

**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
RESIDENTIAL HEARING**

6 November 2023

BUDDLE FINDLAY

Barristers and Solicitors
Wellington

Solicitors Acting: **Dave Randal / Cedric Carranceja**
Email: david.randal@buddlefindlay.com / cedric.carranceja@buddlefindlay.com
Tel 64 4 462 0450 / 64 3 371 3532
Fax 64 4 499 4141 PO Box 2694 DX SP20201 Wellington 6011

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 20 October 2023) to appear in the week commencing 13 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**.
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 10 minutes per 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: 6 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
Winton Land Limited	Clare Dale	Retirement villages
Cashmere Park Limited and Hartward Investment Trust	Bryan McGillan	Re-zoning
Ryman Healthcare and Retirement Villages Association of New Zealand	Richard Turner	Retirement villages
Red Spur Limited	Fiona Aston	Redmund Spur Residential Large Lot Zoning
Department of Corrections Ara Poutama Aotearoa	Maurice Dale	Residential activities
Kauri Lodge Rest Home 2008 Limited	Kim Seaton	Riccarton Bush interface
Ravensdown Limited	Jane Whyte	Industrial interface
Carter Group	Jeremy Phillips	Residential Heritage Areas and interface