

Before the Selwyn District Council

under: the Resource Management Act 1991

in the matter of: Proposed Private Plan Change 73 to the Operative
District Plan: Dunns Crossing Road, Rolleston

and: **Rolleston West Residential Limited**
Applicant

Memorandum of counsel on behalf of Applicant

Dated: 21 October 2021

Reference: JM Appleyard (jo.appleyard@chapmantripp.com)
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MEMORANDUM OF COUNSEL ON BEHALF OF APPLICANT

- 1 We refer to the Commissioner's Minute No 4 dated 7 October 2021.
- 2 At paragraph 11 of that Minute, the Commissioner requested that counsel for the Applicant identifies the topics which it proposes to address in its Reply.
- 3 This memorandum responds to that direction. The Applicant's Reply intends to address the following topics which arose throughout the course of the hearing:
 - 3.1 Identification of submitter locations.
 - 3.2 Further comment on the most appropriate way to enable urban growth.
 - 3.3 Response to some specific points raised in Christchurch City Council and Environment Canterbury's legal submissions.
 - 3.4 Legal submissions on permitted baseline considerations for the plan change, particularly with regard to effects of odour.
 - 3.5 Legal submissions on regard to be given to other plan changes, and the priority of these, as against this plan change.
 - 3.6 Attach all of the relevant Factsheets and Guidelines relating to the National Policy Statement on Urban Development 2020.
 - 3.7 Response to how water consent transfer is best dealt with.
 - 3.8 Comment on issues relating to reverse sensitivity and the waste water treatment plan and resource recover park.
 - 3.9 Clarification of point of measurement for acoustic setback condition.
- 4 In addition to the above, counsel proposes to file supplementary evidence from the Applicant's two odour experts, Ms Nieuwenhuijsen and Mr Van Kekem, to clarify responses given verbally at the hearing and to otherwise respond to the remaining concerns regarding odour.
- 5 Counsel would otherwise be more than willing to address any additional matters which the Commissioner considers would be of benefit to his decision.

6 We look forward to hearing from the Commissioner.

Dated: 21 October 2021

A handwritten signature in blue ink, appearing to read 'Jo Appleyard'.

Jo Appleyard / Lucy Forrester
Counsel for Rolleston West Residential Limited