



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 Waimakariri 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 Waimakariri District Plan:
 - 1.1 Variation 1 - Housing Intensification (Medium Density Residential Standards) (*Variation 1*); and
 - 1.2 Variation 2 – Financial Contributions (*Variation 2*).
- 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 Variations 1 and 2. The RVA and its members have a significant interest in how Variations 1 and 2 provide for retirement villages in the Waimakariri District (*District*).
- 4 New Zealand, including Waimakariri District, 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

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

² GPS-HUD, page 10.

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

- 7 The RVA considers Variation 1 needs to adequately address the critical need for retirement accommodation and aged care in the 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 The RVA considers Variation 2 must ensure the financial contributions regime for the District is clear, transparent and predictable and prevent ‘double-dipping’ with Council’s existing Development Contributions policy. Further, the RVA considers it is important for financial contributions to be proportionate to retirement villages’ unique features and lower demands on Council services compared to typical housing. If those requirements are not met, Variation 2 could undermine the purpose of the National Policy Statement on Urban Development (*NPSUD*) and the Enabling Housing Act, and impact on the scale and pace at which the RVA’s members can provide new retirement villages.
- 10 This submission is set out as follows:
 - 10.1 **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.
 - 10.2 **What Variation 1 must deliver for retirement villages:** This section sets out the outcomes the RVA considers Variation 1 must deliver for retirement villages. The key outcomes sought by the RVA are: the appropriate translation of the Medium Density Residential Standards (*MDRS*) into the Proposed Plan, amendments to the Proposed 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.
 - 10.3 **Submission on Variation 2:** This section sets out the outcomes the RVA considers Variation 2 must deliver for retirement villages. The key outcomes sought by the RVA are: amendments to prevent ‘double dipping’, a regime that clearly sets out the financial contributions that will be required, and a regime that recognises the bespoke demand characteristics of retirement villages.

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

- 10.4 **Relief sought:** This section sets out the relief sought by the RVA to address the key outcomes it seeks in relation to Variation 1 and 2. The RVA's specific submission points and relief sought on Variation 1 are set out in **Appendix 1**.

BACKGROUND

RVA

- 11 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.
- 12 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

- 13 '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':
- 13.1 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.
- 13.2 Lifestyle retirement villages focus mostly on independent living units with a small amount of serviced care provided on a largely temporary basis.
- 14 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
- 15 '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]...

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.

A regulated industry

- 16 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.
- 17 This regulatory regime includes the following:
- 17.1 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.
 - 17.2 Retirement village operators are required to appoint a “Statutory Supervisor” whose job is to protect residents’ interests and report to the Registrar and the Financial Markets Authority that the village is being operated in a financially prudent manner.
 - 17.3 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.
 - 17.4 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.
- 18 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.
- 19 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

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

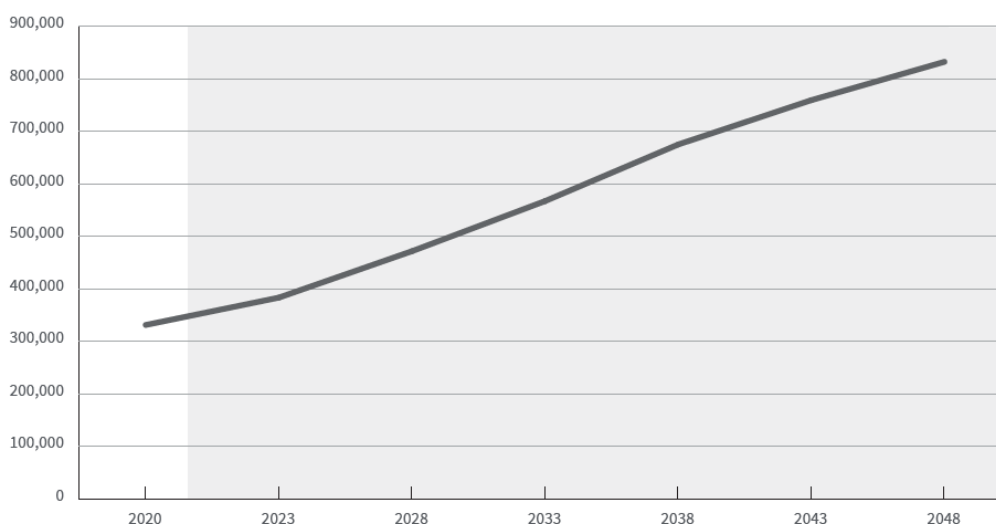
⁷ Schedule 4.

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.

New Zealand's ageing population

- 20 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
- 21 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
- 22 In Waimakariri, the growth in the 75+ age bracket is even greater than the national average. Statistics New Zealand estimates that in 2018, 4,670 people were aged over 75. By 2048, this number is forecasted to more than triple to 15,960.¹²

Figure 1 75+ years population 2020 - 2048



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

- 23 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.
- 24 The ageing population of New Zealand reflects the combined impact of:
- 24.1 Lower fertility;

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

¹⁰ Ibid.

¹¹ Statistics New Zealand, Population Projections.

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

- 24.2 Increasing longevity (due to advances in medical technology and increased survival rates from life-threatening diseases); and
- 24.3 The movement of the large number of people born during the 1950s to early 1970s into the older age groups.
- 25 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**
- 26 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 projected to worsen in the coming decades as older age groups continue to grow.¹³
- 27 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.
- 28 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.
- 29 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.
- 30 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

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.

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.

31 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

32 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 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

33 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

34 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.

35 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).

36 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

37 Retirement units are also purpose-built for older people. They are accessible for those with mobility restrictions, are modern, warm and comfortable, and

¹⁷ Ibid, pages 5 and 25.

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.

responsibility for their upkeep and maintenance falls on the village operator rather than the resident.

- 38 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

- 39 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.
- 40 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
- 41 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.
- 42 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
- 43 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

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.

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

- 44 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.
- 45 In Waimakariri, 12% of the 75+ age group population live in a retirement village, which, combined with the District's overall projected 75+ population growth, suggests there will be a significant increase in demand for retirement villages in the District.
- 46 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.
- 47 In Waimakariri, there are currently 7 existing villages that are home to around 560 residents. 3 villages are also in development that will provide homes for around 820 residents. A number of additional villages will therefore be needed in the District to meet the growth in the 75+ demographic, as well as anticipated increases in the penetration rate.
- 48 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.
- 49 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.
- 50 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

- 51 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.

²³ Ibid, page 15.

- 52 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.
- 53 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.
- 54 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.
- 55 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.
- 56 '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.
- 57 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**
- 58 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.
- 59 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.

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.

- 60 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

- 61 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:
- 61.1 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).
- 61.2 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
- 61.3 Retirement villages also support Te Whetu 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.
- 61.4 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 VARIATION 1 MUST DELIVER FOR RETIREMENT VILLAGES

Better enable housing and care for the ageing population

- 62 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.
- 63 Variation 1 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

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

²⁶ Ibid.

now, the existing consenting challenges facing retirement village operators are likely to be perpetuated for many years.

- 64 In fact, Council must take this step in order to give effect to the NPSUD through Variation 1. 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.
- 65 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 Variation 1 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.
- 66 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 (*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 Variation 1 must include a restricted discretionary activity rule for retirement villages in all relevant residential zones.
- 67 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, Variation 1 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).
- 68 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, Variation 1 must ensure that the Waimakariri District Plan specifically and appropriately provides for and enables retirement villages in all relevant residential and commercial/mixed use zones.
- 69 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

²⁷ RMA, s77G.

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

- 70 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).
- 71 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 or facilities*" for the provision of "*residential accommodation for people who are retired*".²⁹
- 72 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 MRZ

- 73 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.
- 74 For these reasons, the majority of retirement village residents come from dwellings located in surrounding suburbs.
- 75 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

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*".

²⁹ National Planning Standard, page 62.

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

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.

- 76 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.

- 77 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.
- 78 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.
- 79 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 MRZ.

Provide for change to existing urban environments

- 80 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.
- 81 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.
- 82 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

³¹ Auckland Unitary Plan Section 32 Report, Part 2.50.

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.

- 83 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.
- 84 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.
- 85 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.
- 86 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.
- 87 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).
- 88 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.

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

89 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 captures 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.

90 Variation 1 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

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

92 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.

93 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

94 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.

95 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.

96 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

³³ H3.3(8), H4.3(8), H5.3(9).

publicity. The quality of life provided to residents is therefore paramount to the RVA's members.

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

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

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

99.1 *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.

99.2 *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

- 100 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.
- 101 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

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

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

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.

- 102 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

- 103 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 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.
- 104 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'.
- 105 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.
- 106 Limited notification should remain available 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

- 107 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.

- 108 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.
- 109 Furthermore, it is important Variation 1 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

- 110 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.
- 111 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 Variation 1 to enable intensification (through building heights and densities) that respond to the location of centres and rapid transit stops.
- 112 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

- 113 To address the issues outlined above, the RVA seeks that Variation 1 is amended to provide a retirement-village specific framework as follows:

Adoption of the MDRS

- 114 The RVA considers the MDRS must be translated into the Proposed Plan without amendments that read down or alter their interpretation. 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.
- 115 In addition, amendments to other Proposed Plan provisions are necessary to ensure there is no conflict, overlap or inconsistency with the MDRS. The RVA notes that a number of the RESZ – General Objectives and Policies for all Residential Zones require amendment for this reason. For example, Objective RESZ-O3 conflicts with the MDRS (and provisions included in the MRZ section) and therefore should be deleted or moved to the GRZ section. Similarly, Policy RESZ-P3 has been amended to reflect Policy 3 of the MDRS but amendments to the existing text are needed to remove overlap and inconsistencies. A failure to make these amendments will give rise to significant interpretation issues and uncertainty when the Plan is applied.

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

- 116 As detailed in this submission, the rapidly aging population is a significant resource management issue. The objectives and policies of the Plan must enable appropriate accommodation and care for the aging population as follows:
- 116.1 An objective to provide for the housing and care needs of the ageing population;
 - 116.2 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;
 - 116.3 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;
 - 116.4 A policy to enable the efficient use of larger sites; and
 - 116.5 A policy that directs that density standards are to be used as a baseline for the assessment of the effects of developments.
- 117 It is noted that the Proposed Plan includes Policy RESZ-P10 to provide for the development of retirement villages. However, RESZ-P10 is not sufficiently enabling of retirement villages and includes vague requirements for “good urban design” and “integration”. The RVA considers it conflicts with the MDRS and is not fit for purpose in the MRZ. Additional objectives and policies are also required as set out above.

Rules to enable retirement villages in the MRZ

- 118 As detailed in this submission, retirement villages need to be provided for as a residential activity and enabled in the MRZ, as follows:
- 118.1 A rule that permits the use and operation of retirement villages, recognising that this activity is expected and encouraged in residential zones; and
 - 118.2 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.
- 119 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*”.
- 120 It is noted that Variation 1 includes Rule MRZ-R18 which regulates retirement villages as a restricted discretionary activity. However, Variation 1 fails to include a permitted activity rule for the use and operation of retirement villages.

Tailored matters of discretion for retirement villages

- 121 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:
- 121.1 Recognise the positive effects of retirement villages;

121.2 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

121.3 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.

122 Variation 1 fails to include tailored matters of discretion for retirement villages. Instead, it requires consideration of residential design principles (RES-MD2) that have been developed for standard residential development and are not fit-for-purpose for retirement villages.

123 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

124 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.

125 It is noted that the Variation precludes public notification of retirement villages (MRZ-R18). However, limited notification is available where the relevant RMA effects threshold is met. The RVA considers that limited notification should only be available where a retirement village application breaches one or more of the height, height in relation to boundary, setbacks and building coverage standards and the relevant RMA effects threshold is met.

Clear, targeted and appropriate development standards

126 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.

Providing for retirement villages in commercial, mixed use and other zones

127 As discussed above, commercial and mixed use 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, Variation 1 must provide for intensification in these zones. The RVA seeks that fit for purpose retirement village planning provisions are applied in appropriate commercial and mixed-use zones, similar to those proposed for residential zones. Any other zones which enable residential activities should be treated similarly.

SUBMISSION ON VARIATION 2

- 128 Variation 2 seeks to introduce a financial contributions regime to the District Plan. It will capture retirement villages to the extent they include 'residential units'.³⁶
- 129 The financial contributions regime would result in contributions being required for reserves and for infrastructure (among other things). These matters are already addressed in the Council's Development Contributions Policy and the RVA is concerned the regime may result in 'double dipping'. Greater clarity is needed to ensure the scope of the financial contributions regime is distinct from the Development Contributions Policy.
- 130 The proposed financial contributions standards (FC-S1 to S4) set out a methodology for calculating financial contributions. The methodology requires a bespoke assessment of the costs each individual development is purported to create. The RVA is highly concerned that there is no certainty for developers as to the financial contributions they will be required to pay. This uncertainty is likely to result in delay and cost for developers as well as objections and appeals. It will deter development.
- 131 The RVA seeks a clear and transparent regime, which ensures contributions required are proportionate to the demand created by villages.
- 132 Retirement villages have a substantially lower demand profile than standard residential developments due to low occupancy levels (1.3 residents per retirement unit and 1 resident per aged care room care unit, compared to around 2.6 residents per standard dwelling) and reduced activity levels of the residents due to their age and frailty. In particular, retirement villages have substantially lower demands than typical housing types in the following areas the financial contributions regime would cover:
- 132.1 *Reserves* – due to their age and frailty older people living in retirement villages use council reserves, sports grounds and the like substantially less than other age groups. Retirement village residents are less mobile. And, the provision of on-site amenities at villages to cater for residents' specific needs significantly reduces residents' need to travel to access care, services or entertainment.
- 132.2 *Transport* – retirement villages are very low traffic generators. Residents use public transport infrequently, and traffic generation is mostly off-peak as residents do not travel for school drop-offs or work. Even with staff and visitors accounted for, traffic generation is much lower than typical housing.
- 132.3 *Water, wastewater* – residents use less water, and produce much less wastewater due to lower occupancy levels of retirement units and different living needs.
- 133 In some cases, the RVA's members as part of their proposals also construct public infrastructure, such as roading and stormwater infrastructure, which adds capacity to the network for wider public benefit. The proposed assessment methodology does not take into account works undertaken by developers.

³⁶ Defined to mean: "a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities".

134 The RVA seeks amendments to Variation 2 to:

134.1 Ensure the dual financial and development contributions regimes will not result in double dipping;

134.2 Provide certainty as to the financial contributions that will be required to be paid;

134.3 Ensure the calculation methodology takes into account cost of works undertaken as part of development; and

134.4 Provide a retirement village-specific regime for retirement villages that takes into account their substantially lower demand profile compared to standard residential developments.

DECISION SOUGHT

135 The RVA seeks:

135.1 Amendments to Variation 1 as set out in paragraphs 113-127 above;

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

135.3 Amendments to Variation 2 to achieve the outcomes set out in paragraphs 128-134 above; and

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

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

137 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

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9 September 2022

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APPENDIX 1 – SPECIFIC SUBMISSION POINTS AND RELIEF SOUGHT

VARIATION 1

PART 1 – INTRODUCTION AND GENERAL PROVISIONS

Provisions	Submission Position	Reason for Submission	Relief Sought
Definitions	Support	The RVA considers that a 'retirement unit' definition is required in the District Plan as a result of its submissions on Variation 1 to acknowledge the differences from typical residential activities in terms of layout and amenity needs.	<p><i>The RVA seeks to add the following 'retirement unit' definition to the District Plan:</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>

PART 2 – DISTRICT-WIDE MATTERS

Provisions	Submission Position	Reason for Submission	Relief Sought

Strategic Directions – Objective SD-O2	Support	The RVA supports SD-O2 as it aligns with Objective 1 of MDRS.	Retain SD-O2 as notified.
Objective SD-O3	Oppose in part	The RVA considers that SD-O3 should recognise and enable the housing and care needs of an ageing population and the specific housing typologies catering to older persons results in.	<p>Amend SD-O3.2 to recognise that existing character and amenity values are anticipated to change.</p> <p>Retain SD-O3.4 but amend to specifically recognise the importance of retirement villages.</p> <p>Amend SD-O3.5 to recognise that retirement villages need to be located in all residential zones, not just in the vicinity of centres.</p>

PART 3 – AREA-SPECIFIC MATTERS

Provisions	Submission Position	Reason for Submission	Relief Sought
General Objectives and Policies for all Residential Zones	Oppose in part	Paragraph 3 of the introduction states that ' <i>the key difference between the General Residential Zone and Medium Density Residential Zone is housing density, with the latter located within walkable distance to town centres, schools, open space and transport routes</i> '. Noting that the General Residential Zone applies to Oxford only (in accordance with clause (b)(ii) of the 'relevant residential zone' definition of the Act), this explanation does not align with the proposed variations to the General Residential Zone and Medium Density Residential Zone.	<i>The RVA seeks that paragraph 3 of the General Objectives and Policies for all Residential Zones chapter be updated to explain the key difference between the General Residential Zone and the Medium Density Residential Zone.</i>
General Objectives and Policies for all Residential Zones – Objective RESZ-O3	Oppose	The RVA considers that RESZ-O3 conflicts with the MDRS, in that it seeks to manage the form, scale and design of development in a manner that is inconsistent with the direction provided in the Enabling Housing Act.	<i>The RVA seeks that RESZ-O3 not apply to the Medium Density Residential Zone.</i>
General Objectives and Policies for all Residential Zones – Objectives	New objective sought	In addition to the current general objectives for all residential zones, the RVA considers that an ageing population specific objective must be integrated 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 General Objectives and Policies for all Residential Zones chapter that provides for the housing and care needs of the ageing population.</i> <u>RESZ-OX Ageing population</u>

			<u>Recognise and enable the housing and care needs of the ageing population.</u>
General Objectives and Policies for all Residential Zones – Policy RESZ-P1	Oppose	The RVA considers that RESZ-P1 conflict with the MDRS, in that it seeks to manage the design of development in a manner that is inconsistent with the direction provided in the Enabling Housing Act.	<i>The RVA seeks that RESZ-P1 not apply to the Medium Density Residential Zone.</i>
General Objectives and Policies for all Residential Zones – Policy RESZ-P3	Oppose	The RVA acknowledges that RESZ-P3 has been amended to address Policy 3 of the MDRS. However, the language from Policy 3 of the MDRS has been added to Policy RESZ-P3 without amendments to the language to reflect the direction provided in the Enabling Housing Act. This creates overlap and inconsistency between the existing language in (1) and (2) and the new language in (3).	Delete or amend RESZ-P3 to ensure there is no overlap or inconsistency with Policy 3 of the MDRS.
General Objectives and Policies for all Residential Zones – Policy RESZ-P8	Oppose	The RVA acknowledges that RESZ-P8 has been amended to address Policy 4 of the MDRS. However, the existing language within Policy RESZ-P8 is inconsistent with Policy 1 of the MDRS. Further, Policy 4 of the MDRS is not a qualification on the direction to enable a variety of housing types with a mix of densities.	Delete or amend RESZ-P8 to ensure there is no overlap or inconsistency with Policy 1 of the MDRS and ensure Policy 4 is not a qualification.
Policy RESZ-P10	Oppose	The retention of this general policy and its continued application to retirement villages within the MRZ creates a conflict with the MDRS and the relief sought by the RVA in relation to MRZ-R18 below. It is	<i>The RVA seeks the deletion of RESZ-P10 or its relocation to the GRZ, and new policies for the MRZ:</i> <i>Provision of housing for an ageing population</i>

		<p>therefore not fit for purpose as a general policy and should be deleted or moved to the GRZ policies.</p> <p>Additional policies are needed to provide policy support for MRZ-R18 and the retirement village-specific matters of discretion sought by the RVA.</p>	<p><i>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.</i></p> <p><i>2. Recognise the functional and operational needs of retirement villages, including that they:</i></p> <p><i>a. May require greater density than the planned urban built character to enable efficient provision of services.</i></p> <p><i>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</i></p> <p>Changing communities</p> <p><i>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the [add] zone will change over time to enable a variety of housing types with a mix of densities.</i></p> <p>Larger sites</p> <p><i>Recognise the intensification opportunities provided by larger sites within the [add] zone by providing for more efficient use of those sites.</i></p>
General Objectives and Policies for all	Oppose	The retention of this general policy and its continued application to retirement villages within the MRZ creates a conflict with the MDRS. It is therefore not fit	<i>The RVA seeks the deletion of RESZ-P13 in its entirety.</i>

Residential Zones – Policy RESZ-P13		for purpose as a general policy and should be deleted or moved to the GRZ policies.	
General Objectives and Policies for all Residential Zones – Policy RESZ-P15	Support	The RVA supports RESZ-P15 as it aligns with Policy 2 of the MDRS.	Retain RESZ-P15 as notified.
Medium Density Residential Zone - Introduction	Oppose in part	Paragraph 1 of the introduction refers to the zone comprising of ' <i>residential areas predominantly used for residential activity with moderate concentration and bulk of buildings...</i> '. 'The reference to residential activity having a moderate concentration and bulk of buildings does not reflect the expectations for the Medium Density Residential Zone as set out in the MDRS. The introductory text should acknowledge that the amenity and character of the Medium Density Residential Zone will substantially change as a result of the MDRS. It should also acknowledge the broad scope of the MRZ.	<p><i>The RVA seeks that paragraph 1 of the Medium Density Residential Zone is amended as follows to provide clarity around the level of residential activity anticipated in the zone:</i></p> <p>Introduction</p> <p>The purpose of the Medium Density Residential Zone is to provide for residential areas predominantly used for residential activity <u>and enables medium density development, including with moderate concentration and bulk of buildings, such as</u> detached, semi-detached and terrace housing, low rise apartments and other compatible activities. Such areas are identified close to town and neighbourhood centres, along public transport corridors, or close to public transports.</p>
Medium Density Residential Zone – Objective MRZ-O1	Support	The RVA supports MRZ-O1 as it aligns with Objective 2 of the MDRS.	Retain MRZ-O1 as notified.

Medium Density Residential Zone – Policy MRZ-P1	Support	The RVA supports MRZ-P1 as it aligns with Policy 1 of the MDRS.	Retain MRZ-P1 as notified.
Medium Density Residential Zone – Policy MRZ-P2	Support	The RVA supports MRZ-P2 as it aligns with Policy 5 of the MDRS.	Retain MRZ-P2 as notified.
Medium Density Residential Zone – Policy MRZ-P3	Oppose	<p>The RVA opposes MRZ-P3 as it has not been amended to align with the MDRS. It seeks to provide for activities and structures that support and maintain the character and amenity values anticipated for the zone. The use of the word “maintain” does not acknowledge the change that is anticipated in the Medium Density Residential Zone in line with the MDRS. In this regard, there should not be an expectation to maintain character in the Medium Density Residential Zone.</p> <p>MRZ-P3(1) – (8) also introduce requirements that overlap and conflict with MRZ-P1 and P2. For example, (3) requires activities to “provide for” high quality building and landscape design, which overlaps and conflicts with the reference to “encouraging” high-quality developments in MRZ-P2.</p>	<i>Delete or amend MRZ-P3 to ensure there is no overlap or inconsistency with Policy 3 of the MDRS.</i>
Medium Density Residential Zone – Policies	Support	The RVA considers that it is appropriate for the density standards to be utilised as a baseline for the assessment of the effects of developments.	<i>The RVA seeks that a new policy is inserted in the Medium Density Residential Zone that enables the density standards to be utilised as a baseline for the assessment of the effects of developments.</i>

			<p>MRZ-PX Role of density standards</p> <p>Enable the density standards to be utilised as a baseline for the assessment of the effects of developments.</p>
Medium Density Residential Zone – Rule MRZ-R1	Oppose in part	<p>The RVA supports MRZ-R1 and the permitting of the construction or alteration of or addition to any building or other structure when complying with the relevant built form standards; and the triggering of more restrictive activity statuses based on non-compliance with relevant built form standards.</p> <p>However, retirement villages will likely infringe the number of residential units per site standard (MRZ-BFS1), so the construction of retirement villages will be a restricted discretionary activity under this rule. The RVA considers that the construction of retirement villages should have a focused matters of discretion (so to provide for and acknowledge the differences that retirement villages have from other residential activities).</p> <p>As detailed further in response to MRZ-R19, the RVA considers that retirement villages as an activity should be a permitted activity, and that it should instead only be the construction of a retirement village that is assessed as a restricted discretionary activity.</p> <p>When considering the matters of discretion that are currently applicable to retirement villages under MRZ-R19 (RES-MD2), those matters include general residential design principles that make no specific</p>	<p><i>The RVA seek that MRZ-R1 is amended to exclude retirement villages and a bespoke rule for the construction of retirement villages is included in the Plan as follows with a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>MRZ-R1A Construction or alteration of or addition to any building or other structure for a retirement village</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity complies with MRZ-BFS1-12 (as applicable). <p>Legal Effect</p> <p>This rule will have immediate legal effect.</p> <p><u>Activity status when compliance is not achieved: RDIS</u></p>

		<p>reference to retirement villages, with no guidance provided as to why the requirements that are applicable to non-retirement village activities apply in the same manner to retirement villages (despite retirement villages being a unique activity with a substantially differing functional and operational needs).</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 the retirement village.</p> <p>The RVA considers that internal amenity standards applicable to retirement villages should be limited to those controls/standards necessary or appropriate for retirement villages.</p>	<p><u>Matters of discretion are restricted to:</u></p> <p><u>RES-MDX – Construction of buildings for a retirement village</u></p> <p><u>Notification</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule is precluded from being publicly notified.</u></p> <p><u>An application for resource consent for a restricted discretionary activity under this rule that complies with MRZ-BFS2, MRZ-BFS4, MRZ-BFS5, and MRZ-BFS7 is precluded from being limited notified.</u></p>
Medium Density Residential Zone – Rule MRZ-R2	Support in part	The RVA supports MRZ-R2 and the restricted discretionary activity status of the provision of more than 3 residential units per site as it complies with the MDRS. However, it will need to be amended to refer to “retirement units” with the addition of the definition proposed by the RVA above.	Amend MRZ-R2 to apply to retirement units.
Medium Density Residential Zone – Rule MRZ-R18	Support in part / Oppose in part	The RVA supports the inclusion of a specific rule for the establishment of retirement villages, and that resource consent applications are precluded from being publicly notified. However, the RVA considers that retirement villages as a land use activity should be classified as a permitted activity - with the construction/establishment of the retirement village	<i>The RVA seeks to amend the activity status of retirement villages as an activity to be provided for as a permitted activity, with the construction of a retirement villages provided for as a restricted discretionary activity (retirement village specific</i>

		<p>being a restricted discretionary activity. In this regard, the residential use component of a retirement village should be permitted.</p> <p>Notwithstanding the above, the RVA consider that the requirement for a design statement and the retention of matters of discretion regarding residential design principles to be inappropriate as those provisions are designed for standard residential development, not retirement villages. The residential design principles also do not align with the expectations for the Medium Density Residential Zone. Retirement villages should be assessed against bespoke matters of discretion as set out in the body of this submission.</p>	<p><i>matters of discretion) as set out in relation to MRZ-R1 above.</i></p> <p><i>Delete the requirement for a design statement to be provided with the application.</i></p> <p><i>Amend Rule MRZ-R18 to provide for retirement villages as an activity to be permitted.</i></p>
Medium Density Residential Zone – Standard MRZ-BFS1	Support in part	<p>The RVA supports in part MRZ-BFS1 and the number of residential units per site provisions which reflect the number of residential units per site standard of the MDRS, with some additions/alternatives relating to qualifying matters. However, it will need to be amended to refer to “retirement units” with the addition of the definition proposed by the RVA above.</p> <p>In relation to the notification clauses of MRZ-BFS1 which relate to compliance with MRZ-BFS2 to MRZ-BFS12, the RVA considers that the inclusion of additional standards within the notification clause to those provided by the Act (with the additional standards relating to landscaped permeable surface, street interface, and fencing) create a conflict with the MDRS and should be deleted.</p>	<p><i>Amend the standard to refer to retirement units.</i></p> <p><i>Delete those standards that have been included in the notification clauses that conflict with the MDRS so the standard reads as follows:</i></p> <p>MRZ-BFS1 Number of residential units per site</p> <p>1. ...</p> <p>Notification</p> <p>An application for the construction and use of 1, 2 or 3 residential units that does not comply with 1 or more of MRZ-BFS2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12MRZ-BFS4, MRZ-BFS5, MRZ-BFS7, MRZ-BFS9, MRZ-BFS10, MRZ-BFS11</p>

			<p>or MRZ-BFS12 is precluded from being publicly notified.</p> <p>Legal Effect</p> <p>This standard has immediate legal effect.</p> <p>Activity status when compliance not achieved: RDIS</p> <p>...</p> <p>Notification</p> <p>An application for the construction and use of 4 or more residential units that does comply with the MRZ-BFS2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 MRZ-BFS4, MRZ-BFS5, MRZ-BFS7, MRZ-BFS9, MRZ-BFS10, MRZ-BFS11 or MRZ-BFS12 is precluded from being publicly or limited notified.</p>
Medium Density Residential Zone – Standard MRZ-BFS2	Support	The RVA supports MRZ-BFS2 and the building coverage provisions which reflects the MDRS.	Retain MRZ-BFS2 as notified.
Medium Density Residential Zone – Standard MRZ-BFS3	Oppose	<p>The RVA opposes MRZ-BFS3 as the MDRS does not include this standard.</p> <p>In particular, the RVA considers that that the discretionary status for non-compliance with this</p>	<i>The RVA seeks to delete MRZ-BFS3.</i>

		standard is inconsistent with the other built form standard provisions of the Medium Density Residential Zone and goes against the Act's purpose to enable increased intensification. For example, if a residential development were to comply with all built form standards except MRZ-BFS3 (landscape permeable surface), the activity status would be discretionary.	
Medium Density Residential Zone – Standard MRZ-BFS4	Oppose in part	The RVA opposes MRZ-BFS4 in part as it is considered that the discretionary activity status for any exceedance is contrary to Schedule 3A(4) of the Act.	<p><i>The RVA seeks to amend the activity status for non-compliance with MRZ-BFS4 to be restricted as follows, in accordance with the requirements of Schedule 3A(4) of the Act:</i></p> <p>MRZ-BFS4 Height</p> <p>...</p> <p>Activity status when compliance not achieved: <u>RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>The effects of the breach of the height standard</u></p>
Medium Density Residential Zone – Standard MRZS-BFS5	Oppose	The RVA oppose MRZ-BFS5 as it seeks to restrict the provision of residential buildings adjacent to strategic or arterial roads by applying a 6m setback in excess of the MDRS, when all such roads are not considered to be qualifying matters in accordance with section 77I of the Enabling Housing Act.	<p><i>The RVA seeks that MRZS-BFS5 be amended so that it only applies to nationally significant infrastructure, and the matters of discretion only relate to the effects of the breach of the standard:</i></p> <p><u>Matters of discretion are restricted to:</u></p> <p>RES-MD2 – Residential design principles</p>

		Further, the RVA opposes the application of residential design principles as a matter of discretion.	RES-MD5 - Impact on neighbouring property
Medium Density Residential Zone – Standard MRZ-BFS6	Oppose	The RVA opposes MRZ-BFS6 as the MDRS does not include this standard.	<i>Delete MRZ-BFS6.</i>
Medium Density Residential Zone – Standard MRZ-BFS7	Support in part	<p>The RVA supports MRZ-BFS7 and the height in relation to boundary provisions in principle as it reflects the MDRS, which reflect the MDRS. However, it is considered that additional exclusions should be integrated with the standard to reflect that some developments may occur adjacent to less sensitive zones.</p> <p>Further, the RVA opposes the application of residential design principles as a matter of discretion.</p>	<p><i>The RVA seeks to amend MRZ-BFS7 as follows to include additional exclusions from the standard:</i></p> <p>MRZ-BFS7 Height in relation to boundary</p> <p>1. ...</p> <p>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 open space and recreation zones, commercial and mixed use zones, and special purpose zones.</u> <p><u>Matters of discretion are restricted to:</u></p>

			<p>RES MD2—Residential design principles</p> <p>RES-MD5 - Impact on neighbouring property</p>
Medium Density Residential Zone – Standard MRZ-BFS8	Oppose	The RVA opposes MRZ-BFS8 as the MDRS does not include this standard.	<i>Delete MRZ-BFS8.</i>
Medium Density Residential Zone – Standard MRZ-BFS9	Oppose in part	The RVA acknowledges that MRZ-BFS9 and the outdoor living space provisions reflect the outdoor living space standard of the MDRS. However, it is considered that as a result of retirement villages providing a range of private and communal outdoor areas, amendments should be made to MRZ-BFS9 that enable the communal areas to count towards the amenity standard.	<p><i>The RVA seeks to amend MRZ-BFS9 as follows to enable the communal outdoor living spaces of retirement villages to count towards the amenity standard:</i></p> <p>MRZ-BFS9 Outdoor living space (per unit)</p> <p>...</p> <p><u>3. For retirement units, clause 1 and 2 apply with the following modifications:</u></p> <p><u>a. 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><u>b. a retirement village may provide indoor living spaces in one or more communally accessible locations in lieu of up to 50% of the required outdoor living space.</u></p>

Medium Density Residential Zone – Standard MRZ-BFS10	Support	The RVA supports MRZ-BFS10 and the outlook space provisions in principle which reflect the outlook space standard of the MDRS, 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 MRZ-BFS10 to provide for outlook space requirements that are appropriate for retirement villages.	<p><i>The RVA seeks to amend MRZ-BFS10 as follows to provide for outlook space requirements that are appropriate for retirement villages:</i></p> <p>MRZ-BFS10 Outlook space (per unit)</p> <p>...</p> <p>7. <u>For retirement units, clauses 1 – 9 apply with the following modification: 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>
Medium Density Residential Zone – Standard MRZ-BFS11	Support	The RVA supports MRZ-BFS11 and the windows to street provisions in principle which reflect the windows to street standard of the MDRS, however consider that the standard should be amended to provide for retirement units.	<p><i>The RVA seeks to amend MRZ-BFS11 as follows to provide for retirement units:</i></p> <p>MRZ-BFS11 Windows to street</p> <p>1. Any residential unit <u>or retirement unit</u> facing the <u>a 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>
Medium Density Residential Zone – Standard MRZ-BFS12	Support	The RVA supports MRZ-BFS12 and the landscaped area provisions in principle which reflect the landscaped area standard of the MDRS. However, it is considered that the standard should be amended to provide for retirement units also.	<p><i>The RVA seeks to amend MRZ-BFS12 as follows to provide for retirement units:</i></p> <p>MRZ-BFS12 Landscaped area</p>

			<ol style="list-style-type: none"> 1. A residential unit <u>or retirement unit</u> at ground floor level must have 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. 2. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit <u>or retirement unit</u>.
Matters of Discretion for all Residential Zones – RES-MD2	Oppose	The RVA opposes the residential design principles of RES-MD2 – as they seek design outcomes which are inconsistent with the expectations for development in the Medium Density Residential Zone. Further, the residential design principles reflect matters relevant to standard residential development but are not fit-for-purpose for retirement villages.	<i>The RVA seeks that RES-MD2 be deleted.</i>
Matters of Discretion for all Residential Zones – RES-MD5	Oppose	The RVA opposes the matter of discretion relating to potential impacts on neighbouring properties (as set out in RES-MD5). The matter of discretion seeks outcomes which are inconsistent with the expectations for development in the Medium Density Residential Zone. For example, the requirement to consider the “ <i>extent to which ... buildings ... do not compromise the amenity values of adjacent properties</i> ” is inconsistent with the change anticipated in the Medium Density Residential Zone.	<i>The RVA seeks that RES-MD5 be deleted.</i>

Matters of Discretion for all Residential Zones	Support	In accordance with the RVA's response to MRZ-R1 and MRZ-R18 above, the RVA considers that a retirement village specific set of matters of discretion should apply to the construction of retirement villages.	<p><i>In accordance with the relief sought by the RVA for MRZ-R1 and MRZ-R18, the RVA seeks for the following matter of discretion to be integrated into the matters of discretion for all Residential Zones under the District Plan:</i></p> <p><u>RES-MDX Construction of buildings for a retirement village</u></p> <ol style="list-style-type: none"> <u>1. The matters of discretion of any infringed built form standards;</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 – 4, consider:</u> <ol style="list-style-type: none"> <u>a. The need to provide for efficient use of larger sites; and</u> <u>b. The functional and operational needs of the retirement village.</u> <u>6. The positive effects of the construction, development and use of the retirement village.</u>
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			<u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village save as specified.</u>
Neighbourhood Centre Zone – Rule NCZ-R1	Oppose in part	<p>The RVA considers NCZ-R1 and the related built form standards are in conflict with the MDRS and need to be amended as part of the Variation.</p> <p>The RVA considers that the activity of a retirement village should be a permitted activity and the construction of a retirement village should be a restricted discretionary activity, and the construction of retirement villages should have a focused matters of discretion (so to provide for and acknowledge the differences that retirement villages have from other residential activities).</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 the retirement village.</p>	<i>The RVA seeks that NCZ is amended to provide a permitted activity for retirement villages and a restricted discretionary activity for the construction or alternation of retirement village buildings, as per the submissions on the MRZ above.</i>
Neighbourhood Centre Zone – Rule NCZ-BFS1 – BFS11	Oppose in part	A number of the standards in the NCZ are inconsistent with the MDRS. Although the RMA only requires the MDRS to be applied in relevant residential zones, the RVA considers that, to give effect to Policy 3 of the NPSUD, standards applying in centres zones should not be more restrictive.	<i>Amend the standards as they apply to residential activities (including retirement villages) to achieve consistency with the MDRS.</i>

<p>Local Centre Zone – Rule LCZ-R1</p>	<p>Support in part</p>	<p>The RVA considers LCZ-R1 and the related built form standards are in conflict with the MDRS and need to be amended as part of the Variation.</p> <p>The RVA supports LCZ-R1 and the permitting of the construction or alteration of or addition to any building or other structure when complying with the relevant built form standards and gross floor area standard; and the triggering of more restrictive activity statuses based on non-compliance with relevant standards.</p> <p>The RVA considers that if the construction of a retirement village should be a restricted discretionary activity, and that in addition to the matters of discretion of any infringed standard, 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> <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 the retirement village.</p>	<p><i>The RVA seeks that LCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>LCZ-R1 Construction or alteration of or addition to any building or other structure</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity complies with: <ol style="list-style-type: none"> a. all built form standards (as applicable); and b. the building or addition is less than 450m² GFA. 2. <u>the activity is not a retirement village.</u> <p>Activity status when compliance not achieved with LCZ-R1(1)(a): as set out in the relevant built form standards</p> <p>Activity status when compliance not achieved with LCZ-R1(1)(b): RDIS</p> <p>Matters of discretion are restricted to:</p> <p>CMUZ-MD3 – Urban design</p>
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			<p><u>Activity status when compliance not achieved with LCZ-R1(2): RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u> The matters of discretion of any infringed built form standards (as applicable)</u></p> <p><u> CMUZ-MDX – Construction of buildings for a retirement village</u></p> <p><u> CMUZ-MD3 – Urban design</u></p> <p><u> CMUZ-MD11 – Residential development</u></p>
Local Centre Zone – Rule	Support	<p>The RVA considers LCZ-R1 and the related built form standards are in conflict with the MDRS and need to be amended as part of the Variation.</p> <p>Recognising that the Enabling Housing Act is not limited to residential zones, with councils required to ensure district plans provide for intensification or urban non-residential zones, the RVA considers that the Local Centre Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity), 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>	<p><i>The RVA seeks that a new rule is inserted in the Local Centre Zone that provides for retirement villages as permitted activities.</i></p> <p><u>LCZ-RX Retirement village</u></p> <p><u>Activity status: PER</u></p> <p><u>Activity status when compliance not achieved: N/A</u></p>

Mixed Use Zone – Rule MUZ-R1	Support in part	<p>The RVA considers MUZ-R1 and the related built form standards are in conflict with the MDRS and need to be amended as part of the Variation.</p> <p>The RVA supports MUZ-R1 and the permitting of the construction or alteration of or addition to any building or other structure when complying with the relevant built form standards and gross floor area standard; and the triggering of more restrictive activity statuses based on non-compliance with relevant standards.</p> <p>The RVA considers that if the construction of a retirement village should be a restricted discretionary activity, and that in addition to the matters of discretion of any infringed standard, 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> <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 the retirement village.</p>	<p><i>The RVA seeks that MUZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>MUZ-R1 Construction or alteration of or addition to any building or other structure</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity complies with: <ol style="list-style-type: none"> a. all built form standards (as applicable); and b. the building or addition is less than 450m² GFA. 2. <u>the activity is not a retirement village.</u> <p>Activity status when compliance not achieved with MUZ-R1(1)(a): as set out in the relevant built form standards</p> <p>Activity status when compliance not achieved with MUZ-R1(1)(b): RDIS</p> <p>Matters of discretion are restricted to:</p> <p>CMUZ-MD3 – Urban design</p>
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			<p><u>Activity status when compliance not achieved with MUZ-R1(2): RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u> The matters of discretion of any infringed built form standards (as applicable)</u></p> <p><u> CMUZ-MDX – Construction of buildings for a retirement village</u></p> <p><u> CMUZ-MD3 – Urban design</u></p> <p><u> CMUZ-MD11 – Residential development</u></p>
Mixed Use Zone – Rule	Support	<p>The RVA considers the Mixed Use Zone is in conflict with the MDRS and needs to be amended as part of the Variation.</p> <p>Recognising that the Enabling Housing Act is not limited to residential zones, with councils required to ensure district plans provide for intensification or urban non-residential zones, the RVA considers that the Mixed Use Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity), 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>	<p><i>The RVA seeks that a new rule is inserted in the Mixed Use Zone that provides for retirement villages as permitted activities.</i></p> <p><u>MUZ-RX Retirement village</u></p> <p><u>Activity status: PER</u></p> <p><u>Activity status when compliance not achieved: N/A</u></p>

<p>Town Centre Zone – Rule TCZ-R1</p>	<p>Support in part</p>	<p>The RVA considers TCZ-R1 and the related built form standards are in conflict with the MDRS and need to be amended as part of the Variation.</p> <p>The RVA supports TCZ-R1 and the permitting of the construction or alteration of or addition to any building or other structure when complying with the relevant built form standards and gross floor area standard; and the triggering of more restrictive activity statuses based on non-compliance with relevant standards.</p> <p>The RVA considers that if the construction of a retirement village should be a restricted discretionary activity, and that in addition to the matters of discretion of any infringed standard, 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> <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 the retirement village.</p>	<p><i>The RVA seeks that TCZ-R1 is amended as follows to include a set of focused matters of discretion that are applicable to retirement villages, so to provide for and acknowledge the differences that retirement villages have from other residential activities:</i></p> <p>TCZ-R1 Construction or alteration of or addition to any building or other structure</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity complies with: <ol style="list-style-type: none"> a. all built form standards (as applicable); b. the building or addition is less than 450m² GFA; and c. any new building or addition does not have frontage to a Principal Shopping Street. 2. <u>the activity is not a retirement village.</u> <p>Activity status when compliance not achieved with TCZ-R1(1)(a): as set out in the relevant built form standards</p> <p>Activity status when compliance not achieved with TCZ-R1(1)(b) and TCZ-R1(1)(c): RDIS</p> <p>Matters of discretion are restricted to:</p> <p>CMUZ-MD3 – Urban design</p>
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			<p><u>Activity status when compliance not achieved with TCZ-R1(2): RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u> The matters of discretion of any infringed built form standards (as applicable)</u></p> <p><u> CMUZ-MDX – Construction of buildings for a retirement village</u></p> <p><u> CMUZ-MD3 – Urban design</u></p> <p><u> CMUZ-MD11 – Residential development</u></p>
Town Centre Zone – Rule	Support	<p>The RVA considers the Town Centre Zone is in conflict with the MDRS and needs to be amended as part of the Variation.</p> <p>Recognising that the Enabling Housing Act is not limited to residential zones, with councils required to ensure district plans provide for intensification or urban non-residential zones, the RVA considers that the Town Centre Zone should provide for retirement village activities as a permitted activity (with the construction of the retirement village being a restricted discretionary activity), 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>	<p><i>The RVA seeks that a new rule is inserted in the Town Centre Zone that provides for retirement villages as permitted activities.</i></p> <p><u>TCZ-RX Retirement village</u></p> <p><u>Activity status: PER</u></p> <p><u>Activity status when compliance not achieved: N/A</u></p>

Matters of Discretion for Commercial and Mixed Use Zones	Support	<p>In accordance with the RVA's response to NCZ-R1, LCZ-R1, MUZ-R1 and TCZ-R1 above, the RVA considers that a retirement village specific set of matters of discretion should apply to the construction of retirement villages in the Commercial and Mixed Use Zones.</p>	<p><i>In accordance with the relief sought by the RVA for NCZ-R1 LCZ-R1, MUZ-R1 and TCZ-R1, the RVA seeks that the following matter of discretion be integrated into the Matters of Discretion for the Commercial and Mixed Use Zones of the District Plan:</i></p> <p><u>CMUZ-MDX Construction of buildings for a retirement village</u></p> <ol style="list-style-type: none"> <u>1. The matters of discretion of any infringed built form standards;</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 – 4, consider:</u> <u>6. The need to provide for efficient use of larger sites; and</u> <u>7. The functional and operational needs of the retirement village.</u> <u>8. The positive effects of the construction, development and use of the retirement village.</u>
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			<u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u>
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VARIATION 2

Variation 2	Oppose	The RVA is concerned that Variation 2 as proposed will result in 'double dipping' under dual financial and development contribution regimes, does not clearly sets 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.	<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; • 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.
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