

**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 (RMA)

**AND**

**IN THE MATTER** of of the hearing of submissions on Plan Change 14  
(Housing and Business Choice) to the Christchurch  
District Plan

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**MEMORANDUM OF COUNSEL ON BEHALF OF CAMBRIDGE 137 LIMITED**

**23 November 2023**

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**MAY IT PLEASE THE INDEPENDENT HEARINGS PANEL****Introduction**

- 1 This Memorandum is filed on behalf of Cambridge 137 Limited (submission number 1092). Counsel respectfully seeks leave to cross-examine the Christchurch City Council (**Council**) witnesses at the Historic Heritage hearing on 28 November 2023 (acknowledging that this request is not occurring 10 working days prior to the witnesses' scheduled appearance in accordance with paragraph [83] of the Panel's Hearing Procedures directions updated as at 23 August 2023).

**Cross-examination request**

- 2 Counsel request to cross-examine the following witnesses in relation to their evidence regarding Harley Chambers:
- (a) Ms Amanda Ohs; and
  - (b) Mr Stephen Hogg.
- 3 Cross-examination of these witnesses would take no longer than 10 minutes each.
- 4 The purpose of cross-examining the Council's witnesses is to test the positions that they have taken in their evidence in relation to Harley Chambers and, in particular, the retention of the façade of Harley Chambers and the significance of the building in light of the repairs required.
- 5 In doing so, counsel intend to explore the key differences between the Council's witnesses and the witnesses for Cambridge 137 Limited with respect to the heritage values associated with Harley Chambers and the impact on those values of any repair works undertaken on Harley Chambers, including the façade, for the benefit of the Hearing Panel.

**Late filing**

- 6 We apologise for the late filing of this Memorandum. Counsel have been reviewing the hearings schedule that is on the front page of the Independent Hearing Panel website which unfortunately has not been updated in line with changes made to the weekly hearing schedules.
- 7 The Historic Heritage (other than residential heritage areas qualifying matter) topic remains scheduled for week 9, being 30 and 31 January

2024 and 1 February 2024 on that hearings schedule. On that basis, counsel had been anticipating the release of a weekly schedule for week 9 and had intended to make an application to cross-examine the Council's witnesses once that schedule was released.

- 8 Counsel had not appreciated that the scope of the residential heritage areas topic during week 7 had been expanded to include those Council witnesses who had given evidence in relation to certain de-listing requests, including that made by Cambridge 137 Limited in relation to the Harley Chambers building.
- 9 Counsel does not consider that there is any prejudice to the Council, or other submitters, if leave is granted to cross-examine the Council's witnesses.

**Dated** this 23<sup>rd</sup> day of November 2023



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**L F de Latour / I F Edwards**  
Counsel for Cambridge 137 Limited