13 August 2024

Independent Hearings Panel
Nelson Plan Change 29

By email to: environmental.planning@ncc.govt.nz

NELSON CITY COUNCIL'S PLAN CHANGE 29

1 I am writing on behalf of the Retirement Villages Association of New Zealand (*RVA*) in relation to our submission on the Nelson City Council's (*Council*) Plan Change 29 (*PC29*).

2 The RVA lodged a written submission on PC29 dated 31 October 2023 (*2023 Submission*).[1] The 2023 Submission introduces the RVA. It provides an overview of the benefits of retirement villages and the retirement village supply crisis. It also addresses the legal framework for Nelson's plan change process, before setting out the RVA's recommended planning regime for retirement villages in Nelson. That information is not repeated here.

3 The purpose of this letter is to express the RVA's support for the recommendations in the residential and centres section 42A reports that address the relief sought in our 2023 Submission. This letter also identifies some minor amendments to PC29 that we consider are required to achieve those recommendations.

4 Following the lodgement of the 2023 Submission, the RVA met with the section 42A report authors to discuss the retirement village planning regime for Nelson City. This engagement was a positive and useful exercise. The report authors were receptive to the challenges and opportunities for retirement villages in the City. As a result, the report authors have recommended a planning regime that we consider to be generally enabling of retirement villages.

5 The RVA supports the following recommendations in the section 42A reports:

5.1 Amending Objective RE1 in the residential zone to specifically reference the need to cater for differing demographic needs as well as community needs.[2]

5.2 Adding the RVA's proposed policies for 'larger sites' and 'changing communities' in residential zones as well as a policy recognising the 'role of density standards' in consenting.[3]

5.3 Amending existing policies to provide for the functional needs of residential activities that have a care component.[4] We support these recommendations, with the following amendments:

1 Submitter number 901.

2 Section 42A Report, Residential and Subdivision, page 99.

3 Section 42A Report, Residential and Subdivision, pages 24 and 25

4 Section 42A Report, Residential and Subdivision, page 99; Section 42A Report, City Centre, Commercial & Infrastructure, pages 4, 19 and 22-23.

(a) The section 42A report recommends amending Policy RE2.9 to provide some design flexibility regarding on-site amenity.[5] However, this has not been carried through to the drafting table.[6]

(b) The proposed drafting relates to the functional needs of accommodation where "*residents are subject to care*".[7] It is acknowledged that this drafting uses terminology from the definition of residential activity and applies more broadly than retirement villages. However, the RVA is concerned that the proposed drafting may be interpreted narrowly, so as to only apply design flexibility to aged care units and not across a retirement village. The functional needs of retirement villages as a whole are set out in the 2023 Submission.[8] We therefore seek that the proposed drafting is amended so that it clearly applies to all aspects of a retirement village:

> …for the functional needs of different type of residential living, particularly for accommodation where residents are subject to care (including retirement villages).

5.4 Retirement villages to have a restricted discretionary activity status in Inner City Centre, Inner City Fringe and Suburban Commercial Zones.[9]

5.5 Including targeted additional assessment criteria (in the residential zones) and new matters of discretion (in the relevant centre zones) for four or more residential units to address the need for design flexibility for retirement villages.[10] We support these recommendations, with the following amendments:

(a) For the reasons set out at 5.3(b) above, the following amendment to the assessment criteria:

> Accommodation where residents are subject to care (including retirement villages), whether design flexibility is necessary and appropriate to respond to the functional requirements of the activity and the context of the site.

(b) We also note a minor error in the 'Officer recommendations' column of the table for Key Issue 8.[11] The right hand column has omitted reference to RER19B.4, although it is identified for amendment in the left hand column. We ask that the additional assessment criterion is included in RER19B.4.

5.6 Support less restrictions on residential activity at ground floor in the Inner City Zone.[12]

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5 Section 42A Report, Residential and Subdivision, page 99-100.

6 Section 42A Report, Residential and Subdivision, page 35.

7 Section 42A Report, Residential and Subdivision, page 100.

8 2023 Submission, paragraphs 82–92 and 96-101.

9 Section 42A Report, City Centre, Commercial & Infrastructure, pages 29-31.

10 Section 42A Report, Residential and Subdivision, pages 99 and 100; Section 42A Report, City Centre, Commercial & Infrastructure, pages 36-43.

11 Section 42A Report, Residential and Subdivision, page 100.

12 Section 42A Report, City Centre, Commercial & Infrastructure, pages 48-49 and 50-51.

6 The RVA respectfully requests that the Panel adopts the recommendations in the section 42A reports subject to the minor amendments set out above.

Yours faithfully

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Executive Director

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