

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 14 Housing and
Business Choice pursuant to Part 5, subpart
5A and Part 6 of Schedule 1 of the Resource
Management Act 1991

MINUTE 18: CROSS EXAMINATION REQUESTS

- [1] This is the eighteenth procedural Minute to be issued by the Independent Hearings Panel (IHP) established by the Christchurch City Council (the Council) to conduct the hearing of submissions on proposed Plan Change 14 Housing and Business Choice (PC 14) notified by the Council and to make recommendations to the Council, after the hearing of submissions is concluded, pursuant to Part 5, subpart 5A and Part 6 of Schedule 1, of the Resource Management Act 1991 (RMA).
- [2] The purpose of this Minute is to respond to two memoranda filed seeking leave to cross examine witnesses scheduled for Central City and Commercial Zones hearings, commencing on 24 October 2023.

Memoranda received

- [3] Counsel for Christchurch City Council filed a memorandum on 13 October 2023 seeking leave to cross examine 14 expert witnesses for eight submitters scheduled to appear in the Central City and Commercial Zones hearing.
- [4] Counsel for the five submitters below:
- (a) Carter Group Limited #814 #824 #2045
 - (b) Catholic Diocese of Christchurch #823 #2044
 - (c) Christchurch Casino Limited #2077
 - (d) NHL Properties Limited #706
 - (e) Wigram Lodge (2001), Elizabeth Harris and John Haris #817

filed a memorandum on 17 October 2023 seeking leave to cross examine eight Council witnesses to be called in the Central City and Commercial Zones hearing:

- [5] All parties have requested that up to ten minutes is granted for cross examination of each witness.
- [6] The IHP's Hearing Procedures¹ allow for parties to make an application in writing, identifying the parts of a witness's evidence that they wish to cross examine and how cross examination will assist the Hearings Panel.

¹ Cross Examination paragraphs [83] and [84].

- [7] The purpose of cross examination is to assist the IHP in understanding the critical differences of opinion between expert witnesses. Questions must be focussed in content and delivery.
- [8] The memorandum of Counsel for Carter Group Ltd and others requests directions from the IHP that Council's witnesses be available for cross examination during the submitters' scheduled hearing presentations. The memorandum indicates that this approach would result in significant cost savings for the submitters over the course of the hearing.
- [9] Counsel for the Christchurch City Council has filed a further memorandum² responding to the memorandum of Counsel for Carter Group and others' request to have Council witnesses available for cross examination during the presentation of the submitters' cases. Counsel refers to paragraph [99] of the IHP's Hearing Procedures which sets out the order for presentation of the Council's case and that of submitters.
- [10] Leave is granted to Counsel for Christchurch City Council and Counsel for the submitters named in paragraph [4] to cross examine the witnesses as listed in memoranda for up to ten minutes.
- [11] The request by Counsel for the submitters named in paragraph [4] to have Council witnesses recalled for cross examination during the submitters case is refused for the reasons outlined by Counsel for the Council. Council witnesses will be made available for cross examination during the presentation of the Council's case.

Dated 18 October 2023



Cindy Robinson
Chair
for Independent Hearings Panel

² Filed at 4.05pm on Wednesday 18 October 2023