

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 1: PRELIMINARY DIRECTIONS

Introduction

- [1] This is the 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) 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 set out the proposed timetable, and specific directions, for the hearing of submissions and preparation of the IHP Recommendations Report.
- [3] The Minute makes directions to the Christchurch City Council to:
- (a) Provide information to the IHP required by Schedule 1, clause 97 of the RMA,
 - (b) File reports prepared pursuant to section 42A of the RMA, and file evidence pursuant to section 41B of the RMA.
 - (c) Attend a pre-hearing meeting.
- [4] Further this Minute includes directions for the filing of expert evidence on behalf of submitters pursuant to section 41B of the RMA in anticipation of their participation in the hearing of PC14.

Timelines

- [5] To support an expeditious planning process, the IHP has prepared a preliminary timeline to support the hearing of submissions and the preparation of the IHP Recommendation Report pursuant to Part 6 of Schedule 1 of the RMA as follows:

Dates	Action
30 June 2023	Council to provide IHP with Plan Change documentation required by Schedule 1, clause 97
14 July 2023	Council to provide IHP with further submissions and an updated summary of submissions document.
19 and 21 July 2023	IHP to undertake preliminary site visits/general location orientation

20 July 2023	Pre-hearing meeting (procedural matters). Venue tbc. Agenda and draft procedures available by 7 July.
4 August 2023	Filing and service of s42A reports and Council evidence in chief.
8 September 2023	Filing and service of submitter expert evidence in chief. Note lay evidence is not required to be pre circulated.
11 – 22 September 2023	Expert witness conferencing – specific directions to follow prehearing meeting on 20 July 2023.
29 September 2023	Filing of expert joint statements summarising agreed and not agreed matters.
9 October 2023	Filing and service of brief opening legal submissions by all parties (10-page limit).
9 October – 30 November 2023	Independent Hearings Panel Hearings final dates to be confirmed once number of submissions known. IHP to sit Tuesdays, Wednesdays, and Thursdays. Monday and Fridays of each week reserved for further possible expert conferencing and/or procedural matters and pre reading of evidence. Venue: Crown Plaza Christchurch, 764 Colombo Street, Christchurch Central City
8 December 2023	Filing of Submitter written closing legal submissions.
15 December 2023	Filing of Council closing legal submission including any updated agreed provisions and s42A reporting officer recommended amendments to provisions in reply to submissions.
30 November - 22 December 2023	IHP deliberations and preparation of IHP Recommendations Report
22 December – 15 January 2024	Holiday period.
15 January 2024 – 23 February 2024	IHP preparation and finalising of IHP Recommendations Report.
26 February 2024	IHP Recommendations Report delivered to Council in accordance with Schedule 1, clause 99.

Specific directions to the Council

[6] The IHP directs that the Council:

- (a) File with the IHP Secretariat electronic copies of the following information on or before **4pm on 30 June 2023**:
 - (i) PC14 as publicly notified:
 - (ii) Any variation made under clause 16A Schedule 1 RMA:

- (iii) The Council's s32 report(s):
 - (iv) Submissions received by the closing date for submissions:
 - (v) The Council's summary of decisions requested by submitters (Summary of Submissions):
 - (vi) Submissions received after the closing date for submissions (late submissions):
 - (vii) Information about when the late submissions were received, and any reasons given for lateness:
 - (viii) Iwi Management Plans lodged with the Council:
 - (ix) Documentation relevant to any obligations arising under any relevant iwi participation legislation, joint management agreement, or Mana Whakahono ā Rohe:
 - (x) Any other relevant information.
- (b) File with the IHP Secretariat on or before **4pm on 14 July 2023**:
- (i) Further Submissions received by the closing date for further submissions;
 - (ii) Further Submissions received after the closing date for submissions (late further submissions):
 - (iii) Information about when the late further submissions were received and any reasons given for lateness:
 - (iv) An updated Summary of Submissions incorporating further submissions.
- (c) File with the IHP Secretariat and serve on all submitters and further submitters electronic copies of the Councils s42A report and evidence in chief by **4pm on 4 August 2023**.

- (d) Be represented at a pre-hearing meeting on **20 July 2023 (agenda available 7 July 2023)**.

Specific directions to Submitters and Further Submitters

- [7] The IHP directs all submitters and further submitters wishing to be heard and who intend to present expert evidence¹ in support of their submissions to:
- (a) File with the IHP Secretariat and serve on the Council electronic copies of their expert evidence on or before **8 September 2023**.
 - (b) Attend, if practical in person or by representative, a pre-hearing meeting on **20 July 2023 (agenda available on 7 July 2023)**. *Note: attendance is not compulsory for submitters and further submitters, however, directions may be made in your absence so having someone attend who is familiar with your submission may assist.*
- [8] A Minute recording the outcomes of the pre-hearing meeting will be available on the IHP website following the meeting.

Directions to expert witnesses

- [9] The IHP expects that Council s42A reporting officers, and other Council and Submitter expert witnesses to confer and cooperate with the narrowing of issues at all stages of the hearing process.
- [10] The IHP has scheduled two weeks from 11 to 22 September 2023 for facilitated expert witness conferencing, however there is an expectation that expert witnesses will not wait until that time before they engage with each other, and they should conduct informal conferencing to narrow issues wherever possible.
- [11] Further directions regarding facilitated expert witness conferencing will be considered at the pre-hearing meeting on 20 July 2023.

¹ **expert** means a person who has specialised knowledge or skill based on training, study, or experience
expert evidence means the evidence of an expert based on the specialised knowledge or skill of that expert and includes evidence given in the form of an opinion. Expert witnesses must adhere to the Environment Court Code of Conduct as set out in section 9 of the Environment Court Practice Note January 2023. All references to the Environment Court are to be read as if they apply to the IHP.
<https://environmentcourt.govt.nz/assets/Practice-Note-2023-.pdf>

Issues arising from the timeline and these directions.

[12] The timeline and directions are of a preliminary nature and if any party wishes to raise any issue with regard to the timeline and directions set out above, then this must be done in writing either by formal memorandum or in an email for the attention of the Chair of the Independent Hearings Panel Proposed Plan Change 14 addressed to the Director IHP Proposed Plan Change 14 Housing and Business Choice Secretariat info@chch2023.ihp.govt.nz.

[13] Unless modified by further direction of the Chair, the Council and Submitters should assume the directions in para [6] and [7] are final.

Dated 31 March 2023



Cindy Robinson
Chair
for Independent Hearings Panel