

Before the Central Otago District Council Hearings Panel

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

in the matter of: Submissions and further submissions in relation to Plan Change 19 to the Central Otago District Plan

and: **Ryman Healthcare Limited** (submitter #160)

and: **Retirement Villages Association of New Zealand**
(submitter #158)

Memorandum of counsel on behalf of Ryman Healthcare Limited
and the Retirement Villages Association of New Zealand
Incorporated seeking leave to file late evidence

Dated: 28 April 2023

Reference: Luke Hinchey (luke.hinchey@chapmantripp.com)
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MEMORANDUM OF COUNSEL ON BEHALF OF RYMAN HEALTHCARE LIMITED AND THE RETIREMENT VILLAGES ASSOCIATION OF NEW ZEALAND INCORPORATED

MAY IT PLEASE THE HEARINGS PANEL

- 1 This memorandum is filed on behalf of Ryman Healthcare Limited (*Ryman*) and the Retirement Villages Association of New Zealand Incorporated (*RVA*). Ryman and the RVA submitted on Plan Change 19 to the Central Otago District Plan.
- 2 Counsel for Ryman and the RVA named Ms Nicola de Wit as the address for service on the Ryman and RVA submissions. Ms de Wit is now currently on maternity leave. Due to an inconsistency between the form for lodging the submission and the submission itself, Counsel did not realise Ms de Wit's email was the only address provided for service, and did not provide new contact details to Council.
- 3 As a result, Ryman and the RVA have not been receiving correspondence on Plan Change 19 and regretfully did not appear before the Panel at their scheduled speaking time. Nor did Ryman and the RVA submit expert evidence in accordance with the process set out by the Panel in Minute 1.
- 4 Counsel apologises to the Panel for this error, and for Ryman and the RVA's resulting absence from the Stage 1 Hearing.
- 5 We have confirmed with the Hearings Administrator that Ryman and the RVA still wish to be heard. They wish to file a short statement from a planning expert. The planning expert can be available for questions from the Panel on 11 May 2023 (which is the date suggested by the Administrator).
- 6 Ryman and the RVA therefore respectfully seek leave from the Panel to file one statement of expert evidence (planning) on Plan Change 19 by 5pm next Wednesday 3 May.

Dated: 28 April 2023

L Hinchey / H Pedler
Counsel for Ryman and the RVA