

*under:* the Resource Management Act 1991 (*RMA*)

*in the matter of:* Submissions and further submissions in relation to the  
Wellington City Proposed District Plan

*and:* Hearing Stream 2 (Residential)

*and:* **Ryman Healthcare Limited**

*and:* **Retirement Villages Association of New Zealand  
Incorporated**

Memorandum of counsel on behalf of **Ryman Healthcare  
Limited** and the **Retirement Villages Association of New  
Zealand Incorporated**

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Dated: 20 April 2023

**MEMORANDUM OF COUNSEL ON BEHALF OF RYMAN  
HEALTHCARE LIMITED AND THE RETIREMENT VILLAGES  
ASSOCIATION OF NEW ZEALAND INCORPORATED**

- 1 This memorandum of counsel is provided on behalf of Ryman Healthcare Limited (*Ryman*)<sup>1</sup> and the Retirement Villages Association of New Zealand (*RVA*)<sup>2</sup> in response to directions provided by the Panel in Minute 17 (12 April 2023), subsequent to its hearing on 11 April 2023.
- 2 The Panel directed that Dr Philip Mitchell (Mitchell Daysh) provide the Panel with marked up copies of his Wellington Proposed Plan provisions showing changes from the original version attached to his evidence.<sup>3</sup> The Panel also requested Dr Mitchell provide a wiring diagram showing the inter-relationship between his suggested objectives, policies, rules and standards governing retirement villages.<sup>4</sup>
- 3 These inputs are due to be filed on 21 April 2023.
- 4 Subsequent to the Panel's directions, Ryman and the RVA have presented at other Tier 1 Councils' housing plan change hearings, most recently for Hutt City Council on 19 April 2023. In these hearings, further useful clarification points have been raised by the Commissioners, resulting in similar directions for supplementary evidence.
- 5 These hearings have also triggered further thinking in relation to other planning matters relevant to the Wellington Proposed Plan that are linked to the directions provided by this Panel.
- 6 Ryman and the RVA would like the opportunity to further develop their inputs to the Wellington Proposed Plan, in the context of the Panel's directions, and in light of relevant requests made by Commissioners at other Tier 1 Council hearings in the Wellington region.
- 7 Ryman and the RVA acknowledge the time constraints that the Panel is working under. They understand the Panel's need to receive submitter supplementary evidence in a timely manner in order to proceed with the hearing process and meet relevant timeframes. That said, Ryman and the RVA consider that a more comprehensive and refined response would be able to be provided to the Panel if more time was available.
- 8 Accordingly, Ryman and the RVA respectfully request an extension to 26 April 2023 in order to complete their inputs in response to the directions from the Panel. Ryman and the RVA consider that this will

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<sup>1</sup> Submitter 346 and Further Submitter 128.

<sup>2</sup> Submitter 350 and Further Submitter 126.

<sup>3</sup> Minute 17 of the Panel, at [12].

<sup>4</sup> Minute 17 of the Panel, at [13].

allow Dr Mitchell sufficient time to provide a suite of provisions that will better assist the Panel in its deliberations.

**Luke Hinchey**

Counsel for Ryman and the RVA

20 April 2023