



Waipā District Plan Plan Change Submission Form

Form 5

Clause 6 of the First Schedule to the Resource Management Act 1991

Send to: Waipā District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Online: www.waipadc.govt.nz/planchanges | Email: districtplan@waipadc.govt.nz

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

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Note: You must fill in **ALL** sections of this form.

Submissions close **5pm Friday, 30 September 2022.**

1. Submitter details

Full name of submitter:	Retirement Villages Association of New Zealand Incorporated
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Address for service: (required if no email address is provided)	c/o Chapman Tripp, Level 34, 15 Customs Street West, PO Box 2206, Auckland 1140

We will serve all formal documents electronically via the email address provided above. Where there is no email address provided the documents will be posted to the above address.

2. This is a submission on the following proposed plan change to the Waipā District Plan

Plan Change 26 – Residential Zone Intensification

3. Trade competition

Select one	<input type="radio"/> I could	gain an advantage in trade competition through this submission.
	<input checked="" type="radio"/> I could not	
Select one	<input type="radio"/> I am	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition
	<input checked="" type="radio"/> I am not	

4. Attendance at Council hearing

Select one	<input checked="" type="radio"/> I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="radio"/> I do not	
If others make a similar submission, I will consider presenting a joint case with them at the hearing.		<input checked="" type="radio"/> Yes <input type="radio"/> No

5. The specific provisions of the plan change my submission relates to are: (give details)

Select one	<input type="radio"/>	I SUPPORT	See attached submission.
	<input checked="" type="radio"/>	I SUPPORT IN PART	
	<input type="radio"/>	I OPPOSE	

6. My submission is: (please include the reasons for your view)

See attached submission.

7. I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)

See attached submission.

8. Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)

Signature of submitter:
(or person authorised to
sign on behalf of submitter)

Dated 30/09/22

Note to person making submission

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by [clause 6\(4\)](#) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the consent authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious;
- It discloses no reasonable or relevant case;
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- It contains offensive language;
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Personal Information

The information requested on this form, including your contact details, is required by the Resource Management Act 1991. The information will be held by the Council, and you may ask to check and correct any personal information that we hold about you.

Your submission, including your name and contact details, will be made available for inspection at all Council service centres and libraries in accordance with the requirements of the Act. It may also be made available on the Council's website. A document summarising all submissions, including names and contact details of submitters will be posted on the Council's website

If you believe there are compelling reasons why your contact details should be kept confidential please contact the processing planner for this application.

**Form 5**

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Waipā District Council (*Council*)

Name of submitter: Retirement Villages Association of New Zealand Incorporated (RVA)

- 1 This is a submission on the Council's proposed amendments to the Waipā District Plan (*District Plan*) on Proposed Plan Change 26 – Residential Zone Intensification (PC26).
- 2 The RVA could not gain an advantage in trade competition through this submission.

INTRODUCTION

- 3 The RVA welcomes this opportunity to provide feedback on PC26. The RVA and its members have a significant interest in how PC26 will provide for retirement villages in Waipā District.
- 4 New Zealand, including Waipā, has a rapidly increasing ageing population and longer life expectancy and there is a growing trend of people wishing to live in retirement villages.
- 5 The under-provision of retirement living and aged care in New Zealand is at crisis point, with the growing ageing population facing a significant shortage in appropriate accommodation and care options. This problem is immediate, and demographic changes mean that the demand for retirement accommodation and aged care will continue to grow.
- 6 The Government recently recognised the ageing population as one of the key housing and urban development challenges facing New Zealand in its overarching direction for housing and urban development – the Government Policy on Housing and Urban Development (*GPS-HUD*).¹ The GPS-HUD records that "[s]ecure, functional housing choices for older people will be increasingly fundamental to wellbeing".² The government strategy *Better later life – He Oranga Kaumatua 2019 to 2034* recognises that "[m]any people want to age in the communities they already live in, while others wish to move closer to family and whānau, or to move to retirement villages or locations that offer the lifestyle and security they want".³

¹ The GPS-HUD was issued in September 2021 (available [online](#)).

² GPS-HUD, page 10.

³ *Better Later Life – He Oranga Kaumatua 2019 to 2034* (available [online](#)), page 32.

- 7 The RVA considers PC26 needs to adequately address the critical need for retirement accommodation and aged care in Waipā District. It must also provide a clear and consistent regime for retirement villages. It is also important that potential effects from retirement villages are managed proportionately and efficiently with the least regulation and prescription necessary. The significant benefits of retirement villages also need to be given appropriate weight.
- 8 The RVA is also seeking national consistency in the planning regimes for retirement villages through the intensification planning instruments required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (*Enabling Housing Act*). National consistency will greatly assist with streamlining and making more efficient, the delivery of retirement villages across New Zealand.
- 9 This submission is set out as follows:
 - 9.1 **Background:** This section introduces the RVA, retirement villages and the regulatory regime applying to retirement villages. It then sets out New Zealand's ageing population demographics and outlines the retirement housing and care crisis and the wellbeing and health issues arising from that crisis. Finally, it sets out the role of retirement villages in addressing that crisis and the other benefits of retirement villages.
 - 9.2 **What PC26 must deliver for retirement villages:** This section sets out the outcomes the RVA considers PC26 must deliver for retirement villages. The key outcomes sought by the RVA are: the appropriate translation of the Medium Density Residential Standards (*MDRS*) from the Enabling Housing Act into the District Plan, amendments to the District Plan to address inconsistencies with the MDRS and a retirement village-specific planning framework that adopts the key features of the MDRS as appropriately modified. A key issue with PC26 relates to the extent of qualifying matters and the resulting modification of the MDRS. The RVA is also concerned the proposed financial contributions chapter will result in 'double dipping' and does not recognise the bespoke demand characteristics of retirement villages or works carried out as part of development.
 - 9.3 **Relief sought:** This section sets out the relief sought by the RVA to address the key outcomes it seeks in relation to PC26. The RVA's specific submission points and relief sought on PC26 is set out in **Appendix 1**.

BACKGROUND

Retirement Villages Association

- 10 The RVA is a voluntary industry organisation that represents the interests of the owners, developers and managers of registered retirement villages throughout New Zealand. The RVA was incorporated in 1989 to represent the interests of retirement village owners, developers and managers, to government, develop operating standards for the day-to-day management of retirement villages, and protect their residents' wellbeing.
- 11 Today, the RVA has 407 member villages throughout New Zealand, with approximately 38,520 units that are home to around 50,000 older New Zealanders.

This figure is 96% of the registered retirement village units in New Zealand.⁴ The RVA's members include all five publicly-listed companies (Ryman Healthcare, Summerset Group, Arvida Group, Oceania Healthcare, and Radius Residential Care Ltd), other corporate groups (such as Metlifecare and Bupa Healthcare) independent operators, and not-for profit operators (such as community trusts, and religious and welfare organisations).

Retirement villages

- 12 'Retirement village' is an umbrella term given to all types of retirement living. There are two main types of retirement villages - 'comprehensive care villages' and 'lifestyle villages':

12.1 Comprehensive care retirement villages provide a full range of living and care options to residents from independent living, through to serviced care, rest home, hospital and dementia level care.

12.2 Lifestyle retirement villages focus mostly on independent living units with a small amount of serviced care provided on a largely temporary basis.

- 13 Approximately 65% of registered retirement villages have some level of aged residential care within the village. Approximately 19,300 aged care beds are part of a retirement village, which is 50% of all age care beds in the country.⁵

- 14 'Retirement village' is defined in section 6 of the Retirement Villages Act 2003 (*RV Act*) as:

... the part of any property, building, or other premises that contains 2 or more residential units that provide, or are intended to provide, residential accommodation together with services or facilities, or both, predominantly for persons in their retirement, or persons in their retirement and their spouses or partners, or both, and for which the residents pay, or agree to pay, a capital sum as consideration and regardless of [various factors relating to the type of right of occupation, consideration, etc]...

A regulated industry

- 15 The retirement village industry is regulated by the Retirement Villages Act 2003 (*RV Act*), as well as associated regulations and codes of practice established through the RV Act. The regulatory regime is focussed on consumer protection via a comprehensive disclosure regime, so that residents make an informed decision to move to a village.

- 16 This regulatory regime includes the following:

16.1 Registration of retirement villages with the "Registrar of Retirement Villages". The Registrar places a memorial on the land title. The memorial means that the village can only be sold as a retirement village and that the residents' tenure is ranked above all other creditors to the village. The residents have absolute rights to live in their units and have access to the village amenities.

16.2 Retirement village operators are required to appoint a "Statutory Supervisor" whose job is to protect residents' interests and report to the Registrar and the

⁴ There are also almost 6,000 Occupation Right Agreements for care suites as part of the aged care system.

⁵ Jones Lang LaSalle, NZ Retirement Villages and Aged Care Whitepaper, July 2022, page 4.

Financial Markets Authority that the village is being operated in a financially prudent manner.

- 16.3 Operators are required to provide intending residents with a disclosure statement that sets out the village's ownership, financial position, status, and a range of other important information. This statement provides comprehensive guidance to ensure that a resident's decision to move into a retirement village is an informed one.
- 16.4 Before signing a contract (an "Occupation Right Agreement" or "ORA"), an intending resident must consult a solicitor who must explain the details of the contract and sign an affirmation that they have provided that advice.
- 17 The codes of practice that regulate the industry include a code of practice and a code of residents' rights.⁶ The Code of Practice is administered by the Ministry of Business, Innovation and Employment, and it governs the day-to-day management of the villages. The Code sets out the minimum standards for the operation of retirement villages. These standards address a wide variety of matters, including documents that operators must provide to intending residents, staffing policies and procedures, safety and security policies, fire and emergency procedures, the frequency and conduct of meetings between residents and operators, complaint procedures, as well as communications with residents.
- 18 The Code of Residents' Rights is set out in the RV Act.⁷ The Code is a summary of the minimum rights conferred on retirement village residents. It ensures that residents are respected and consulted on material matters that affect their contracts.⁸
- New Zealand's ageing population**
- 19 The proportion of older people in our communities compared to the rest of the population is increasing. Soon, there will be more people aged 65+ than children aged under 14 years.⁹ By 2034, it is expected that New Zealand will be home to around 1.2 million people aged 65 and over, just over a fifth of the total population.¹⁰
- 20 The growth in the 75+ age bracket is also increasing exponentially (as illustrated by the graph below). It is estimated that 364,100 people in New Zealand were aged over 75 in 2022. By 2048, the population aged 75+ is forecasted to more than double to 804,600 people nationally.¹¹

⁶ Both codes are available online ([Code of Practice](#) and [Code of Residents Rights](#)).

⁷ Schedule 4.

⁸ The Code sets out a residents' rights to services, information, and consultation, the right to complain, the right to a speedy and efficient process for resolving disputes, the right to use a support person or representative in dealings with the operator or other residents at the village, the right to be treated with courtesy, and the right not to be exploited by the operator.

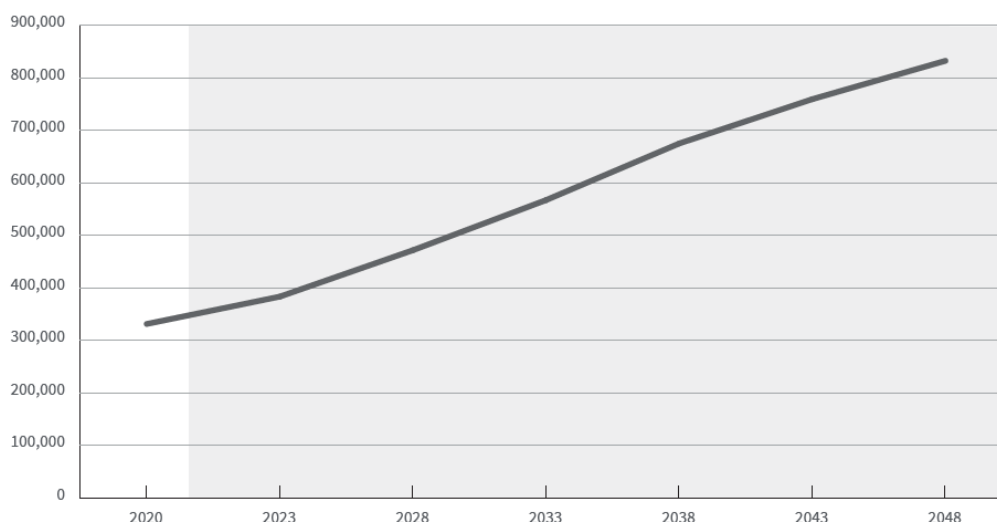
⁹ Better Later Life – He Oranga Kaumatua 2019 to 2034, page 6.

¹⁰ Ibid.

¹¹ Statistics New Zealand, Population Projections.

- 21 In Waipā, the growth in the 75+ age bracket is increasing at a similar rate. Statistics New Zealand estimates that in 2018, 4,360 people were aged over 75. By 2048, this number is forecasted to more than double to 11,850.¹²

Figure 1 75+ years population 2020 - 2048



Source: JLL Research and Consultancy; Statistics New Zealand (medium forecast scenario)

- 22 Older people aged 85+ comprise the most rapidly increasing age group in the country, with the numbers projected to almost triple from 93,500 in 2022 to 227,600 in 2048. Given around 45% of this age group require aged care beds, this growth will create a need for a minimum of an additional 84,700 aged care beds to be provided by 2048.
- 23 The ageing population of New Zealand reflects the combined impact of:
- 23.1 Lower fertility;
 - 23.2 Increasing longevity (due to advances in medical technology and increased survival rates from life-threatening diseases); and
 - 23.3 The movement of the large number of people born during the 1950s to early 1970s into the older age groups.
- 24 The largest increases in the 65+ age group will occur in the 2020s and 2030s, when the large birth cohorts of the 1950s and 1960s (the “baby boomers”) move into this age group.

The retirement housing and care crisis

- 25 The under-provision of retirement living and aged care in New Zealand is at crisis point, with the growing ageing population facing a significant shortage in appropriate

¹² Statistics New Zealand, Subnational Population Estimates at 30 June 2021 (provisional).

accommodation and care options. This problem is immediate, and projected to worsen in the coming decades as older age groups continue to grow.¹³

- 26 The demand for quality living options is significantly higher than the current supply. The supply is decreasing due to closures of older style small and poor quality aged care homes, which are usually conversions of old houses. These usually do not offer the living standard that residents deserve. At the same time, demand for retirement housing and care is increasing.
- 27 This crisis is evidenced by the increasing number of RVA members' villages that have waiting lists (including existing villages and those under construction). Many RVA member villages have waiting lists of 2 or more years. These lists are comprised of people who have expressed an interest in living in a retirement village. The waitlists show the desperate need in New Zealand for more retirement living and care options.
- 28 The ageing population and longer life expectancy, coupled with a trend towards people wishing to live in retirement villages that provide purpose-built accommodation, means that demand is continuing to grow. This is creating a severe and growing shortage of retirement villages, as supply cannot match demand. The national penetration rate for retirement villages (i.e. the percentage of the population aged 75+ who choose to live in a village) is 14.3%. If the existing penetration rate continues, we can expect an increase of approximately 34,000 residents, and a national demand for an additional 26,000 retirement village units by 2033.¹⁴ In reality, the demand will be higher as the penetration rate continues to grow.
- 29 This increasing demand is reflected in the development pipeline.¹⁵ In 2022, there was a total of 216 villages in the development pipeline.¹⁶ This development pipeline, if realised, will help ease the short-term anticipated shortfall in supply of quality retirement living and aged care options in New Zealand. However, further development of new villages, beyond the current pipeline, is needed to meet the longer-term predicted shortfall. It is anticipated that at least 10 new large scale villages each year are going to be required across New Zealand, just to keep up with demand over the next 20 years.
- 30 Further, the COVID-19 pandemic has exacerbated this issue. Overall, retirement villages performed remarkably well in protecting the most vulnerable by providing safe communities and companionship during the tough periods of lockdown. This performance has resulted in an even stronger demand to access retirement villages and further limited stock available.¹⁷
- 31 As discussed in more detail in subsequent sections of this paper, a key barrier to meeting the increasing demand is the significant delay between the consenting and

¹³ See, for example, Stats NZ (2020). Housing in Aotearoa: 2020, which outlines the need for changing size and suitability of housing, acknowledging the ageing population. For further detail on the question of 'what is the ideal place to grow older', see Janine Wiles, Kirsty Wild, Ngaire Kerse, Mere Kēpa, Carmel Peteru (2011). Resilient Ageing in Place Project Recommendations and Report. The University of Auckland, Auckland.

¹⁴ Jones Lang LaSalle, NZ Retirement Villages and Aged Care Whitepaper, July 2022, page 18.

¹⁵ The 'development pipeline' refers to the development of new villages (both actual and planned).

¹⁶ Jones Lang LaSalle, NZ Retirement Villages and Aged Care Whitepaper, June 2021, page 17.

¹⁷ Ibid, pages 5 and 25.

construction stages of developments. Even if the resource consent process goes smoothly, the development of a retirement village is around a 10 year project for most new villages. But, many retirement villages face years of delays during the consenting process. Delays are frustrating and costly for all involved, and are especially prejudicial to the wellbeing of older persons who are living in unsuitable accommodation while waiting for a retirement village to be completed.

Social issues arising from the shortage of housing and care for older people

- 32 Providing appropriate accommodation and care for older persons is a critical social issue facing New Zealand. A failure to recognise and provide for appropriate housing and care for the ageing population in future planning will impact on the mental and physical health and wellbeing of some of society's most vulnerable members, and have flow on effects that will impact the wider community as a whole.

Suitability of accommodation

- 33 Many of New Zealand's older residents are currently living in unsuitable accommodation. "Unsuitable accommodation" in this context can mean a couple or a single person living in a large house that is expensive and difficult to maintain and heat properly, has barriers to mobility such as stairs, or is built on a hill, or has a garden that they cannot maintain. Unsuitable accommodation could also include housing that is of such a distance from key services and amenities that it limits their access to their community and care needs.
- 34 In this context, it is important to note that retirement villages have a very different new-build pattern than the rest of the country's new-build housing stock.¹⁸ New Zealand's general housing stock is dominated by three or more bedroom dwellings, with the average size of new builds increasing from around 115 m² in 1976 (33 m² per person) to 200 m² in 2013 (71 m² per person).
- 35 In contrast, the retirement village industry is building units that match the needs of smaller households, with approximately 90% of retirement village units providing one or two bedrooms.¹⁹
- 36 Retirement units are also purpose-built for older people. They are accessible for those with mobility restrictions, are modern, warm and comfortable, and responsibility for their upkeep and maintenance falls on the village operator rather than the resident.
- 37 Further, retirement villages generally offer extensive on-site amenities, such as pools, gyms, theatres, libraries, bars and restaurants, communal sitting areas, activity rooms, bowling greens, and landscaped grounds. These amenities are provided to meet the specific needs of retirement village residents, leading to significant positive benefits for residents.

Mental wellbeing

- 38 Mental wellbeing issues are also growing, including isolation, loneliness, and related depression due to many older people living alone, and often also being separated from family and friends due to their increasing mobility restrictions.

¹⁸ CRESA, Retirement Village Housing Resilience Survey (June 2014), and Equity Release – Realities for Older People (August 2016).

¹⁹ CRESA, Equity Release – Realities for Older People, August 2016.

- 39 This presents a serious social issue for New Zealand. There is little doubt that older people are particularly vulnerable to social isolation or loneliness because friends and family have either died or moved away, or they have restricted mobility or income. This isolation impacts on the individual's quality of life and wellbeing, adversely affecting their health and increasing their use of health and social care services. In exploring the prevalence of this issue, one study estimates that between 5 and 16% of people aged 65+ report loneliness, while 12% feel socially isolated.²⁰
- 40 Based on recent data collected by UMR Research New Zealand,²¹ the most important factors for people when deciding to move into a retirement village are 'security and safety', 'peace of mind' and 'hassle-free lifestyle'. Importantly, the data also shows that retirement villages deliver on these important factors. The changing structure of society, resulting in families living far apart and older people living on their own, has resulted in many older people feeling isolated and lonely. Villages provide safe, warm, appropriate housing and a community of interest for their residents with the opportunity for socialisation should they choose to take it up. Villages therefore directly combat isolation and loneliness felt by so many older people.
- 41 Longitudinal studies into recorded lifespans show that older people who are part of a social group have a better chance of living longer than those who are not. Australian studies suggest that retirement village residents live longer and happier lives than the same cohort who live elsewhere.²²
- 42 Retirement villages are an important way to fight social isolation and loneliness. Facilitating the development of appropriate accommodation and care for the ageing population and enabling older people to move into purpose built, comfortable and secure dwellings not only improves the quality of life of these older people, but also has wider benefits for the community as a whole. The improved social and health support provided in retirement villages alleviates pressure placed on health and social care services freeing up these resources for other community members. The movement of older people into retirement villages also releases existing housing stock for other people, as addressed in more detail below.

The role of retirement villages

Addressing the retirement housing and care crisis

- 43 Retirement villages already play a significant part in housing and caring for older people in New Zealand. As previously noted, currently 14.3% of the 75+ age group population live in retirement villages, a penetration rate that has risen from around 9.0% of the 75+ age population at the end of 2012.²³ It is likely that this rate will continue to increase over time.
- 44 In Waipā, the penetration rate is already much higher than the national average, with 25.9% of the 75+ age group population living in a retirement village.

²⁰ Social Care Institute for Excellence, Research Briefing number 39, Preventing loneliness and social isolation: Intervention and Outcomes, October 2011.

²¹ UMR Research New Zealand, 'Residents Survey – Retirement Villages Association', January 2021. The results were based on questions asked in an online survey distributed to 100 retirement villages across New Zealand.

²² For example, studies undertaken by the Illawarra Retirement Trust, a retirement village operator based in Wollongong, NSW.

²³ Ibid, page 15.

- 45 As previously mentioned, RVA's members have 407 villages across the country, providing homes for around 50,000 residents. Over the next 5 to 10 years, that is anticipated to grow significantly with 86 new villages and 130 expansions to existing villages, providing 22,200 homes for approximately additional 28,900 residents. Retirement villages therefore will play a growing role in addressing the retirement housing and care crisis.
- 46 In Waipā, there are currently 12 existing villages (1 of which is expanding) that are home to around 1,110 residents. 4 villages are also in development. A number of additional villages will nevertheless be needed in the District to meet the growth in the 75+ demographic.
- 47 The RVA's members have established reputations for building high quality villages to address the needs of residents and employing professional and caring staff. Through this experience, retirement village operators have developed in depth and specialist knowledge and expertise in the development of purpose built retirement villages. Importantly, retirement village operators are not developers, and have a long term interest in their villages and residents.
- 48 Retirement villages also cater to a wide range of residents with differing levels of health and independence, offering a range of housing options and care to meet the specific needs of the residents. These are features that often distinguish retirement village operators from typical residential developers who generally do not deliver purpose built environments for the ageing population.
- 49 Retirement village operators are therefore well placed to help to address the retirement housing and care crisis. To do so, it is critical that the construction, operation and maintenance of retirement villages are appropriately provided for in planning regimes.

Providing a range of accommodation options to suit different needs

- 50 Retirement villages provide appropriate accommodation and care for a vulnerable sector of our community with different housing and care needs compared to the rest of the population.
- 51 Retirement villages allow older people to continue living in their established community, while down-sizing to a more manageable property (i.e. without stairs or large gardens). Retirement village living provides security, companionship and peace of mind for residents.²⁴ Residents will also, in most cases, have easy access to care and other support services.
- 52 The RVA has seen a marked change in retirement accommodation over the last 20 years. In the past, lifestyle villages without care were relatively common. As the population ages, the retirement village industry is seeing a greater demand for a 'continuum of care' in one location - from independent units through to hospital and dementia care. Today, many villages are being developed with some degree of residential care in their campus. Some villages are committed to a full continuum of care, while others focus on providing a smaller number of rest home beds that are available for residents if they are needed.

²⁴ PWC 'Retirement village contribution to housing, employment, and GDP in New Zealand' (March 2018). Brown, N.J., "Does Living Environment Affect Older Adults Physical Activity Levels?". Grant, Bevan C. (2007) 'Retirement Villages', *Activities, Adaptation and Aging*, 31:2, 37-55.

- 53 Another important trend is for operators to build serviced apartments, where a resident moves in and out of care as required but without having to physically move from their apartment. These developments are a direct response to market demands. The sector is focused on providing a mix of independent living units and care options to meet the range of financial, social and other resources our residents have.
- 54 A number of operators also focus on providing social housing as part of their villages. This can be a mix of affordable Occupation Right Agreements and rental units.
- 55 'Care only' facilities are increasingly rare. This is because under the current government funding regime for health care provision, it is not possible to justify the capital cost of building stand-alone residential care facilities. As a result, no residential care facilities, apart from extensions to existing facilities, have been built in the last five years or so.
- 56 Ultimately, the retirement village industry provides appropriate accommodation to address the specific needs of the older population, including a range of large and smaller scaled retirement villages and aged care homes with differing services, amenities and care. This variety enables differing price points and options, which are vital to enabling choices for the growing ageing population.

Retirement villages' role in addressing the general housing crisis

- 57 Retirement villages also help to ease demand on the residential housing market and assist with the housing supply shortage in New Zealand. That is because growth in retirement village units is faster than growth in the general housing stock. And, the majority of new villages are located in major urban centres. The retirement village sector therefore also contributes significantly to the development of New Zealand's urban areas, and the particular challenges urban areas face.
- 58 New build data from Statistics NZ shows that retirement village units constituted between 5% and 8% of all new dwellings between June 2016 and June 2021.
- 59 The retirement village sector allows older New Zealanders to free up their often large and age-inappropriate family homes and move to comfortable and secure homes in a retirement village. The RVA estimates that around 5,500 family homes are released back into the housing market annually through new retirement village builds. This represents a significant contribution to easing the chronic housing shortage. A large scale village, for example, releases approximately 300 houses back onto the market to be more efficiently used by families desperate for homes. To illustrate, retirement units are generally occupied by an average of 1.3 people per unit, compared to an average of 2.6 people per standard dwelling.

Other benefits of retirement villages

- 60 In addition to the important role of retirement villages in addressing the housing crisis and providing the ageing population with housing and care tailored to their needs, the retirement village sector also produces other broader benefits:
- 60.1 The sector employs approximately 19,000 people to support day-to-day operations. Between 2018 and 2026, approximately 9,500 new jobs will have been created from construction of new villages. The sector contributes around

\$1.1 billion to New Zealand's GDP from day-to-day operations.²⁵ More recently, and importantly, the sector has generated jobs in industries that have been impacted by COVID-19 (such as hospitality and accommodation).

- 60.2 The contribution of retirement village construction is also substantial. For example, a large scale new village will cost in the order of \$100-\$200 million to construct. Retirement village construction is also expected to employ approximately 5,700 FTEs each year.²⁶
- 60.3 Retirement villages also support Te Whatu Ora, Health New Zealand by providing health care support for residents that would otherwise be utilising the public healthcare system thereby reducing "bed blocking" in hospitals.
- 60.4 Due to the lower demand for transport (including because of on-site amenities), retirement villages contribute proportionately less to transport emissions than standard residential developments. Operators also invest in a range of other methods to reduce carbon emissions from the construction and operation of villages.

WHAT PC26 MUST DELIVER FOR RETIREMENT VILLAGES

Better enable housing and care for the ageing population

- 61 As explained above, promoting the wellbeing of older persons within our communities requires district plans to better enable the construction of new retirement villages. In the experience of RVA members, cumbersome, rigid and uncertain resource management processes and practices are a major impediment to delivering necessary retirement housing and care. In particular, resource consent processes take too long, are unnecessarily complex, and often do not provide for retirement living options properly because the relevant plans are not fit for purpose.
- 62 PC26 represents a major opportunity to better enable the provision of a diverse range of retirement housing and care options. If this opportunity is not taken now, the existing consenting challenges facing retirement village operators are likely to be perpetuated for many years.
- 63 In fact, Council must take this step in order to give effect to the NPSUD through PC26. The NPSUD specifically recognises that well-functioning urban environments enable all people and communities to provide for their wellbeing, health and safety (Objective 1). For the reasons explained in detail above, achieving this wellbeing objective in relation to older persons within our community means providing for their specific housing and care needs.
- 64 The NPSUD also states that contributing to well-functioning urban environments means enabling a "*variety of homes*" to meet the "*needs ... of different households*" (Policy 1), and that cannot be achieved in our major centres without enabling significant intensification of our urban environments (Policy 3). These NPSUD policies therefore require PC26 to specifically respond to the need to provide suitable and diverse housing choices and options for our ageing population as part of the intensification of urban environments.

²⁵ PWC 'Retirement village contribution to housing, employment, and GDP in New Zealand' (March 2018) page 4.

²⁶ Ibid.

- 65 The Enabling Housing Act builds on the NPSUD as part of the Government's response to reduce barriers to housing supply. The Enabling Housing Act puts in place specific requirements to provide for medium density housing as a minimum in all relevant residential zones (the MDRS). Retirement villages will not be permitted activities under the MDRS because of the "*no more than 3 residential units per site*" density standard (clause 10). However, retirement villages require "*the construction and use of 4 or more residential units on a site*". They will therefore be restricted discretionary activities under the MDRS. Accordingly, the RVA considers PC26 must include a restricted discretionary activity rule for retirement villages in all relevant residential zones.
- 66 It is also important to emphasise that the Enabling Housing Act does not only require Tier 1 councils to implement the medium density requirements in relevant residential zones but also to give effect to Policy 3 of the NPSUD regarding intensification of urban environments.²⁷ Accordingly, PC26 also needs to enable intensification (through building heights and densities) that responds to the location of centres and rapid transit stops. In some cases, that intensification must include "building heights of at least 6 storeys" and must achieve the objective of enabling more people to live in areas where there is a high demand for housing (Objective 3 of the NPSUD).
- 67 In order to meet the Enabling Housing Act requirements, to give effect to the NPSUD, and respond to the significant health and wellbeing issues created by the current retirement housing and care crisis, PC26 must ensure that the District Plan specifically and appropriately provides for and enables retirement villages in all relevant residential and commercial/mixed use zones.
- 68 The RVA considers this outcome can only be achieved by providing for a retirement village-specific objective, policy and rule framework. In the experience of RVA members, without a specific framework, retirement village proposals face material uncertainty and consenting barriers as council officers attempt to apply general residential approaches that are not fit-for-purpose to retirement villages. The retirement village-specific framework sought by the RVA is set out in the following sections of this submission.

Recognise that retirement villages are a residential activity

- 69 A key issue with many existing district plans is their failure to explicitly recognise that retirement villages are a residential activity. This issue has resulted in consenting challenges with members of the community, and sometimes even council officers, taking the view that retirement villages are non-residential activities that should only be provided for in non-residential zones or seeking to assess different parts of a village in a different manner (such as a commercial activity).
- 70 Retirement villages are clearly a residential activity²⁸ as they provide permanent homes for the residents that live there. Retirement villages do provide a range of ancillary services, however those services are provided for residents only and complement the residential function of retirement villages by meeting the particular needs of older residents. The residential nature of retirement villages is reflected in the definition, which recognises the key function of villages as a "*residential complex*

²⁷ RMA, s77G.

²⁸ The definition of 'residential activity' as set out in the National Planning Standards is: "*means the use of land and building(s) for people's living accommodation*".

or facilities" for the provision of "residential accommodation for people who are retired".²⁹

- 71 This recognition requires that retirement villages as a land use are a permitted activity. In line with the Enabling Housing Act, the RVA considers the construction of retirement villages (being four or more residential units on a site) can be regulated as a restricted discretionary activity.

Provide for retirement villages in the Residential and Medium Density Residential Zones

- 72 The RVA members' experience is that older people want to stay in the communities in which they currently live, and have lived for many years, during their retirement. This is called 'ageing in place'. It allows residents to remain close to their families, friends, familiar amenities and other support networks. It promotes activities that improve residents' wellbeing, including physical activity, social engagement and intergenerational activity, due to the easily accessible surrounding destinations in a familiar neighbourhood. It allows residents to access public transport to facilitate these activities as independent driving ability declines and climate change impact increases. It allows residents to continue to play an integral part in the communities that they helped establish.
- 73 For these reasons, the majority of retirement village residents come from dwellings located in surrounding suburbs.
- 74 It is noted that the Christchurch Replacement District Plan Independent Hearings Panel (chaired by a former High Court judge, with members including another former High Court judge, an Environment Court judge and experienced independent commissioners) acknowledged the importance of ageing in place:³⁰

[332] Dr Humphrey's evidence stressed the clear health and social evidence of people ageing in their own communities. We have also taken particular note of Dr Humphrey's evidence as to the importance of providing choice for ageing in place. That evidence was supported by the evidence of Mr de Roo. We find that ageing in place, whereby older persons have choices to downsize from their family homes yet remain within their familiar neighbourhoods, is important not only for the wellbeing of our older citizens but also for the communities of which they should continue to contribute to and be part of. In addition to providing choice, assisting affordability is also important. Those priorities are also generally reflected in the Statement of Expectations.

- 75 Similar issues were recognised in the Proposed Auckland Unitary Plan section 32 evaluation:³¹

Existing legacy plans do not provide the flexibility required by retirement villages to construct buildings that are 'fit for purpose' in terms of providing for a range of housing and care choices for older people and those requiring care or assisted living. As Auckland's population continues to grow, it is important that a choice of housing is provided for older people, particularly in locations that provide good amenity and access to community services and facilities.

²⁹ National Planning Standard, page 62.

³⁰ Decision 10 – Residential (part) (and relevant definitions and associated planning maps) (10 December 2015).

³¹ Auckland Unitary Plan Section 32 Report, Part 2.50.

- 76 Both the Auckland Unitary Plan and Christchurch District Plan provide for the construction of retirement villages as a restricted discretionary activity in the key residential zones.
- 77 The RVA members' experience is that sites in existing residential areas that are appropriate for retirement villages are extremely rare. Sites of the required size and in good locations are highly unique and valuable resources in our larger cities. They need to be efficiently used.
- 78 The need to provide for older persons to 'age in place', the inappropriateness of traditional intensification models, and lack of appropriate sites for retirement villages, means that achieving the objective of providing appropriate housing and care for older persons requires a planning framework that enables retirement villages in the Residential Zone and Medium Density Residential Zone (MRZ).

Provide for change to existing urban environments

- 79 There are key differences between retirement villages and 'typical' residential dwellings. These differences mean that retirement villages do change the existing urban environments that are dominated by 'typical' dwellings, and this has not been acknowledged properly in planning frameworks leading to a range of consenting challenges.
- 80 Because of their functional and operational needs, retirement village and aged care facilities tend to be larger (in height and bulk) than 'typical' residential housing in order to properly cater for resident needs.
- 81 To illustrate, retirement villages contain a range of unit types to cater for the different care and mobility needs of the residents. The accommodation ranges from independent townhouses and apartments, through to serviced apartments, hospital beds and dementia rooms. While independent living villas, townhouses and apartments will include full kitchens, bathrooms, lounges and other household amenities, serviced apartments and care rooms will not always have these amenities. These factors may be a key driver for the layout and amenities within a unit and also within a village. For example, serviced apartments and care rooms need to have quick, accessible, and all weather access to communal living and dining areas. In the experience of RVA members', council officers often attempt to redesign village layouts based on what they think might be suitable, without proper knowledge of villages and residents' needs.
- 82 In addition, retirement villages often include a wide range of amenities and services for resident needs and convenience. Services range from communal indoor and outdoor amenity areas, gardens, pools, gyms, libraries, reflection spaces, hairdressing services and cafés and bars through to welfare and medical facilities. These are important amenities and services as many retirement village residents are frail or have mobility restrictions (making it more difficult for them to travel to access amenities and services). They also provide a better quality of life for residents than could be offered without these communal amenities and services. For example, a townhouse would not have space for a pool or gym.
- 83 Retirement villages also use new, low maintenance building products and design techniques to ensure their efficient operation. These design requirements can result in change when compared to surrounding neighbourhoods that were built many decades in the past.
- 84 The experience of RVA members' is that communities (particularly neighbouring landowners seeking to preserve status quo interests) and council officers often can

have an expectation as to how sites are going to be used. Typically, that expectation is not for medium or higher density retirement accommodation. In part, this is because, traditionally, planning provisions have ignored the unique features of retirement villages. Further, the significant positive effects and community benefits of retirement villages are sometimes not given sufficient weight.

- 85 The failure of district plans to recognise the functional and operational needs of retirement villages, and provide for change to the character and amenity of existing neighbourhoods to enable the benefits of retirement villages, has created significant consenting challenges.
- 86 The NPSUD now requires district plans to provide for this change to existing urban environments. It creates an expectation that *"New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations"* (Objective 4). Further, the NPSUD recognises that amenity values can differ among people and communities, and also recognises that changes can be made via increased and varied housing densities and types, noting that changes are not, of themselves, an adverse effect (Policy 6).
- 87 The importance of this direction is also clearly set out in the Ministry for the Environment's (*MfE*) and the Ministry of Housing and Urban Development's (*HUD*) final decisions report on the NPSUD, which provides that:³²

Urban areas are dynamic and complex, continually changing in response to wider economic and social change. The current planning system can be slow to respond to these changing circumstances and opportunities, which can lead to a mismatch between what is enabled by planning and where development opportunity (or demand) exists. This can lead to delays in supply, or incentivise land banking.

- 88 The Enabling Housing Act further supports this need for change by enabling medium density housing to be developed as a minimum in all relevant residential zones. Although the MDRS generally capture retirement villages under the umbrella of residential activities, the framework fails to recognise the unique operational, functional and locational features of retirement villages. Specific provision is therefore necessary to enable much needed retirement housing and care.
- 89 PC26 also needs to provide for change to existing urban environments in order to achieve the intensification envisaged in Policy 3 of the NPSUD. And, in order to respond to the significant issues created by the retirement housing and care crisis, this provision for change should also explicitly acknowledge that the functional and operational needs of retirement villages are a driver of appropriate and necessary change because of demographic ageing and the increasing housing needs of older people.

Recognise the intensification opportunities provided by larger sites

- 90 As discussed above, sites in existing residential areas that are appropriate for retirement villages are extremely rare, due to the need for sites to be large enough to accommodate all parts of a village and be located in close proximity to community services and amenities. Given large sites are a rare resource, it is important they are

³² MfE and HUD, *"Recommendations and decisions report on the National Policy Statement on Urban Development"* (Wellington, 2020), page 59.

developed efficiently to maximise the benefits from their development. This approach is consistent with the enabling intensification approach of the NPSUD.

- 91 As well as providing intensification opportunities, large sites also provide unique opportunities to internalise potential impacts of intensification on neighbours and the neighbourhood. For example, additional height can be located towards the centre of a site without adverse dominance, shading or privacy effects.
- 92 This approach was adopted in the Auckland Unitary Plan, with the residential zones including a policy to enable more efficient use of larger sites.³³

Recognise the unique internal amenity needs of retirement villages

- 93 A key consenting challenge faced by the RVA members is an expectation from council officers that the internal amenity controls used for traditional housing typologies (e.g. outlook, sunlight, privacy, outdoor living spaces, landscaping and the like) are appropriate for retirement villages.
- 94 This approach fails to recognise the unique functional and operational needs of retirement villages (discussed above). For example, residents have access to a wide range of communal spaces as well as their individual homes, so their amenity is provided by the village as a whole rather than an individual space. This means that internal amenity standards, such as outlook space, do not have the same level of relevance to retirement villages as to typical residential housing. Other factors, such as proximity to communal spaces, may be more relevant to the overall level of amenity experienced by residents.
- 95 This approach also fails to recognise that retirement village operators have a long and positive track record and understanding of what works for their residents. Over many years they have provided high quality environments for their residents – significantly better than typical housing typologies have delivered. Retirement village operators rely on their reputation, which would be quickly diminished by bad publicity. The quality of life provided to residents is therefore paramount to the RVA's members.
- 96 These points were accepted by the Christchurch Replacement District Plan Independent Hearing Panel:³⁴

[331] Considering costs, benefits and risks, we have decided against imposing internal amenity controls on retirement villages. On this matter, we accept the position of Ryman and the RVA that there is no evidence at this time that there is a problem requiring intervention. We have also borne in mind the caution expressed by Mr Collyns as to the untested impacts of such regulation on the cost of delivering the affordable housing end of the retirement village market. Having said that, we are also mindful that it is at this "affordable" end of the market where residents have the least market power and hence, greatest vulnerability. However, on the basis of Mr Collyns' evidence, we have assumed that the RVA's members would act responsibly. Also, we have noted that the Council did not seek to address this topic in its closing submissions and took from that some concurrence with the retirement village sector position as to the lack of any need for regulatory intervention at

³³ H3.3(8), H4.3(8), H5.3(9).

³⁴ Decision 10 – Residential (part) (and relevant definitions and associated planning maps) (10 December 2015).

this time. However, we record that this is a matter where the Council, as plan administrator, has an ongoing plan monitoring responsibility.

97 Similarly, a number of internal amenity standards in the Auckland Unitary Plan apply to dwellings, but not to retirement units.³⁵

98 There are two internal amenity standards in the Enabling Housing Act that the RVA considers require amendment when applied to retirement villages:

98.1 *Outdoor living space:* Retirement villages provide a range of private and communal outdoor areas that can be enjoyed by residents. All of these areas should be counted towards this amenity standard. In addition, retirement village residents tend to spend a significant amount of their recreational time inside, given their sensitivity to temperature extremes. A proportion of these indoor areas should also be counted towards this amenity standard to reflect the actual usage patterns of village residents.

98.2 *Outlook space:* The standard is not workable for all units across a comprehensive site. Furthermore, such a standard is simply not needed. Residents of a village have a much greater degree of choice of 'living rooms' than residents of typical residential dwellings (including communal sitting areas, dining rooms, a library, activity room and chapel). These communal spaces are typically well orientated for daylight and enjoying an outlook into a large and attractive outdoor space.

Provide clear and focused matters of discretion

99 The RVA's members have faced significant cost and delay in consenting retirement villages in residential zones. Often, the process requirements are significantly out of proportion with the adverse effects of the activity, and do not recognise its substantial benefits.

100 An example of this issue is excessive and extraneous information requests. Over time, the amount of information that is required to support an application for consent has substantially increased. Council officers often request information that is not relevant to the assessment of the effects of a retirement village proposal, such as information regarding electricity supply, internal lighting, hallway width, planter box size, and outdoor furniture. It is not uncommon to receive unsolicited design change requests from council urban designers. These requests add cost and delay, and distract from the key issues. Council officers have too much discretion to require applicants to provide further information, and have the ability to wield the threat of notification if the requested information is not provided. By way of example, one RVA member received seven requests for further information following lodgement of an application, which resulted in a five month delay in the decision being issued. Another application resulted in four further information requests and a four month delay.

101 It is therefore important that matters of discretion for decision-making are clear and focused on the aspects that matter.

Provide appropriately focused notification rules

102 Notification is a significant cause of the cost and delay of consenting processes. RMA processes currently provide multiple opportunities for opposition to projects, which is

³⁵ For example, H4.6.12, H4.6.13 and H4.6.15.

the reason for significant delays in processing consents, and does not ensure good outcomes. Notification is often a cause of much angst for developers. 'NIMBYism' is rife. Self-interested neighbours can create huge delays and disputes for no material environmental benefit.

- 103 Although notification has an important role in the RM system, it must be proportional to the issues at hand. It is only beneficial, and should only be required, where notification is likely to uncover information that will assist the decision-making process. The costs of public notification are too high for it to be required simply for persons to 'be heard'.
- 104 Applications for residential activities that are anticipated in residential zones (i.e. through restricted discretionary activity status) should not be publicly notified. Rather, the time for public participation is at the plan making stage where residential zones and appropriate/inappropriate activities can be clearly identified. This approach aligns with the Enabling Housing Act which precludes public notification for residential proposals.
- 105 Limited notification may remain available in some cases as it provides for neighbours to participate when they are likely to be impacted by a next-door development. However, given the significant costs associated with notification, it should only be required where it will benefit the decision-making process. Where an application meets the expectations for development in an area (i.e. through compliance with external amenity standards), there should be no need for limited notification. This approach aligns with the Enabling Housing Act which precludes limited notification for residential proposals that comply with relevant standards.

Use the MDRS as a guideline

- 106 The Enabling Housing Act sets medium density residential standards that guide when residential activities require closer assessment and when limited notification of proposals can be available. The retirement village-specific framework sought by the RVA takes a similar approach (given that retirement villages are a form of development with four or more residential units) with the standards informing matters of discretion and limited notification presumptions.
- 107 The Enabling Housing Act will result in a level of standardisation that will set expectations for the scale of development across the country. The standards have been deemed to 'cover the ground' in relation to the key matters relevant to residential proposals. With some amendments to reflect the specific nature of retirement villages, the RVA considers the standards also set a relevant baseline for identifying standards relevant for the construction of retirement villages.
- 108 Furthermore, it is important PC26 does not inadvertently make retirement village developments more difficult to consent, construct and use than standard residential development. Such an outcome would significantly exacerbate the retirement housing and care crisis that is already resulting in poor wellbeing outcomes for older people.

Provide for retirement villages in commercial and mixed use zones

- 109 The RVA's members generally seek to locate their villages in established, good quality residential areas, as these locations are most suited for residents to 'age in place'. However, due to the lack of suitable sites in existing residential areas and need to respond to the retirement living and care crisis, the RVA's members also operate retirement villages in some commercial and mixed use zones where there is good access to services and amenities.

- 110 It is important to note that the Enabling Housing Act is not limited to residential zones and also requires councils to ensure district plans provide for intensification of urban non-residential zones through the Enabling Housing Supply plan changes. As noted, Policy 3 of the NPSUD requires PC26 to enable intensification (through building heights and densities) that respond to the location of centres and rapid transit stops.
- 111 City centre, metropolitan centre, neighbourhood centre, local centre and town centre zones in particular provide opportunities for retirement villages as these areas serve the surrounding local communities and provide close access for amenities to residents who are often unable to walk long distances. Residents' wellbeing is improved when social engagement and intergenerational activities are easily accessible. Many general business areas are also located between centres and residential areas and are therefore potentially suitable for retirement villages.

RETIREMENT VILLAGE-SPECIFIC FRAMEWORK

- 112 To address the issues outlined above, the RVA seeks that PC26 is amended to provide a retirement-village specific framework as follows:

Adoption of the MDRS

- 113 The RVA considers the MDRS must be translated into the District Plan without amendments or other provisions that read down or alter their interpretation. A number of the provisions included in PC26 dilute, conflict or overlap with the MDRS. PC26 also includes a number of standards additional to the density standards included in the MDRS.
- 114 The RVA considers a number of the Medium Density Residential Zone provisions require amendment for this reason. For example, Objective 2A.3.5 and its associated policies seek to manage the form, scale and design of development in a manner that is inconsistent with the MDRS and therefore should be deleted or amended to remove the conflict.
- 115 In some cases the RVA considers amendments to the MDRS are required to ensure they are workable for retirement villages, but these amendments do not change the intent of the MDRS.
- 116 A failure to make these amendments will give rise to significant interpretation issues and uncertainty when the Plan is applied, as well as failing to achieve the intention of the NPSUD and Enabling Housing Act to speed up intensification.
- 117 In addition, the application of the MDRS has been significantly constrained because all of the new MRZ in Cambridge, Kihikihi and Te Awamutu are proposed to be subject to a qualifying matter overlay, including the "Infrastructure Constraint Qualifying Matter Overlay" and "Stormwater Constraint Qualifying Matter". The RVA questions the justification for the geographical extent to which qualifying matters have been applied to land zoned MRZ and seeks that the extent of the qualifying matter overlays is reviewed and refined.
- 118 The RVA considers density should not be used as a proxy to manage infrastructure constraints. The RVA's members have a lengthy and successful track record of overcoming infrastructure challenges through innovative design and, in some cases, undertaking local works that enable capacity. The RVA considers a less draconian tool for managing infrastructure constraints is appropriate, such as permitted activity standards. This approach would enable an applicant to come up with alternatives to address capacity constraints through a consent process. Such an

approach would also be more efficient as when new infrastructure comes on line, plan changes would not be needed to amend the qualifying matter overlay.

Objectives and policies that appropriately recognise the acute need for retirement housing and care in all relevant residential zones

- 119 As detailed in this submission, the rapidly ageing population is a significant resource management issue. The objectives and policies of the Plan must enable appropriate accommodation and care for the ageing population as follows:

119.1 An objective to provide for the housing and care needs of the ageing population;

119.2 A policy that recognises the need for change over time to the existing character and amenity of neighbourhoods to provide for the diverse and changing needs of the community;

119.3 A policy that recognises the need to provide for a range of housing and care options for older people and to recognise the functional and operational needs of retirement villages;

119.4 A policy to enable the efficient use of larger sites; and

119.5 A policy that directs that density standards are to be used as a baseline for the assessment of the effects of developments.

- 120 PC26 proposes to include a specific retirement village policy in the MRZ to enable the development of this type of accommodation to meet the needs of an ageing population (Policy 2A.3.6.5) (as well as including retirement village-specific rules). The RVA generally supports the PC26's policy support for the provision of retirement villages. However, the RVA considers that the Policy must be amended to recognise the functional and operational needs of retirement villages. Further, the District Plan must include additional provisions to give effect to the MDRS and the NPSUD, as discussed in greater detail above, and to provide clearer policy guidance for the retirement village-specific rules. The District Plan must recognise and provide for the benefits of retirement villages and their functional and operational needs, in order to provide a well-functioning urban environment that enables all people and communities to provide for their wellbeing.

Rules to enable retirement villages in the Residential Zone and MRZ

- 121 As detailed in this submission, retirement villages need to be provided for as a residential activity and enabled in the Residential Zone and MRZ, as follows:

121.1 A rule that permits the use and operation of retirement villages, recognising that this activity is expected and encouraged in residential zones; and

121.2 A rule that regulates the construction of retirement villages as a restricted discretionary activity, recognising that this activity is anticipated in residential zones with limited matters requiring assessment.

- 122 The RVA considers retirement villages are required to be restricted discretionary activities under the MDRS as they require *"the construction and use of 4 or more residential units on a site"*.

- 123 The RVA acknowledges that the MRZ includes a retirement village-specific rule and it supports this approach in principle. However, it opposes the restricted discretionary activity status of retirement villages in the MRZ. The RVA seeks that retirement

villages are provided for as a permitted activity, with the construction of the retirement village being a restricted discretionary activity under a separate rule. Further, the RVA considers that the construction of retirement villages should have focused matters of discretion that appropriately recognise the unique features of retirement villages, as well as the substantial benefits of this type of development in residential areas.

- 124 The RVA considers these rules must be amended to align with the rule framework set out above to ensure that the restricted discretionary activity status only relates to the construction of retirement village buildings, and not the retirement village activity.
- 125 Further, the RVA opposes the default to full discretionary activity status where the retirement village does not comply with the restricted discretionary standards and terms as that activity status is inconsistent with the MDRS and the effects of retirement villages can be appropriately managed through bespoke matters of discretion.
- 126 The RVA also seeks a retirement village-specific rule framework in the Residential Zone, recognising the residential nature of retirement villages.

Tailored matters of discretion for retirement villages

- 127 As detailed in this submission, retirement villages are different to typical residential dwellings, and therefore do not necessarily fit in with the typical controls imposed on residential developments. It is therefore critical to provide a tailored and fit for purpose retirement village matters of discretion, as follows:

127.1 Recognise the positive effects of retirement villages;

127.2 Focus effects assessments on exceedances of relevant standards, effects on the safety of adjacent streets or public open spaces, and effects arising from the quality of the interface between the village and adjacent streets or public open spaces to reflect the policy framework within the Enabling Housing Act. A degree of control over longer buildings is also acknowledged as appropriate; and

127.3 Enable the need to provide for efficient use of larger sites and the functional and operational needs of retirement villages to be taken into account when assessing effects.

- 128 PC26 includes very broad matters of discretion that would apply to retirement villages as well as information requirements. The RVA opposes these matters of discretion as they are not sufficiently focused on the effects of retirement villages that should be regulated in line with the MDRS. In addition, the matters of discretion do not allow for consideration of the positive effects of retirement villages, the functional and operational needs of retirement villages and the need to provide for the efficient use of large sites.
- 129 It is important that other rules do not render retirement villages discretionary or non-complying, therefore losing the benefit of clear and focused matters of discretion.

Proportionate notification

- 130 As noted, a key consenting issue for retirement village operators across the country relates to the delays, costs and uncertainties associated with notification processes. Consistent with the direction of the Enabling Housing Act relating to four or more

residential units, applications for retirement villages in the relevant residential zones should not be publicly notified based on density effects. In addition, limited notification should only be used where a retirement village application proposes a breach of a relevant density standard that manages external amenity effects and the relevant effects threshold in the RMA is met.

- 131 It is acknowledged that PC26 precludes public or limited notification of an application for the construction and use of four or more dwellings per site outside of the Infrastructure Constraint Qualifying Matter Overlay, and three or more dwellings per site within the Infrastructure Constraint Qualifying Matter Overlay that comply with all of the performance standards (2A.4.1.3(b) and (c)). As noted above, the RVA supports appropriately focused notification rules, and considers that proposals for the construction of retirement villages should also be precluded from public and limited notification.

Clear, targeted and appropriate development standards

- 132 The RVA considers the development standards for retirement villages should reflect the MDRS, except where amendments are necessary to reflect the particular characteristics of retirement villages. The height, height in relation to boundary, setbacks and building coverage standards should therefore reflect the MDRS. The outdoor living space, outlook space, windows to street and landscaped area standards should generally reflect the MDRS with some amendments. No additional development standards should apply.
- 133 The RVA therefore seeks various amendments to the proposed density standards, such as Rule 2A.4.2.3 and Rule 2A.4.2.21 to ensure that the development standards are fit for purpose for retirement villages.
- 134 The RVA also notes that a number of development standards have been inserted in PC26 that go beyond the scope of the MDRS. The RVA seeks the removal of those standards for consistency with the Enabling Housing Act.

Providing for retirement villages in commercial zones

- 135 As discussed above, commercial zones enable mixed uses, including residential activities, and may contain suitable sites for retirement villages. In order to give effect to Policy 3 of the NPSUD, PC26 must provide for intensification in these zones. The RVA seeks that fit for purpose retirement village planning provisions are applied in appropriate commercial zones, similar to those proposed for residential zones. Any other zones which enable residential activities should be treated similarly.
- 136 PC26 does not propose amendments to the Commercial Zone. The Enabling Housing Act is not limited to residential zones and councils are required to ensure district plans provide for intensification in urban non-residential zones. Amendments to the Commercial Zone are therefore required to comply with section 77N of the RMA.
- 137 In addition, the RVA considers the Commercial Zone chapter of the District Plan must be amended to adequately provide for retirement villages in the Commercial Zone. The RVA seeks permitted activity status for retirement villages as an activity with construction of a retirement village regulated as a restricted discretionary activity and fit for purpose matters of discretion to reflect the unique characteristics of retirement villages.
- 138 The RVA also seeks retirement-village specific objectives and policies as for the residential zones.

DECISION SOUGHT

139 The RVA seeks:

139.1 Amendments to Plan Change 26 as set out in paragraphs 113-138 above;

139.2 Without limiting the generality of the above, the specific relief set out in **Appendix 1**;

139.3 Any alternative or consequential relief to address the matters addressed in this submission.

140 The RVA wishes to be heard in support of this submission.

141 If others make a similar submission, the RVA will consider presenting a joint case with them at a hearing

Signed for and on behalf of Retirement Villages Association of New Zealand Incorporated
by John Collyns

John Collyns, Executive Director
30 September 2022

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APPENDIX 1 – SPECIFIC SUBMISSION POINTS AND RELIEF SOUGHT

SECTION 2.1 – DEFINITIONS

Provisions	Submission Position	Reason for Submission	Relief Sought
Part B - Definitions Retirement Village	Oppose	The RVA opposes the definition of 'retirement village accommodation and associated care facilities' contained in the District Plan as it is inconsistent with the National Planning Standards.	<p><i>The RVA seeks the definition in the Proposed Plan be amended to comply with the National Planning Standards as follows:</i></p> <p><u>Retirement village</u></p> <p><u>means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.</u></p>
Part B - Definitions New Definition	Support	The RVA seek to include a new definition for 'retirement units' in the District Plan, as this term has been sought to be included in multiple provisions in the tables below. This definition is required to acknowledge the differences from typical residential activities in terms of layout and amenity needs.	<p><i>The RVA seeks to include a new definition for 'retirement units' as follows:</i></p> <p><u>Retirement Unit</u></p> <p><u>means any unit within a retirement village that is used or designed to be used for a residential activity (whether or not it includes cooking, bathing, and toilet facilities). A retirement unit is not a residential unit.</u></p>

SECTION 2.2 – STRATEGIC POLICY FRAMEWORK

Provisions	Submission Position	Reason for Submission	Relief Sought
Introduction – National Policy Statements 1.1.19(d)	Oppose in part	The RVA supports the proposed amendments set out in section 1.1.19(d) to the extent these reflect the purpose of the NPSUD and its focus on ensuring that New Zealand has well-functioning urban environments that enable <i>all</i> people and communities to provide for their wellbeing. However, the RVA considers 1.1.19(d) should be amended to also reflect the need for planning decisions to contribute to well-functioning urban environments, which includes the need to enable a “variety of homes” to meet the “needs...of different households” (as set out in Policy 1 of the NPSUD).	<i>Amend 1.1.19(d) to read as follows:</i> The National Policy Statement on Urban Development 2020 is focused on ensuring that New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. It seeks to ensure that planning decisions <u>contribute to well-functioning urban environments</u> , improve housing affordability and that integrated decision making occurs.
Local Direction - Waipā Growth Strategy	Oppose in part	The RVA supports the inclusion of the Waipā Growth Strategy as a relevant local direction, but it considers the description of the Strategy should be amended to refer to the key challenges facing the district which will have implications for how growth should be provided for and managed in the future, including “[a]n <i>increasing and ageing population and how best to cater for this change</i> ”. The RVA considers this challenge is particularly relevant in the context of the Enabling Housing Act.	<i>Amend Sections 1.1.35-1.1.37 to refer to the need to consider the increasing and ageing population and how best to cater for this change as part of Waipā’s growth strategy.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Resource Management Issues – Energy efficiency, design, character and amenity	Oppose	The RVA notes that PC26 does not propose to amend section 1.2.17, which address the design of new buildings to reflect the individual character of towns and villages in the District. The RVA opposes section 1.2.17 as currently drafted as it does not appropriately capture the intent of the Enabling Housing Act or the NPSUD. The RVA considers that 1.2.17 needs to recognise the diverse and changing needs of the District, and that the existing character and amenity of the towns and villages in the District will change over time to enable a variety of housing types with a mix of densities.	<i>Amend Section 1.2.17 to recognise that the diverse and changing needs of the District, and that the existing character and amenity of the towns and villages in the District will change over time to enable a variety of housing types with a mix of densities.</i>
New Policy 1.3.2.2(b)	Support	The RVA supports Policy 1.3.2.2(b) as it aligns with Policy 2 of the MDRS.	<i>Retain Policy 1.3.2.2(b) as notified.</i>
Policy 1.3.2.2	Support in part	The RVA supports the existing drafting of Policy 1.3.1.2(b) in the District Plan (referred to as Policy 1.3.2.2 in PC26) as it provides for “a range of accommodation facilities and services to support the long term accommodation and care requirements for the existing and future elderly population”. However, the RVA considers that this policy must be amended to refer to the new residential zone: the Medium Density Residential Zone.	<i>Amend Policy 1.3.1.2(b) as identified in the District Plan, to read: “A range of accommodation facilities and services to support the long term accommodation and care requirements for the existing and future elderly population, some of which may need to occur on the periphery of towns outside of the current urban limits as well as within the Residential Zone <u>and Medium Density Residential Zone</u>”.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Policy 1.3.3.1	Oppose	<p>The RVA opposes Policy 1.3.3.1 that seeks to avoid any unplanned development that is inconsistent with the settlement pattern and directions of the Waikato Regional Policy Statement and the Future Proof Growth Strategy. The RPS has not yet been updated to give effect to the MDRS under the Enabling Housing Act and is potentially inconsistent with the intent of the MDRS.</p> <p>Further, it is not possible for applicants for subdivision and development to “be consistent with” the settlement pattern and directions of “any subsequent replacement” of the Future Proof Growth Strategy and the District Growth Strategy as these are not yet documents which have been produced.</p>	<i>Delete Policy 1.3.3.1.</i>
Policy 1.3.3.2	Support in part	The RVA supports Policy 1.3.3.2 to the extent it reflects Policy 8 of the NPSUD.	<i>Retain Policy 1.3.3.2 as notified.</i>
Policy 1.3.2.3 (as set out in the District Plan)	Oppose in part	The RVA opposes the current drafting of Policy 1.3.2.3 (Policy – Sequencing and Staging: accommodation for the ageing population) as it considers it limits the provision of this type of accommodation in a way which is not consistent with the NPSUD or Enabling Housing Act.	<p><i>Delete Policy 1.3.2.3 and replace with the following policy:</i></p> <p><u>To recognise and enable the housing and care needs of the ageing population, provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons, such as retirement villages.</u></p>

SECTION 2 – RESIDENTIAL ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
Objectives and Policies			
Introduction – Section 2.1	Oppose in part	<p>The RVA opposes the proposed deletion addressing the projected increase in population due to changing demographics, as an ageing population. This factor is still relevant for areas subject to the Residential Zone, including any future residential zones.</p> <p>In addition, the introduction to the Residential Zone chapter does not appropriately recognise that the character and amenity of residential areas will change over time and that significant change to an area is not necessarily an adverse effect.</p>	<p><i>Amend Section 2.1.1 to reinstate the reference to the projected increase in population due to changing demographics, such as an ageing population.</i></p> <p><i>Amend Section 2.1.2 to recognise that the character and amenity of residential areas will change over time and that significant change to an area is not necessarily an adverse effect.</i></p>
Section 2 - Residential Zone – Objective 2.3.1	Oppose in part	The RVA opposes Objective 2.3.1 to the extent it is inconsistent with the NPSUD. The objective should recognise that amenity values will change over time in accordance with Objective 4 of the NPUSD.	<p><i>The RVA seeks the following amendments to Objective 2.3.1:</i></p> <p>Objective - Key elements of residential character</p> <p><u>2.3.1 To maintain and enhance the existing provide for the elements of the Residential Zone that give each town, village or settlement its own character while recognising that amenity values will change over time in response to the diverse and changing housing needs of people and communities.</u></p>
Section 2 – Residential Zone – Policy 2.3.2.5	Oppose	The RVA opposes Policy 2.3.2.5 as it considers the policy as currently drafted creates uncertainty to plan users and may inappropriately limit development.	<i>Delete Policy 2.3.2.5</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 2 - Residential Zone – Objectives	Support in part / New Objective Sought	The RVA considers that an additional objective is required to be included in the Residential Zone chapter of the District Plan to recognise the need to enable a variety of homes to meet the needs of different households, as recognised by the NPSUD.	<i>The RVA seeks that a new objective is inserted in the Objectives for the Residential Zone section that enables a variety of housing types and sizes that respond to housing needs and demand.</i>
Section 2 - Residential Zone – Objectives	Support / New Objective Sought	In addition to the current objectives for the Residential Zone, the RVA considers that an ageing population specific objective should be included that recognises and enables the housing and care needs of the ageing population.	<i>The RVA seeks that a new objective is inserted in the Objectives for the Residential Zone section that provides for the housing and care needs of the ageing population.</i> <u>2.3.X Ageing population</u> <u>Recognise and enable the housing and care needs of the ageing population.</u>
Section 2 - Residential Zone – Policy 2.3.5.1	Oppose	The RVA opposes this policy as it does not enable retirement villages or recognise their substantial benefits. It considers that the proposed policy below entitled ‘provision of housing for an aging population’ better encompasses the diverse range of housing and care options provided at retirement villages and is preferred over Policy 2.3.5.1.	<i>Delete reference to “retirement village accommodation and associated care facilities” (or replacement definition “retirement villages”) in Policy 2.3.5.1.</i>
Section 2 - Residential Zone – Policies	Support / New Policy Sought	In addition to the proposed policies for the Residential Zone, the RVA considers that a policy is required that recognises the diverse and changing residential needs of communities, and that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.	<i>The RVA seeks that a new Policy is included in the Policies of the Residential Zone section, as follows:</i> <u>2.3.X Changing communities</u> <u>To provide for the diverse and changing residential needs of communities and recognise that the existing character and amenity of the residential zones will</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<u>change over time to enable a variety of housing types with a mix of densities.</u>
Section 2 - Residential Zone – Policies	Support / New Policy Sought	In addition to the current policies for the Residential Zone, the RVA considers that a policy regarding the intensification opportunities provided by larger sites should be included in the District Plan.	<p><i>The RVA seeks that a new Policy is included in the Policies of the Residential Zone section that recognises the intensification opportunities provided for by larger sites:</i></p> <p><u>2.3.X Larger sites</u></p> <p><u>Recognise the intensification opportunities provided by larger sites within the Residential Zone by providing for more efficient use of those sites.</u></p>
Section 2 - Residential Zone – Policies	Support / New Policy Sought	<p>In addition to the current policies for the Residential Zone, the RVA consider that a policy to provide for and acknowledge the following should be integrated into the District Plan:</p> <ul style="list-style-type: none"> - The diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons; and - The functional and operational needs of retirement villages. 	<p><i>The RVA seeks that a new Policy is included in the Policies of the Residential Zone section, as follows:</i></p> <p><u>2.3.X Provision of housing for an ageing population</u></p> <ol style="list-style-type: none"> 1. <u>Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in residential areas, such as retirement villages.</u> 2. <u>Recognise the functional and operational needs of retirement villages, including that they:</u> <ol style="list-style-type: none"> a. <u>May require greater density than the planned urban built character to enable efficient provision of services;</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			b. <u>Have a unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
Section 2 - Residential Zone – Policies	Support / New Policy Sought	The RVA considers that it would be appropriate to enable the density standards to be utilised as a baseline for the assessment of the effects of developments.	<p><i>The RVA seeks that a new Policy is included in the Policies of the Residential Zone section, as follows:</i></p> <p><u>2.3.X Role of density standards</u></p> <p><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u></p>
Rules			
Section 2.4 Rules – Permitted activities – 2.4.1.1	Oppose	The RVA opposes the restricted discretionary activity status of retirement villages in the Residential Zone. The RVA seeks that retirement villages are provided for as a permitted activity, with the construction of the retirement village being a restricted discretionary activity under a separate rule, recognising that retirement villages are residential activities that are appropriate in residential zones and provide substantial benefit in residential zones including enabling older people to remain in familiar community environments for longer (close to family and support networks), while also freeing up a number of dwellings for families to move into.	<p><i>The RVA seeks to amend 2.4.1.1 to provide for retirement villages as a permitted activity and integrate a new rule that provides for the construction of retirement villages as a restricted discretionary activity, with a specific set of retirement village matters of discretion (Rule 2.4.1.3(e) below).</i></p> <p>2.4.1 Activity status table</p> <p>2.4.1.1 Permitted activities</p> <p>(x) <u>Retirement Villages, excluding the construction of buildings – P</u></p> <p>...</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 2.4 Rules – Restricted discretionary activities – 2.4.1.3	Oppose	<p>The RVA seeks that Rule 2.4.1.3(e) is amended to reflect the changes sought above in relation to Rule 2.4.1.1(x). This includes the removal of retirement villages as a restricted discretionary activity in Rule 2.4.1.3(e) and the inclusion of a new rule that identifies the construction of retirement villages as a restricted discretionary activity.</p> <p>The RVA considers that the construction of retirement villages should have focused matters of discretion (so to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>The RVA opposes the current matters of discretion as they are broad and not sufficiently focused on the effects of retirement villages.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of retirement villages. This will require the deletion of the matters of discretion associated with Rule 2.4.1.3(e) and its replacement with a specific set of assessment matters.</p>	<p><i>Delete Rule 2.4.1.3(e) as notified and replace with:</i></p> <p>2.4.1.3 Restricted discretionary activities</p> <p>The following activities shall comply with the performance standards of this zone</p> <p><u>e. Construction of buildings for a Retirement Village – RD</u></p> <p><u>Assessment will be restricted to the following matters:</u></p> <ol style="list-style-type: none"> <u>1. The effects arising from exceeding any of the following standards: 2.4.2.1 – 2.4.2.2 (Building Setback), 2.4.2.9 (Maximum height), 2.4.2.12 (Maximum site coverage), and where relevant, 2.4.2.8 (Maximum building length) and 2.4.2.19 (Outdoor living area).</u> <u>2. The effects of the retirement village on the safety of adjacent streets or public open spaces.</u> <u>3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces.</u> <u>4. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length.</u> <u>5. When assessing the matters in (1), (2), (3) and (4), consider:</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>a. <u>The need to provide for efficient use of larger sites.</u></p> <p>b. <u>The functional and operational needs of the retirement village.</u></p> <p>6. <u>The positive effects of the construction, development and use of the Retirement Village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a Retirement Village.</u></p> <p><i>The RVA seeks consequential amendments to the assessment criteria in Section 21.</i></p>
Section 2.4 Rules – Discretionary Activities – 2.4.1.4	Oppose in part	As stated in relation to Rule 2.4.1.3 above, the RVA considers that the construction of retirement villages should be considered as restricted discretionary activity. The matters of discretion included in relation to Rule 2.4.1.3(e) above provide a complete set of assessment matters to manage all potential adverse effects on the environment and neighbouring sites that may arise from retirement village developments (including those that do not comply with height and site coverage standards). A default discretionary activity status for retirement villages that do not comply with particular standards is not considered necessary nor appropriate.	<i>Amend Rule 2.4.1.4 Discretionary Activities so that it does not apply to retirement villages or the construction of retirement villages.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 2.4 Rules – Public and Limited Notification – 2.4.1A	Support / new rule sought	The RVA considers that proposals for the construction of retirement villages should also be precluded from being publicly notified and should be precluded from limited notification where relevant standards are complied with.	<p><i>The RVA seeks the insertion of the following Rule:</i></p> <p>2.4.1A Public and Limited Notification</p> <p>The following rules apply to the matter of notification of resource consent applications required under this section of the district plan:</p> <p>(a) <u>An application for the construction of a retirement village will be considered without public notification.</u></p> <p>(b) <u>An application for the construction of a retirement village that complies with standards 2.4.2.1 – 2.4.2.2 (Building Setback), 2.4.2.10 (Maximum height), 2.4.2.11 (Daylight control), 2.4.2.12 (Maximum site coverage) will be considered without public or limited notification.</u></p>

SECTION 2A – MEDIUM DENSITY RESIDENTIAL ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
Introduction			
2A.1 Introduction	Support in part	Overall, the RVA supports the introductory statements for the Medium Density Residential Zone. However, it considers that some of the statements are inconsistent with the direction provided in the Enabling Housing Act and NPSUD as they do not align with the enabling intent of these documents.	<i>Retain 2A.1 subject to the relief sought by the RVA below.</i>
	Oppose in part	The RVA considers that some of the statements signal development density that does not align with the MDRS under the Enabling Housing Act.	<p><i>Amend Section 2A.1.1 as follows:</i></p> <p>2A.1.1 The Medium Density Residential Zone of the District is where most people in Waipā live. It is principally located in Waipā's Urban Areas comprising the two main towns of Cambridge and Te Awamutu, together with Kihikihi as a functional part of the Te Awamutu Urban Area. The density of this zone is expected to be a minimum of twenty-five to thirty of this zone is expected to be a minimum of twenty-five to thirty-five dwellings per hectare (net once public spaces and infrastructure have been provided for).</p>
2A.1.2	Support in part	The RVA supports the recognition that the population is projected to increase due to "changing demographics (an ageing population and greater demand for single occupancy households)", but considers that reference should also be made to a greater demand for retirement and care options.	<p><i>Amend Section 2A.1.2 to read:</i></p> <p>Over the lifetime of this Plan most of the new residential growth will be directed to Cambridge and Te Awamutu and by 2050 it is anticipated that these two towns will have nearly doubled in size. Development within the Medium Density Residential</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<p>Zone is anticipated to be consistent with the Strategic Policy Framework and should uphold the objectives of Te Ture Whaimana. The projected increase in population is due to:</p> <p>(a) Changing demographics (an ageing population and greater demand for single occupancy households, <u>as well as retirement accommodation and care options</u>); and</p> <p>(b) ...</p>
2A1.5	Support	The RVA supports section 2A.1.5 as it reflects the requirements of the NPSUD. The RVA particularly supports the recognition for the District's main townships to grow as well-functioning urban environments that enable a variety of homes to meet the needs of different households.	<i>Retain Section 2A1.5 as notified.</i>
2A.1.8	Oppose	The RVA opposes the reference to "design outcomes" and need for development within areas subject to structure plans to be undertaken in general accordance with the requirements of structure plans. The RVA considers these outcomes/requirements are inconsistent with the intent of the Enabling Housing Act and NPSUD as they inappropriately and unnecessarily restrict development.	<i>Delete Section 2A.1.8 or any other relief that addresses the RVA's concerns.</i>
Qualifying Matters – Introduction	Oppose in part	The RVA opposes 2A.1.9(a) as this does not appropriately recognise the role of development/financial contributions or developer-led	<i>Review extent of and justification for qualifying matters in (a) and (i) and amend provisions/maps to reflect narrower scope of qualifying matters.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>works in the provision of necessary infrastructure to support development. The RVA considers there to be inadequate justification under s32 of the Act for infrastructure capacity to be a qualifying matter to the extent identified.</p> <p>Further, the RVA opposes 2A.1.9(i) as it considers there to be inadequate justification under s32 of the Act for these matters (protected trees, character clusters and structure plans) to be qualifying matters.</p>	
Qualifying Matters – Te Ture Whaimana and the National Policy Statement for Freshwater 2022 – 2A.1.10 – 2A.1.15	Oppose in part	<p>As set out above, the RVA considers the proposed three-waters related qualifying matter does not appropriately recognise the role of development/ financial contributions or developer-led works in the provision of necessary infrastructure to support development. The RVA considers there to be inadequate justification under s32 of the Act for infrastructure capacity to be a qualifying matter to the extent identified.</p> <p>The RVA considers that the current infrastructure constraints have been unreasonably leveraged to qualify the MDRS and, as a result, PC 26 does not appropriately give effect to the Enabling Housing Act.</p>	<i>Review extent of and justification for three-waters related qualifying matters and amend provisions/maps to reflect narrower scope of qualifying matters.</i>
Qualifying Matters – Historic Heritage and Character – 2A.1.22 – 2A.1.23	Oppose in part	<p>'Preserving the past' in a blanket way in character areas is simply not appropriate given the growing needs of the community and the scarcity of land. There needs to be adequate justification under s32 of the Act for these matters to be qualifying matters.</p>	<i>Review extent of and justification for character related qualifying matters and amend provisions/maps to reflect narrower scope of qualifying matters.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 2A.2 – Resource Management Issues			
Health and well-being of the Waikato and Waipā Rivers – 2A.2.1	Support in part	The RVA does not oppose the statement that development within the medium density residential zone has the potential to adversely affect the health and well-being of the Waikato and Waipā Rivers. However, amendment is sought to ensure the issue is focused on activities that have potential effects.	<i>Amend Issue 2A.2.1 as follows:</i> Development within the Medium Density Residential Zone has the potential to adversely affect the health and well-being of the Waikato and Waipā Rivers. Careful consideration should be given to the following; (but not limited to) potential impacts of increased impervious surfaces, vegetation clearance, earthworks and residential intensification within river catchments.
Resource Management Issues – Residential amenity – 2A.2.2 – 2A.2.10	Oppose	The RVA considers that the description of the residential amenity issues conflicts with the intent of the NPSUD and MDRS and does not recognise that residential amenity and character of the residential zone needs to change over time to provide for the diverse and changing needs of the community and this change is not necessarily adverse.	<i>Delete sections 2A2.2 – 2A2.10 or amend the description of the issue to reflect the intent of the NPSUD and MDRS.</i>
Resource Management Issues – On-site amenity values – 2A.2.12	Oppose	The RVA opposes the description of on-site amenity values as it does not recognise that retirement villages provide on-site amenity through a range of communal areas or that retirement village operators are best placed to understand the amenity needs of their residents.	<i>Delete Section 2A.2.12</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Resource Management Issues – Changing housing demands– 2A.2.13 – 2A.2.15	Support in part	The RVA supports the reference to an ageing population in the description of the changing housing demands issue. However, the RVA considers that amendment is required to explicitly acknowledge the need to provide for retirement village housing to support the ageing population.	<i>Amend issue 2A.2.14 as follows:</i> 2A.2.14 In order to meet the needs of an ageing population there is a need to provide a range of housing options and types, <u>including retirement villages</u> , with an appropriate range of facilities.
Section 2A.3 - Objectives and Policies			
Medium Density Residential Standards - Objective 2A.3.1	Support	The RVA supports Objective 2A.3.1 as it aligns with Objective 1 of the MDRS.	<i>Retain Objective 2A.3.1 as notified.</i>
Medium Density Residential Standards - Objective 2A.3.2	Support	The RVA supports Objective 2A.3.2 as it aligns with Objective 2 of the MDRS.	<i>Retain Objective 2A.3.2 as notified.</i>
Medium Density Residential Standards – Policy 2A.3.2.1	Support	The RVA supports Policy 2A.3.2.1 as it aligns with Policy 1 of the MDRS.	<i>Retain Policy 2A.3.2.1 as notified.</i>
Medium Density Residential Standards - Policy 2A.3.2.2	Oppose	The RVA opposes the inclusion of the policy that sets an expectation for minimum density as it is not included in the MDRS. Density expectations are appropriately reflected in Policies 2A.3.2.1 and 2A.3.2.3, and Policy 2A.3.2.2 signals acceptability of lesser densities.	<i>Delete Policy 2A.3.2.2.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Medium Density Residential Standards - Policy 2A.3.2.3	Support in part	The RVA supports Policy 2A.3.2.3 as it aligns with Policy 2 of the MDRS. However, it should be amended to refer to the Medium Density Residential Zone as that is the only "relevant residential zone" in this District.	<i>Amend Policy 2A.3.2.3 as notified to replace "all relevant residential zones" with "Medium Density Zone".</i>
Medium Density Residential Standards - Policy 2A.3.2.4	Support	The RVA supports the recognition that the MDRS should only be modified to the extent necessary to accommodate a qualifying matter. This concept is very important given the broad qualifying matters identified in this District.	<i>Retain Policy 2A.3.2.4 as notified.</i>
Medium Density Residential Standards - Policy 2A.3.2.5	Support	The RVA supports Policy 2A.3.2.5 as it aligns with Policy 3 of the MDRS.	<i>Retain Policy 2A.3.2.5 as notified.</i>
Medium Density Residential Standards - Policy 2A.3.2.6	Support	The RVA supports Policy 2A.3.2.6 as it aligns with Policy 4 of the MDRS.	<i>Retain Policy 2A.3.2.6 as notified.</i>
Medium Density Residential Standards - Policy 2A.3.2.7	Support	The RVA supports Policy 2A.3.2.7 as it aligns with Policy 5 of the MDRS.	<i>Retain Policy 2A.3.2.7 as notified.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Key elements of residential character – Objective 2A.3.3	Oppose	The RVA opposes Objective 2A.3.3 and the direction to “maintain and enhance the existing elements of the Residential Zone” as it does not recognise that the existing character of the residential zones needs to change over time to provide for the diverse and changing needs of the community. The Objective is inconsistent with the NPSUD and MDRS.	<i>Delete Objective 2A.3.3.</i>
Key elements of residential character – Policies 2A.3.3.1 – 2A.3.3.4	Oppose	<p>The RVA opposes Policies 2A.3.3.1 - 2A.3.3.4 as they place limitations and restrictions on residential developments. Such limitations are contrary to the intent of the Enabling Housing Amendment Act.</p> <p>The policies do not recognise that the existing character of the residential zones needs to change over time to provide for the diverse and changing needs of the community and are inconsistent with the NPSUD and MDRS.</p>	<i>Delete Policies 2A.3.3.1 - 2A.3.3.4.</i>
Neighbourhood amenity and safety – Objective 2A.3.4	Oppose	The RVA opposes Objective 2A.3.4 and the direction to “maintain amenity” as it does not recognise that the existing character of the residential zones needs to change over time to provide for the diverse and changing needs of the community. The Objective is inconsistent with the NPSUD and MDRS.	<i>Delete Objective 2A.3.4.</i>
Neighbourhood amenity and safety – Policy 2A.3.4.1	Oppose in part	The policy does not recognise that the setbacks are a permitted standard, and Policy 5 MDRS requires developments not meeting permitted activity status to be provided for. Further, in order to reflect the concept	<p><i>Delete policy.</i></p> <p><i>If retained, amend Policy to identify the specific qualifying matters that require modification of the road boundary setback.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		in Policy 2A.3.2.4, it needs to recognise that only some qualifying matters will require the modifications to the setback MDRS.	
Neighbourhood amenity and safety – Policy 2A.3.4.3	Oppose	The RVA opposes Policy 2A.3.4.3 as it is inconsistent with the MDRS setback standards which do not require “a degree of separation between buildings” with common walls being anticipated.	<i>Delete Policy 2A.3.4.3</i>
Neighbourhood amenity and safety – Policy 2A.3.4.4	Oppose	The RVA opposes Policy 2A.3.4.4 as it does not recognise that the heights are a permitted standard, and Policy 5 MDRS requires developments not meeting permitted activity status to be provided for.	<i>Delete Policy 2A.3.4.4</i>
Neighbourhood amenity and safety – Policy 2A.3.4.5	Oppose	The policy does not recognise that building coverage is a permitted standard, and Policy 5 MDRS requires developments not meeting permitted activity status to be provided for.	<i>Delete Policy.</i>
Neighbourhood amenity and safety – Policy 2A.3.4.11	Oppose	The policy does not provide for signs relating to the use of the site, eg a retirement village name.	<i>Amend policy to provide for signs associated with a retirement village.</i>
Neighbourhood amenity and safety – Policy 2A.3.4.15	Oppose	The RVA opposes Policy 2A.3.4.15 as it considers that the use of the term “avoid” in this context is not justified and does not allow for appropriate management of earthworks effects.	<i>Delete Policy 2A.3.4.15 or amend to address to “avoid, remedy or mitigate”.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
On-site amenity values – Objective 2A.3.5	Oppose	The RVA opposes Objective 2A.3.5 as it does not recognise that amenity values change over time to provide for the diverse and changing needs of the community. The Objective is inconsistent with the NPSUD and MDRS.	<i>Delete Objective 2A.3.5.</i>
On-site amenity values – Policy 2A.3.5.1	Oppose in part	The Policy should recognise that the MDRS setback standards provide for appropriate privacy and visual dominance outcomes.	<i>Amend policy to clarify that compliance with the MDRS setback standard will meet the policy intention.</i>
On-site amenity values – Policy 2A.3.5.3	Oppose in part	The Policy should apply only where there is a breach of the MDRS setback standards.	<i>Amend policy to clarify that it applies where the MDRS setback standard is not complied with. Replace "minimal loss" with "appropriate levels of".</i>
On-site amenity values – Policy 2A.3.5.4	Oppose in part	The MDRS do not regulate daylight and solar gain.	<i>Delete Policy 2A.3.5.4.</i>
On-site amenity values – Policy 2A.3.5.5	Support in part	The Policy should recognise that the MDRS outdoor living standards provide for appropriate outdoor living outcomes and to provide for communal outdoor living spaces.	<i>Delete Policy 2A.3.5.5 or amend to address the RVA's concerns.</i>
On-site amenity values – Policy 2A.3.5.6	Oppose in part	The MDRS do not regulate building length. The RVA agrees that the policy can address the extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with the building length.	<i>Amend heading "Maximum building length" to "Building length"</i> <i>Amend Policy 2A.3.5.6 to address the RVA's concerns.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Providing housing options – Objective 2A.3.6	Support	The RVA supports the objective that enables a wide range of housing options consistent with the NPSUD and the Enabling Housing Act	<i>Retain Objective 2A.3.6 as notified.</i>
Providing housing options – Policy 2A.3.6.1	Support	The RVA supports the policy as it provides policy support for retirement villages that are comprehensively designed and utilise shared spaces.	<i>Retain Policy 2A.3.6.1 as notified.</i>
Providing housing options – Policy 2A.3.6.5	Support in part	The RVA generally supports the policy as it provides policy support for retirement villages. Amendment is required as a consequence of the RVA's submission on the District Plan definitions, above. Amendment is also required to recognise the functional and operational needs of retirement villages.	<p>Amend Policy 2A.3.6.5 as follows:</p> <p>2A.3.6.5 To enable <u>a diverse range of housing and care options, including the development of retirement villages accommodation and associated care facilities and rest homes, to meet the particular needs and characteristics of an ageing population</u> providing that the development is comprehensively designed and developed.</p> <p><u>To recognise the functional and operational needs of retirement villages, including that they:</u></p> <ul style="list-style-type: none"> a. <u>May require greater density than the planned urban built character to enable efficient provision of services.</u> b. <u>Have a unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
Objective – Comprehensive design and development – Objective 2A.3.7	Oppose in part	The RVA opposes the reference to “urban design principles” as it is unclear what these encompass and may be inconsistent with the MDRS.	<i>Amend Objective 2A.3.7 to delete any reference to urban design principles.</i>
Objective – Comprehensive design and development – Policy 2A.3.7.1	Oppose	The RVA opposes Policy 2A.3.7.1 in so far it applies to retirement villages as it conflicts with the MDRS (eg the requirement in (b) to avoid long continuous lengths of walls is inconsistent with the MDRS expectation of common walls) and seeks to manage matters not covered by the MDRS (eg the requirement in (c) to maximise the potential for passive solar gain). It also fails to appropriately recognise the unique features of retirement villages.	<i>Amend Policy 2A.3.7.1 to delete any reference to “retirement village accommodation and associated care facilities”.</i>
Objective – Comprehensive design and development – Policy 2A.3.7.2	Oppose	For the reasons set out above in relation to Objective 2A.3.7 and Section 2A.1.8, the RVA opposes the requirement to “encourage sound urban design responses and development that aligns with the planned outcome within structure plan areas”.	<i>Delete Policy 2A.3.7.2.</i>
Section 2A - Medium Density Residential Zone – Objectives	Support / New Objective Sought	In addition to the current objectives for the Medium Density Residential Zone, the RVA considers that an ageing population specific objective should be included that recognises and enables the housing and care needs of the ageing population.	<p><i>The RVA seeks that a new Objective is inserted in the Objectives for the Medium Density Residential Zone section that provides for the housing and care needs of the ageing population.</i></p> <p><u>2A.3.3 Ageing population</u></p> <p><u>Recognise and enable the housing and care needs of the ageing population.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 2A - Medium Density Residential Zone – Policies	Support / New Policy Sought	In addition to the proposed policies for the Medium Density Residential Zone, the RVA considers that a policy is required that recognises the diverse and changing residential needs of communities, and that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.	<p><i>The RVA seeks that a new Policy is included in the Policies of the Medium Density Residential Zone section, as follows:</i></p> <p><u>2A.3.2.8 Changing communities</u></p> <p><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.</u></p>
Section 2A - Medium Density Residential Zone – Policies	Support / New Policy Sought	In addition to the current policies for the Medium Density Residential Zone, the RVA considers that a policy regarding the intensification opportunities provided by larger sites should be included in the District Plan.	<p><i>The RVA seeks that a new Policy is included in the Policies of the Medium Density Residential Zone section that recognises the intensification opportunities provided for by larger sites:</i></p> <p><u>2A.3.2.9 Larger sites</u></p> <p><u>Recognise the intensification opportunities provided by larger sites within all residential zones by providing for more efficient use of those sites.</u></p>
Section 2A - Medium Density Residential Zone – Policies	Support / New Policy Sought	The RVA considers that it would be appropriate to enable the density standards to be utilised as a baseline for the assessment of the effects of developments.	<p><i>The RVA seeks that a new Policy is included in the Policies of the Medium Density Residential Zone section, as follows:</i></p> <p><u>2A.3.2.10 Role of density standards</u></p> <p><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Rules			
Introduction to 2A.4 – Rules	Oppose in part	The RVA opposes the direction for development within a structure plan area to be “in general accordance” with an approved structure plan. The RVA considers this requirement unnecessarily and inappropriately limits development in those areas subject to structure plans, and it fails to recognise that urban environments change over time and the functional and operational requirements of particular development types. This requirement is therefore inconsistent with the intent of the Enabling Housing Act and NPSUD.	<p><i>Delete the following text (and any consequential amendments):</i></p> <p><i>“Development within a structure plan area identified on Planning Maps is required to be in general accordance with an approved structure plan.”</i></p>
Activity Status Tables – Permitted activities – 2A.4.1.1(b) and (c)	Oppose in part	The RVA seeks to amend Rules 2A.4.1.1(b) and (c) as they place unreasonable constraint on development density. The RVA considers density controls should not be used as a proxy to manage infrastructure constraints. A more targeted approach, such as the use of standards, is more appropriate. The RVA’s members have a lengthy and successful track record of overcoming infrastructure challenges through innovative design and, in some cases, undertaking local works that enable capacity.	<p><i>The RVA seeks to amend Rule 2A.4.1.1(b) and (c) and follows:</i></p> <p>(b) Up to three dwellings <u>or retirement units</u> per site outside of the Infrastructure Constraint Qualifying Matter Overlay.</p> <p>(c) Up to two dwellings per site within the Infrastructure Constraint Qualifying Matter Overlay.</p> <p><i>Add permitted activity standard to address infrastructure constraints.</i></p> <p><i>Consequential amendments to 2A.4.1.3(b) and (c) are required.</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Activity Status Tables – Permitted activities – 2A.4.1.1	Oppose	The RVA opposes the restricted discretionary activity status of retirement villages in the Medium Density Residential Zone. The RVA seeks that retirement villages are provided for as a permitted activity, with the construction of the retirement village being a restricted discretionary activity under a separate rule, recognising that retirement villages provide substantial benefit in residential zones including enabling older people to remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.	<p><i>The RVA seeks to amend 2A.4.1.1 to provide for retirement villages as a permitted activity and integrate a new rule that provides for the construction of retirement villages as a restricted discretionary activity, with a specific set of retirement village matters of discretion (Rule 2A.4.1.3(e) below).</i></p> <p>2A.4.1 Activity status table</p> <p>2A.4.1.1 Permitted activities</p> <p><u>g. Retirement Villages, excluding the construction of buildings – P</u></p> <p>...</p>
Activity Status Tables – Restricted discretionary activities – 2A.4.1.3	Oppose	<p>The RVA seeks that Rule 2A.4.1.3(e) is amended to reflect the changes sought above in relation to Rule 2A.4.1.1(q). This includes the removal of retirement villages as a restricted discretionary activity in 2A.4.1.3(e) and the inclusion of a new rule that identifies the construction of retirement villages as a restricted discretionary activity.</p> <p>The RVA considers that the construction of retirement villages should have focused matters of discretion (to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>The RVA opposes the current matters of discretion as they are overly broad and not sufficiently focused on</p>	<p><i>Amend 2A.4.1.3(b) and delete 2A.4.1.3(c) to align with the relief sought by the RVA in relation to 2A.4.1.1(b) and (c).</i></p> <p><i>Delete 2A.4.1.3(e) and replace with:</i></p> <p>2A.4.1.3 Restricted discretionary activities</p> <p><u>e. Construction of buildings for a Retirement Village – RD</u></p> <p><u>Assessment will be restricted to the following matters:</u></p> <ol style="list-style-type: none"> <u>The effects arising from exceeding any of the following standards: 2A.4.2.1 – 2A.4.2.5, 2A.4.2.7 – 2A.4.2.8, and where relevant, 2A.4.2.10 – 2A.4.2.21 & 2A.4.2.23 – 2A.4.2.24, 2A.4.2.31.</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>the effects of retirement villages which should be regulated in line with the MDRS.</p> <p>The RVA considers the matters of discretion applicable to retirement villages need to appropriately provide for / support the efficient use of larger sites for retirement villages, and the functional and operational needs of retirement villages. This will require the deletion of the matters of discretion associated with Rule 2A.4.1.3(e) and its replacement with a specific set of assessment matters.</p>	<ol style="list-style-type: none"> 2. <u>The effects of the retirement village on the safety of adjacent streets or public open spaces.</u> 3. <u>The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u> 4. <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces.</u> 5. <u>When assessing the matters in (1), (2), (3) and (4), consider:</u> <ol style="list-style-type: none"> a. <u>The need to provide for efficient use of larger sites.</u> b. <u>The functional and operational needs of the retirement village.</u> 6. <u>The positive effects of the construction, development and use of the Retirement Village.</u> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to the construction of buildings for a Retirement Village.</u></p>
Section 2A.4 Rules – Discretionary Activities – 2A.4.1.4	Oppose in part	As stated in relation to Rule 2A.4.1.3 above, the RVA considers that retirement villages construction should be considered as restricted discretionary activity. The matters of discretion included in relation to Rule 2A.4.1.3(e) above provide a complete set of assessment matters to manage all potential adverse effects on the environment and neighbouring sites that	<i>Amend Rule 2A.4.1.4 Discretionary Activities so that it does not apply to retirement villages or the construction of retirement villages.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
		may arise from retirement village developments. A default discretionary activity status for retirement villages that do not comply with particular standards is not considered necessary nor appropriate.	
Activity Status Tables – Public and Limited Notification – 2A.4.1A	Oppose in part	<p>The RVA supports Rule 2A.4.1A as it prevents proposals for certain residential activities from being processed as publicly notified and limited notified. The RVA considers that proposals for the construction of retirement villages should also be precluded from being publicly notified.</p> <p>In accordance with Schedule 3A (5)(2) of the Enabling Housing Act, the RVA also considers that a retirement village that is compliant with standards 2A.4.2.1 – 2A.4.2.5 & 2A.4.2.7 – 2A.4.2.8 (Building Height, Height in relation to Boundary, Building Setbacks, and Building Coverage) should also be precluded from limited notification.</p>	<p><i>The RVA seeks the following amendment to Rule 2A.4.1A:</i></p> <p>2A.4.1A Public and Limited Notification</p> <p>The following rules apply to the matter of notification of resource consent applications required under this section of the district plan:</p> <p>(a) ...</p> <p>(b) ...</p> <p>(c) <u>An application for the construction of a retirement village will be considered without public notification.</u></p> <p>(d) <u>An application for the construction of a retirement village that complies with standards 2A.4.2.1 – 2A.4.2.5 and 2A.4.2.7 – 2A.4.2.8 will be considered without public or limited notification.</u></p>
Performance Standards			
Rule – Height - 2A.4.2.1	Support in part	The RVA supports Rule 2A.4.2.1 and the building height provisions which align with the building height standard of the MDRS.	<i>The RVA seeks to amend this rule to exclude retirement villages from these matters of discretion so the retirement village specific matters of discretion apply to the construction of a retirement village</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
		<p>The RVA considers however that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.1 are not appropriate for retirement villages.</p> <p>The RVA therefore seek to exclude retirement villages from these matters of discretion, with retirement village specific matters of discretion applying instead. These retirement village specific matters of discretion are those provided in response to Rule 2A.4.1.3(e) above.</p>	<p><i>building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i></p>
<p>Rule – Height in relation to boundary - 2A.2.4.2 and 2A.4.2.3</p>	<p>Support in part</p>	<p>The RVA supports Rules 2A.2.4.2 and 2A.4.2.3 and the height in relation to boundary provisions in principle which reflect the height in relation to boundary standards of the MDRS.</p> <p>However, the RVA considers that additional exclusions should be integrated with this standard to enable larger scale developments to occur where adjacent to less sensitive zones, where the effects of larger buildings will be appropriate.</p> <p>The RVA also considers however that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.3 are not appropriate for retirement villages.</p> <p>The RVA seeks that retirement village specific matters of discretion apply instead. These retirement village specific matters of discretion are those provided in relation to Rule 2A.4.1.3(e) above.</p>	<p><i>The RVA seeks to amend Rule 2A.4.2.3 as follows to include additional exclusions from this standard:</i></p> <p>Height in Relation to Boundary</p> <p>2A.4.2.3 This standard does not apply to</p> <ul style="list-style-type: none"> (a) a boundary with a road (b) existing or proposed internal boundaries within a site (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sties or where a common wall is proposed (d) <u>boundaries adjoining the Commercial Zone, Industrial Zone or Deferred Zones.</u> <p><i>The RVA also seeks to amend this rule to exclude retirement villages from these matters of discretion so the retirement village specific matters of discretion apply to the construction of a retirement village</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<i>building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i>
Rules – Setbacks – 2A.4.2.4 – 2A.4.2.6	Support in part	<p>The RVA supports Rules 2A.4.2.4 and 2A.4.2.5 and the setback provisions which reflect the setback standards of the MDRS.</p> <p>The RVA also considers that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.6 are not appropriate for retirement villages.</p> <p>The RVA seeks that retirement village specific matters of discretion apply instead. These retirement village specific matters of discretion are those provided in relation to Rule 2A.4.1.3(e) above.</p>	<p><i>Amend rule 2A.4.2.6 as required following review of qualifying matter areas.</i></p> <p><i>The RVA also seeks to amend this rule to exclude retirement villages from these matters of discretion so the retirement village specific matters of discretion apply to the construction of a retirement village building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i></p>
Rules – Building Coverage – 2A.4.2.7 and 2A.4.2.8	Support in part	<p>The RVA supports the inclusion of the Building Coverage in Rule 2A.4.2.7 as it is consistent with clause 14 of the MDRS.</p> <p>However, the RVA seeks the removal of Rule 2A.4.2.8 as it does not align with clause 14 of the MDRS and building coverage is not directly relevant to the stormwater qualifying matter (the impermeable surface standard should be used instead).</p> <p>The RVA also considers that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.8 are not appropriate for retirement villages.</p> <p>The RVA seeks that retirement village specific matters of discretion apply instead. These retirement village</p>	<p><i>The RVA seeks that Rule 2A.4.2.8 is deleted as follows:</i></p> <p>2A.4.2.7 The maximum building coverage must not exceed 50% of the net site area.</p> <p>2A.4.2.8 On sites located within the Stormwater Qualifying Matter and the River / Gully Proximity Qualifying Matter Overlays, the maximum building coverage must not exceed 40% of the net site area.</p> <p><i>Additionally, the RVA seeks to amend this rule to exclude retirement villages from these matters of discretion so the retirement village specific matters of discretion apply to the construction of a retirement village building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		specific matters of discretion are those provided in relation to Rule 2A.4.1.3(e) above.	
Rules – Impermeable Surfaces – 2A.4.2.9	Oppose in part	<p>The RVA opposes Rule 2A.4.2.9 (Impermeable surfaces standards) as a 60% impermeable surface standard is likely to bar the practical achievement of the 50% building coverage standard.</p> <p>As noted above, the RVA considers the impermeable surface standard is a better tool to regulate the stormwater qualifying matter, except that it should provide for technical solutions (such as retention and detention).</p>	<i>The RVA seeks that Rule 2A.4.2.9 is amended to provide a 70% impervious surface standard.</i>
Rules – Outdoor living space (per unit) – 2A.4.2.10 and 2A.4.2.11	Oppose in part	<p>The RVA supports Rules 2A.4.2.10 and 2A.4.2.11 and the outdoor living space provisions in principle which reflect the outdoor living space standard of the Act.</p> <p>However, the RVA considers that as a result of retirement villages providing a range of private and communal outdoor areas, amendments should be made to Rules 2A.4.2.10 and 2A.4.2.11 that enable the communal areas to count towards the amenity standard.</p> <p>The RVA also considers that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.11 are not appropriate for retirement villages.</p> <p>The RVA seeks that retirement village specific matters of discretion apply instead. These retirement village</p>	<p><i>The RVA seeks the addition of Rule 2A.4.2.11A to enable the communal outdoor living spaces of retirement villages to count towards the amenity standard.</i></p> <p>Outdoor Living Space</p> <p>(a) 2A.4.2.11A For retirement units, clauses (a)-(e) of Rule 2A.2.4.10 and clauses (a) - (c) of Rule 2A.4.2.11 apply with the following modifications:</p> <p>(a) <u>the outdoor living space may be in whole or in part grouped cumulatively in 1 or more communally accessible location(s) and/or located directly adjacent to each retirement unit; and</u></p> <p>(b) <u>a retirement village may provide indoor living spaces in one or more communally accessible</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		specific matters of discretion are those provided in relation to Rule 2A.4.1.3(e) above.	<p><u>locations in lieu of up to 50% of the required outdoor living space.</u></p> <p><i>The RVA also seeks to amend this rule to exclude retirement villages from these matters of discretion so the retirement village specific matters of discretion apply to the construction of a retirement village building that exceeds this standard (as per 2A.4.1.3(e) above).</i></p>
Rules – Outlook space (per dwelling) – 2A.4.2.12 – 2A.4.2.20	Oppose in part	<p>The RVA supports Rules 2A.4.2.12 – 2A.4.2.20 and the outlook space provisions in principle which reflect the outlook space standard of the Act.</p> <p>The RVA however consider that in a retirement village environment (that has multiple communal spaces available for residents), the standard is not directly relevant. The RVA considers amendments should be made to the outlook space rules to provide for outlook space requirements that are appropriate for retirement villages.</p> <p>The RVA also considers that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.20 are not appropriate for retirement villages.</p> <p>The RVA seeks that the retirement village specific matters of discretion apply instead. These retirement village specific matters of discretion are those provided in response to Rule 2A.4.1.3(e) above.</p>	<p><i>The RVA seeks the addition of Rule 2A.4.2.20A to provide for outlook space requirements that are appropriate for retirement villages.</i></p> <p>Outlook Space (per dwelling)</p> <p><u>2A.4.2.20A</u> For retirement units, Rules 2A.4.2.12 – 2A.4.2.20 apply with the following modification: <u>The minimum dimensions for a required outlook space are 1 metre in depth and 1 metre in width for a principal living room and all other habitable rooms.</u></p> <p><i>The RVA also seeks to amend this rule to exclude retirement villages from these matters of discretion so the retirement village specific matters of discretion apply to the construction of a retirement village building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Rules – Windows to street – 2A.4.2.21		<p>The RVA supports Rule 2A.4.2.21 and the windows to street provisions in principle which reflect the windows to street MDRS.</p> <p>The RVA however consider amendment to the rule is required to clarify that the standard also applies to retirement units. It should also only apply to public streets and not internal/private streets.</p> <p>The RVA also considers that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.21 are not appropriate for retirement villages.</p> <p>The RVA seeks that the retirement village specific matters of discretion apply instead. These retirement village specific matters of discretion are those provided in response to Rule 2A.4.1.3(e) above.</p>	<p><i>The RVA seeks to amend Rule 2A.4.2.21 to provide for retirement units facing a public street.</i></p> <p>2A.4.2.21 Any residential dwelling <u>or retirement unit</u> facing the <u>public</u> street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</p> <p><i>The RVA also seeks to amend this rule to exclude retirement villages from these matters of discretion, so the retirement village specific matters of discretion apply to the construction of a retirement village building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i></p>
Rules – Roof pitch – 2A.4.2.22	Oppose	The RVA opposes Rule 2A.4.2.22 (roof pitch standard) as the MDRS do not include this standard.	<i>The RVA seeks to delete Rule 2A.4.2.22.</i>
Rules – Landscaped area – 2A.4.2.23 – 2A.4.2.24	Oppose in part	<p>The RVA supports Rule 2A.4.2.23 & 2A.4.2.24 and the landscaped area provisions in principle which reflect the landscaped area MDRS.</p> <p>The RVA however consider amendment to these rules is required to clarify that the standards also apply to retirement units.</p> <p>The RVA also considers that the matters of discretion for a restricted discretionary activity under Rule 2A.4.2.24 are not appropriate for retirement villages.</p>	<p><i>The RVA seeks to amend Rule 2A.4.2.23 and 2A.4.2.24 to provide for retirement units.</i></p> <p>(b) 2A.4.2.23 A residential dwelling <u>or retirement unit</u> at ground floor level has a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.</p> <p>(c) 2A.4.2.24 The landscaped area may be located on any part of the development site</p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		The RVA seeks that the retirement village specific matters of discretion apply instead. These retirement village specific matters of discretion are those provided in relation to Rule 2A.4.1.3(e) above.	and does not need to be associated with each residential dwelling <u>or retirement unit</u> . <i>The RVA also seeks to amend this rule to exclude retirement villages from these matters of discretion, so the retirement village specific matters of discretion apply to the construction of a retirement village building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i>
Rules Neighbourhood amenity and safety – 2A.4.2.31 – 2A.4.2.36	Oppose	Rules 2A.4.2.31 – 2A.4.2.35 do not align with the MDRS provisions.	Delete Rules 2A.4.2.31 – 2A.4.2.36.
Assessment Criteria – 2.5	Oppose in part	The RVA considers that the assessment criteria for a restricted discretionary activity under Rule 2.5.1 are not appropriate for retirement villages. The RVA considers that the retirement village specific matters of discretion are sufficient, and no assessment criteria are necessary.	<i>The RVA also seeks to amend this rule to exclude retirement villages from these assessment criteria so the retirement village specific matters of discretion apply to the construction of a retirement village building that exceeds this standard (as per Rule 2A.4.1.3(e) above).</i>

SECTION 6 – COMMERCIAL ZONE

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 6 – Commercial Zone – Policies	Support / new policies sought	The Enabling Housing Act is not limited to residential zones and councils required to ensure district plans provide for intensification in urban non-residential zones. Amendments to the Commercial Zone are therefore required to comply with s77N RMA. The RVA considers policy support for retirement villages in the Commercial Zone is required (as also set out in the submission above).	<p><i>The RVA seeks that the following policies are incorporated into Section 6 – Commercial Zone:</i></p> <p><u>Provision of housing for an ageing population</u></p> <ol style="list-style-type: none"> <u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages.</u> <u>2. Recognise the functional and operational needs of retirement villages, including that they:</u> <ol style="list-style-type: none"> <u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u> <u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u> <p><i>Delete or amend other Commercial Zone objectives and policies for consistency.</i></p> <p><u>Larger sites</u></p> <p><u>Recognise the intensification opportunities provided by larger sites within the Medium Density Residential Zone by providing for more efficient use of those sites.</u></p> <p><u>Density standards</u></p> <p><u>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
Rules – Activity Status Tables – 6.4.1.1 Permitted Activities	Support / new rule sought	The RVA opposes the non-complying activity status of retirement villages in the commercial zone and in line with the relief sought in the residential zones above, the RVA considers that the Commercial Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity as per the below submission point), recognising that retirement villages provide substantial benefit, including enabling older people to remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.	<p><i>The RVA seeks to amend Rule 6.4.1.1 to provide for retirement villages as a permitted activity and integrate a new rule that provides for the construction of retirement villages as a restricted discretionary activity, with a specific set of retirement village matters of discretion (Rule 6.4.1.3(g) below).</i></p> <p>6.4.1 Activity status table</p> <p>6.4.1.1 Permitted activities</p> <p><u>ab. Retirement Villages, excluding the construction of buildings – P</u></p> <p>...</p>
Rules – Activity Status Tables – 6.4.1.3 Restricted discretionary activities	Support / new rule sought	The RVA considers that the construction of retirement villages should be a restricted discretionary activity under a specific retirement village rule, and that the construction of retirement villages should have their own set of focused matters of discretion (so to provide for and acknowledge the differences that retirement villages have from other residential activities).	<p><i>Include a new rule in 6.4.1.3(g) as follows:</i></p> <p>6.4.1.3 Restricted discretionary activities</p> <p><u>g. Construction of buildings for a Retirement Village – RD</u></p> <p><u>Assessment will be restricted to the following matters:</u></p> <ol style="list-style-type: none"> <u>1. The effects arising from exceeding any of the following standards: 6.4.2.2 (Minimum building setback from internal site boundaries), 6.4.2.3 (Maximum height), 6.4.2.4 (Daylight control), and where relevant, 6.4.2.1, 6.4.2.8 – 6.4.2.9 & 6.4.2.10 – 6.4.2.13.</u>

Provisions	Submission Position	Reason for Submission	Relief Sought
			<ol style="list-style-type: none"> 2. <u>The effects of the retirement village on the safety of adjacent streets or public open spaces.</u> 3. <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces.</u> 4. <u>When assessing the matters in (1), (2) and (3), consider:</u> <ol style="list-style-type: none"> a. <u>The need to provide for efficient use of larger sites.</u> b. <u>The functional and operational needs of the retirement village.</u> 5. <u>The positive effects of the construction, development and use of the Retirement Village.</u> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a Retirement Village.</u></p>
Activity status tables – 6.4.1.5(d)	Oppose in part	For retirement villages that do not comply with specified standards, the RVA does not consider that a discretionary activity status is appropriate for retirement villages within the Commercial Zones. This activity status departs from the Enabling Housing Act which has the purpose of enabling accommodation activities. The RVA considers that any infringements to the MDRS can be adequately managed via the assessment matters that apply to each of the standards, as well as the specific assessment matters	<p><i>The RVA seeks to amend Rule 6.4.1.5 is amended as follows:</i></p> <p>6.4.1.5 Discretionary activities</p> <p>The following are Discretionary Activities:</p> <p>...</p> <p><u>This rule does not apply to the construction of retirement villages.</u></p>

Provisions	Submission Position	Reason for Submission	Relief Sought
		for retirement villages. A default to a full discretionary status is therefore inconsistent with the MDRS and not appropriate.	
New Rule – Public and Limited Notification – 6.4.1A	Support in part / new rule sought	<p>The RVA considers that proposals for the construction of retirement villages within the Commercial Zone should be precluded from being publicly notified.</p> <p>In accordance with Schedule 3A (5)(2) of the Enabling Housing Act, the RVA also considers that a retirement village that is compliant with standards 6.4.2.2 (Minimum building setback from internal site boundaries), 6.4.2.3 (Maximum height), 6.4.2.4 (Daylight control), should also be precluded from limited notification.</p>	<p><i>The RVA seeks the insertion of a new Rule in Section 6 as follows:</i></p> <p>6.4.1A Public and Limited Notification</p> <p>The following rules apply to the matter of notification of resource consent applications required under this section of the district plan:</p> <p>(a) <u>An application for the construction of a retirement village will be considered without public notification.</u></p> <p>(b) <u>An application for the construction of a retirement village that complies with standards 6.4.2.2, 6.4.2.3, 6.4.2.4 will be considered without public or limited notification.</u></p>

SECTION 18 – FINANCIAL CONTRIBUTIONS

Provisions	Submission Position	Reason for Submission	Relief Sought
Section 18	Oppose	The RVA is concerned that Section 18 as proposed will result in 'double dipping' under dual financial and development contribution regimes, does not clearly set out the financial contributions that will be required, and does not recognise the bespoke demand characteristics of retirement villages or works carried out as part of development. The RVA also opposes in particular the proposed "residential amenity" financial contribution which does not recognise the amenity that residential intensification can provide.	<p>The RVA seeks amendments to:</p> <ul style="list-style-type: none"> • Ensure the dual financial and development contributions regimes will not result in double dipping; • Provide certainty as to the financial contributions that will be required to be paid; • Delete residential amenity financial contribution; • Ensure the calculation methodology takes into account cost of works undertaken as part of development; and • Provide a retirement village-specific regime for retirement villages that takes into account their substantially lower demand profile compared to standard residential developments.

SECTION 21 – ASSESSMENT CRITERIA

Provisions	Submission Position	Reason for Submission	Relief Sought
Residential Zone – Assessment matters for restricted discretionary activities – 21.1.2.4	Oppose	The RVA opposes the list of assessment criteria for retirement villages as they do not align with the matters of discretion sought for the construction of retirement villages in respect of Rule 2.4.1.3(e) above.	<i>Delete the assessment criteria for retirement villages or amend to reflect the matters of discretion.</i>
Residential Zone – Assessment matters for restricted discretionary activities – 21.1.2.5	Oppose in part	The RVA seeks that these additional provisions do not apply to retirement villages.	<i>Amend this assessment criteria to clarify that it does not apply to retirement villages or the construction of retirement villages.</i>
Medium Density Residential Zone – Assessment matters for restricted discretionary activities – 21.1.2A.3	Oppose	The RVA opposes the list of assessment criteria for retirement villages as they are overly extensive, seek to manage matters not relevant under the MDRS and do not align with the matters of discretion sought for the construction of retirement villages in respect of Rule 2A.4.1.3(e) above.	<i>Delete the assessment criteria for retirement villages or amend to reflect the matters of discretion.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Medium Density Residential Zone – Assessment matters for restricted discretionary activities – 21.1.2A.4	Oppose in part	The RVA seeks that these additional provisions do not apply to retirement villages.	<i>Amend this assessment criteria to clarify that this assessment criteria does not apply to retirement villages or the construction of retirement villages.</i>
Medium Density Residential Zone – Assessment matters for restricted discretionary activities – 21.1.2A.5 - 32	Oppose in part	The RVA opposes the list of assessment criteria that apply to breaches of standards as they do not align with the matters of discretion sought for the construction of retirement villages in respect of Rule 2A.4.1.3(e) above.	<i>Amend assessment criteria to clarify that they do not apply to retirement villages or the construction of retirement villages.</i>

PLANNING MAPS

Provisions	Submission Position	Reason for Submission	Relief Sought
Planning Maps	Oppose in part	The RVA opposes the need for development within areas subject to structure plans to be undertaken in general accordance with the requirements of structure plans. The RVA considers these outcomes/requirements are inconsistent with the intent of the Enabling Housing Act and NPSUD as they inappropriately and unnecessarily restrict development.	<i>Reconsider the use of structure plans.</i>
Planning Maps 56 & 57 – Qualifying Matters Policy Areas Overlays	Oppose	The RVA questions the justification for the geographical extent to which qualifying matters have been applied to land zoned Medium Density Residential. For example, the Infrastructure Constraint Qualifying Matter appears to capture the entirety of the Medium Density Residential Zone and there does not appear to be adequate justification for this in terms of the requirements under s32 of the Act.	<i>Amend Planning Maps 56 & 57 to rationalise the extent to which the Qualifying Matters apply.</i>
Planning Maps 58 & 59 – Character Clusters Policy Areas Overlays	Oppose	The RVA opposes the additional mapping of ‘character clusters’ and the policy protection afforded to these areas as this undermines the intent of the MDRS. Identification and protection of character clusters does not appropriately recognise that the character of residential zones will need to change over time to enable a variety of housing types with a mix of densities.	<i>Delete Planning Maps 58 & 59.</i>

Provisions	Submission Position	Reason for Submission	Relief Sought
Deferred Zones on the Planning Maps	Oppose	The RVA questions why the Waipa District Plan has retained several large areas of land zoned 'Deferred Residential Zone', 'Deferred Medium Density Residential Zone', and 'Deferred Commercial Zone'. Given the housing crisis, and the Enabling Housing Act legislation that has been passed to address this crisis, the retention of these 'deferred' zones is questioned as this land could be made available now, as part of Plan Change 26, for residential and retirement village development to increase the supply of developable land.	<i>Reconsider the retention of the deferred zones and rezone the land for immediate development as appropriate. The RVA also seeks that the deferred Residential Zoned Land is rezoned Medium Density Residential Zone.</i>