

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 21: CROSS EXAMINATION REQUESTS CARTER GROUP LIMITED

- [1] This is the twenty first 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).
- [2] The purpose of this Minute is to respond to a memorandum filed by Counsel for Carter Group Limited seeking leave to cross examine Council witnesses scheduled for the Residential Zones Hearing.

Request for cross examination

- [3] Counsel for Carter Group Limited #814, #824 #2054 (Carter Group) filed a memorandum on 26 October 2023 seeking leave to cross-examine six Council witnesses for the residential zones hearings.
- [4] The memorandum indicated that Counsel expected cross-examination of any Council witnesses would take no longer than ten minutes.
- [5] The memorandum also sought direction from the IHP that the witnesses be available for cross-examination during Carter Group's scheduled hearing appearance on this topic. Counsel for Cater Group subsequently clarified that their request was to undertake cross examination of the Council's witnesses when those witnesses appeared for the Council.¹

Decision on request

- [6] The IHP's Hearing Procedures² allow for parties to make an application in writing to identifying the parts of a witness's evidence that they wish to cross examine and how cross examination will assist the Hearings Panel.
- [7] The IHP's Hearing Procedures³ set out that cross examination will take place at the time when a witness is called.
- [8] Leave is granted to for Counsel for Carter Group Limited to cross examine each of witnesses as listed for up to ten minutes, during presentation of the Council's case.

¹ On 27 October 2023 Counsel for Christchurch City Council filed a memorandum concerning the submitter requests for cross examination. A further email from Counsel for the submitter was received at at 4.41pm on Friday 27 October 2023 clarifying when cross examination was to take place.

² Cross Examination paragraphs [83] and [84].

³ Paragraph [99].

[9] The IHP further requests, that where possible if Counsel, for a submitter or Council, determine in advance of the date of cross examination that cross examination is no longer required notice should be given to Counsel for that witness and the IHP Secretariat.

Dated 30 October 2023

A handwritten signature in black ink, appearing to read 'Cindy Robinson', with a long, sweeping flourish extending to the right.

Cindy Robinson

Chair

for Independent Hearings Panel