

**Before the Christchurch Replacement District Plan Independent Hearings Panel**

**IN THE MATTER OF** The Canterbury Earthquake  
(Christchurch Replacement District Plan)  
Order 2014

**AND**

**IN THE MATTER OF** Chapter 6: General Rules and Procedures and  
Chapter 14 Residential

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**Memorandum of “Submitter Group” In reply to joint memorandum filed by CCC and CIAL seeking minor corrections to Chapter 6 and Chapter 14**

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**“Submitter Group”** : David Bastin (2078), Bruce Campbell (2489), David LAWRY (2524), Mike Marra (2054), Vanessa Payne (2191), John Sugrue (2567, Gerrit Venema (2091)

**Date:** 18 September 2017

## **May it please the Panel**

In response to the joint memorandum filed by CCC and CIAL seeking minor corrections to Chapter 6 and 14, I advise that considerable progress has been made in answering the questions our submitter group has submitted.

A meeting with Mr Boswell and representatives of our submitter group had been arranged for last Thursday, however following illness Mr Boswell cancelled that meeting, indicating that an error had occurred in the air noise boundary contour mapping.

Subsequent attempts to understand what this error is alleged to be, have not proved fruitful at the time of submitting this memorandum.

Our submitter group is continuing to seek clarification in two areas both relevant to the minor error change requested.

While the submission contained in **Annexure 1** of Ms. Jo Appleyards document titled; **Second addendum to submission on publicly notified proposal for Christchurch Replacement District Plan** dated 25 June 2015, leads the reader to believe that the replacement 65 dBA Ldn/95 SEL contour was actually modeled in 2007. Our submitter Group is questioning when this alteration, to the original expert's panel contour line, was actually carried out.

Clearly if that original expert panel in 2007 created the 65 dBA Ldn/95 SEL contour line then any subsequent change to that modeling or alteration at the "4 inner corners", as its been described, was carried out at a later time.

Our question is when and at whose request was this contour simply re-evaluated?

At page 145, paragraph 545 (b)(i)1 of Decision 57, the Council was required by the Panel to supply to it, the updated Planning Maps (and related legends) to show (or, in legends, refer to): 1. The amended Air Noise Boundary (as sought by CIAL in its second Addendum to its 25 June 2015 submission), by 4pm on 18 November 2016. While submitters were given opportunity to submit, the required time line and lack of the technical data to allow our group to review this effectively depowered our ability to do so. It is unknown, if Council engaged Dr CHILES to

peer review Marshall Day Acoustics, Contour development, as they should have, but we very much doubt it.

Hence under this process and as asserted by both CIAL and CCC, the Attachment A map, contained in Ms. Appleyards 25 of June 2015 second addendum, is being presented to us already decided, set in concrete by Decision 57. We note the actual Map from Marshall Day Acoustics is titled figure 2 Proposed District Plan Noise Contours Notified Stage 2 (2 May 2015).

If the contour map in Attachment A is set in concrete as asserted, then we are questioning how it has come to pass that the currently being built new hotel, next to the international arrivals terminal has been allowed. It is inside the 65dBA/Ldn/95 SEL contour and also appears to be inside the 65 db Ldn engine testing noise contour.

The 65dBA/Ldn/95 SEL contour otherwise known as the **air noise boundary** has the purpose of determining the boundary inside of which there is an absolute prohibition on allowing any new “noise sensitive activity” (refer Rule 6.1.7.1.6 . PA1). Rule 6.1.3.1.5, also prohibits new sensitive activities inside the 65 dB Ldn engine testing contour as well as the air noise boundary.

We trust it is accepted that a new Hotel providing sleeping accommodation is unquestionably a new “noise sensitive” activity.

As stated there has been progress and we envisage further progress in achieving the needed clarity. We have taken the time to explain the issues in order to fully inform you of the situation.

To that end our submitter group is requesting a further ten working days in order to conclude these matters. This time line is requested as Mr Marra departs for Bali today, and I will be in Wellington from Thursday until next Monday thereby offering only limited time to progress these matters this week.

Our submitter group emailed CIAL, CCC and IHP shortly after 3pm on Friday the 11<sup>th</sup> of September 17, 2017 indicating that we would be seeking additional time

and seeking an update. At the time of submitting this memorandum we have not had a reply.

A handwritten signature in black ink, appearing to read "D. Lawry". The signature is fluid and cursive, with a large initial "D" and a trailing flourish.

Dave LAWRY for submitter Group