

BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE TIMARU DISTRICT COUNCIL

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or **the Act**)

AND

IN THE MATTER OF

Hearing of Submissions and Further Submissions on the Proposed Timaru District Plan (**PTDP** or **the Proposed Plan**)

AND

IN THE MATTER OF

Submissions and Further Submissions on the Proposed Timaru District Plan by **Foodstuffs South Island Limited**

**MEMORANDUM OF COUNSEL
ON BEHALF OF FOODSTUFFS SOUTH ISLAND LIMITED
REGARDING PROCEDURAL MATTERS AT HEARING F – OTHER DISTRICT-WIDE
MATTERS: NOISE**

DATED: 22 April 2025

Presented for filing by:
Chris Fowler
Saunders & Co
PO Box 18, Christchurch
T 021 311 784
chris.fowler@saunders.co.nz

**MEMORANDUM OF COUNSEL
ON BEHALF OF FOODSTUFFS SOUTH ISLAND LIMITED
REGARDING PROCEDURAL MATTERS AT HEARING F – OTHER DISTRICT-WIDE
MATTERS: NOISE**

TO: the Chair of the Hearings Panel

Introduction

- 1 This memorandum is filed on behalf of Foodstuffs South Island Limited (**Foodstuffs**) who have lodged a submission on the Noise Chapter of the Proposed Timaru District Plan (**PTDP**).
- 2 Counsel refers to the Proposed District Plan - Hearing F Submitter Schedule (**Hearing Schedule**), which sets out the schedule for the hearing of submissions on the PTDP, on 30 April 2025 to 1 May 2025.
- 3 The Schedule allocates time for Mr Mark Allan (Planning) and Mr Rob Hay (Noise Expert) to appear at the Hearing on behalf of Foodstuffs, on the afternoon of 1 May 2025.
- 4 On 9 April 2025 Foodstuffs lodged a statement of evidence prepared by Mr Allan in support of Foodstuffs submission.
- 5 No statement of evidence was prepared or lodged by Mr Hay for Foodstuffs.

Request for Mr Allan to be excused from Hearing F – Other District-Wide Matters: Noise

- 6 Mr Allan's evidence supports each of the s42A recommendations and there is nothing in dispute between these planning experts.
- 7 Unless the Panel has questions for this witness, Counsel respectfully requests that Mr Allan be excused from appearing at the hearing on 1 May 2025.
- 8 Given that Mr Hay did not lodge evidence on behalf of Foodstuffs for Hearing, Mr Hay will not be presenting evidence at Hearing F.

Dated 22 April 2025



Chris Fowler

Counsel for Foodstuffs South Island Limited