, it was agreed that the Council would forward that material to the submitters for their consideration, and they could then advise as to whether the additional information modifies their position with respect to their submission.

I note that the Council will need to determine whether any other parties are affected by any changes proposed, in particular the shifting of the driveway closer to other properties.

I expect that the resolution of these matters, and the procedure of the application to a Commissioner hearing and/or decision, will not require a further pre-hearing facilitated meeting. There may well need to be a final record of any agreements reached (or not) to be provided to the Commissioner. I record that I am now away out of the country until 10 July 2023. However, I am available by email while I am away, and I would be available in person, should it be required, after 10 July 2023.



Ken Lawn
Facilitator
9 June 2023