

Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation
Clause 6 of Schedule 1, Resource Management Act 1991

To: Hutt City Council
Private Bag 31-912
Lower Hutt 5040

Attn: Proposed District Plan Submissions

By email: district.plan@huttcity.govt.nz

Name of submitter: Summerset Group Holdings Limited
PO Box 5187
Wellington 6140

This is a submission on the **Proposed Lower Hutt District Plan**.

Summerset Group Holdings Limited (Summerset) could not gain an advantage in trade competition as a result of this submission.

The specific provisions of the proposal that the submission relates to, the submission points, reasons and decisions sought are set out in the attached table. Summerset seeks that the decisions sought in the attached table are adopted, or any other such relief and/or consequential amendment are made that achieve an equivalent outcome.

Summerset wishes to be heard in support of its submission. Summerset does not wish to present a joint case.

Signature 

On behalf of Summerset Group Holdings Limited

Oliver Boyd
General Manager Acquisitions and Development NZ

Date: 28 April 2025

Address for Service:

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Introduction

Summerset is a leading provider of retirement living and has been operating in New Zealand for over 25 years. Summerset has 43 villages which are either completed or in development and 11 greenfield sites earmarked for potential future development across New Zealand and Australia. During this time Summerset has established an excellent reputation for its specialist service in retirement living and aged healthcare. Through this experience the company has grown its knowledge and expertise in the construction and operation of purpose-built comprehensive care retirement villages that meet the needs of the community.

Summerset owns and operates one retirement village in Lower Hutt, being the Boulcott village that is nearing completion. As New Zealand's population continues to age, the demand for appropriate accommodation and care for older people will continue to increase.

Retirement villages play an important role in addressing these social wellbeing issues by providing accommodation that meets the physical needs of older people, as well as better providing for their mental health. The ageing population, coupled with a trend towards people wishing to live in retirement villages, means that the demand for retirement accommodation and aged care will continue to grow. The demand and corresponding lack of supply is already critical and needs to be addressed.

The submission below details specific aspects of the Proposed District Plan (PDP) that Summerset seeks to be amended. More broadly Summerset seeks that retirement villages are appropriately recognised and provided for in all residential zones. Retirement villages are fundamentally a residential activity. Summerset is concerned that the Proposed District Plan seeks to assess retirement villages against provisions applicable to non-residential activities.

Retirement villages are different to typical residential developments and therefore do not necessarily fit in with the typical controls imposed on residential developments. It is therefore critical to provide a tailored and fit for purpose retirement village framework. The detailed submission highlights instances where an alternative approach for retirement villages is warranted.

The PDP, in its current form, does not include rules addressing notification of resource consent applications for retirement villages. A key consenting issue for retirement village operators across the country relates to the delays, costs and uncertainties associated with notification processes. Summerset considers that applications for retirement villages in the relevant residential zones should not be publicly notified based on density effects. In addition, limited notification should only be used where a retirement village application proposes a breach of a relevant density standard that manages external amenity effects and the relevant effects threshold in the Resource Management Act 1991 (RMA) is met.

Summerset appreciates the opportunity to make a submission on the PDP.

Medium Density Residential Zone and High Density Residential Zone

Provision	Support/Oppose/Amend	Submission	Relief Sought
Objectives MRZ-O1 and HRZ-O1	Support	Summerset supports the objectives as they reflect the NPS-UD requirement regarding well-functioning urban environments in a medium and high density setting.	Retain as notified.
Objectives MRZ-O2 and HRZ-O2	Support	Summerset supports the objectives as notified.	Retain as notified.
Objectives MRZ-O3 and HRZ-O3	Support	The objectives appropriately recognise a range of housing types and responding to specific housing needs and associated demand.	Retain as notified.
Objectives MRZ-O4 and HRZ-O4	Support	The objectives appropriately described the outcomes sought for each zone.	Retain as notified.
Policies MRZ-P1 and HRZ-P1	Support	The policies appropriately recognise compatible activities within the relevant residential zones.	Retain as notified.
Policies MRZ-P2 and HRZ-P2	Support	Summerset does not consider that the policy is relevant to the consideration of an application for a retirement village.	Retain as notified subject to changes proposed to Rules MRZ-R12 and HRZ-R13.
Policies MRZ-P3 and HRZ-P3	Support	Summerset does not consider that the policy is relevant to the consideration of an application for a retirement village.	Retain as notified subject to changes proposed to Rules MRZ-R12 and HRZ-R13.
Policies MRZ-P4 and HRZ-P4	Support	The policies are supported as they support the provision of a range of housing types.	Retain as notified.
Policies MRZ-P5 and HRZ-P5	Support	Summerset supports the policies as notified.	Retain as notified.
Policies MRZ-P6 and HRZ-P6	Support	Summerset supports the policies as notified.	Retain as notified.

Provision	Support/Oppose/Amend	Submission	Relief Sought
Policies MRZ-P7 and HRZ-P7	Support	Summerset supports the policies as they are consistent with the outcomes sought for the design of retirement villages.	Retain as notified.
Policies MRZ-P8 and HRZ-P8	Support	Summerset supports the policies as notified.	Retain as notified.
Policies MRZ-P10 and HRZ-P10	Amend	<p>Summerset supports bespoke policies for retirement villages such as that proposed. Summerset considers that, in terms of the outcomes sought for a retirement village that such a policy should be a 'one stop shop'.</p> <p>Summerset opposes the reference to 'non-residential' in matter (1).</p> <p>An addition to matter (3) is sought to clarify the applicability of the policy to an external street boundary.</p>	<p>Summerset seeks the following or equivalent changes:</p> <p>"Enable retirement villages in the Medium Density Residential Zone to:</p> <ol style="list-style-type: none"> 1. Provide for a greater density than other forms of residential developments in the zone and enable shared spaces, services, amenities and facilities, and affordability and the efficient provision of assisted living and care services while managing the effects of non-residential activities in retirement villages on the surrounding environment, 2. Provide good quality on-site amenity, recognising the day-to-day needs of residents as they age, and 3. Encourage the scale and design of the retirement village to: <ol style="list-style-type: none"> a. Be of a high quality and align with the planned character and planned urban built environment, and

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			b. <u>Where interfacing with a public street.</u> Achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.”
Policies MRZ-P11 and HRZ-P11	Support	Summerset supports the policies as notified.	Retain as notified.
Policies MRZ-P12 and HRZ-P12	Support	Summerset supports the policies as notified. Summerset considers that, if necessary, this policy would be better substituted in Rules MRZ-R12 and HRZ-R13 as a matter of discretion than Policies MRZ-P13 and HRZ-P13.	Retain as notified.
Policies MRZ-P13 and HRZ-P13	Oppose	<p>These policies are referenced as relevant matters of discretion in Rules MRZ-R12 and HRZ-R13. Summerset is opposed to their inclusion as they pertain to non-residential activities.</p> <p>Summerset considers that Policies MRZ-R10 and HRZ-P10 are provided as a bespoke policy for retirement villages and should act, in terms of specific outcomes for a retirement village, as a ‘one stop shop’ for retirement village specific outcomes.</p>	Retain as notified subject to changes proposed to Rules MRZ-R12 and HRZ-R13.
Policies MRZ-P14 and HRZ-P14	Support	Summerset considers that the policies provides for useful clarification.	Retain as notified.
Rules MRZ-R3 and HRZ-R3	Support	Summerset supports the rules as notified.	Retain as notified.
Rules MRZ-R12 and HRZ-R13	Amend	<p>Summerset supports the restricted discretionary activity status proposed for both rules.</p> <p>Summerset considers that there is duplication across these matters of discretion and policies MRZ-P10 and HRZ-P10. Summerset considers</p>	<p>Summerset seeks the following or equivalent changes to the matters of discretion:</p> <ol style="list-style-type: none"> 1. The effects on the residential amenity of the surrounding area.

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		<p>that reference to Policies MRZ/HRZ-P2, P3, P13 and P14 can be deleted.</p> <p>Summerset also seeks a preclusion to both public and limited notification to be added to these rules. Should a notification requirement arise resulting from a breach of bulk and location matters then Rules MRZ/HRZ-R3 can appropriately address that issue.</p>	<ol style="list-style-type: none"> 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which the site layout and any proposed landscaping helps to avoid or minimise the effects of the retirement village on surrounding residential areas, the streetscape, and adjoining public space. 4. The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the development. 5. The matters in <u>policy MRZ-P10ies</u>: <ol style="list-style-type: none"> a. MRZ P2: Non-residential activities, b. MRZ P3: Other activities, c. MRZ P10: Retirement villages, d. MRZ P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and e. MRZ P14: Urban design outcomes (exclusions). <p>Summerset seeks the inclusion of a non-notification statement precluding both public and limited notification.</p>

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Standards MRZ-S2, S3, S4, S5, S7 and S11 (and HRZ equivalents)	Support	Summerset supports the provisions as notified.	Retain as notified.
Standards MRZ-S8 and HRZ-S8	Amend	<p>Retirement villages operate a particular model of private and shared outdoor living spaces, along with indoor amenities. They have been developed and refined over a significant number of individual retirement villages.</p> <p>Prescribing a standard such as that proposed only serves to create potential non-compliances and force assessment against a criteria that has not been designed with retirement villages in mind. As an example, a retirement village could never comply with the standard for grouping outdoor living space as its communal outdoor space is located throughout a village rather than in one location.</p>	Exempt retirement villages from the Outdoor Living Space standards.
Standards MRZ-S9 and HRZ-S9	Amend	Summerset considers that the standard, which has not been designed with a retirement village model in mind, should not apply to retirement villages.	Exempt retirement villages from the Outlook Space standard.
Standards MRZ-S10 and HRZ-S10	Amend	Summerset seeks clarification that the standard applies only to a public street, and not a private road internal to a retirement village. Summerset notes that the word 'street' is not defined but understands that the standard is only intended to apply to a public road.	Clarify the applicability of the standard.

Commercial and Mixed Use Zones

Summerset supports the provision for retirement villages within the Commercial and Mixed Use Zones.

Natural Hazards

Summerset is concerned that mapping of the proposed Flood Hazard Overlay has changed from what was made available in the Draft District Plan. In particular, Summerset notes that the Flood Hazard Overlay proposed over a site accessed from Allen and Kingston Streets (as rezoned by Plan Change 54) as shown below now has isolated areas of 'High Flood Hazard' interspersed among areas of Low and Medium Flood Hazard.

As currently identified in the Operative District Plan, and as shown in the Draft District Plan, the area was only identified as an Inundation Area. As an Inundation Layer, the area was identified as a Low Hazard Area. Summerset queries the methodology behind this change and whether it is appropriate. Summerset understands that the threshold for a High Flood Hazard is a flooding depth of 0.5m and queries whether this is overly conservative. Summerset also seeks that an appropriate consenting path is provided where small isolated areas of 'High Flood Hazard' are interspersed with areas of Low and Medium Flood Hazard such as in the example shown above. Such small pockets of High Flood Hazard, tied to an 'avoid' policy provide challenges in appropriately designing and consenting a development proposal while seeking to address any potential effects.



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Natural Hazards Mapping	Amend	<p>Summerset opposes the identification of small isolated areas of High Flood Hazard Areas on the land recently rezoned to residential zoning through Plan Change 54.</p> <p>Summerset considers that the methodology to identify these areas may be overly conservative and has costs that outweigh the benefits, will impact on development potential, and the effects of the potential flood hazard in such small areas can be otherwise avoided or mitigated.</p>	<p>Consider the appropriate threshold for identification as a High Flood Hazard Area and whether the adopted approach is overly conservative.</p> <p>Consider whether mapping of small, isolated areas of High Flood Hazard Area is appropriate within a larger area of Low and Medium Flood Hazard relative to the costs of identifying a High Flood Hazard Area.</p>
Objective NH-O1, Policy NH-P2 and Policy NH-P9	Amend	<p>The objective and policies are framed in avoid terms regarding use and development in areas of High Natural Hazard areas.</p> <p>While fundamentally that is understood, in areas where small pockets of High Flood Hazard are located within larger areas of Low and Medium Hazard, the impact of the High Flood Hazard are disproportionate.</p> <p>Summerset seeks that, in the absence of mapping changes, that an appropriate consenting pathway is reflected in the relevant objective and policies.</p>	<p>Amend Policy to provide for an appropriate consenting pathway for areas where small isolated pockets of High Flood Hazard are located interspersed among larger areas of Low and Medium Flood Hazard.</p> <p>Alternatively, remove the High Flood Hazard notation from the Plan Change 54 site or provide an appropriate consenting pathway for that site specifically.</p>