

Before an Independent Hearings Panel
appointed by Christchurch City Council

under: the Resource Management Act 1991

in the matter of: the hearing of submissions on Plan Change 14 (Housing
and Business Choice) to the Christchurch District Plan

and: **Carter Group Limited**
Submitter 824

Catholic Diocese of Christchurch
Submitter 823

Christchurch Casino Limited
Submitter 2077

NHL Properties Limited
Submitter 706

**Wigram Lodge (2001) Limited, Elizabeth Harris
and John Harris**
Submitter 817

Memorandum of Counsel seeking leave to cross-examine
Council witnesses – Central City and Commercial Zones
hearing

Dated: 17 October 2023

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MAY IT PLEASE THE INDEPENDENT HEARINGS PANEL

- 1 This memorandum of counsel is filed on behalf of the following submitters on proposed Plan Change 14 to the Christchurch District Plan (*PC14*):
 - 1.1 Carter Group Limited (submitter #824) (*Carter Group*);
 - 1.2 Catholic Diocese of Christchurch (submitter #823) (*the Diocese*);
 - 1.3 Christchurch Casino Limited (submitter #2077) (*the Casino*);
 - 1.4 NHL Properties Limited (submitter #706) (*NHL Properties*);
and
 - 1.5 Wigram Lodge (2001) Limited, Elizabeth Harris and John Harris (submitter #817) (*Wigram Lodge*).

(collectively the *Submitters*).
- 2 This memorandum seeks leave to cross-examine the Christchurch City Council (*Council*) witnesses as set out in the table at **Appendix 1** at the Central City and Commercial Zones hearing.
- 3 The table at **Appendix 1** also indicates the aspects of the witnesses' section 42A reports or evidence that are proposed to be the subject of cross-examination.
- 4 The purpose of cross-examination of these Council witnesses is to test and consider in greater detail the positions that they have taken in their reports and primary and rebuttal evidence in relation to certain key matters for the Submitters. The intent is to drill down into these issues to try and reach a more consistent position as between the Submitters and the Council, for the benefit of the Panel's decision-making.
- 5 Counsel also consider it likely that the issues that are the subject of cross-examination may form a basis for subsequent planning conferencing in relation to the detail of certain PC14 provisions.
- 6 This memorandum takes a deliberately broad approach towards which Council witnesses are proposed to be cross-examined. The intent of this approach is to give sufficient notice prior to the hearing commencing. It is likely that during the course of preparing for the hearing and reconciling the Submitters' positions with that outlined in rebuttal evidence for the Council, counsels' approach to cross-examination will be able to be refined. It is expected that cross-examination of any Council witnesses will take no longer than 10 minutes.

- 7 Counsel also respectfully request directions from the Panel that Council's witnesses listed in **Appendix 1** be available for cross-examination during the Submitters' scheduled hearing presentations. For clarity, these are noted in **Appendix 1** against each Council witness.
- 8 This approach would result in significant cost savings for the Submitters (and other PC14 participants) over the course of the hearings (because counsel would not be required to attend multiple additional hearing sessions beyond the scheduled submitter presentations). This approach would ensure that the issues relevant to each submitter are considered comprehensively in one hearing session.

Dated 17 October 2023



J Appleyard / A Hawkins / A Lee
Counsel for the Submitters

Appendix 1

| Council witness | Relevant parts of section 42A report / evidence | Relevant hearing session |
|------------------|--|--|
| Andrew Willis | Central City building heights, height limits in the Cathedral Square QM area, office distribution restrictions | Carter Group and Diocese 25 October 2023 (afternoon) |
| Holly Gardiner | All | Carter Group and Diocese 25 October 2023 (afternoon) |
| | | Casino, NHL Properties and Wigram Lodge 31 October 2023 (morning) |
| Suzanne Richmond | Central City heritage height overlays and interfaces | Carter Group and Diocese 25 October 2023 (afternoon) |
| Mike Green | All | Carter Group and Diocese 25 October 2023 (afternoon) |
| Tim Heath | All | Carter Group and Diocese 25 October 2023 (afternoon) |
| Amanda Ohs | City Centre Zone rules for heritage sites and heritage height overlays and interfaces | Carter Group and Diocese 25 October 2023 (afternoon) |

| Council witness | Relevant parts of section 42A report / evidence | Relevant hearing session |
|------------------------|--|---|
| Alistair Ray | All | Carter Group and Diocese 25 October 2023 (afternoon) |
| Nicola Williams | All | Carter Group and Diocese 25 October 2023 (afternoon) |