

Resource Management Act 1991

Christchurch City Council

Application for Resource Consent

Application Number: RMA/2020/376 and RMA/2020/679

Applicant: Ryman Healthcare Limited

Site address: 78 Park Terrace, 100 – 104 Park Terrace, 20 Dorset Street

Description of Application: Construction, operation and maintenance of a comprehensive care retirement village

Minute 2 from Hearings Commissioners

1. We made several timetabling directions in our Minute of 15 December 2020. These included a direction that the evidence of submitter experts be lodged with Council and sent to the applicant by 5pm on Monday 18 January 2021.
2. We have been provided with emails from three submitters seeking to defer the hearing. Two of the emails identified difficulties with obtaining expert evidence.
3. The emails were forwarded to the applicant's consultant. The applicant does not agree to a delay in the hearing. The consultant notes that the application was publically notified on 16 September 2020 and submitters will have had over four months to engage experts by the time the hearing commences. The consultant also advised that the applicant had wanted the hearing to occur before Christmas and that promptly concluding the application process is important to it. The consultant advised the applicant is committed to having the application heard from 25 January 2021 as per the hearing notice and has its experts scheduled to travel to the hearing.
4. As hearing Commissioners, we have a duty to avoid unreasonable delay and there are statutory time limits for completion of hearings of notified applications.
5. We have not received a formal and particularised application for an adjournment. We have however considered the matters raised by the submitters and the applicant's response.

6. We acknowledge that the Christmas period can create difficulties for the completion of expert evidence. The timetabling direction in relation to the expert evidence on behalf of the submitters reflects the statutory directive.
7. We are reluctant to adjourn the hearing, but we wish to ensure the submitters are not disadvantaged and that we are fully informed in our ultimate decision making.
8. We propose an extension of the period for expert submitter evidence to be lodged through to 22 January 2021. That provides a further four working days for those experts who are unable to meet the 18 January date. We do not consider that extension would create any prejudice to the applicant that could not be addressed by consequential orders (if necessary) and would allow the hearing to proceed as scheduled.
9. We therefore amend our direction 3(c) of our first Minute to read as follows:

If any of the submitters wish to present expert evidence in support of their submissions, that is to be lodged with the Council and sent to the applicant by 5pm on Friday 22 January 2021. If it is possible to lodge earlier than that then we encourage submitters to do so.
10. If any submitter or the applicant has any issues arising from this Minute, that is to be raised through the Council.

David Mountfort

December 2020



David Caldwell

December 2020