

**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 WITNESS SCHEDULED
FOR 8 NOVEMBER 2023**

6 November 2023

BUDDLE FINDLAY

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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 Ms Catherine Boulton, planner for Christ's College (submitter #699), scheduled (as at 3 November 2023) to appear on Wednesday 8 November 2023 in relation to Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan (**PC14**). Ms Boulton was not listed to appear on Wednesday 8 November 2023 in the previous schedule (as at 20 October 2023).
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 Ms Boulton on:
 - (a) Residential Heritage Areas; and
 - (b) Rezoning.
3. The parts of expert evidence identified for questioning relate to contentious issues between Ms Boulton 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.
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 Ms Boulton.

Date: 6 November 2023



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

¹ (1893) 6 R 67 (HL).