

**Further Submission Form**  
 In support of, or in opposition to,  
 submission/s on notified:

ECM Project: PDP2022V003-04  
 ECM # .....  
 FS # .....  
 Customer # .....  
 Property # .....

**Enabling Housing Supply Variation 3  
 to the Proposed Waikato District Plan**

Clause 8 of Schedule 1, Resource Management Act 1991

**Closing date for further submissions: 19 December 2022**

To submit electronically please email: [districtplan@waidc.govt.nz](mailto:districtplan@waidc.govt.nz)

<b>I. Further Submitter details:</b> <i>(mandatory information)</i>	
Full name of individual/organisation making further submission:	
Contact person <i>(if different from above)</i>	
Email address for service	
Postal address for service	
	Postcode: 1024
Preferred method of contact	<input type="checkbox"/> Email <input type="checkbox"/> Post
Phone numbers	Daytime:
	Mobile:
Correspondence to	<input type="checkbox"/> Submitter <input type="checkbox"/> Contact person <input type="checkbox"/> Both

<b>2. Eligibility to make a further submission</b> <i>(for information on this section go to RMA Schedule 1, clause 8)</i>
<p>I am:</p> <p><input type="checkbox"/> A person representing a relevant aspect of the public interest;  <i>In this case, also specify below the grounds for saying that you come within this category; or</i></p> <p><input type="checkbox"/> A person who has an interest in the proposal greater than the interest that the general public has.  <i>In this case, also specify below the grounds for saying that you come within this category; or</i></p> <p><input type="checkbox"/> A local authority itself.  <i>In this case, also specify below the grounds for saying that you come within this category; or</i></p>
<p>My reasons for selecting the category ticked above are:</p>   

<b>3. Request to be heard at a hearing</b>
<p><input type="checkbox"/> Yes, I wish to be heard at the hearing in support of my further submission; or</p> <p><input type="checkbox"/> No, I do not wish to be heard at the hearing in support of my further submission</p>

#### 4. Joint submission

If others make a similar submission, I will consider presenting a joint case with them at the hearing

yes  no

#### 5. Checklist for further submission being made

- I have filled in the table on the next page with details of my further submission.
- I have added \_\_\_\_\_ further pages/sheets that form part of my further submission.
- I understand that I am responsible for serving a copy of my further submission on the original submitter(s) within 5 working days after it is served on Council.

#### 6. Signature of further submitter *(a signature is not required if you make your submission by electronic means)*

Signature of further submitter (or person authorised to sign on their behalf)

Signature: \_\_\_\_\_ Marika Williams \_\_\_\_\_ Date: \_\_\_\_\_  
*(type name if submitting electronically)*

#### 7. Return this form no later than 19 December 2022 by:

- Delivery to any Waikato District Council office or library
- Post to Waikato District Council, Private Bag 544, Ngaruawahia 3742
- Email to [districtplan@waidc.govt.nz](mailto:districtplan@waidc.govt.nz)

#### 8. Important notes to person making a further submission:

##### A. Content of further submission

A further submission must be limited to a matter in support of, or in opposition to, an original submission.

A further submission cannot introduce new matters that were not raised in original submissions.

Please note that your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least one of the following applies to the further submission (or part of the further submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the further submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

##### B. Serving a copy of your further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council.

##### C. Privacy Information

Council will make all further submissions, including name and contact details, publicly available on Council's website. Personal information will also be used for the administration of the submission process and will be made public.

**The specific submission(s) on Variation 3 to the Proposed Waikato District Plan that this further submission relates to:**

Name of original submitter	Address of original submitter	Original Submitter number	Original submission point number/s	Support or Oppose	Reasons for my support or opposition are	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) <i>Give precise details</i>
<i>Example</i> John Smith	<i>Example</i> 15 Galileo St Ngaruawahia	<i>Example</i> 200	<i>Example</i> 200.1	<i>Example</i> Support	<i>Example</i> It is important that...	<i>Example</i> I seek that the whole of the submission be allowed.
Please see attached submission.						

Use additional sheets if necessary.



*Clause 8 of Schedule 1, Resource Management Act 1991*

19 December 2022

**To** Waikato District Council (*Council*)

**Further submitter details:**

Retirement Villages Association of New Zealand Incorporated (*RVA*)

The RVA made a submission on Council's proposed amendments to the Decisions Version of the Proposed Waikato District Plan (*Proposed Plan*) Variation 3 – Enabling Housing Supply (*Variation 3*).

**Introduction**

1 This is a further submission on Variation 3.

**Interest in the submissions**

- 2 The RVA represents a relevant aspect of the public interest and has an interest in Variation 3 greater than the general public for a number of reasons, including (without limitation):
- a. The RVA represents the interests of the owners, developers and managers of retirement villages throughout the Waikato District. The RVA, on behalf of its members, has a significant interest in how the Proposed Plan, including amendments proposed by Variation 3, provides for retirement village and aged care provision in the Waikato District, given the existing and predicted demand by our members for such accommodation.
  - b. Retirement villages make a substantial contribution to housing and healthcare for older people in the region, providing for the social and economic wellbeing of communities. The ability of RVA members to provide villages that contribute to the social and economic wellbeing of the Waikato District will depend on the reasonableness and appropriateness of the Proposed Plan provisions, including amendments proposed by Variation 3.
  - c. Given the RVA's broad membership, history and representation in the Waikato District, the RVA has specialist experience and expertise relevant to determining the merits of the Proposed Plan provisions, including amendments proposed by Variation 3.
  - d. The RVA made a submission on Variation 3.

## Decisions sought

- 3 The decisions sought are detailed in the table **attached** to this form as **Appendix 1**.
- 4 The RVA has not referenced all original submissions it supports or opposes on the basis that its own submission is clear as to what the RVA seeks for retirement villages in the region. To the extent that other submissions seek relief which "challenges the relief sought" in the RVA's primary submission (i.e. new or amended provisions that are inconsistent with or in conflict with the RVA's submission), the RVA generally opposes those submissions. To the extent that other submissions seek relief which aligns with the RVA's primary submission, the RVA supports those submissions.

### **Request to be heard in support of further submission**

- 5 The RVA wishes to be heard in support of its further submission.
- 6 If others make a similar submission, the RVA will consider presenting a joint case with them at a hearing.

### **John Collyns**

Executive Director  
19 December 2022

Address for service of submitter:

Retirement Villages Association of New Zealand Incorporated  
c/- Luke Hinchey  
Chapman Tripp  
Level 34  
15 Customs Street West  
PO Box 2206  
Auckland 1140

Email address: [luke.hinchey@chapmantripp.com](mailto:luke.hinchey@chapmantripp.com) / [marika.williams@chapmantripp.com](mailto:marika.williams@chapmantripp.com)

## APPENDIX 1 - FURTHER SUBMISSION ON BEHALF OF THE RVA

The specific submission(s) on Variation 3 to the Proposed Waikato District Plan that this further submission relates to:						
Name of original submitter	Address of original submitter	Original Submitter number	Original submission point number/s	Support or Oppose	Reasons for my support or opposition are	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) <i>Give precise details</i>
Waikato Regional Council	<a href="mailto:Katrina.Andrews@waikatoregion.govt.nz">Katrina.Andrews@waikatoregion.govt.nz</a>	42	42.4	Support in part	The submitter seeks to strengthen the objectives and policies to address transportation matters, such as enabling and prioritising walking, cycling, micro-mobility and public transport and integration with land use to reduce the need to travel. The RVA does not oppose this submission point in principle, but due to the age and frequency of mobility constraints amongst retirement village residents, the RVA considers that the relief sought should not apply to retirement villages.	Allow submission point, subject to excluding retirement villages from the application of any new provisions.
KiwiRail	<a href="mailto:michelle.grinlinton-hancock@kiwirail.co.nz">michelle.grinlinton-hancock@kiwirail.co.nz</a>	54	54.2	Oppose	The submitter seeks to include a new provision for a vibration performance standard. The RVA acknowledges that acoustic insulation for the purpose of noise and vibration controls may be appropriate in some areas located within or adjacent to a railway boundary with a purpose of providing protection/amenity to residents in such areas. The RVA considers however that such requirements need to be determined on a case-by-case basis, with consideration given to the distance of noise sensitive activities, rather than from the boundaries.	Disallow submission point.

KiwiRail	<a href="mailto:michelle.grinlinton-hancock@kiwirail.co.nz">michelle.grinlinton-hancock@kiwirail.co.nz</a>	54	54.8, 54.10	Oppose	The submitter seeks to amend MRZ2-O6 and MRZ2-P11 to include managing the design of buildings, including the use of acoustic insulation, ventilation and vibration measures. The RVA acknowledges that acoustic insulation for the purpose of noise and vibration controls may be appropriate in some areas located within or adjacent to a railway boundary with a purpose of providing protection/amenity to residents in such areas. The RVA considers however that such requirements need to be determined on a case-by-case basis, with consideration given to the distance of noise sensitive activities, rather than from the boundaries.	Disallow submission point.
Ministry of Education	<a href="mailto:danielle.rogers@beca.com">danielle.rogers@beca.com</a>	60	60.4, 60.11	Support in part	The submitter seeks to include a new objective that residential development is supported by educational facilities. The RVA does not oppose the relief in principle but seeks for retirement villages to be excluded from this provision, which is not relevant to retirement villages.	Allow submission point subject to excluding retirement villages from the application of this provision.
Classic Group Holdings	<a href="mailto:libby.gosling@classicdevelopments.co.nz">libby.gosling@classicdevelopments.co.nz</a>	62	62.1	Support	The submitter seeks to amend the definition of "landscaped area" to ensure consistency with the MDRS. The RVA supports the relief sought as it will aid clarity in the Plan.	Allow submission point.
J and A Whetu	<a href="mailto:james@whetugroup.co.nz">james@whetugroup.co.nz</a>	70	70.1	Oppose	The submitter seeks to amend the Medium Residential Zone 2 to include a new objective, policy and rule that protects the privacy and amenity of properties located adjacent to new developments. The RVA opposes the relief sought as it is inconsistent with the NPSUD and Enabling Housing Act.	Disallow submission point.
Jodie Bell	<a href="mailto:jodibell824@icloud.com">jodibell824@icloud.com</a>	71	71.2, 71.3	Oppose	The submitter seeks to include a new rule which removes the ability to create common walls between housing unless they adjoin non-habitable garaging at ground level. The RVA opposes the relief sought as it is inconsistent with the MDRS.	Disallow submission point.



Laura Kellaway and Bryan Windeatt	<a href="mailto:laurakellaway121@gmail.com">laurakellaway121@gmail.com</a>	75	75.4, 75.9	Oppose	The submitter seeks to include urban design rules, including the MFE urban design guides and restricted discretionary rules to include design and character. The RVA opposes the relief sought, noting that the MFE Design Guidelines do not provide for/recognise the unique functional and operational needs of retirement villages, which are different to that of other residential developments. The relief sought is inconsistent with the purpose of the Enabling Housing Act and NPSUD.	Disallow submission point.
Laura Kellaway and Bryan Windeatt	<a href="mailto:laurakellaway121@gmail.com">laurakellaway121@gmail.com</a>	75	75.5	Oppose	The submitter seeks to include a buffer adjacent to historic heritage and potential historic areas of the 4 towns as a qualifying matter. The RVA opposes the relief sought as qualifying matters relating to historic heritage are adequately addressed in Variation 3.	Disallow submission point.
Laura Kellaway and Bryan Windeatt	<a href="mailto:laurakellaway121@gmail.com">laurakellaway121@gmail.com</a>	75	75.7	Oppose	The submitter seeks to include new rules in the residential zone relating to amenity, including privacy, shadowing, car parking, setbacks and landscaping. The RVA opposes the relief sought as it is inconsistent with the Enabling Housing Act.	Disallow submission point.
Laura Kellaway and Bryan Windeatt	<a href="mailto:laurakellaway121@gmail.com">laurakellaway121@gmail.com</a>	75	75.11	Oppose	The submitter seeks to include a new rule that if more than 10% of a street is under redevelopment, there should be a neighbourhood infrastructure plan in place. The RVA opposes the relief sought as it is inconsistent with the purpose of the Enabling Housing Act, and other provisions of the Proposed Plan adequately deal with infrastructure matters.	Disallow submission point.
Laura Kellaway and Bryan Windeatt	<a href="mailto:laurakellaway121@gmail.com">laurakellaway121@gmail.com</a>	75	75.14	Oppose	The submitter seeks to add a cumulative assessment rule when 3x3 proposals exceed 20% of the street. The RVA opposes the relief sought as it is inconsistent with the Enabling Housing Act.	Disallow submission point.
Waikato District Council	<a href="mailto:keri.davis-miller@waidc.govt.nz">keri.davis-miller@waidc.govt.nz</a>	76	76.2	Oppose	The submitter seeks to amend Variation 3 to give greater consideration to the urban design outcomes of development and growth enabled by Variation 3. While it is unclear what relief is sought, the RVA opposes any relief that is inconsistent with the Enabling Housing Act and the NPSUD, or that does not recognise and provide for the functional and operational needs of retirement villages.	Disallow submission point.

Ngāti Naho Trust	<a href="mailto:haydn@ngatinaho.com">haydn@ngatinaho.com</a>	83	83.5	Oppose	The submitter seeks to apply a 1.2km buffer zone along the Waikato River, Lake Waikare, and the Whangamarino and Mangatawhiri wetlands that excludes any medium or high-density housing. The RVA opposes the relief sought as restrictions on housing development should only be to the extent necessary to accommodate a qualifying matter.	Disallow submission point.
Ngāti Naho Trust	<a href="mailto:haydn@ngatinaho.com">haydn@ngatinaho.com</a>	83	83.12	Oppose	The submitter seeks to increase the requirement for green spaces on a property and increase the distance and buffer zone between neighbour's boundaries. The RVA opposes the relief sought as it is inconsistent with the Enabling Housing Act.	Disallow submission point.
Ngāti Naho Trust	<a href="mailto:haydn@ngatinaho.com">haydn@ngatinaho.com</a>	83	83.12	Oppose	The submitter seeks to include the prevention of multi-storey dwellings being constructed close to boundaries and the implementation of low impact design builds. The RVA opposes the relief sought as it is inconsistent with the Enabling Housing Act.	Disallow submission point.
Ngāti Naho Trust	<a href="mailto:haydn@ngatinaho.com">haydn@ngatinaho.com</a>	83	83.16	Oppose	The submitter seeks to include principles of fairness and equity provisions including to prevent the devaluation of properties, the change in character and the loss of lifestyle, outlook and surrounds. The RVA opposes the relief sought as it is inconsistent with the NPSUD and Enabling Housing Act.	Disallow submission point.
Ngāti Naho Trust	<a href="mailto:haydn@ngatinaho.com">haydn@ngatinaho.com</a>	83	83.20	Oppose	The submitter seeks to add a setback from wind and solar plants of 3km to 5km from medium density housing. The RVA opposes the relief sought as restrictions on housing development should only be to the extent necessary to accommodate a qualifying matter.	Disallow submission point.
Waikato Community Lands Trust & Others	<a href="mailto:thomas@gibbonslaw.co.nz">thomas@gibbonslaw.co.nz</a> <a href="mailto:jennifer.palmer@perry.co.nz">jennifer.palmer@perry.co.nz</a> <a href="mailto:whi@waikatohousinginitiative.org">whi@waikatohousinginitiative.org</a> <a href="mailto:nic.greene@habitat.org.nz">nic.greene@habitat.org.nz</a>	93	93.1	Oppose?	The submitter seeks to amend Variation 3 to include new plan provisions on inclusionary zoning and financial contributions. The RVA oppose the relief sought as it is inconsistent with the financial contributions regime under the RMA.	Disallow submission point.

	<a href="mailto:kelvyn@momentumwaikato.nz">kelvyn@momentumwaikato.nz</a>					
Kāinga Ora	<a href="mailto:developmentplanning@kaingaora.govt.nz">developmentplanning@kaingaora.govt.nz</a>	106	106.2	Support in part	The submitter seeks to have only one Medium Density Residential Zone in Variation 3. The RVA does not oppose the relief sought but seeks that the retirement village-specific framework sought in its primary submission for MRZ2 be applied in any new MRZ.	Allow submission point, subject to the relief sought in the RVA's primary submission.
Kāinga Ora	<a href="mailto:developmentplanning@kaingaora.govt.nz">developmentplanning@kaingaora.govt.nz</a>	106	106.4	Support in part	The submitter seeks to add a new High Density Residential Zone chapter. The RVA supports the relief sought subject to the relief sought in the RVA's primary submission, i.e. that a retirement village-specific planning framework be applied in any new High Density Residential Zone.	Allow the submission point, subject to the relief sought in the RVA's primary submission.
Kāinga Ora	<a href="mailto:developmentplanning@kaingaora.govt.nz">developmentplanning@kaingaora.govt.nz</a>	106	106.9	Support	The submitter seeks to add a height variation control over the Huntly and Ngāruawāhia centres to enable a proportionate height of buildings to that sought within the High Density Residential Zone. The RVA supports the submission point as it is consistent with the NPSUD.	Allow submission point.
Waikato Tainui	<a href="mailto:kahurimu.flavell@tainui.co.nz">kahurimu.flavell@tainui.co.nz</a>	114	114.10-114.12	Oppose	The submitter seeks to amend the matters of discretion for MRZ2-S1, MRZ2-S2 and MRZ2-S3 to include effects on cultural values. The RVA oppose the relief sought as restrictions on housing development should only be to the extent necessary to accommodate a qualifying matter.	Disallow the submission point.