

**Before Independent Hearing Commissioners
In Napier**

Under the Resource Management Act 1991 (RMA)
In the matter of Proposed Plan Change 12 to the Operative City of Napier District
Plan under the First Schedule to the RMA

Adopted by **Napier City Council**
Local Authority

**Memorandum on behalf of Marist Holdings
(Greenmeadows) Ltd**

12 September 2018

**MEREDITH
CONNELL**

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Memorandum on behalf of Marist Holdings (Greenmeadows) Ltd

- 1 This memorandum relates to the Hearing Agenda released yesterday on 11 September 2018.
- 2 Marist Holdings (Greenmeadows) Ltd (**Marist Holdings**) requests an opportunity to speak in reply to the submitters that follow it.
- 3 It is typical for the applicant or plan change requestor, but not submitters, to be granted a opportunity to speak in reply.
- 4 As Proposed Plan Change 12 (**PC12**) has been adopted by Napier City Council (**Council**), technically speaking the Council is now the proponent of the plan change and Marist Holdings is a submitter.
- 5 However, the Commissioners will appreciate that Marist Holdings has a key role in this hearing: it is the sole owner of the land affected by PC12, it originally proposed PC12, and it prepared the various expert reports and section 32 report that support it.
- 6 Further, no expert evidence has been filed on behalf of any of the other submitters, so their position as regards the s 42A Report is unknown to Marist Holdings. As Marist Holdings is among the first submitters scheduled to be heard, it will have no opportunity to respond to the positions taken by subsequent submitters unless it is granted an opportunity to speak in reply.
- 7 It is respectfully submitted that in order for the Hearing Committee to have the best and fullest information before it, and in the interests of natural justice, Marist Holdings should be granted an opportunity to reply to the submitters that follow it.

Date: 12 September 2018



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B A Watts
Counsel for Marist Holdings Ltd