

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the proposed Waimakariri District Plan

**Hearing Stream 7A: Residential and Large Lot
Residential**

**Medium Density Residential
Provisions**

STATEMENT OF EVIDENCE OF STEPHANIE STYLES

FOR

SUMMERSET RETIREMENT VILLAGES (RANGIORA) LTD

27 AUGUST 2024

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1.0 SUMMARY

- 1.1 This evidence relates to the submission lodged by Summerset Retirement Villages (Rangiora) Ltd (“**Summerset**”), submission number 207. This planning evidence focusses on responding to matters raised in the Hearing Stream 7A in relation to the General and Large Lot Residential zones, and Medium Density Residential zones. I have dealt with matters relating to both these topics in this evidence as it covers the same matters.
- 1.2 I have kept my evidence on these topics brief. I acknowledge the recommendations of the Council officers; however I note that assessment of some of the points raised in the Summerset submission do not reflect the actual relief sought.

2.0 QUALIFICATIONS, EXPERTISE AND INVOLVEMENT

- 2.1 My name is Stephanie Styles. I hold the position of Associate Partner with the environmental consultancy firm Boffa Miskell Limited, based in the firm's Christchurch office. I have already prepared planning evidence other hearing streams and that contains a summary of my experience, qualifications etc.

3.0 CODE OF CONDUCT

- 3.1 I have read the Code of Conduct for expert witnesses in the Environment Court Practice Note. I agree to comply with this Code. The evidence in my statement is within my area of expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

4.0 CONTEXT AND BACKGROUND

- 4.1 Summerset develops and operates retirement villages across New Zealand and owns a site of nearly 14ha located at 141 South Belt, Rangiora. This site was the subject of Private Plan Change 29 which rezoned the land to Residential 2 under the operative District Plan and applied an Outline Development Plan to the area. Subsequently, a land use consent was granted in May 2021 for the comprehensive development of a retirement village on part of the site and that village is currently under construction.
- 4.2 The proposed District Plan proposes a General Residential zoning to apply to the Summerset land including the land to the west which is not part of the retirement village.

In addition, this land is identified as being within the SBT South Belt Development Area, under the Development Area provisions. Summerset has an interest in ensuring that the outcomes achieved through the earlier rezoning and resource consent are consistently applied within the proposed District Plan and retirement villages are explicitly provided for.

5.0 RESIDENTIAL AND LARGE LOT RESIDENTIAL PROVISIONS AND MEDIUM DENSITY RESIDENTIAL PROVISIONS

5.1 Summerset's submission points appear to have been split between the reports relating to the GRZ / LLRZ¹ and MDR topics², despite the content of the points being the same. For some of these³, the section 42A reporting officer has recommended that the point be accepted. I concur with these recommendations, and accordingly I have not prepared evidence on those points.

5.2 The following assessment relates to the remaining submission points, and I have dealt with these in terms of three main 'themes':

- appropriateness of retirement villages in residential areas,
- design of development, and
- the relationship between rules and outline development plans.

APPROPRIATENESS OF RETIREMENT VILLAGES IN RESIDENTIAL AREAS

5.3 I note that retirement villages are a 'bespoke' form of residential development, providing specifically for specific needs of the elderly. They have different characteristics from typical residential dwellings being comprehensively planned, landscaped, and the serviced. They commonly, at least in the case of Summerset villages, comprise a mixture of residential villas, self-contained apartments, and rest home and hospital facilities within a central services area. I consider it is essential to recognise that they provide a key role in providing housing and are primarily a residential activity. I consider that this role, and

¹ Submission points relating to hearing stream 7A include: S207.4 (definition of retirement village), S207.5 (definition of residential activity), S207.22 (RESZ – O1), S207.23 (RESZ – O3), and S207.24 (RESZ – O4), S207.25 (RESZ - P1), S207.26 (RESZ – P4), S207.27 (RESZ – P10), S207.28 (RESZ – P12), S207.29, 207.31 and 207.32 (GRZ – P1), S207.33 (GRZ – R20), S207.35 (SETZ – R22), S207.36 (LLRZ – R41), S207.37 (RES-MD2), S207.48, 207.44 and 207.45 (GRZ-BFS4), S207.49 (GRZ-BFS6).

² Submission points relating to MDRZ (report entitled stream 12A) include: S207.30 (MRZ – P1), S207.34 (MRZ – R19), S207.46 (MRZ – R1).

³ Submission points S207.4 (definition of retirement village), S207.5 (definition of residential activity), S207.22 (RESZ – O1), S207.23 (RESZ – O3), and S207.24 (RESZ – O4), S207.26 (RESZ – P4).

the different characteristics should be reflected and provided for in the planning provisions for residential development within Waimakariri District.

- 5.4 Summerset lodged a number of submission points on both policy provisions and the activity status of retirement villages within the GRZ, MRZ, SETZ and the LLRZ, seeking to ensure sufficient recognition of retirement villages.

Policy Provisions

- 5.5 Submission points relating to Policy RESZ – P10 (S207.27), GRZ – P1 (S207.29, S207.31 and S207.32) and Policy MRZ – P1 (S207.30) sought that recognition be provided for retirement villages in the policy sections for these residential zones – noting that there is a policy specific to retirement villages in the general objectives and policies section. The S42A Officer has recommended that the submission in relation to Policy GRZ – P1 be accepted in part⁴. I am happy to support this recommendation.
- 5.6 The submission point relating to RESZ – P10 is recommended to be accepted in part⁵ to include reference to design outcomes, but not to provide for retirement villages in the LLRZ. I understand the concern with providing for retirement villages in the LLRZ at a policy level and I am happy to support this recommendation.
- 5.7 The submission point relating to MRZ – P1 is recommended to be rejected⁶ on the basis that the change sought is inconsistent with the definition of the term ‘residential unit’ within the Proposed Plan, and this would be inconsistent with the approach taken in Proposed Plan and Variation 1.
- 5.8 I disagree with this recommendation, in particular the comments in relation to inconsistency as I consider that retirement villages are an appropriate use within the MRZ zone and should be explicitly recognised as being anticipated in these areas. It seems somewhat unreasonable to consider retirement villages appropriate in general residential zones but not in medium density residential areas where comprehensive development is particularly anticipated. If the concern is in relation to the length of the addition sought to the policy, this could be simplified to read:

⁴ Officers report on Proposed Waimakariri District Plan: Residential and Large Lot Residential, paragraphs 348 – 360, pages 69 – 72.

⁵ Officers report on Proposed Waimakariri District Plan: Residential and Large Lot Residential, paragraphs 198 - 206, page 42 - 43

⁶ Officers report on Proposed Waimakariri District Plan: Residential and Large Lot Residential, paragraphs 44- 45, pages 13 – 16

Provide for activities and structures that support and maintain the character and amenity values anticipated for the zone, which provides for:

1. ...

9. Retirement villages that are well located and suitably designed.

Rules: Activity Status

5.9 In summary, the Summerset submission points lodged sought:

- Amendment of the restricted discretionary activity status to controlled activity status for retirement villages in the GRZ⁷ and MRZ⁸ zones (GRZ – R20 and MRZ – R19). The S42A Officer has recommended that these submission points be rejected⁹.
- Retention of the restricted discretionary activity status for retirement villages in the SETZ¹⁰ zone (SETZ – R22). The S42A Officer has recommended that this submission point be accepted¹¹ (and therefore I do not propose to discuss this further), and
- Amendment of the non-complying activity status to restricted discretionary status for retirement villages in the LLRZ¹² zone (LLRZ – R41). The S42A Officer has recommended that this submission point be rejected¹³.

5.10 While I appreciate that retirement villages are large developments, they provide an essential role providing housing and especially in meeting the needs of the elderly. I do not consider it necessary or appropriate to make development of retirement villages unnecessarily hard through consenting processes. If 'typical' residential activities can be a permitted activity, then I consider that in the general and medium density residential areas, retirement villages should be enabled as much as possible. I am not convinced that restricted discretionary activity status is necessary to manage the effects of a retirement village, if robust rules are in place to ensure the design of the village is appropriate and it respects neighbouring properties (e.g. through setback rules). I

⁷ Submission point S207.33

⁸ Submission point S207.34

⁹ Officers report on Proposed Waimakariri District Plan: Stream 7A Residential and Large Lot Residential, paragraphs 423 – 434, pages 83-85; Officers report on Proposed Waimakariri District Plan: report entitled stream 12A, paragraphs 139 – 144, page 29 - 30

¹⁰ Submission point S207.35

¹¹ Officers report on Proposed Waimakariri District Plan: Stream 7A Residential and Large Lot Residential, paragraphs 537 - 538, page 104

¹² Submission point S207.36

¹³ Officers report on Proposed Waimakariri District Plan: Stream 7A, Residential and Large Lot Residential, paragraphs 299 - 305, page 59 – 60.

consider that such an outcome can be achieved through retirement villages being provided for as controlled activities (as opposed to restricted discretionary activities as is currently the case) in the GRZ and MRZ zones.

- 5.11 I note that policy RESZ-P10 requires retirement villages to be “provided for”. To provide for an activity means a proactive stance best achieved through a permitted or controlled activity status if possible. There is no effects-based reason for requiring a retirement village to be assessed on such a different basis to any other residential activity if the rules control effects adequately. Further, Plan Change 29 which rezoned the land on which a Summerset village is currently being constructed was accepted by the Council with rules specifically providing for retirement villages in that area as a controlled activity. I further consider that provision for retirement villages in the MRZ gives effect to the national direction for increased residential density and opportunity for housing choice.
- 5.12 I acknowledge the difference between the character of the Settlement Zones and the Large Lot Residential Zones, and the GRZ and MRZ. Summerset has not sought controlled activity status for retirement villages in these zones, but has sought restricted discretionary activity status. I consider that this would be appropriate given the different character of these areas.
- 5.13 I recommend that the Panel consider applying the following activity status to retirement villages:

GRZ and MRZ	Controlled activity
SETZ and LLRZ	Restricted discretionary activity

6.0 DESIGN OF RETIREMENT VILLAGE DEVELOPMENT

- 6.1 Summerset lodged a submission on RES – P1¹⁴ (Design of Development) requesting that this policy specifically not apply to retirement village developments. The s42A Officer has recommended that this submission point be rejected¹⁵ on the basis that it is the role of the resource consent process to assess circumstances on a site by site basis, and that this does not require an amendment to the policy. I understand the role of consent processes but note that having misleading policy does not assist in processing consents and it is appropriate to recognise at a policy level that retirement villages have a different

¹⁴ Submission point S207.25

¹⁵ Officers report on Proposed Waimakariri District Plan: Residential and Large Lot Residential, paragraphs 149 - 155, page 35-36.

character from typical single dwellings and will not achieve the same design and character outcomes.

- 6.2 Summerset's submission point S207.37 opposed the application of the RES – MD2 Residential Design Principles to retirement villages, and requested that a new set of design principles applying to retirement villages be applied. The reporting Officer has recommended that this be rejected¹⁶ based on urban design advice but also noted the Panel could link retirement villages to the MDZ assessment matters instead.
- 6.3 In my experience, the nature and operation of most modern comprehensive care retirement villages includes the provision of at least one central building (or cluster of buildings) which will generally be larger in scale than any typical residential dwelling. Similarly, the density of development of units in a village and the relative self-containment mean that retirement villages by their nature are of a different in scale and appearance to standard residential development. It is inappropriate to seek that retirement villages apply the same character and standards as detached dwellings as this cannot reasonably be achieved, however, they can be designed to be compatible with surrounding development and this is a more appropriate outcome.
- 6.4 I reiterate the relief sought in the Summerset submission and consider that, at the least, linking retirement villages to the outcomes sought for the MRZ areas would be more appropriate.

7.0 RELATIONSHIP BETWEEN RULES AND OUTLINE DEVELOPMENT PLANS

- 7.1 Submission point S207.28 relates to RESZ – P12 Outline Development Plans (ODP) and sought that the policy be replaced with an alternate policy providing greater guidance on the application of outline development plans. The S42A Officer has recommended this be rejected¹⁷. I consider that the wording within the policy as notified is loose, in some cases is confusing, and is not sufficiently measurable. In my opinion the policy does not provide sufficient certainty over future development and layout for any parties involved in its administration. I recommend that the Panel consider development of improved wording that will be easier to implement.

¹⁶ Officers report on Proposed Waimakariri District Plan: Stream 7A Residential and Large Lot Residential, paragraph 561-567, page 108.

¹⁷ Officers report on Proposed Waimakariri District Plan: Residential and Large Lot Residential, paragraphs 209 - 214, page 44-45.

- 7.2 The relationship between an ODP and general rules is relevant to submission points S207.44, S207.45, S207.46, S207.48, and S207.49. These submission points relate to the Built Forms Standards for the General Residential Zone (GRZ) and the Medium Density Residential Zone (MRZ) and in particular the rules relating to site density, outdoor living space, height and street interface. I note that there appears to be some confusion in the Officer's report relating to these submission points and most appear to have been rejected.
- 7.3 The Summerset submission supported retirement villages being exempt from the site density and outdoor living space provisions and this exemption appears to have been retained (although not addressed in the officer's report). Similarly the submission point seeking that retirement villages be exempt from the street interface built form standard appears to have been accepted¹⁸. I support these exemptions.
- 7.4 In relation to the built form standard for height in the GRZ, the Summerset submission point did not seek an exemption from retirement villages for the height rule (BFS4). What it sought was that the height rule does not apply where an ODP allows for a greater height than the general rule. The ODP for the Summerset village site¹⁹ specifically allows for buildings up to 14m and that would be contradicted by the general rule having a maximum height of 8m or 12m (depending on the setback from the boundary). I consider that if an ODP has progressed through the required statutory process then there is no justification for requiring adherence to a more restrictive height requirement instead. I recommend that the exemption for additional height provided in an ODP be inserted into this rule as sought in the submission.

8.0 CONCLUSION

- 8.1 I consider that it is appropriate to amend the plan, as set out above, to better provide for retirement villages in the residential areas of the District and to recognise the role they place in providing residential opportunities and housing choice.

Stephanie Styles

27 August 2024

¹⁸ Officers report on Proposed Waimakariri District Plan: Residential and Large Lot Residential, page 94.

¹⁹ South Belt Development Area