

23 September 2022

By Email: steve@riceres.co.nz

Attention: Independent Hearing Panel for Plan Change 5

Hamilton City Council
260 Anglesea St
Hamilton 3204

Feedback on the Section 42A Report for Plan Change 5 – Peacocke Structure Plan

1. Introduction

- 1.1 The Hamilton City Council (**Council**) notified Plan Change 5 – Peacocke Structure Plan (**PC 5**) on 24 September 2021. Metlifecare Limited (**Metlifecare**) made an original submission on PC 5 on 5 November 2021 and a further submission on 16 March 2022. The Section 42A Report for PC 5 (**Section 42A Report**) was released on 2 September 2022 and the hearing for PC 5 has been set down for 27 September to 3 October 2022.
- 1.2 Metlifecare has opted not to appear at the hearing for PC 5. Instead, Metlifecare wishes to provide written feedback to the Independent Hearing Panel on the recommendations in the Section 42A Report.
- 1.3 Metlifecare's feedback on the recommendations in the Section 42A Report is set out below.

2. Background to Metlifecare

- 2.1 Metlifecare was established in 1984 and is a leading owner and operator of retirement villages in New Zealand. Metlifecare focuses on providing outstanding care and ensuring the comfort, happiness, and wellbeing of its residents by developing and maintaining high quality housing and creating dynamic, vibrant, and diverse social communities for older people throughout New Zealand.
- 2.2 Metlifecare operates using a range of different development models which generally include a variety of residential unit layouts ranging from apartments and townhouses for independent living, through to assisted living apartments and residential care homes with rest home to hospital level care.
- 2.3 As New Zealand's population grows and ages, the continued supply of retirement village housing will be crucial to ensure that the elderly population have suitable housing that meets their needs.
- 2.4 The wider community also benefits from the provision of retirement villages. For example, retirement villages release pressure on social and health services and contribute to employment in New Zealand, both in the construction sector and day-to-day operations. Retirement villages also have a crucial role in the general housing market because the supply of retirement village housing releases existing housing stock into the market.
- 2.5 Metlifecare is actively providing feedback to councils on their district plans to recognise and provide for retirement villages in appropriate locations.

3. Overall comment on PC 5 and the Section 42A Report

- 3.1 Metlifecare's original submission and further submission on PC 5 focused on the Medium Density Residential zone provisions in the Peacocke Precinct. Metlifecare supports the provision in PC 5 for the development of retirement villages as a restricted discretionary activity in the Medium Density Residential zone in the Peacocke Precinct. Metlifecare supports various recommended changes set

out in the Section 42A Report and seeks that further changes are made to better provide for the development of retirement villages in the Peacocke Precinct.

- 3.2 For completeness, Metlifecare could not gain an advantage in trade competition through this feedback.

4. Support for recommended changes in the Section 42A Report

- 4.1 Metlifecare supports various recommended changes proposed in the Section 42A Report that give effect to the changes that Metlifecare sought in its original submission and further submission on PC 5.

- 4.2 Metlifecare supports the following recommendations in the Section 42A Report:

- (a) New objectives MRZ-PREC1-PSP:OA and MRZ-PREC1-PSP:OB;
- (b) Amendments to MRZ-PREC1-PSP:O1;
- (c) New policies MRZ-PREC1-PSP:PA, MRZ-PREC1-PSP:PB, MRZ-PREC1-PSP:PC, MRZ-PREC1-PSP:PD, and MRZ-PREC1-PSP:PE;
- (d) Amendments to MRZ-PREC1-PSP:P5;
- (e) Restricted discretionary activity status for retirement villages in MRZ-PREC1-PSP:R26 (proposed to be MRZ-PREC1-PSP:R26 in the Section 42A Report) whether standards are, or are not, complied with;
- (f) Addition of (c) to MRZ-PREC1-PSP:R36 Maximum site coverage (proposed to be MRZ-PREC1-PSP:R34 in the Section 42A Report);
- (g) Retention of MRZ-PREC1-PSP:R37 Permeable surfaces (proposed to be MRZ-PREC1-PSP:R35 in the Section 42A Report);
- (h) Addition of MRZ-PREC1-PSP:R36 Landscaping (1) and (2);
- (i) Amendment to MRZ-PREC1-PSP:R36 Landscaping (3)(c);
- (j) Addition of MRZ-PREC1-PSP:R40 Height in relation to boundary (proposed to be MRZ-PREC1-PSP:R39 in the Section 42A Report) (1) and proposed amendment to (2);
- (k) Amendment to MRZ-PREC1-PSP:R43 Outlook space (proposed to be MRZ-PREC1-PSP:R41 in the Section 42A Report), other than the proposed change to the dimensions for retirement sought below;
- (l) Amendment to MRZ-PREC1-PSP:R47 Separation and privacy (proposed to be MRZ-PREC1-PSP:R45 in the Section 42A Report); and
- (m) Addition of MRZ-PREC1-PSP:R48(2) Residential unit size (proposed to be MRZ-PREC1-PSP:R46(2) in the Section 42A Report).

5. Further changes sought

- 5.1 Metlifecare seeks that further changes are made to the Medium Density Residential Zone Peacocke Precinct provisions to more appropriately recognise and provide for the development of retirement villages, and their different functional and operational requirements.

Separate outlook space requirements for retirement villages

- 5.2 MRZ-PREC1-PSP:R43(2) in PC 5 requires the main living room of a dwelling to have an outlook space with a minimum dimension of 6m x 4m.
- 5.3 Metlifecare sought that the outlook space requirement for retirement villages be reduced, while other submitters sought that retirement villages be excluded from the outlook space requirement.
- 5.4 The Section 42A Report recommends that retirement villages should not be excluded from outlook space requirements because outlook spaces are important for quality design and wellbeing of residents. The Section 42A Report also states an exclusion for retirement villages would not be consistent with the intent of the zone or the National Policy Statement for Urban Development 2020 (**NPS UD**) and would not be compatible with other residential activities in the area.
- 5.5 The Section 42A Report recommends that the outlook space requirements are reduced to 4m x 4m for all residential units to give effect to the Medium Density Residential Standards (**MDRS**) required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
- 5.6 Metlifecare acknowledged the reduction in the proposed outlook space, however an area of 4m x 4m is difficult to achieve for a comprehensive retirement village development. Metlifecare maintains a high level of amenity for its residents, and is confident that this can be achieved by a 3m x 3m outlook space control, while taking into account the other outdoor communal and recreational spaces provided in a retirement village.
- 5.7 As sought in its original submission on PC 5, Metlifecare seeks that the outlook space requirements are reduced to 3m x 3m for retirement villages.
- 5.8 Metlifecare seeks that the following amendments are made to MRZ-PREC1-PSP:R41 (as per the Section 42A Report):

The minimum dimensions for a required outlook space are as follows:

(a) a principal living room (other than in a retirement village unit) must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width;

(b) a principal living room in a retirement village unit must have an outlook space with a minimum dimension of 3 metres in depth and 3 metres in width; and

(c)(b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.

Separate outdoor living area requirement for retirement villages

- 5.9 In its original submission, Metlifecare sought that retirement villages be excluded from the outdoor living area standards in MRZ-PREC1-PSP:R44 because retirement village development provides communal outdoor spaces and internal recreation spaces which are not appropriately or easily calculated on a per dwelling basis.
- 5.10 The Section 42A Report recommends changes to outdoor living area requirements in MRZ-PREC1-PSP:R44 to give effect to the MDRS. However, Metlifecare considers that the outdoor living area requirements provided in the Section 42A Report are still not appropriate for retirement villages and more flexibility should be provided to retirement village operators on how these spaces are provided for. As retirement villages are a restricted discretionary activity appropriate consideration can be given to the provision of outdoor living areas as part of the consent process.

5.11 Metlifecare seeks that the following amendment is made to the standards recommended at MRZ-PREC1-PSP:R42 in the Section 42A Report to provide that the outlook living area standard does not apply to retirement villages:

(1) *These standards do not apply to retirement villages, managed care facilities or resthomes.*

Communal service areas for retirement villages

5.12 In its original submission, Metlifecare noted that retirement villages have communal service areas. It is appropriate that this is recognised in the standard for service areas.

5.13 Metlifecare seeks that the following amendment is made to MRZ-PREC1-PSP:R43 in the Section 42A Report:

(3) *Terrace dwellings, ~~and Apartment buildings~~ and retirement villages (Peacocke Precinct).*

5.14 Metlifecare appreciates the consideration by the Hearings Panel of the matters addressed in this letter.

Yours faithfully
MinterEllisonRuddWatts



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