

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 10: DIRECTIONS FOR EXPERT CONFERENCING AND CHANGES TO
SCHEDULING IN RESPONSE TO MEMORANDUM OF COUNSEL FOR THE COUNCIL**

Introduction

- [1] This is the tenth 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 clarify the IHP directions with regard to expert witness conference scheduling and to respond to the proposed changes to the expert witness conferencing schedule proposed by the Council.

Directions for expert witness conferencing

- [3] On Tuesday 5 September 2023 the IHP issued a notice of hearing for the hearing of submissions and further submissions on PC 14¹. The notice was provided directly to submitters who indicated they wished to be heard and included information about expert witness conferencing in accordance with paragraph [44] of the IHP hearing procedures.
- [4] It has come to our attention that the notice may not have been clear in directing that all submitters calling expert witnesses are to advise the IHP Secretariat of the expert witnesses attending the conferencing.
- [5] For the avoidance of doubt, as detailed in IHP Hearing Procedures, paragraph [43] all expert witnesses are required to coordinate conferencing on the subject area of expertise.
- [6] Submitters and further submitters who have not yet done so are requested to provide details of their expert witnesses and confirm their availability by **5pm Monday 18 September 2023**.
- [7] Experts who were not able to attend conferencing should advise of this when they attend the hearing and should ensure that they have viewed and considered any joint witness statement(s) applicable to their subject expertise when confirming their evidence at the hearing.

¹ Public Notice of the hearing was also given on the Council website [Public notices](#) and in the Christchurch Press on 6 September 2023.

- [8] As outlined below the Council has proposed some changes to the conferencing timetable.
- [9] The IHP note that subject to further discussions with Council and relevant submitters there may be a change in session for the subtopic airport noise influence area.

Council Memorandum

- [10] Counsel for the Council filed a memorandum setting out proposed changes to the expert conferencing due to availability issues and a potential scheduling conflict identified by a submitter in relation to the Hazards, Infrastructure, Urban Design, Wind effects/Meteorology/Atmospheric Science and Arboriculture Topics.²
- [11] We have reviewed the memorandum and the IHP Director has discussed these changes with the facilitators. Any submitters' expert witnesses affected by the changes are requested to contact the IHP Director urgently to identify any issues.
- [12] The amended expert witness conferencing schedule is attached as **Appendix 1**.

Expert planners' conferencing

- [13] The Council's schedule does not include planning witness conferences during the scheduled facilitated conferencing period. The Council has explained in its memorandum that it anticipates that planners' conferencing and/or a different process for discussions "akin to mediation", allowing submitters to participate and contribute to discussions will take place after the other experts have conferenced, in parallel with the hearings commencing.
- [14] The Council has suggested that this could take place without facilitation by the Panel's Secretariat. The IHP encourages all efforts to narrow issues.
- [15] Planners should, however, anticipate that they are likely to receive specific directions from the IHP at different stages of the hearing process, with or without facilitation, to address any matters, including drafting changes that may emerge after hearing topics. Parties can make use of the Monday and Friday 'non-hearing days' of each hearing week to participate in such processes.

² Memorandum of Counsel for Christchurch City Council dated 13 September 2023.

[16] If at any time Council or submitters, consider a facilitator may assist with conferencing and or alternative processes we encourage them to raise the issue with the IHP Director at any stage.

Dated 14 September 2023

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

Cindy Robinson

Chair

for Independent Hearings Panel

Appendix 1

Expert Witness Conferencing Schedule: 21, 22, 25* and 27 September 2023

*sessions on Monday 25 September will be held online.

	Conference Session Time and Date	Subject topic	Change from initial proposed schedule
1	9am – 12.30pm Thursday 21 September	Hazards High flood hazard areas Coastal Hazards Tsunami Slope hazard areas Liquefaction/ land stability	
2	9am – 12.30pm Thursday 21 September	Character Residential character areas	
4	1pm – 5pm Thursday 21 September	Economics Commercial feasibility Development viability Commercial Demand Housing and Development Capacity Housing Demand <i>Continued session 7</i>	
5	1pm – 5pm Thursday 21 September	Heritage Experts Residential Heritage Areas Listed heritage items Heritage sites	
6	1pm – 5pm Thursday 21 September	Transport (including Public Transport) Cycle Parking -Residential Developments City Spine Transport Corridor Low Public Transport accessibility *Airport Noise Influence Area – <i>this subtopic may move to session 9</i>	
7	9am – 12.30pm Friday 22 September	<i>Session 4 Continued</i> Economics Commercial feasibility Development viability Commercial Demand Housing and Development Capacity Housing Demand	
9	9am – 12.30pm Friday 22 September	Noise/Acoustics *Airport Noise Influence Area – <i>this subtopic may move from session 7</i>	
8	1pm – 5pm Friday 22 September	Wind effects/ meteorology/atmospheric science MRZ/HRZ Sunlight Access	Moved from morning of Friday 22 September
10	1pm – 5pm Friday 22 September	Social Impacts	
12	1pm – 5pm Friday 22 September	Ecology/Biodiversity - Sites of Ecological Significance Trees/Heritage Trees Trees/Financial Contributions	

	Conference Session Time and Date	Subject topic	Change from initial proposed schedule
13	9am – 12.30pm Monday 25 September Online session	Landscape Architecture Riccarton Bush and boundary Trees/ Significant and other Trees Ōtākaro Avon River Corridor	
14	1pm to 5pm Monday 25 September Online session	Arboriculture - Heritage Trees Significant Notable and other Trees Financial Contributions	Moved from morning of Monday 25 September
11	9am to 12.30pm Wednesday 27 September	Urban Design and Architecture Strategic Overview/whole of plan Central City/Commercial Industrial and Mixed-Use Zones Residential zones Specific Purpose Zones Qualifying matter on Sunlight Access Transport City Spine	Moved from morning of Friday 22 September
3	9am – 12.30pm Wednesday 27 September	Infrastructure Future Stormwater infrastructure to support growth Wastewater constraint areas Low Public Transport Accessibility	Moved from morning of Thursday 21 September
15	1pm – 5pm Wednesday 27 September	Conservation Architecture - Heritage sites Heritage Engineering - Heritage sites Quantity Surveying - Heritage sites	