

CHRISTCHURCH CITY COUNCIL

PLAN CHANGE 4: SHORT-TERM ACCOMMODATION

HEARING PROCEDURES AND PANEL DIRECTIONS

Notice of Hearing

1. The hearing to consider and make recommendations on Christchurch City Council Plan Change 4 will commence on **Monday 18 October 2021 at 9.30 am**.
2. The hearing will continue through to **Friday 22 October 2021**, if required, commencing at **9.00 am on Tuesday, Wednesday and Friday** (if required) and at **1pm on Thursday**. The Hearing Administrator, Lloyds Scully or Annette Verwey, will issue a preliminary timetable for the hearing. This will be updated as required during the course of the hearing.
3. Christchurch City Council has appointed a Hearings Panel comprising of Sarah Dawson (Chair), Lindsay Daysh and Gary Rae, accredited independent commissioners, to conduct the hearing and make recommendations to the Council on the plan change.

Pre-circulation of Expert Evidence and Legal Submissions

4. The Panel has decided to make a number of directions under sections 41B, 41C and 42A of the Resource Management Act as follows.
5. Pursuant to section 42A(3)(a), Christchurch City Council shall provide a copy of its Section 42A report to every person who made a submission and stated a wish to be heard no later than **4 pm on Thursday 22 April 2021**.
6. The report shall also be available from the Christchurch City Council web site. Any documents relating to this matter, including all briefs of expert evidence, will be found at <https://ccc.govt.nz/planchange4/>.
7. Pursuant to section 41B(3) and (4), any person who made a submission or further submission and who is intending to call expert evidence¹ shall provide briefs of evidence to Lloyds Scully at Christchurch City Council no later than **1 pm on Friday 7 May**. Copies shall then be provided to the respective submitter and further submitters as appropriate.
8. The Council shall provide a copy of an economic assessment of Plan Change 4 for

¹ Expert evidence is that written by qualified planners, engineers or scientists, for example, prepared in accordance with the Environment Court's Practice Note 2014 for expert witnesses.

the purposes of section 32, together with an updated Section 42A report and section 32AA evaluation to take account of the economic assessment, to every person who made a submission and stated a wish to be heard, no later than **4 pm on Friday 27 August**. For clarification, this direction does not provide leave for the Council to file or serve any other expert assessments of Plan Change 4. This direction also provides leave for the new planner engaged by the Council to amend the Council's s42A report and s32 assessment to record any material matters where his expert planning opinion differs from that of the original report writer. The Council is to clearly and specifically identify each matter on which he expresses a different opinion from that in the original report.

9. Any person who made a submission or further submission and who intends to call expert evidence responding to the new information from the Council² shall provide briefs of that evidence to Lloyds Scully at Christchurch City Council no later than **4 pm on Friday 24 September**. Copies shall then be provided to the respective submitter and further submitters as appropriate.
10. The Panel will also provide the opportunity for expert rebuttal evidence to be filed, reducing the need for the Council or expert witnesses to spend time at the hearing responding to the evidence lodged by other witnesses. Any rebuttal evidence shall be provided to Lloyds Scully at Christchurch City Council no later than **4 pm on Friday 8 October**.
11. For those parties (including the Council) represented by counsel, counsel are requested to lodge their written submissions no later than **4 pm on Friday 8 October**. Counsel are also requested to lodge electronic copies of any cases on which they will rely at the same time as they lodge their legal submissions.
12. The pre-circulation of evidence, rebuttal evidence and legal submissions will enable the Panel to pre-read the evidence and submissions and allow most of the allocated time to be used for questions.
13. In terms of the above directions, reports, evidence and legal submissions shall be provided electronically by e-mail in pdf format to Lloyds Scully at lloyds.scully@ccc.govt.nz, Lloyds' phone contact is 03 941 8156. Parties shall notify Lloyds Scully and make specific arrangements if they are not able to send or receive documents in this manner.

Expert Conferencing

14. The Commissioners may request that experts in common fields participate in expert conferencing in accordance with the Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note 2014 to clarify areas of agreement and disagreement and produce a Joint Witness Statement. The

² As directed in Clause 8

Commissioners will make any directions regarding expert conferencing after receipt of expert evidence from submitters responding to the new information from the Council³, with a view to conferencing occurring prior to the filing of expert rebuttal evidence.

Conduct of the Hearing

15. Pursuant to section 41(C)1 all evidence that has been exchanged in advance of the hearing will be taken as read. Each witness whose evidence has been exchanged in advance shall make a succinct presentation on the key issues and conclusions of their evidence. This evidence summary shall be provided in writing, limited to two A4 pages, and 10 copies shall be provided.
16. Oral submissions by counsel should reflect the fact that the Panel has read counsel's written submissions. Any oral presentation shall also be provided in writing, limited to two A4 pages, and 10 copies shall be provided.
17. Cross examination is not permitted. However, each witness may be questioned by the Commissioners. Questions from other parties will be limited to points of clarification and shall be made through the Chairperson of the hearing.
18. Any statements from non-experts may be presented verbally and/or in writing. Any written material shall be limited to two A4 pages and 10 copies shall be provided on the day of appearance.
19. The hearing will be conducted in the following order of appearances:
 - a) Christchurch City Council
 - b) Submitters
 - c) Further Submitters
 - d) Christchurch City Council reply
20. Ms Scully and Ms Verwey will prepare an initial timetable for the order of appearances and will liaise with the parties on the timetable.

Sarah Dawson (Chair)

10 August 2021

³ As directed in Clauses 8 & 9