

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearings regarding submissions to the Proposed Waikato District Plan relating to Hearing 18: Chapter 5 Rural Environment & Chapter 22 Rural Zone.

**STATEMENT OF EVIDENCE OF LOUISE ELIZABETH FEATHERS
ON BEHALF OF TAMAHERE EVENTIDE HOME TRUST**

15 September 2020

1 INTRODUCTION

1.1 My name is Louise Feathers. I am a planner and the director of Feathers Planning. I have a bachelor's degree in Resource and Environmental Planning from Massey University, obtained in 1997. I am a member of the New Zealand Planning Institute.

1.2 I have been working as a planner for approximately 21 years, with 18 of those years based as a consultant planner in Hamilton.

1.3 I have provided Tamahere Eventide Home Trust with professional planning service and advice for at least the last 10 years.

2 SCOPE and PRIOR COMMUNICATION

2.1 My evidence is in relation to submissions to the Proposed District Plan lodged by the Tamahere Eventide Home Trust, ('TEHT') and specifically in relation to the retirement village provisions as they pertain to existing Assisi Atawhai Rest Home at 158 Matangi Road.

- 2.2 The submission by TEHT opposed various provisions relating to retirement villages, specifically, that existing retirement villages were not provided for with respect to alterations and additions.
- 2.3 A submission was also made by TEHT in relation to the existing retirement village at 621 State Highway 1, again pertaining to the retirement village provisions. This site is located in the Country Living zone, and not the Rural zone, however there are some cross overs with regards to consistent approach and implementation of the retirement village provisions, as set out by the s42A planner in his report.
- 2.4 I concur with Mr Clease (paragraph 21) that a Zoom meeting was held on 6th August 2020 (prior to the release of the s42A report), where we generally discussed the approach to Retirement Villages.
- 2.5 I have read the s42A report of Mr Jonathan Clease.
- 2.6 This evidence is in response to the recommendations of Mr Clease, specifically related to the retirement provisions of the Proposed District Plan.

3. SUMMARY

- 3.1 I generally concur with and support the approach recommended by Jonathan Clease in his s42A report. I do however make recommendations for minor amendments which will provide certainty for TEHT for implementing future development of the Assisi Atawhai and Tamahere Eventide retirement villages.

4. EVIDENCE

- 4.1 I do not wish to repeat the TEHT submission, rather prefer to comment on the s42A report prepared by Mr Clease. My reasoning for this approach is because we generally support

Mr. Cleese's recommendations and believe that he addresses the concerns that we raised in submissions.

- 4.2 I wish to correct Mr Cleese, however, insofar that the Atawhai Assisi Rest Home is not subject to a schedule under the ODP as he stated in paragraph 475. Only the Tamahere Eventide Rest Home (on ex-SH1 / Cherry Lane) is subject to a schedule.
- 4.3 I agree with Mr. Cleese, where he states in paragraph 56 of the s42A report that the existing TEHT activities "do not neatly align with the range of activities typically experienced in the Rural Zone..." (para 56). This paragraph essentially provides the basis for his recommendation, that provision should be made for TEHT existing activities, which already sit in and partially defines the rural (and Country Living) character of the immediate area.
- 4.4 In paragraph 470, Mr Cleese acknowledges the need for large areas of land for retirement villages, and that the cost and availability of urban land renders urban based retirement villages expensive and difficult to establish. I agree with this. I also agree with Mr Cleese's opinion, in paragraph 471 that the implementation of the National Policy Statement on Urban Development will compel WDC to review whether they have got enough urban zoned land to accommodate retirement villages.
- 4.5 I support Mr Cleese's recommended approach therefore to retain the Non-Complying status for new retirement villages in the Rural zone in the expectation that more land will (expected to) be rezoned urban to accommodate demand for retirement villages. (paragraph 472).
- 4.6 We support the recommendation by Mr Cleese that "the Proposed Plan also needs to provide an appropriate framework for existing retirement villages." (para 474). To this end, we also support the following, subject to minor amendments, where noted:

- i) The recommended changes to Policy 5.3.4 (para 284) to include (c), which provides for alterations and additions to existing retirement villages. I do however seek one minor amendment that this be changed “existing **or consented** retirement villages”. The reason for this is that a resource consent application is currently being prepared for an extension to Atawhai Assisi Rest Home, and if consented, will not be implemented before the date of decisions. I also note that there is a consented expansion of the Tamahere Eventide Home, into 597 State Highway 1 (Pt Lot 2 DPS 2182), so a similar amendment may be required to the equivalent Country Living policy.
- ii) The recommendation that a new permitted activity rule be added that provides for the operation and alteration of Atawhai Assisi village in the Rural Zone, with a similar permitted activity rule for the Eventide facilities in the Country Living Zone, and that both rules should be subject to a condition that alterations do not increase floor area. (para 480). The legal description of the Tamahere Retirement Village (table under paragraph 481) should also include **Pt Lot 2 DPS 2182** (being the abutting land which is a consented expansion to the retirement village).
- iii) The approach to the Restricted Discretionary default, as described in Mr Clease's paragraph 478:

478. A restricted discretionary rule is likewise proposed for additions to or expansion of these existing villages (which do not meet the permitted standards), with a relatively discrete set of matters of discretion. The proposed matters of discretion are based on those sought in the Waikato District Council submission. An extensive restricted discretionary rule that includes considerable detail regarding unit sizes, outdoor living areas etc. is not considered necessary, noting that the general structure of the Proposed Plan is to minimise as far as possible lengthy, site-specific rules in the interests of maintaining a concise and easy-to-use plan structure. The generic zone rules relating to the number of dwellings or site coverage do not fit with the nature of retirement villages that are comprised of multiple small units or bedroom-

based wings. An exclusion from the zone rules on these matters is therefore recommended, with appropriate outcomes relying on the matters of discretion to ensure an appropriate site-specific design that is compatible with its context. A consequential amendment is recommended for the policies relating to residential density and subdivision to recognise existing retirement village complexes and has been included in the recommended text changes to Policy 5.3.4 above.

iii) The recommendation in paragraph 481 that a Retirement Village (in the Country Living zone) that is not a permitted or restricted discretionary activity defaults to a Discretionary Activity (as opposed to a Non-Complying activity).

4.7 The only matter I do not support is the recommendation (in paragraph 480) that a Retirement Village in the Rural zone that is not a Permitted or Restricted Discretionary activity defaults to a Non-Complying activity (as opposed to a Discretionary activity). My opinion is that consistency should prevail, and the **default should be Discretionary**, the same as the Country Living zone. While I understand the different expectations with respect to built form and character between the Country Living zone and the Rural zone, the mixed use environments within which the Atawhai Assisi and the Tamahere Eventide homes sit are not significantly different from each other. Other controls such as setbacks can ensure that buildings do not outwardly affect rural character and amenity.

4.8 There would be no need or benefit in rezoning the land at 158 Matangi Road if the recommendations as made, and subject to the minor inclusion sought to accommodate consented expansion, were upheld by the Commissioners.

5.0 CONCLUSION

5.1 I consider that, subject to minor amendments, the recommendations made by the s42A planner sufficiently address the concerns of TEHT.

- 5.2 Minor amendments are required however to ensure that the existing consented, but not implemented development relevant to TEHT is provided for by the PDP provisions.
- 5.3 I do recommend that one activity default is changed for the purpose of consistent approach across the two sites owned and managed by TEHT.

Louise Feathers