

## 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 7 from Hearings Commissioners

1. The purpose of this Minute is to extend the dates required under the Resource Management Act 1991 (the RMA) for the completion of the hearing of these applications and the issue of the decisions on them.
2. The hearing was reconvened on 30 March 2021 to enable the applicant to present further evidence in relation to some questions we had posed in our Minute 6, and to present its final right of reply and closing submissions.
3. Section 103A of the RMA requires that a hearing of a publicly notified application be completed no later than 75 working days after the closing date for submissions on the application. That period ended on 19 February 2021, before the last day of the hearing on 30 March, and has been exceeded.
4. Section 37 of the RMA allows the consent authority to extend time limits prescribed under the Act. Section 37A provides that;

*(4) A consent authority may extend a time period under section 37 only if—*

*(a) the time period as extended does not exceed twice the maximum time period specified in this Act; and*

*(b) either—*

*(i) special circumstances apply (including special circumstances existing by reason of the scale or complexity of the matter); or*

*(ii) the applicant agrees to the extension; and*

*(c) the authority has taken into account the matters specified in subsection (1).*

5. The matters specified in subsection 1 are

*(a) the interests of any person who, in its opinion, may be directly affected by the extension or waiver; and*

*(b) the interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and*

*(c) the duty under section 21 to avoid unreasonable delay.*

6. Ryman Healthcare Ltd advised its consent on 20 April 2021 to the proposed extensions of time. We do not consider there are any other parties who would be directly affected by the relatively brief extensions proposed. We do consider that the community as a whole, but especially Ryman Healthcare Ltd and the submitters, has a strong interest in adequate assessment of the effects of the proposal. We note that, at least in part the exceedance of time to complete the hearing was necessary to enable draft conditions to be circulated between the applicant, the Council and the submitters and for the applicant to prepare its additional evidence and closing submissions. We do not consider the relatively brief extensions of time now proposed would amount to an unreasonable delay.

7. Therefore, pursuant to our delegations from the Christchurch City Council, and sections 37 and 37A of the RMA,

a) the time specified in section 103A of the RMA for completion of the hearing is extended until 21 April 2021.

b) The hearing of these applications is closed as of 21 April 2021, and

c) The time specified in section 115(2) of the RMA for the issue of the decision is extended until Wednesday 3 June 2021.



David Mountfort

Hearings Panel Chairman

21 April 2021