

From: [Robert Davies](#)
To: [Mailroom Mailbox](#)
Cc: [Joan Forret](#); "[Matthew Peacocke](#)"
Subject: Proposed Air Plan - Melrose Limited - Further Submission: Proposed Canterbury Air Regional Plan
Date: Friday, 10 July 2015 12:15:02 p.m.
Attachments: [RLD-561003-1-39-V1-E1 \(Ltr - Cover Letter - Further Submission\).pdf](#)
[RLD-561003-1-50-V1-E1 \(Further Submission - matrix\).pdf](#)

To whom it may concern

Please find **attached**:

1. Cover letter on behalf of Melrose Limited in respect of its further submission; and
2. Further submission by Melrose Limited to the Proposed Canterbury Air Regional Plan.

Kindly confirm receipt of this correspondence.

With kind regards

Robert Davies | Solicitor | Harkness Henry, Lawyers, Private Bag 3077, Hamilton 3240 | Phone +64 7 834 6687 | Fax +64 7 839 4043

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10 July 2015

Email: mailroom@ecan.govt.nz

Environment Canterbury
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CHRISTCHURCH 8140

E-Mail Address: joan.forret@harkness.co.nz
Direct Dial: +64-7-834 4662

Please refer to: J B Forret
Account No: 561003-1

Dear Sir/Madam

Further Submission: Proposed Canterbury Air Regional Plan

1. This further submission is made on behalf of Melrose Limited ("Melrose").
2. Melrose's contact details are:

Melrose Limited (Matthew Peacocke: director)
C/- Harkness Henry Lawyers
Attn: Dr Joan Forret
Private Bag 3077
HAMILTON 3240

Tel: 07 838 2399
Fax: 07 839 4043

Email: joan.forret@harkness.co.nz; matthew@peacocke.co.nz

3. Melrose submitted on the Proposed Canterbury Air Regional Plan ("CARP") (ID: 63249) and operates intensive poultry farming interests in the Canterbury region, meaning it has an interest in the CARP greater than the interest the general public has.
4. Melrose does wish to be heard in support of its further submission and would be prepared to consider presenting its further submission in a joint case with others making a similar submission at any hearing.
5. Melrose has served copies of this further submission on each of the relevant original submitters.

HARKNESS HENRY

Per:



JOAN FORRET
Partner

encl.

This letter is sent by email only. Please retain a copy for your records.

(1) I support or oppose the submission of:	(2) The particular parts of the submission I support or oppose are:	(3) The reasons for my support or opposition are:	(4) Support or oppose
<p>Horticulture New Zealand Attn: Chris Keenan & Angela Halliday PO Box 10 232 Wellington</p>	<p>1063</p>	<p>Horticulture New Zealand seek amendments to the definition of “sensitive activity” to include sites accommodating non-target plants and/or crops. This change expands the definition and introduces uncertainty. Having a broad definition of sensitive activity increases the range of activities affected without considering the nature of the effects. Poultry sheds would not have any effect on sites growing plants and/or crops.</p>	<p>Oppose.</p>
<p>Z Energy Ltd, BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd (“Oil Companies”) C/- Burton Consultants Attn: David le Marquand PO Box 33-817 Takapuna Auckland 0740</p>	<p>3086</p>	<p>The Oil Companies seek to amend the definition of “sensitive activity” to include any activities sensitive to air discharges, including a number of identified activities. This change expands the definition and introduces uncertainty, making the CARP unworkable because having a broad definition of sensitive activity increases the range of activities affected without considering the nature of the effects.</p>	<p>Oppose in part.</p>
<p>Purata Farming Ltd Attn: Lucy-Jane Johnson PO Box 99 Darfield 7541</p>	<p>2679</p>	<p>Purata Farming Ltd (“Purata”) sought the deletion of policy 6.7 from the CARP. The effect of this policy is to authorise reverse sensitivity in cases where sensitive activities have been permitted to establish near existing activities. The policy also introduces terminology of “significantly adversely affected”, which is not found in the Act. Melrose agrees with Purata that policy 6.7 is problematic and unreasonable. Melrose supports its deletion from the CARP.</p>	<p>Support.</p>
<p>L J Manion</p>	<p>662</p>	<p>Mr Manion seeks to amend rule 7.60(2) to</p>	<p>Oppose.</p>

<p>57 Weedons Ross Rd RD 5 Christchurch 7675</p>		<p>require discharges of odour to remain within the boundary of an intensive farm. This submission is both unreasonable and <i>ultra vires</i> of the requirements of section 10 of the Resource Management Act 1991. It would introduce uncertainty and potentially make the CARP unworkable.</p>	
<p>Poultry Industry Association of New Zealand C/- Harrison Grierson Consultants Ltd Attn: Emma-Jane Hayward PO Box 5760 Wellesley Street Auckland</p>	<p>1741 1744</p>	<p>Poultry Industry Association of New Zealand support the current wording of rules 7.60 and 7.61. Melrose remains broadly supportive of the wording of rule 7.60, and only seeks to introduce a further rule to confirm that any poultry farming within specified stocking rates is a permitted activity on the basis it is the effects of an activity, and not the activity itself, that should be controlled by the CARP. Any type of poultry farm, and in particular breeder farms, that can operate at stocking levels that do not generate adverse odour and/or dust effects should be permitted provided they meet reasonable performance standards. Their locational effects are best managed by district plan provisions. Melrose is also broadly supportive of rule 7.61, subject to consequential changes to the definition of “sensitive activity”.</p>	<p>Support in part.</p>
<p>L J Manion 57 Weedons Ross Rd RD 5 Christchurch 7675</p>	<p>663</p>	<p>Mr Manion seeks to amend rule 7.61 to make existing activities that cannot comply with rule 7.60 prohibited if the activity is within 300m of a neighbouring boundary or discretionary if the activity is beyond 300m from a neighbouring boundary. This submission would effectively prohibit certain existing activities where they occur within 300m of a common boundary, irrespective of the activity accommodated on the adjoining site and irrespective of whether an applicant obtained the written</p>	<p>Oppose.</p>

		approval of any potentially affected parties. This submission introduces uncertainty into the CARP.	
B J and L A Smith 90 Thomsons Road RD 7 Christchurch 7577	1711 1712	Mr and Mrs Smith seek to amend the CARP to make broiler chicken farms permitted activities. Their submission appears to seek consequential amendments to rules 7.61 and 7.62. Melrose also submits that the effects of an activity should be considered such that, where two separate activities result in similar effects, those activities should be treated similarly. Melrose is broadly supportive of Mr and Mrs Smith's submission, but agrees that the activities need to comply with reasonable performance standards to ensure there are no adverse actual and potential effects on the environment.	Support.
L J Manion 57 Weedons Ross Rd RD 5 Christchurch 7675	664	Mr Manion seeks to amend rule 7.62 by increasing the separation distance required to 300m from 200m as proposed. Mr Manion also seeks to apply this distance to <i>any</i> boundary and not just those with sites accommodating sensitive activities. In addition to unreasonably restricting development opportunities, these amendments would introduce uncertainty to the CARP.	Oppose.
Poultry Industry Association of New Zealand C/- Harrison Grierson Consultants Ltd Attn: Emma-Jane Hayward PO Box 5760 Wellesley Street Auckland	1742	Poultry Industry Association of New Zealand supports rules 7.62(1) and 7.63 as they relate to required setback distances. Melrose is also supportive of these distances, and is broadly supportive of this submission subject to consequential changes to the definition of "sensitive activity". Melrose remains of the view, however, that rule 7.62 should also be amended to clarify its status as the 'catch all' rule.	Support.

<p>L J Manion 57 Weedons Ross Rd RD 5 Christchurch 7675</p>	<p>665 666 667</p>	<p>Mr Manion seeks to amend rule 7.63 by making intensive poultry farming activities located within 300m from a neighbouring boundary prohibited activities. This submission would effectively prohibit certain existing activities where they occur within 300m of a common boundary, irrespective of the activity accommodated on the adjoining site and irrespective of whether an applicant obtained the written approval of any potentially affected parties. This submission introduces uncertainty into the CARP.</p>	<p>Oppose.</p>
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