

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan

**MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CITY COUNCIL
SEEKING LEAVE TO CROSS-EXAMINE WITNESSES SCHEDULED FOR
HEARING WEEK 8**

20 November 2023

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MAY IT PLEASE THE INDEPENDENT HEARINGS PANEL:

1. This memorandum of counsel for Christchurch City Council (**Council**) seeks leave to cross-examine submitters' witnesses scheduled (as at 15 November 2023) to appear in Hearing Week 8 commencing 28 November 2023 in relation to Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan (**PC14**).
2. Pursuant to paragraph 83 of the Hearing Procedures (as amended by paragraph 11 of Minute 15), counsel for the Council respectfully seek leave to cross-examine expert witnesses in relation to those parts of their evidence listed in the table attached as **Appendix A**, which are the topics listed in the schedule dated 15 November 2023.
3. The parts of expert evidence identified for questioning relate to contentious issues between submitter and Council experts. By focussing questioning on these issues, counsel's intent is that cross-examination would assist the Panel to understand the outstanding issues between experts, their matters of difference, and whether any differences could be resolved. To that end, leave is sought to undertake focussed cross-examination of up to 15 minutes per planner and 10 minutes per other expert witness listed in the table.
4. Given the pre-exchange of evidence and efficiency sought in the hearing process, the Council understands that the Panel does not expect counsel to comply with the rule in *Browne v Dunn*¹ by putting all contrary propositions to all relevant witnesses.

Date: 20 November 2023



D G Randal / C O Carranceja
Counsel for Christchurch City Council

¹ (1893) 6 R 67 (HL).

Appendix A – List of witnesses sought to be cross-examined

Party	Expert Witness	Parts of evidence to be cross-examined
Kāinga Ora	Jonathan Clease	Residential Provisions Planning
Kāinga Ora	John Brown	Residential Heritage Areas
Kāinga Ora	Tim Joll	Residential Planning QMs (Sunlight Access, Residential Heritage Areas, Residential Character Areas, Residential-Industrial Interface, Low PT accessibility)
Kāinga Ora	Sophie Strachan	Riccarton Bush Interface QM