

Before the Independent Hearings Panel  
Waipā District Council

---

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

*in the matter of:* Submissions and further submissions in relation to Plan  
Change 26 to the Waipā District Plan

*and:* **Retirement Villages Association of New Zealand  
Incorporated**  
(*Submitter 73*)

*and:* **Ryman Healthcare Limited**  
(*Submitter 70*)

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

---

Dated: 24 August 2023

---

Reference: Luke Hinchey (Luke.Hinchey@chapmantripp.com)

chapmantripp.com  
T +64 9 357 9000  
F +64 9 357 9099

PO Box 2206  
Auckland 1140  
New Zealand

Auckland  
Wellington  
Christchurch



**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*) and the Retirement Villages Association of New Zealand (*RVA*). It seeks leave to file late evidence on financial contributions within Plan Change 26 to the Waipā District Plan (*PC26*).
- 2 Evidence was due 18 August 2023. As the Panel is aware, evidence on behalf of Ryman and the RVA was not lodged on this date as we were awaiting instructions to do so. Our client apologises for the delay. They have had a number of recent changes in management, resulting in different decision-making and internal approval processes. These processes have taken longer than expected to resolve.
- 3 Ryman and the RVA respectfully request that the Panel accept late filing of the expert economic evidence of Mr Greg Akehurst on the financial contributions chapter. It is submitted that the evidence will be helpful for the Panel's deliberations, given Mr Akehurst's extensive experience in financial contribution matters. Financial contributions are also a significant factor influencing the feasibility of housing developments. It is thus submitted to be important that the relevant policy and rule regime is appropriately tested in view of the purpose of the current plan change process. Mr Akehurst's evidence is attached if the Panel is of a mind to accept its late filing.
- 4 As a courtesy, we have been in contact with counsel for Waipā District Council to discuss any potential prejudice to the Council, whose rebuttal evidence is due on 1 September. Counsel has advised that this is unlikely, but will seek instructions and consider whether any further time is required for Council to respond to the evidence. Ryman and the RVA are happy for rebuttal timeframes to be reasonably extended to accommodate the Council as needed.

**Luke Hinchey**

Counsel for Ryman and the RVA  
24 August 2023