

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN INDEPENDENT HEARINGS PANEL**

IN THE MATTER OF The Resource Management Act
1991 and the Canterbury
Earthquake (Christchurch
Replacement District Plan) Order
2014

AND

IN THE MATTER OF The Residential Proposal (Chapter
14) and the Subdivision,
Earthworks and Development
Proposal (Chapter 8).

SUBMITTER **Independent Fisheries Limited**
(Submitter 732/ Further Submitter
1453)

**MEMORANDUM ON BEHALF OF INDEPENDENT FISHERIES LIMITED REQUESTING
LEAVE TO CROSS EXAMINE WITNESSES**

26 MARCH 2015

*leave granted
assuming timeframes
point are as per
at water stated*

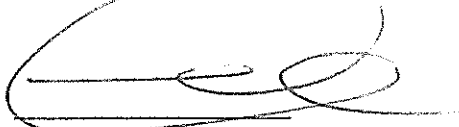
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MAY IT PLEASE THE PANEL

- 1 The purpose of this memorandum is to seek the Panel's leave to cross-examine the witnesses identified in Appendix A. The subject matter of the cross-examination and the expected timeframes are also set out in this Appendix.
- 2 Counsel acknowledges that this memorandum is filed one day late, and accordingly requests that the Panel grants a waiver of time for its filing.
- 3 By way of explanation, from a reading of Mr. Scott Blair's evidence- in- chief on behalf of the Council, Independent Fisheries Limited (IFL) gained the understanding that the noise contour issues would be heard in Phase 2 of the Proposed Replacement District Plan hearings. Accordingly, IFL did not call any evidence on this matter.
- 4 Subsequently, IFL has reviewed the evidence prepared on behalf of CIAL which appears to proceed on the assumption that the air noise contours and associated policies and provisions will be dealt with, at least in part, in the upcoming hearing on the Residential Chapter. The uncertainty as to the extent to which issues relating to the noise contours will be heard is further compounded by the rebuttal evidence of Mr. Blair filed on 25 March 2015. Mr. Blair reiterates his view that issues relevant to the contours are to be heard in Stage 2, however he proceeds to comment on the merits of the evidence led by CIAL.
- 5 IFL is of the view that matters relating to the 50, 55 and 65 dBA Ldn noise contours, including their respective locations are more properly addressed in Phase 2 when all potentially interested parties, including residents in the Phase 2 zones impacted by contours will have the opportunity to make submissions and be heard. There is an inherent risk that decisions made on aspects of the noise contours in Phase 1 may impact adversely on these potential participants.
- 6 IFL acknowledges that it is too late now to lead evidence on the noise contours. However, given the uncertainty surrounding this matter, it now seeks leave to cross- examine witnesses appearing on behalf of the Council and CIAL.
- 7 In addition to cross-examination, IFL may choose to file closing submissions on this matter.

Dated 26 March 2015



G J Cleary

On behalf of Independent Fisheries Limited.

Appendix A – Schedule of Witnesses to Be Cross-Examined

Party	Witness to Be Cross-Examined	Topics to be addressed in Cross-Examination	Expected Timeframe for cross-examination.
Christchurch City Council	Scott Blair	Policy and regulatory response to noise contours	10 minutes
Chris Day	CIAL	<p>Approach towards identification of noise contours in Proposed Plan</p> <p>Community response to air noise.</p> <p>Monitoring of air noise contours</p>	20 minutes
Matt Bonis	CIAL	Policy response towards intensification of residential development within the noise contours	10 minutes