

# Proposed Selwyn District Plan



## Section 42A Report

### Part A of Intensification Planning Instrument – Variation 1 to the Proposed District Plan

Report on submissions and further submissions

Commercial and Mixed Use Zones

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3 April 2023

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## List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
V1-0010	Woolworths New Zealand Limited	Woolworths
V1-0013	Jig Dhakal	J Dhakal
V1-0021	Lincoln Voice Incorporated	-
V1-0029	Gary and Lynda Burgess	
V1-0032	Eliot Sinclair Limited	Eliot Sinclair
V1-0055	AgResearch Limited	AgResearch
V1-0056	Ara Poutama Aotearoa the Department of Corrections	Ara Poutama
V1-0058	Jocelyn Humphreys	-
V1-0074	Jeremy Alsop	-
V1-0077	Ryman Healthcare Limited	Ryman
V1-0079	Retirement Villages Association of New Zealand Incorporated	RVA
V1-0080	Christchurch City Council	CCC
V1-0083	The New Zealand Transport Agency (Waka Kotahi)	Waka Kotahi
V1-0102	CSI Property Limited	CSI
V1-0103	Carter Group Property Limited	CGPL
V1-0107	Canterbury Regional Council (Environment Canterbury)	CRC
V1-0113	Kāinga Ora Homes and Communities	Kāinga Ora
V1-0114	CSI Property Limited (CSI) and Rolleston West Residential Limited (RWRL)	CSI and RWRL
V1-0115	Rolleston Industrial Developments Limited	RIDL

Please refer to **Appendix 1** to see where each submission point is addressed within this report.

## Abbreviations

Abbreviations used throughout this report are:

Abbreviation	Full text
CON	Controlled activity status
CRPS	Canterbury Regional Policy Statement 2013
DIS	Discretionary activity status
GRZ	General Residential Zone
GRUZ	General Rural Zone
ISPP	Intensification Streamlined Planning Process
LCZ	Local Centre Zone
LFRZ	Large Format Retail Zone
MDRS	Medium Density Residential Standards
MRZ	Medium Density Residential Zone
NC	Non-complying activity status
NCZ	Neighbourhood Centre Zone
NPS-UD	National Policy Statement on Urban Development 2020
ODP	Outline Development Plan
PDP	Proposed Selwyn District Plan
Planning Standards	National Planning Standards
REDIS	Restricted discretionary activity status
RMA or Act	Resource Management Act 1991
RMA-EHS	Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021
TCZ	Town Centre Zone
UGO	Urban Growth Overlay
Variation 1	Variation 1 (Intensification Planning Instrument) to the Proposed Selwyn District Plan

## 1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to Part A of the Intensification Planning Instrument (IPI) – Variation 1 to the PDP and submissions lodged with respect to the Commercial and Mixed Use Zone Chapters of the PDP. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions in Variation 1 without amendment or making amendments to the PDP in response to those submissions.
- 1.2 The recommendations are informed by the evaluation undertaken by myself as the planning author. In preparing this report I have had regard to the Section 32 Report prepared in support of the IPI and the various s42A reports prepared in relation to the PDP to date, including Officer Right of Reply reports, which can be found [here](#).

S42A Report	Response to Hearing Panel Questions	Right Of Reply	Current Recommended Amendments
<a href="#">Commercial and Mixed-Use Zones</a>	<a href="#">Response to Panel Questions</a>	<a href="#">Right of Reply</a>	<a href="#">Recommended Amendments 2 Dec 2022</a>

- 1.3 The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

## 2. Qualifications and experience

- 2.1 My full name is Jessica Barbara Tuilaepa. I have been employed by the Council within the planning team for the past twelve years, being a Senior Strategy and Policy Planner for the past four years. My qualifications include a Bachelor of Commerce from Otago University and Master of Environmental Policy from Lincoln University. I am an intermediate member of the New Zealand Planning Institute.
- 2.2 I have 14 years' experience as a resource management planner, with this work including various resource management positions in local government and private companies since 2008. My predominant experience has been in statutory policy and resource consent planning in the Selwyn District. My experience includes processing and reporting on resource consent applications, district plan formulation and policy advice for the Council, preparation of Assessment of Environmental Effects, monitoring and compliance of consent conditions. My role as part of the District Plan Review Team includes consultation, research and reporting and as Topic Lead for Part 1, and the CMUZ, DPZ, GIZ, KNOZ and PORTZ chapters in addition to the Commercial and Industrial Rezoning requests in Eastern Selwyn and those matters discussed in this report.
- 2.3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Having reviewed the submitters and further submitters relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel.

### 3. Scope of report and topic overview

- 3.1 This report considers the submissions and further submissions that were received on Variation 1 in relation to the Commercial and Mixed Use Zone Chapters of the PDP.
- 3.2 Recommendations are made to either retain provisions in Variation 1 without amendment, or delete, add to or amend the provisions. There are no recommended amendments to this report. Where no amendments are recommended to a provision within Variation 1, submissions points that sought the retention of the provision without amendment are not footnoted.
- 3.3 Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. Several alterations have already been made to the PDP using cl.16(2) and these are documented in reports available on the Council's website. Where a submitter has requested the same or similar changes to the PDP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments and identified by way of a footnote in this s42A report.

### 4. Statutory requirements and planning framework

#### ***Resource Management Act 1991***

- 4.1 The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; and give effect to any national policy statement, the New Zealand coastal policy statement, national planning standards; the CRPS; and any regulations<sup>1</sup>. Regard is also to be given to any regional plan, district plans of adjacent territorial authorities, and the IMP.
- 4.2 Variation 1 to the PDP is "Part A" of the Council's IPI, which has been prepared in response to the RMA-EHS. The IPI is to be processed in accordance with the ISPP, alongside the completion of the PDP hearings process. As outlined in the supporting [Section 32 evaluation](#), the purpose of the RMA-EHS is to enable greater housing choice within five of the largest urban environments in New Zealand, including Selwyn district.
- 4.3 This is to be achieved through the introduction of mandatory MDRS within a new MRZ in Rolleston, Lincoln and Prebbleton townships. The MDRS allows for the establishment of up to three residential units, each up to three storeys high (11 metres) on most sites without the need for a resource consent. Exemptions apply based on identified qualifying matters, such as heritage areas and protecting nationally significant infrastructure, but it is otherwise mandatory to apply MDRS to relevant residential zones.
- 4.4 Variation 1 to the PDP introduces a new MRZ on the following land:
  - All the existing General Residential zones in Rolleston, Lincoln and Prebbleton;

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<sup>1</sup> Section 74 RMA

- Land covered by the following Council-approved private plan changes (PC) to the Operative District Plan: PC68 and PC72 in Prebbleton, PC69 in Lincoln and PC71, PC75, PC76 and PC78 in Rolleston;
  - The Housing Accords and Special Housing Area (HASHA) and COVID-19 Recovery (Fast-track Consenting) areas in Rolleston; and
  - 47 ha of rural land (on six different sites) within the Future Development Area (FUDA) that are in between existing residential and private plan change areas in Rolleston.
- 4.5 The MRZ has immediate legal effect from the date of notification of Variation 1 (20 August 2022) where it applies to existing relevant residential zones within these townships. Where new MRZ land is proposed to be rezoned through the variation, the proposed MRZ does not have legal effect.
- 4.6 There are also a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP, as set out in the original [‘Overview’ Section 32 Report](#) and [‘Overview’ s42a Report](#). These documents are discussed in more detail within this report where relevant to the assessment of submission points. It is further noted that the assessment of submission points is made in the context of other Section 32 reports already undertaken with respect to relevant PDP topics, which can be viewed [here](#).
- 4.7 All recommended amendments to provisions since the initial Variation 1 s32 evaluation was undertaken must be documented in a subsequent s32AA evaluation and this has been undertaken for each sub-topic addressed in this report, where required.

#### ***National Policy Statement on Urban Development***

- 4.8 The National Policy Statement on Urban Development (NPS-UD) recognises the national significance of urban environments and provides direction on planning for urban environments through establishing well-functioning urban environments. While Council is identified as a Tier 1 local authority, the Tier 1 urban environment referred to in Table 1 of the NPS-UD is Christchurch. For the application of the NPS-UD, the urban environment is considered to explicitly relate to the Greater Christchurch Region, as shown on Map A within Chapter 6 of the CRPS.
- 4.9 In this context, it is recognised that the RMA-EHS applies to geo-spatial areas of Rolleston and Lincoln as they have been defined as having relevant residential zones by way of having a population greater than 5,000 people at the 2018 census. Prebbleton has been included as part of the geo-spatial scope of this Variation as the RMA-EHS also states that an area predominately urban in character, which the local authority intends to be part of the urban environment should also be included. When taking into consideration the definition of ‘urban environment’, and assessing Prebbleton’s estimated current population exceeding 5,000 people, its proximity to the housing and labour market of Christchurch City, and its location along key transport routes, it was determined that Prebbleton meets this definition and should be included as part of this Variation.
- 4.10 West Melton did not qualify for inclusion in Variation 1 because the township has a current resident population below 5,000. It was also determined that applying the MRZ to the township would

“constitute poor planning practice” due to existing low density built and zoned environment, its distance to Christchurch City, and its lack of employment, amenities, and access to public transport<sup>2</sup>.

***National Policy Statement on Highly Productive Land***

- 4.11 The NPS-HPL came into force on 17 October 2022 to provide national direction on how highly productive land is protected from inappropriate subdivision and development. It has immediate legal effect and applies to land identified as LUC Class 1, 2 or 3, as mapped by the New Zealand Land Resource Inventory (or any more detailed mapping that uses the LUC classification). This applies until maps are prepared by the regional council under Clause 3.5(1). The NPS-HPL is specifically relevant to ‘urban rezoning’, which it defines as a change from a GRUZ to an ‘urban zone’ that is inclusive of the GRZ and LLRZ<sup>3</sup>. Clause 3.5(7) identifies that the NPS-HPL applies to all GRUZ land that has a LUC Class 1, 2 and 3 and is not subject to an UGO in the PDP or subject to a Council initiated, or adopted, plan change to rezone the land from GRUZ to urban or rural lifestyle.
- 4.12 The NPS-HPL objective requires that highly productive land is protected for use in land-based primary production. This outcome is supported by policies that recognise highly productive land as a finite resource that needs to be managed in an integrated way (Policy 2). The urban rezoning of highly productive land (Policy 5), its use for rural lifestyle living<sup>4</sup> (Policy 6) and subdivision (Policy 7) are required to be avoided except as provided in the NPS-HPL.
- 4.13 NPS-HPL Part 3 Clause 3.6 requires that Tier 1 and 2 territorial authorities only allow the urban rezoning<sup>5</sup> of highly productive land where it is required to meet housing demand (under the NPS-UD), there are no other reasonably practicable or feasible options to achieve a well-functioning urban environment and the benefits outweigh the costs associated with the loss of highly productive land. Clause 3.7 requires territorial authorities to avoid the rezoning of highly productive land as rural lifestyle, except where the exemptions in Clause 3.10 are satisfied.

***National Planning Standards***

- 4.14 As set out in the [PDP Overview s42A Report](#), the Planning Standards were introduced to improve the consistency of council plans and policy statements. The Planning Standards were gazetted and came into effect on 5 April 2019. The PDP must be prepared in accordance with the Planning Standards.

## 5. Procedural matters

- 5.1 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

<sup>2</sup> Refer to the discussion on Page 7 and 8 - [Variation 1 Section 32 Report](#) (selwyn.govt.nz).

<sup>3</sup> NPS-HPL – Part 1: Preliminary provisions, 1.3 Interpretation - ‘Urban rezoning’

<sup>4</sup> Refer to the Rural Lifestyle Zone (RLZ) in the National Planning Standards 2019, 8. Zone Framework Standard, Table 13 Pg.37

<sup>5</sup> NPS-HPL – 1.3 Interpretation, Urban rezoning means changing from the general rural or rural production zone to an urban zone



## 6. Consideration of submissions

### ***Overview of submissions***

- 6.1 A total of 69 submission points and 144 further submissions were received on Variation 1 to the Commercial and Mixed Use Zone Chapters of the PDP. The majority of submissions relate to the maximum height of buildings and the enablement of retirement villages.

### ***Structure of this report***

- 6.2 This report relies on the recommendations in the s42A report for the Commercial and Mixed Use Zone chapters, including the subsequent Reply Report in relation to definitions, and the higher order framework that affects the whole chapter.
- 6.3 This report follows the order of the provisions within the PDP, and requested changes to the Planning Maps. The assessment of submissions generally follows the following format: Submission Information; Analysis; and Recommendation and Amendments. Where an amendment is recommended the applicable s32AA assessment will follow on from the Recommendations section for that issue.

## 7. General

### ***Introduction***

- 7.1 This section responds to the submission points relating to the implementation of the MDRS across the CMUZ chapters.

### ***Submissions***

- 7.2 Seven submissions points and eight further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0010	Woolworths	004	Oppose	Requests that Council consider a more aspirational zoning framework for business growth in the Variation, utilising the strategic process of a plan review to comprehensively and sustainably plan for and enable growth.
V1-0080	CCC	FS015	Oppose	Reject the submission
V1-0010	Woolworths	005	Support	Retain as notified.
V1-0013	J Dhakal	002	Support In Part	Rezone additional land within Prebbleton to Town Centre Zoning.
V1-0080	CCC	FS001	Oppose	Reject the submission unless it is demonstrated that expansion of the centre would not impact other centres.
V1-0088	Orion	FS003	Oppose In Part	Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0058	Jocelyn Humphreys	003	Support	Retain as notified.
V1-0083	Waka Kotahi	002	Oppose	Include greater building heights and density within and around the TCZ.
V1-0055	AgResearch	FS016	Support	Allow the submission
V1-0083	Waka Kotahi	013	Support In Part	Not specified.
V1-0113	Kāinga Ora	002	Support	Retain as notified.
V1-0102	CSI	FS267	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS267	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS267	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS267	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

### Analysis

- 7.3 Woolworths<sup>6</sup> considers that the Variation does not adequately respond to the obligations under the NPS-UD in respect of commercial activities to support a well-functioning urban environment and seeks that Council consider a more aspirational zoning framework for business growth to better provide for Supermarkets. The activity status of Supermarkets was previously considered through the PDP CMUZ hearings. In the JWS prepared with the Supermarket companies in response to a similar submission on the PDP, amendments were proposed to better provide for supermarkets across CMUZ. Despite the potential increase in density within these townships my position on the issue of providing additional zoning specifically for supermarkets remains unchanged as I consider the proposed framework suitably provides for supermarkets (of varying sizes) and I note amendments are proposed to SUB-REQ3 to enable areas in Development Areas identified as a NCZ on an ODPs to develop as per the NCZ provisions (via consent notice), with the intention they would be rezoned to NCZ in the future, thus supporting the commercial needs of the immediate vicinity. I recommend this submission point to create a more aspirational zoning framework for business growth be rejected.
- 7.4 Woolworths<sup>7</sup>, Kāinga Ora<sup>8</sup> and Jocelyn Humphreys<sup>9</sup> support the proposed rezoning of Prebbleton from LCZ to TCZ. I recommend this submission point be accepted.
- 7.5 J Dhakal<sup>10</sup> considers that the town centre of Prebbleton is too small and needs to be increased. in the absence of any meaningful evidence, planning evaluation or s32AA evaluation from the

<sup>6</sup> V1-0010.004 Woolworths

<sup>7</sup> V1-0010.005 Woolworths

<sup>8</sup> V1-0113.002 Kāinga Ora

<sup>9</sup> V1-0058.003 Jocelyn Humphreys

<sup>10</sup> V1-0013.002 J Dhakal

submitter and given that this request sites outside of the scope of the Variation, I recommend that this submission point be rejected.

- 7.6 Waka Kotahi<sup>11</sup> considers that Council should take a long-term, enabling view of development in the TCZ rather than a medium-term approach in relation to Policy 3(d) of the NPS-UD and include greater building heights and densities in and around the TCZ. On the basis of my recommendations in sections 11.3-11.9 of this report, I recommend that the submission point be rejected.
- 7.7 Waka Kotahi<sup>12</sup> also supports in part the several changes to the objectives and policies in the CMUZ Chapter. The submitter considers that the proposed amendments appropriately provide for the up-zoning that provides for MDRS and gives effect to the NPS-UD, but that further amendments to the policies and objectives would more appropriately provide for the character anticipated in the zone, as opposed to retaining the existing character. The ability of the objectives and policies of the CMUZ to reflect anticipated character of the zones was previously considered through the PDP CMUZ hearings, and amendments were proposed to CMUZ-O6 to reflect the anticipated development outcomes of the zone. I do not consider additional amendments to be necessary therefore I recommend this submission point be rejected.

### **Recommendation**

- 7.8 I recommend, for the reasons given above, that the Hearings Panel retain the variation provisions as notified, except as otherwise recommended in this report.
- 7.9 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **8. Buildings**

### **Introduction**

- 8.1 This section responds to the submission points relating to TCZ-R1 Any Buildings not otherwise listed.

### **Submissions**

- 8.2 Two submissions points and four further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	044	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair Limited	059	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS216	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS216	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

<sup>11</sup> V1-0083.002 and V1-0083.013 Waka Kotahi

<sup>12</sup> V1-0083.002 and V1-0083.013 Waka Kotahi

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0114	CSI and RWRL	FS216	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS216	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

### **Analysis**

- 8.3 Gary and Lynda Burgess<sup>13</sup> and Eliot Sinclair<sup>14</sup> are neutral in terms of the amendments proposed to TCZ-R1 and have not requested specific relief. I recommend that these submission points be accepted.

### **Recommendation**

- 8.4 I recommend, for the reasons given above, that the Hearings Panel retain TCZ-R1 as notified.
- 8.5 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **9. Food and Beverage Activities**

### **Introduction**

- 9.1 This section responds to the submission points relating to TCZ-R6 Food and Beverage Activities.

### **Submissions**

- 9.2 Two submissions points and four further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	046	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair Limited	044	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS201	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS201	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS201	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS201	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

<sup>13</sup> V1-0029.044 Gary and Lynda Burgess

<sup>14</sup> V1-0032.059 Eliot Sinclair

### ***Analysis***

- 9.3 Gary and Lynda Burgess<sup>15</sup> and Eliot Sinclair<sup>16</sup> are neutral in terms of the amendments proposed to TCZ-R6 and have not requested specific relief. I recommend that these submission points be accepted.

### ***Recommendation***

- 9.4 I recommend, for the reasons given above, that the Hearings Panel retain TCZ-R6 as notified.
- 9.5 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **10. Education Facilities**

### ***Introduction***

- 10.1 This section responds to the submission points relating to TCZ-R15 Education Facilities.

### ***Submissions***

- 10.2 Two submissions points and four further submission points were received in relation to this subtopic.

<b>Submitter ID</b>	<b>Submitter Name</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
V1-0029	Gary and Lynda Burgess	045	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair Limited	048	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS205	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS205	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS205	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS205	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

### ***Analysis***

- 10.3 Gary and Lynda Burgess<sup>17</sup> and Eliot Sinclair<sup>18</sup> are neutral in terms of the amendments proposed to TCZ-R15 and have not requested specific relief. I recommend that these submission points be accepted.

<sup>15</sup> V1-0029.046 Gary and Lynda Burgess

<sup>16</sup> V1-0032.044 Eliot Sinclair

<sup>17</sup> V1-0029.045 Gary and Lynda Burgess

<sup>18</sup> V1-0032.048 Eliot Sinclair

### **Recommendation**

- 10.4 I recommend, for the reasons given above, that the Hearings Panel retain TCZ-R15 as notified.
- 10.5 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **11. Height**

### **Introduction**

- 11.1 This section responds to the submission points relating to TCZ-REQ2 and NCZ-REQ2 Height.

### **Submissions**

- 11.2 Fourteen submissions points and nineteen further submission points were received in relation to this subtopic.

<b>Submitter ID</b>	<b>Submitter Name</b>	<b>Submission Point</b>	<b>Plan Reference</b>	<b>Position</b>	<b>Decision Requested</b>
V1-0010	Woolworths	002	NCZ-REQ2	Support	Retain as notified
V1-0010	Woolworths	003	TCZ-REQ2	Support	Retain as notified
V1-0029	Gary and Lynda Burgess	019	NCZ-REQ2	Neither Support Nor Oppose	Not specified.
V1-0029	Gary and Lynda Burgess	047	TCZ-REQ2	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair Limited	060	TCZ-REQ2	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS217	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS217	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS217	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS217	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0032	Eliot Sinclair Limited	089	NCZ-REQ2	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS246	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS246	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS246	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent</i>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<i>with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS246	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama	025	NCZ-REQ2	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0074	Jeremy Alsop	023	NCZ-REQ2	Oppose	Delete as notified
V1-0107	CRC	021	NCZ-REQ2	Support	Retain as notified.
V1-0113	Kāinga Ora	081	NCZ-REQ2	Support In Part	Amend as follows: The maximum height of any building or structure shall be <del>12m 11m plus 1m for a gable.</del>
V1-0102	CSI	FS346	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS346	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS346	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS346	NCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	083	TCZ-REQ2	Support In Part	Amend to provide: - a maximum building height of 18m in Lincoln. - a maximum building height of 21m for Rolleston PREC1 and PREC2. - a maximum building height of 12m for all other Town Centre Zones.
V1-0077	Ryman	FS054	TCZ-REQ2	Support	Allow the submission
V1-0079	RVA	FS054	TCZ-REQ2	Support	Allow the submission
V1-0083	Waka Kotahi	FS030	TCZ-REQ2	Support	Accept the submission point
V1-0102	CSI	FS348	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS348	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS348	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent</i>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<i>with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS348	TCZ-REQ2	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	038	NCZ-REQ2	Support	Retain as notified
V1-0115	RIDL	030	NCZ-REQ2	Support	Retain as notified
V1-0021	Lincoln Voice Incorporated	FS032	NCZ-REQ2	Oppose	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

### Analysis

- 11.3 Kāinga Ora<sup>19</sup> seek to amend the wording of NCZ-REQ2 to enable a maximum height of 12m. The plan as notified enabled an 11m limit, with up to an additional 1m to provide for a gable style roof to reflect MDRS that apply in surrounding MRZ areas. The submitter supports the increased height limit but considers that increasing the standard will ensure that 3-storey commercial buildings, with higher ceilings and varied rooflines can be accommodated and will be proportionate to the heights provided in the adjoining MRZ. The notified wording of '11m plus a 1m gable' has been adopted from the MDRS and I consider this to be an appropriate height limit, as the intention of Variation 1 was to implement the MDRS, which increases potential for residential densities, not to provide for taller commercial buildings. In the absence of any meaningful evidence or a 32AA assessment I recommend that this submission point be rejected.
- 11.4 Kāinga Ora<sup>20</sup> supports the amendments to TCZ-REQ2 in so far as it relates to the 12m height limit in Prebbleton. However, the submitter seeks to further amend the wording of TCZ-REQ2 to enable a maximum height of 21m in Rolleston and 18m in Lincoln. Amendments sought to increase the maximum height in the TCZ is because they consider that encouraging greater height will contribute to making centres a vibrant focal point for communities. They also consider that the increased heights are consistent with Policy 3(d) of the NPS-UD which directs district plans to provide building heights and densities of urban form commensurate with the level of commercial activity and community services, within and adjacent to town centre zones.
- 11.5 The issue of maximum height limits in the TCZ was debated during the PDP hearings, with the submitter lodging a similar submission<sup>21</sup> on that process. In my [Council Officers Right of Reply Report](#) I concluded that based on the information available at the time, a 15m height limit was appropriate in Rolleston and a 12m maximum limit in Lincoln. This was based on the surrounding residential areas having a maximum height limit of 8m under the notified PDP. With the height limits in residential areas increasing as a result of MDRS being applied the maximum height in adjoining MRZ is now 11m plus a 1m gable. I disagree with the submitter and consider that the provisions as notified are consistent with Policy 3(d) of the NPS-UD, as the district plan does provide for building heights

<sup>19</sup> V1-0010.002 Kāinga Ora

<sup>20</sup> V1-0010.003 Kāinga Ora

<sup>21</sup> DPR-0414 Kāinga Ora



and densities commensurate with the level of commercial activity and community services in the TCZs in the Selwyn District. In the absence of any meaningful evidence or a 32AA assessment I recommend this submission point be rejected.

- 11.6 CSI and RWRL, RIDL and CRC<sup>22</sup> support NCZ-REQ2 as notified. I recommend these submission points are accepted. Woolworths<sup>23</sup> supports NCZ-REQ2 and TCZ-REQ2 as notified. I recommend these submission points be accepted.
- 11.7 Gary and Lynda Burgess<sup>24</sup> and Eliot Sinclair<sup>25</sup> are neutral in terms of the amendments proposed to NCZ-REQ2 and TCZ-REQ2 and have not requested specific relief. I recommend that these submission points be accepted.
- 11.8 Ara Poutama<sup>26</sup> considers intensification in urban areas enabled by Variation 1 provides additional justification for the changes sought through their primary submission seeking suitable provision for community corrections sites and residential accommodation (with support) within appropriate areas. Their original submission did not relate to the height limit in the NCZ, but has been assigned to this provision as given the generic nature of the submitter's original submission on Variation 1, submission points were allocated to all chapters, however, this has meant that not all submission points relate to the original submission on the PDP. I recommend this submission point be rejected.
- 11.9 Jeremy Alsop<sup>27</sup> opposes NCZ-REQ2 and seeks for it to be deleted. The submitter rejects any changes based on the MDRS. I do not consider it is the intention of the submitter to delete the height limits in the NCZ, but rather revert to the PDP version as notified. Deleting NCZ-REQ2 would result in no maximum height limit in the zone and given there are limited other bulk and location requirements in the NCZ, I consider this could have a detrimental environmental effect on character and amenity within and adjoining the zone and I recommend this submission point be rejected.

### ***Recommendation***

- 11.10 I recommend, for the reasons given above, that the Hearings Panel retain TCZ-REQ2 and NCZ-REQ2 as notified.
- 11.11 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

## **12. Retirement Villages**

### ***Introduction***

- 12.1 This section responds to the submission points relating to amendments to existing provisions and the inclusion of new provisions for the enablement of Retirement Villages across all CMUZ. The consideration of submissions is further split to consider retirements villages in each of the NCZ, LCZ, LFRZ and TCZs.

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<sup>22</sup> V1-0114.038 CSI and RWRL, V1-0115.030 RIDL and V1-0107.021 CRC

<sup>23</sup> V1-0010.002 and V1-0010.003 Woolworths

<sup>24</sup> V1-0029.044 Gary and Lynda Burgess

<sup>25</sup> V1-0032.059 Eliot Sinclair

<sup>26</sup> V1-0056.025 Ara Poutama

<sup>27</sup> V1-0074-023 Jeremy Alsop

## Neighbourhood Centre Zones

### ***Submissions***

12.2 Ten submissions points and 25 further submission points were received in relation to Retirement Villages in NCZs.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0077	Ryman	060	Support	<u>Insert as follows:</u> <u>NCZ-PX Provisions of housing for an ageing population</u> <u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Neighbourhood Centre Zone, such as retirement villages.</u> <u>2. Recognise the functional and operational needs of retirement villages, including that they:</u> <u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u> <u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
V1-0077	Ryman	061	Support	<u>Insert as follows:</u> <u>NCZ-PX Changing communities</u> <u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Neighbourhood Centre Zone will change over time to enable a variety of housing types with a mix of densities.</u>
V1-0077	Ryman	062	Support	<u>Insert as follows:</u> <u>NCZ-PX Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within the Neighbourhood Centre Zone by provided for more efficient use of those sites.</u>
V1-0077	Ryman	063	Support In Part	<u>Amend as follows:</u> <u>1. ...</u> <u>Where:</u> <u>a. The development has a total gross floor area of less than 450 m<sup>2</sup>:and</u> <u>b. The activity is not associated with a retirement village.</u> <u>...</u> <u>Activity status when compliance not achieved:</u> <u>...</u> <u>6. When compliance with any of NCZ-R1.1b is not achieved: RDIS</u> <u>Matters for discretion:</u> <u>6.7. The exercise of discretion in relation to NCZ-R1.4. is restricted to the following matters:</u> <u>...</u> <u>8. The exercise of discretion in relation to NCZ-R1.6 is restricted to the following matters:</u> <u>a. CMUZ-MATX Retirement Villages</u> <u>Notification:</u> <u>9. Any application arising from NCZ-R1.4.or NCZ-R1.6 shall not be subject to public notification. Notice shall not be served on any person.</u> <u>10. Any application arising from NCZ-R1.6 that complies</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>with NCZ-REQ2 and NCZ-REQ3 shall not be subject to limited notification.</u>
V1-0077	Ryman	064	Support	Insert as follows: <u>NCZ-RX Retirement village</u> <u>Activity status: PER</u> <u>Activity status when compliance not achieved: N/A</u>
V1-0079	RVA	060	Support	Insert as follows: <u>NCZ-PX Provisions of housing for an ageing population</u> <u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Neighbourhood Centre Zone, such as retirement villages.</u> <u>2. Recognise the functional and operational needs of retirement villages, including that they:</u> <u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u> <u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
V1-0102	CSI	FS108	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS108	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS094	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS108	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS108	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	061	Support	Insert as follows: <u>NCZ-PX Changing communities</u> <u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Neighbourhood Centre Zone will change over time to enable a variety of housing types with a mix of densities.</u>
V1-0102	CSI	FS109	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS109	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS095	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS109	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS109	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	062	<u>Support</u>	Insert as follows: <u>NCZ-PX Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within the Neighbourhood Centre Zone by provided for more efficient use of those sites.</u>
V1-0102	CSI	FS110	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS110	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0113	Kāinga Ora	FS096	Oppose	Disallow
V1-0114	CSI and RWRL	FS110	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS110	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	063	Support In Part	<p>Amend as follows:</p> <p>1. ...</p> <p>Where:</p> <p>a. The development has a total gross floor area of less than 450 m<sup>2</sup>; <u>and</u></p> <p><u>b. The activity is not associated with a retirement village.</u></p> <p>...</p> <p>Activity status when compliance not achieved:</p> <p>...</p> <p><u>6. When compliance with any of NCZ-R1.1b is not achieved: RDIS</u></p> <p>Matters for discretion:</p> <p><del>6.7.</del> The exercise of discretion in relation to NCZ-R1.4. is restricted to the following matters:</p> <p>...</p> <p><u>8. The exercise of discretion in relation to NCZ-R1.6 is restricted to the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages</u></p> <p>Notification:</p> <p>9. Any application arising from NCZ-R1.4. <u>or</u> NCZ-R1.6 shall not be subject to public notification. Notice shall not be served on any person.</p> <p><u>10. Any application arising from NCZ-R1.6 that complies with NCZ-REQ2 and NCZ-REQ3 shall not be subject to limited notification.</u></p>
V1-0102	CSI	FS111	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS111	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS097	Oppose	Disallow
V1-0114	CSI and RWRL	FS111	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS111	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	064	Support	<p>Insert as follows:</p> <p><u>NCZ-RX Retirement village</u></p> <p><u>Activity status: PER</u></p> <p><u>Activity status when compliance not achieved: N/A</u></p>
V1-0102	CSI	FS112	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS112	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS098	Oppose	Disallow
V1-0114	CSI and RWRL	FS112	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0115	RIDL	FS112	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

### **Analysis**

- 12.3 Ryman and RVA<sup>28</sup> seek amendments to the NCZ chapter to specifically provide for Retirement Villages. The submitters seek to include three additional policies and to amend NCZ-R1 which manages the permitted size of buildings in the NCZ and to include a new rule to permit Retirement Villages. The activity status of Retirement Villages was previously considered through the PDP CMUZ hearings, as both submitters had lodged similar submissions to request new provisions be included in the NCZ to specifically provide for Retirement Villages. In [my s42a report](#) I noted that Retirement Villages tend to occupy large areas of land and are predominantly residential in nature, so I consider they would be more appropriate in a RESZ. My position on this remains unchanged. The DIS status provided by NCZ-R24 would allow for Council to consider the impact of a retirement village to occupy land zoned for Commercial development and consider how to best manage any potential reverse sensitivity issues. I do not consider new NCZ provisions to enable retirement villages are appropriate, therefore, I recommend these submission points be rejected.

### **Recommendation**

- 12.4 I recommend, for the reasons given above, that the Hearings Panel retain the NCZ Policies and NCZ-R1 as notified.
- 12.5 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### Local Centre and large Format Retail Zones

#### **Submissions**

- 12.6 Twenty submissions points and 50 further submission points were received in relation to Retirement Villages in LCZ and LFRZs.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0077	Ryman	065	Support	<p>Insert as follows:</p> <p><u>LCZ-PX Provisions of housing for an ageing population</u></p> <p><u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Local Centre Zone, such as retirement villages.</u></p> <p><u>2. Recognise the functional and operational needs of retirement villages, including that they:</u></p> <p><u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u></p>

<sup>28</sup> V1-0077-060, V1-0077-061, V1-0077-062, V1-0077-063, V1-0077-064 Ryman and V1-0079-060, V1-0079-061 V1-0079-062, V1-0079-063, V1-0079-064 RVA.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
V1-0077	Ryman	066	Support	Insert as follows: <u>LCZ-PX Changing communities</u> <u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Local Centre Zone will change over time to enable a variety of housing types with a mix of densities.</u>
V1-0077	Ryman	067	Support	Insert as follows: <u>LCZ-PX Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within the Local Centre Zone by provided for more efficient use of those sites.</u>
V1-0077	Ryman	068	Support In Part	Amend as follows: Where: a. The development has a total GFA of less than 450 m2: <u>and</u> <u>b. The activity is not associated with a retirement village.</u> ... Activity status when compliance not achieved: 4. When compliance with any of LCZ-R1.1.a is not achieved: RDIS 5. When compliance with any rule requirement <del>listed in this rule</del> of <u>NCZ-R1.1a</u> is not achieved: Refer to LCZ-Rule Requirements <u>6. When compliance with any of LCZ-R1.1b is not achieved: RDIS</u> Matters for discretion: <u>6.7. The exercise of discretion in relation to LCZ-R1.4. is restricted to the following matters:</u> ... <u>8. The exercise of discretion in relation to NCZ-R1.6 is restricted to the following matters:</u> <u>a. CMUZ-MATX Retirement Villages</u> Notification: <u>7.9. Any application arising from LCZ-R1.4.or LCZ-R1.6 shall not be subject to public notification. Notice shall not be served on any person.</u> <u>10. Any application arising from LCZ-R1.6 that complies with LCZ-REQ2, LCZ-REQ3 and LCZ-REQ4 shall not be subject to limited notification.</u>
V1-0077	Ryman	069	Support	Insert as follows: <u>LCZ-RX Retirement village</u> <u>Activity status: PER</u> <u>Activity status when compliance not achieved: N/A</u>
V1-0077	Ryman	070	Support	Insert as follows: <u>LFRZ-PX Provisions of housing for an ageing</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<p><u>population</u></p> <p><u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Large Format Retail Zone, such as retirement villages.</u></p> <p><u>2. Recognise the functional and operational needs of retirement villages, including that they:</u></p> <p><u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u></p> <p><u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u></p>
V1-0077	Ryman	071	Support	<p>Insert as follows:</p> <p><u>LFRZ-PX Changing communities</u></p> <p><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Large Format Retail Zone will change over time to enable a variety of housing types with a mix of densities.</u></p>
V1-0077	Ryman	072	Support	<p>Insert as follows:</p> <p><u>LFRZ-PX Larger sites</u></p> <p><u>Recognise the intensification opportunities provided by larger sites within the Large Format Retail Zone by provided for more efficient use of those sites.</u></p>
V1-0077	Ryman	073	Support In Part	<p>Amend as follows:</p> <p>Where:</p> <p><u>a. The building is not a residential unit;and</u></p> <p><u>b. The activity is not associated with a retirement village.</u></p> <p>...</p> <p>3. When compliance with any of LFRZ-R1.1.a is not achieved: NC</p> <p>4. When compliance with any rule requirement <del>listed in this rule</del> of <u>LFRZ-R1.1.a</u> is not achieved: Refer to LFRZ-Rule Requirements</p> <p><u>5. When compliance with any of LFRZ-R1.1b is not achieved: RDIS</u></p> <p>Matters for discretion:</p> <p><u>6. The exercise of discretion in relation to LFRZ-R1.5 is restricted to the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages</u></p> <p><u>Notification:</u></p> <p><u>7. Any application arising from LFRZ-R1.5 shall not be subject to public notification. Notice shall not be served on any person.</u></p> <p><u>8. Any application arising from LFRZ-R1.5 that complies with LFRZ-REQ2, LFRZ-REQ3 and LFRZ-REQ4 shall not be subject to limited notification.</u></p>
V1-0077	Ryman	074	Support	<p>Insert as follows:</p> <p><u>LFRZ-RX Retirement village</u></p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				Activity status: PER Activity status when compliance not achieved: N/A
V1-0079	RVA	065	Support	Insert as follows: <u>LCZ-PX Provisions of housing for an ageing population</u> <u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Local Centre Zone, such as retirement villages.</u> <u>2. Recognise the functional and operational needs of retirement villages, including that they:</u> <u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u> <u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
V1-0102	CSI	FS113	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS113	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS099	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS113	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS113	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	066	Support	Insert as follows: <u>LCZ-PX Changing communities</u> <u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Local Centre Zone will change over time to enable a variety of housing types with a mix of densities.</u>
V1-0102	CSI	FS114	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS114	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS100	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS114	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS114	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	067	Support	Insert as follows: <u>LCZ-PX Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within the Local Centre Zone by provided for more efficient use of those sites.</u>
V1-0102	CSI	FS115	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS115	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>



Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0113	Kāinga Ora	FS101	Oppose	Disallow
V1-0114	CSI and RWRL	FS115	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS115	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	068	Support In Part	<p>Amend as follows:</p> <p>Where:</p> <p>a. The development has a total GFA of less than 450 m2:<u>and</u></p> <p><u>b. The activity is not associated with a retirement village.</u></p> <p>...</p> <p>Activity status when compliance not achieved:</p> <p>4. When compliance with any of LCZ-R1.1.a is not achieved: RDIS</p> <p>5. When compliance with any rule requirement <del>listed in this rule of NCZ-R1.1a</del> is not achieved: Refer to LCZ-Rule Requirements</p> <p><u>6. When compliance with any of LCZ-R1.1b is not achieved: RDIS</u></p> <p>Matters for discretion:</p> <p><del>6.7.</del> The exercise of discretion in relation to LCZ-R1.4. is restricted to the following matters:</p> <p>...</p> <p><u>8. The exercise of discretion in relation to NCZ-R1.6 is restricted to the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages</u></p> <p>Notification:</p> <p><del>7.9.</del> Any application arising from LCZ-R1.4.<u>or LCZ-R1.6</u> shall not be subject to public notification. Notice shall not be served on any person.</p> <p><u>10. Any application arising from LCZ-R1.6 that complies with LCZ-REQ2, LCZ-REQ3 and LCZ-REQ4 shall not be subject to limited notification.</u></p>
V1-0102	CSI	FS116	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS116	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS102	Oppose	Disallow
V1-0114	CSI and RWRL	FS116	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS116	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	069	Support	<p>Insert as follows:</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>
V1-0102	CSI	FS117	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS117	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS103	Oppose	Disallow

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0114	CSI and RWRL	FS117	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS117	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	070	Support	Insert as follows: <u>LFRZ-PX Provisions of housing for an ageing population</u> <u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Large Format Retail Zone, such as retirement villages.</u> <u>2. Recognise the functional and operational needs of retirement villages, including that they:</u> <u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u> <u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
V1-0102	CSI	FS118	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS118	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS104	Oppose	Disallow
V1-0114	CSI and RWRL	FS118	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS118	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	071	Support	Insert as follows: <u>LFRZ-PX Changing communities</u> <u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Large Format Retail Zone will change over time to enable a variety of housing types with a mix of densities.</u>
V1-0102	CSI	FS119	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS119	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS105	Oppose	Disallow
V1-0114	CSI and RWRL	FS119	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS119	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	072	Support	Insert as follows: <u>LFRZ-PX Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within the Large Format Retail Zone by provided for more efficient use of those sites.</u>
V1-0102	CSI	FS120	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0103	CGPL	FS120	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS106	Oppose	Disallow
V1-0114	CSI and RWRL	FS120	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS120	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	073	Support In Part	<p>Amend as follows:</p> <p>Where:</p> <p>a. The building is not a residential unit;<u>and</u></p> <p>b. The activity is not associated with a retirement village.</p> <p>...</p> <p>3. When compliance with any of LFRZ-R1.1.a is not achieved: NC</p> <p>4. When compliance with any rule requirement <del>listed in this rule of LFRZ-R1.1.a</del> is not achieved: Refer to LFRZ-Rule Requirements</p> <p>5. When compliance with any of LFRZ-R1.1b is not achieved: RDIS</p> <p>Matters for discretion:</p> <p>6. The exercise of discretion in relation to LFRZ-R1.5 is restricted to the following matters:</p> <p>a. CMUZ-MATX Retirement Villages</p> <p>Notification:</p> <p>7. Any application arising from LFRZ-R1.5 shall not be subject to public notification. Notice shall not be served on any person.</p> <p>8. Any application arising from LFRZ-R1.5 that complies with LFRZ-REQ2, LFRZ-REQ3 and LFRZ-REQ4 shall not be subject to limited notification.</p>
V1-0102	CSI	FS121	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS121	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS107	Oppose	Disallow
V1-0114	CSI and RWRL	FS121	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS121	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	074	Support	<p>Insert as follows:</p> <p><u>LFRZ-RX Retirement village</u></p> <p><u>Activity status: PER</u></p> <p><u>Activity status when compliance not achieved: N/A</u></p>
V1-0102	CSI	FS122	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS122	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS108	Oppose	Disallow
V1-0114	CSI and RWRL	FS122	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS122	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

### Analysis

12.7 Ryman and RVA<sup>29</sup> seek amendments to the LCZ and LFRZ chapters to specifically provide for Retirement Villages. I consider the request to amend the LCZ and LFRZ chapters to be out of scope as the Variation does not amend either of these chapters. I also note the activity status of Retirement Villages was previously considered through the PDP CMUZ hearings, as both submitters lodged similar submissions to request new provisions be included to specifically provide for Retirement Villages. In my s42a report I noted that Retirement Villages tend to occupy large areas of land and are predominantly residential in nature, so I consider they would be more appropriate in a RESZ. My position on this remains unchanged. I recommend these submission points be rejected.

### Recommendation

- 12.8 I recommend, for the reasons given above, that the Hearings Panel retain the LCZ and LFRZ provisions as notified.
- 12.9 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

### Town Centre Zones

#### Submissions

12.10 Twelve submissions points and 30 further submission points were received in relation to Retirement Villages in TCZ.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0077	Ryman	075	New	Support	Insert as follows: <u>TCZ-PX Provisions of housing for an ageing population</u> <u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Town Centre Zone, such as retirement villages.</u> <u>2. Recognise the functional and operational needs of retirement villages, including that they:</u> <u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u> <u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u>
V1-0077	Ryman	076	New	Support	Insert as follows: <u>TCZ-PX Changing communities</u> <u>To provide for the diverse and changing residential needs of communities,</u> <u>recognise that the existing character</u>

<sup>29</sup> V1-0077-065, V1-0077-066, V1-0077-067, V1-0077-068, V1-0077-069, V1-0077-070, V1-0077-071, V1-0077-072, V1-0077-073, V1-0077-074 Ryman and V1-0079-065, V1-0079-066, V1-0079-0667, V1-0079-068, V1-0079-069, V1-0079-070, V1-0079-071, V1-0079-072, V1-0079-073, V1-0079-074 RVA.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<u>and amenity of the Town Centre Zone will change over time to enable a variety of housing types with a mix of densities.</u>
V1-0077	Ryman	077	New	Support	Insert as follows: TCZ-PX Larger sites <u>Recognise the intensification opportunities provided by larger sites within the Town Centre Zone by provided for more efficient use of those sites.</u>
V1-0077	Ryman	078	TCZ-R1	Support In Part	Amend as follows: TCZ (Darfield, Prebbleton and Leeston) Where: a. The development has a total gross floor area of less than 450 m2: <u>and</u> <u>b. The activity is not associated with a retirement village.</u> ... Activity status when compliance not achieved: ... 5. When compliance with any rule requirement <del>listed in this rule</del> of <u>TCZ-R1.1a, TCZ-R1.2a or TCZ-R1.3a</u> is not achieved: Refer to TCZ-Rule Requirements <u>6. When compliance with any of TCZ-R1.1b is not achieved: RDIS</u> Matters for discretion: <del>6.7.</del> The exercise of discretion in relation to TCZ-R1.4. is restricted to the following matters: ... <u>8. The exercise of discretion in relation to TCZ-R1.6 is restricted to the following matters:</u> <u>a. CMUZ-MATX Retirement Villages</u> Notification: 9. Any application arising from TCZ-R1.4. <u>or TCZ-R1.6</u> shall not be subject to public or limited notification and shall be processed on a non-notified basis. TCZ (Lincoln and Rolleston) Where: a. ... b. <u>...;or</u> <u>c. The activity is not associated with a retirement village.</u> ... Matters of Control: <del>11.13.</del> .. <u>14. The exercise of control in relation to TCZ-R1.10.c, TCZ-R1.11.c and TCZ-</u>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<p><u>R1.12.c is reserved over the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages</u> Activity status when compliance not achieved:</p> <p><del>12.15.</del> When compliance with any of TCZ-R1.<del>8</del><u>10</u>.a. or TCZ-R1.<del>8</del><u>10</u>.b., TCZ-R1.<del>9</del><u>11</u>.a. or TCZ-R1.<del>9</del><u>11</u>.b., TCZ-R1.<del>10</del><u>12</u>.a. or TCZ-R1.<del>10</del><u>12</u>.b. is not achieved: RDIS</p> <p><del>13.16.</del> When compliance with any rule requirement <del>listed in this rule</del> of TCZ-R1.<u>10</u>.a. or TCZ-R1.<u>10</u>.b., TCZ-R1.<u>11</u>.a. or TCZ-R1.<u>11</u>.b., TCZ-R1.<u>12</u>.a. or TCZ-R1.<u>12</u>.b is not achieved: Refer to TCZ-Rule Requirements</p> <p><u>17. When compliance with any of TCZ-R1.10.c, TCZ-R1.11c or TCZ-R1.12.c is not achieved: RDIS</u> Matters for discretion:</p> <p><del>14.18.</del> The exercise of discretion in relation to TCZ-R1.4. is restricted to the following matters:</p> <p>...</p> <p><u>19. The exercise of discretion in relation to TCZ-R1.6 is restricted to the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages</u> Notification:</p> <p><del>15.20.</del>Any application arising from TCZ-R1.<del>12.15.</del> or TCZ-R1.<u>17</u>.shall not be subject to public or limited notification and shall be processed on a non-notified basis.</p>
V1-0077	Ryman	079	New	Support	<p>Insert as follows:</p> <p><u>TCZ-RX Retirement village</u> <u>Activity status: PER</u> <u>Activity status when compliance not achieved: N/A</u></p>
V1-0077	Ryman	080	New	Support	<p>Insert as follows:</p> <p><u>CMUZ-MATX Retirement Villages</u></p> <p><u>1. The effects arising from exceeding any of the height, height in relation to boundary or setback standards;</u></p> <p><u>2. The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p><u>3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p><u>4. When assessing the matters in 1 - 3, consider:</u></p> <p><u>i. The need to provide for efficient use</u></p>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<p>of larger sites; and</p> <p>ii. <u>The functional and operational needs of the retirement village.</u></p> <p>5. <u>The positive effects of the construction, development and use of the retirement village.</u></p> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village.</u></p>
V1-0079	RVA	075	New	Support	<p>Insert as follows:</p> <p><u>TCZ-PX Provisions of housing for an ageing population</u></p> <p><u>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in the Town Centre Zone, such as retirement villages.</u></p> <p><u>2. Recognise the functional and operational needs of retirement villages, including that they:</u></p> <p><u>a. May require greater density than the planned urban built character to enable efficient provision of services.</u></p> <p><u>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</u></p>
V1-0102	CSI	FS123	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS123	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS109	New	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS123	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS123	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	076	New	Support	<p>Insert as follows:</p> <p><u>TCZ-PX Changing communities</u></p> <p><u>To provide for the diverse and changing residential needs of communities, recognise that the existing character and amenity of the Town Centre Zone will change over time to enable a variety of housing types with a mix of densities.</u></p>
V1-0102	CSI	FS124	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0103	CGPL	FS124	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS110	New	Oppose	Disallow
V1-0114	CSI and RWRL	FS124	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS124	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	077	New	Support	Insert as follows: <u>TCZ-PX Larger sites</u> <u>Recognise the intensification opportunities provided by larger sites within the Town Centre Zone by provided for more efficient use of those sites.</u>
V1-0102	CSI	FS125	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS125	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS111	New	Oppose	Disallow
V1-0114	CSI and RWRL	FS125	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS125	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0079	RVA	078	TCZ-R1	Support In Part	Amend as follows: TCZ (Darfield, Prebbleton and Leeston) Where: a. The development has a total gross floor area of less than 450 m2; <u>and</u> <u>b. The activity is not associated with a retirement village.</u> ... Activity status when compliance not achieved: ... 5. When compliance with any rule requirement <del>listed in this rule</del> of <u>TCZ-R1.1a, TCZ-R1.2a or TCZ-R1.3a</u> is not achieved: Refer to TCZ-Rule Requirements <u>6. When compliance with any of TCZ-R1.1b is not achieved: RDIS</u> Matters for discretion: <del>6.7.</del> The exercise of discretion in relation to TCZ-R1.4. is restricted to the following matters: ... <u>8. The exercise of discretion in relation</u>



Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<p><u>to TCZ-R1.6 is restricted to the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages Notification:</u></p> <p>9. Any application arising from TCZ-R1.4.<u>or TCZ-R1.6</u> shall not be subject to public or limited notification and shall be processed on a non-notified basis. TCZ (Lincoln and Rolleston)</p> <p>Where:</p> <p>a. ...</p> <p>b. ...;<u>or</u></p> <p><u>c. The activity is not associated with a retirement village.</u></p> <p>...</p> <p>Matters of Control:</p> <p><del>11.13.</del> ..</p> <p><u>14. The exercise of control in relation to TCZ-R1.10.c, TCZ-R1.11.c and TCZ-R1.12.c is reserved over the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages Activity status when compliance not achieved:</u></p> <p><del>12.15.</del> When compliance with any of TCZ-R1.<del>8</del><u>10</u>.a. or TCZ-R1.<del>8</del><u>10</u>.b., TCZ-R1.<del>9</del><u>11</u>.a. or TCZ-R1.<del>9</del><u>11</u>.b., TCZ-R1.<del>10</del><u>12</u>.a. or TCZ-R1.<del>10</del><u>12</u>.b. is not achieved: RDIS</p> <p><del>13.16.</del> When compliance with any rule requirement <del>listed in this rule</del> of TCZ-R1.<u>10</u>.a. or TCZ- R1.<u>10</u>.b., TCZ-R1.<u>11</u>.a. or TCZ-R1.<u>11</u>.b., TCZ-R1.<u>12</u>.a. or TCZ-R1.<u>12</u>.b is not achieved: Refer to TCZ-Rule Requirements</p> <p><u>17. When compliance with any of TCZ-R1.10.c, TCZ-R1.11c or TCZ-R1.12.c is not achieved: RDIS</u></p> <p>Matters for discretion:</p> <p><del>14.18.</del> The exercise of discretion in relation to TCZ-R1.4. is restricted to the following matters:</p> <p>...</p> <p><u>19. The exercise of discretion in relation to TCZ-R1.6 is restricted to the following matters:</u></p> <p><u>a. CMUZ-MATX Retirement Villages Notification:</u></p> <p><del>15.20.</del>Any application arising from TCZ-R1.<del>12.15.</del> or TCZ-R1.<u>17</u>.shall not be subject to public or limited notification and shall be processed on a non-notified basis.</p>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
V1-0102	CSI	FS126	TCZ-R1	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS126	TCZ-R1	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS112	TCZ-R1	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS126	TCZ-R1	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS126	TCZ-R1	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	079	New	Support	Insert as follows: <u>TCZ-RX Retirement village</u> <u>Activity status: PER</u> <u>Activity status when compliance not achieved: N/A</u>
V1-0102	CSI	FS127	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS127	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS113	New	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS127	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS127	New	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	080	New	Support	Insert as follows: <u>CMUZ-MATX Retirement Villages</u> <u>1. The effects arising from exceeding any of the height, height in relation to boundary or setback 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. When assessing the matters in 1 - 3, consider:</u> <u>i. The need to provide for efficient use of larger sites; and</u> <u>ii. The functional and operational needs of the retirement village.</u> <u>5. The positive effects of the construction, development and use of the retirement village.</u> <u>For clarity, no other rules or matters of discretion relating to the effects of</u>

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
					<u>density apply to buildings for a retirement village.</u>
V1-0102	CSI	FS128	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS128	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS114	New	Oppose	Disallow
V1-0114	CSI and RWRL	FS128	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS128	New	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

### **Analysis**

12.11 Ryman and RVA<sup>30</sup> seek amendments to the TCZ and CMUZ chapters to specifically provide for Retirement Villages. The submitters seek to include three additional policies and to amend TCZ-R1 which manages the permitted size of buildings in the TCZ, include a new rule to permit Retirement Villages and an associated Matter for Discretion in the CMUZ chapter. The activity status of Retirement Villages was previously considered through the PDP CMUZ hearings, as both submitters lodged similar submissions to request new provisions be included in the TCZ to specifically provide for Retirement Villages. In [my s42a report](#) I noted that Retirement Villages tend to occupy large areas of land and are predominantly residential in nature, so I consider they would be more appropriate in a RESZ. My position on this remains unchanged. The DIS status provided by TCZ-R24 would allow for Council to consider the impact of a retirement village to occupy land zoned for Commercial development and consider how to best manage any potential reverse sensitivity issues. I do not consider new TCZ or CMUZ provisions are necessary to enable Retirement Villages, therefore, I recommend these submission points be rejected.

### **Recommendation**

12.12 I recommend, for the reasons given above, that the Hearings Panel retain the TCZ and CMUZ provisions as notified.

12.13 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

<sup>30</sup> V1-0077-075, V1-0077-076, V1-0077-077, V1-0077-078, V1-0077-079 and V1-0077-080 Ryman and V1-0079-075, V1-0079-076, V1-0079-077, V1-0079-078, V1-0079-079 and V1-0079-080 RVA.

## 13. Conclusion

- 13.1 For the reasons set out in the Section 32AA evaluations and included throughout this report, I consider that the recommended amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.