

21 December 2016

For: Ben Rhodes

Selwyn District Council
PO Box 90
Rolleston 7643

By email - benjamin.rhodes@selwyn.govt.nz

Level 3
Anderson Lloyd House
70 Gloucester Street
Christchurch 8013

PO Box 13831
Christchurch 8141
New Zealand

al.nz

Plan Change 50 (16006140)

- 1 We act for Charlie and Sue Buttle.
- 2 Our clients have lodged a submission in relation to Plan Change (**PC50**) to enable Fonterra Limited to extend their existing dairy factory operation at Darfield.
- 3 We understand that a pre-hearing evidence exchange timetable is currently being contemplated by the Commissioner.
- 4 As outlined in our client's submission, there are a number of deficiencies in the proposal. In particular, the AEE fails to address odour and associated amenity effects arising from PC50, and no technical evidence has been obtained to address this issue.
- 5 Our clients have previously raised with the Council the need for further information and adequate assessment of effects, particularly relating to odour. It is our view that a standard timeframe will not allow adequate time for submitters and potentially council officers to consider and respond to odour effects arising from PC50 if no further information about effects is provided prior to the evidence exchange.
- 6 We understand that the Council does not consider it appropriate to issue a Request for Further Information on the grounds that the statutory time frame for lodging such a request prior to notification has expired. It is our view that the decision maker is entitled to commission a report and/or seek further information as is necessary. We also note that section 37(1)(a) of the Resource Management Act 1991 allows territorial authorities to extend prescribed statutory time limits when they have expired.
- 7 It is our view that it is incumbent upon a decision maker to address this in accordance with sound resource management practice.
- 8 We also request that ample time is built into the proposed timeframe to enable parties to respond to this information prior to the hearing.

9 Can you please place this letter before the Commissioner for his consideration.

Yours faithfully
Anderson Lloyd

A handwritten signature in black ink, appearing to read 'Jen', with a stylized flourish at the end.

Jen Crawford

Partner

d +64 3 335 1265

m +64 27 436 6040

e jen.crawford@al.nz