

Before the Independent Hearings Panel
Porirua City

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

in the matter of: Submissions and further submissions in relation to
Variation 1 and Plan Change 19 to the Proposed and
Operative Porirua City District Plan

and: Hearing Stream 7

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**

Dated: 28 March 2023

Reference: Luke Hinchey (luke.hinchey@chapmantripp.com)
Alice Hall (alice.hall@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*)¹ and the Retirement Villages Association of New Zealand (*RVA*)² in relation to Variation 1 and Plan Change 19 to the Proposed and Operative Porirua City District Plan.
- 2 At the hearing,³ Ryman and the RVA invited the Panel and Council Officers for Porirua City Council to a site visit at a selection of the RVA's member villages in the District. Ryman and the RVA would like to emphasise that this offer still stands.
- 3 The site visit would be accompanied by a representative for the RVA and would take approximately half a day. Transport would be arranged from a central pick up point. We are happy to arrange a time that best suits.
- 4 To provide some further context for this invitation, Ryman and the RVA are involved in hearing processes across all Tier 1 councils that are implementing the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
- 5 As part of these processes, Ryman and the RVA are seeking a nationally consistent retirement village-specific framework. This framework seeks to largely incorporate the medium density residential standards. It also provides for a more nuanced approach to the development of retirement villages in the context of their unique functional and operational characteristics and different resident needs.
- 6 Some council officers (including Council Officers from Porirua City Council) appear to misunderstand the nature and features of retirement villages and their residents. Examples of these misunderstandings are that retirement villages are not residential and/or have significant adverse effects on neighbouring properties due to their larger scale and different internal layouts.

¹ Submitter 67.

² Submitter 118.

³ Hearing session for Ryman and the RVA on 13 March 2023.

- 7 Accordingly, Ryman and the RVA consider a site visit to see the layout and operation of RVA members' retirement villages first-hand will greatly assist. If the Panel or Council Officers wish to take up this opportunity, please let us know. A RVA representative will then get in touch regarding appropriate dates and times.

Luke Hinchey / Alice Hall

Counsel for Ryman and the RVA

28 March 2023