

*under:* the Resource Management Act 1991

*in the matter of:* Submissions and further submissions in relation to the  
Wellington City Proposed District Plan

*and:* Wrap Up Hearing – ISPP Provisions

*and:* **Retirement Villages Association of New Zealand  
Incorporated**

*and:* **Ryman Healthcare Limited**

Statement of Supplementary Evidence of **Nicola Marie Williams**  
on behalf of the Retirement Villages Association of New Zealand  
Incorporated and Ryman Healthcare Limited

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Dated: 27 September 2023

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Reference: Luke Hinchey (luke.hinchey@chapmantripp.com)  
Nicola de Wit (nicola.dewit@chapmantripp.com)

**STATEMENT OF EVIDENCE OF NICOLA MARIE WILLIAMS ON BEHALF OF  
THE RETIREMENT VILLAGES ASSOCIATION OF NEW ZEALAND  
INCORPORATED AND RYMAN HEALTHCARE LIMITED**

**INTRODUCTION**

- 1 My full name is Nicola Marie Williams and I am an Associate with Mitchell Daysh Limited.
- 2 I confirm my experience as set out in paragraphs 2 – 6 of my statement of evidence dated 12 June 2023 for Hearing Stream 4 - Centres.
- 3 I also reconfirm that I have read and agree to comply with those parts of the Environment Court Practice Note that bear on my role as an expert witness, in accordance with paragraph 10 of that evidence.
- 4 I have provided written evidence dated 5 September 2023 and presented that evidence at the 'Wrap Up' hearing on 20 September 2023 on the topic of design guides.
- 5 I have prepared this supplementary statement of evidence in response to Minute 36 from the Independent Hearing Panel. It provides a consolidated s32AA further evaluation for the amendments I addressed at the Wrap Up Hearing at **Appendix A**, addressing the matters raised in my evidence. It supplements the earlier s32AA evaluations prepared by Dr Phil Mitchell (see evidence dated 16 March and 23 April 2023 for Hearing Stream 2) and myself (see evidence dated 12 June 2023 for Hearing Stream 4). The further evaluation has been undertaken at a scale and degree that is commensurate with the anticipated effects of the proposed amendments.
- 6 I consider the proposed amendments to be more appropriate than those recommended by the Council's reporting planner for the reasons set out in Appendix A.

**Nicola Williams**

**27 September 2023**

## APPENDIX A

## Section 32AA Evaluation

Council Officer recommendation	My recommendation	Section 32AA evaluation
<p>In the HRZ and MRZ zones:</p> <p><b>HRZ / MRZ – P7 Retirement villages</b></p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> <li>1. Fulfils the intent of the Residential Design Guide;</li> <li>2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village;</li> <li>3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development;</li> <li>4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</li> <li>5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone.</li> </ol> <p>In the City Centre Zone:</p> <p><b>CCZ-PX Retirement villages</b></p>	<p>In the residential and commercial zones, insert the following policy, which does not require a retirement village development to 'fulfil the intent' of the relevant Design Guide:</p> <p><b><u>[Insert Zone] – PX: Retirement Villages</u></b></p> <p><u>Enable retirement villages to:</u></p> <ol style="list-style-type: none"> <li>1. <u>Provide for greater density than other forms of residential developments to enable shared spaces, services, amenities and / facilities, and affordability and the efficient provision of assisted living and care services;</u></li> <li>2. <u>Be adequately serviced by three waters infrastructure or can address any constraints on the site;</u></li> <li>3. <u>Provide good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age and the types of retirement units they live in;</u></li> </ol>	<p><b>Effectiveness and Efficiency</b></p> <p>My recommended policy will be more efficient and effective than the Council Officer's recommended policy. It provides clearer direction on the full suite of relevant urban design matters for retirement villages. In my view these matters are also more consistent with the requirements of the MDRS. The policy is also supported by other policies (for example LCZ- P7 Quality design outcomes, LCZ-P8 On-site residential amenity and LCZ-P9 Managing adverse effects that describe the expectations in relation to high quality urban design outcomes. It also ensures decision-makers have guidance on the functional and operational needs of retirement villages and the specific needs of the residents, which are different from a typical multi-unit development.</p> <p>As stated in my evidence, I do not think that the design guide should be referred to at the policy level. A design guide is a means to achieve the MDRS policy, including encouragement of high-quality outcomes. I consider the design guide is a method rather than a policy.</p> <p>My recommended policy will be more efficient than the Council Officer's recommended policy. It will not require retirement villages to be assessed against the full suite of guidance in a Design Guide. I rely on Ms Skidmore's view (evidence dated 5 September 2023) that much of that guidance is not relevant to retirement villages. Although the Introduction to the Design Guides notes that applicants are only required to apply the guidance points relevant to the proposal, in my opinion it is not efficient to require each retirement village applicant to establish the points relevant to retirement villages.</p>

<p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> <li>1. Meeting the requirements of the Residential Centres and Mixed Use Design Guide, as relevant;</li> <li>2. Includes outdoor space that is sufficient to cater for the needs of the residents of the village residents;</li> <li>3. Provides an adequate and appropriately located area on site for the management, storage and collection of all of the solid waste, recycling and organic waste potentially generated by the development;</li> <li>4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</li> <li>5. Is of an intensity, scale and design that is consistent with the amenity values anticipated in for the Zone.</li> </ol> <p>In the Local Centre, Metropolitan and Neighbourhood Zones:</p> <p><b>LCZ-PX, MCZ-P11, NCZ-P10 Retirement village</b></p> <p>Provide for retirement villages where it can be demonstrated that the development:</p> <ol style="list-style-type: none"> <li>1. <del>Meets Meeting the requirements</del> <u>Fulfils the intent of the Residential Centres and Mixed Use Design Guide, as relevant;</u></li> </ol>	<ol style="list-style-type: none"> <li>4. <u>Encourage the scale and design of the retirement village to:</u> <ol style="list-style-type: none"> <li>i. <u>be of a high-quality and compatible with the planned urban character;</u></li> <li>ii. <u>achieve attractive and safe streets and public open spaces, including by providing for passive surveillance; and</u></li> <li>iii. <u>achieve an appropriate level of residential amenity at neighbouring properties where relevant built form standards are exceeded.</u></li> </ol> </li> </ol>	<p>My recommended policy is also aligned with the nationally consistent approach being sought by the RVA and Ryman (with amendments for the Wellington context) and therefore will provide efficiency benefits for the delivery of retirement villages.</p> <p><b>Costs/Benefits</b></p> <p>My recommended policy will encourage high quality design outcomes for retirement villages, without the costs associated with applying Design Guides that have not been written to cater for retirement villages. The policy supports good design outcomes in relation to the external effects on adjoining sites and public realm areas without frustrating the design and consenting process for retirement villages.</p> <p>My recommended policy continues to ensure the adverse effects of retirement villages will be managed in line with the direction of the NPSUD and Enabling Housing Act, and therefore, do not result in inappropriate or unanticipated environmental costs.</p> <p><b>Risk of acting or not acting</b></p> <p>I do not consider there is uncertain or insufficient information about the subject matter of the recommended policy. Ms Skidmore sets out in her evidence retirement villages and their urban design effects. The other evidence presented by the RVA and Ryman sets out sufficient section 32 information to support the provisions. Nevertheless, I have considered the risk of acting or not acting for completeness.</p> <p>There may be a perceived risk that internal environments of retirement villages may be inappropriate for residents if the relevant parts of the design guides are excluded. I do not consider the risk to be material. I propose that retirement villages be subject to internal amenity standards, which I consider appropriate in light of the evidence presented by Ryman and the RVA and in view of the MDRS expectations for internal amenity. The effects of any breaches of those standards will be assessed through the restricted discretionary activity rule I propose.</p>
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<ol style="list-style-type: none"> <li>2. Includes outdoor space that is sufficient to cater for the needs of <del>the residents</del> of the village residents;</li> <li>3. Provides an adequate and appropriately located area on site for the management, storage and collection of all of <u>the solid waste</u>, recycling and organic waste potentially generated by the development;</li> <li>4. Is able to be adequately serviced by three waters infrastructure or can address any constraints on the site; and</li> <li>5. Is of an intensity, scale and design that is consistent with the amenity values anticipated for in the Zone.</li> </ol>		<p>The risk of not acting is that retirement villages are assessed against Design Guide guidance that is not relevant and/or does not consider their unique functional and operational needs. This approach may result in retirement village proposals being delayed through consenting processes or redesigned in way that makes them less able to meet the housing and care needs of the growing ageing population<sup>99</sup>.</p> <p>I consider that the appropriateness of adopting the relief sought must also be considered in the context of the direction set out in the NPSUD and the MDRS. These directions provide for a significant step change in meeting the needs of communities, including providing a variety of homes for a range of households. The NPSUD seeks to enable growth by requiring local authorities to provide development capacity to meet the demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide growth that is strategically planned and results in vibrant urban areas. In my opinion, the relief sought by the RVA and Ryman will better achieve the outcomes expressed in the NPSUD. The risk of not acting is that intensification will occur without providing for the variety of homes required to meet the needs of the ageing population.</p>
<p>Residential Zones</p> <p><b>MRZ-R14 Construction of buildings or structures for multi-unit housing or a retirement village</b></p> <p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The extent and effect of non-compliance with any of the follow standards as specified in the associated assessment criteria for any infringed standard: <ol style="list-style-type: none"> <li>i. MRZ-S2;</li> <li>ii. MRZ-S3;</li> <li>iii. MRZ-S4; iv. MRZ-S5;</li> </ol> </li> </ol>	<p>In the residential zones, insert the following matters of discretion (the red text shows the amendments recommended at the Wrap Up Hearing):</p> <p><b><u>Matters of Discretion (Residential)</u></b></p> <ol style="list-style-type: none"> <li>5. <u>For retirement villages:</u> <ol style="list-style-type: none"> <li>i. <u>In addition to paragraph 1, the extent and effect of non-compliance with any of the following standards as specified in the associated assessment criteria for any infringed standard (including any cumulative effects of all standard infringements):</u></li> </ol> </li> </ol>	<p><b>Effectiveness and Efficiency, costs and benefits and risks of not acting</b></p> <p>For similar reasons outlined above, my recommended matters of discretion are preferred. In particular, my recommended matters of discretion will be more efficient than the Council Officer's recommended matters of discretion as they do not require retirement villages to be assessed against the full suite of guidance in a Design Guide. Instead, only the guidance that is relevant to retirement villages will need to be considered.</p> <p>Further, the guidance will inform the assessment of relevant effects, rather than being applied as rules. This approach is consistent with the evidence of Ms Skidmore dated 5 September 2023 on the importance of the Design Guides being treated as guidelines, and not rules or standards.</p>

<p>v. MRZ-<del>S12</del>S11 for multi-unit housing only; vi. MRZ-<del>S13</del>S12 for multi-unit housing only; and vii. MRZ-<del>S14</del>S13 for multi-unit housing only; and</p> <p>2. The matters in MRZ-P2, MRZ-P3, MRZ-P5, MRZ-P6 (For multi-unit housing only), MRZ-P7 (For retirement villages only), MRZ-P8, MRZ-<del>P10</del>P9 and MRZ-<del>P11</del>P10.</p> <p>Notification status: An application for resource consent made in respect of rule MRZ-R14.1 is precluded from being publicly notified.</p> <p>An application for resource consent made in respect of rule MRZ-R14.1 that complies with all relevant standards is also precluded from being limited notified.</p> <p>An application for resource consent made in respect of rule MRZ-R14.1 that complies with MRZ-S2, MRZ-S3, MRZ-S4, but does not comply with one or more of the other relevant standards is also precluded from being limited notified.</p>	<p>a. <u>MRZ-S6</u>  b. <u>MRZ-S7</u>  c. <u>MRZ-S8</u>  d. <u>MRZ-S9</u>  e. <u>MRZ-S10</u></p> <p>ii. <u>The effects of the retirement village on the safety of adjacent streets or public open spaces;</u></p> <p>iii. <u>The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length;</u></p> <p>iv. <u>The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces;</u></p> <p>v. <u>When assessing the matters in 1(i) – (iv), and 3(i) – (iii), consider:</u></p> <p>a. <u>The need to provide for efficient use of larger sites; <del>and</del></u></p> <p>b. <u>The functional and operational needs of the retirement village; <del>and</del></u></p> <p>c. <u>Subject to (v)(b), the following outcomes and design guidance contained in the Residential Design Guide (where relevant):</u></p> <p>i. <u>Under the theme of 'Responding to the natural environment in an urban context': Design guidance G2, G3 and G4;</u></p>	
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	<ul style="list-style-type: none"> <li>ii. <u>All of the design outcomes and design guidance listed under the theme of 'Effective public-private interface';</u></li> <li>iii. <u>Under the theme of 'Well-functioning sites': Design guidance G15, G16, and G18;</u></li> <li>iv. <u>Under the theme of 'High quality buildings': Design outcomes 012 and 014 and Design guidance G34, G35, G38, G39, G40;</u></li> <li>vi. <u>The matters in MDRZ P2, PP4, P7, P9, P10 and PX [New policies]; and</u></li> <li>vii. <u>The positive effects of the construction, development and use of the retirement village.</u></li> </ul> <p><u>For clarity, no other rules or matters of discretion relating to the effects of density apply to buildings for a retirement village (except in relation to natural hazards).</u></p>	
<p>In the CCZ, NCZ, MCZ &amp; LCZ:</p> <p><b>COMZ-R5X Retirement Villages</b>  <b>Activity status: Discretionary</b></p> <p>LCZ-RX, NCZ- RX and MCZ-RX Retirement Villages 1. Activity status: Permitted</p>	<p>In the commercial zones, insert the following matters of discretion (the red text shows the amendments recommended at the Wrap Up Hearing):</p> <p><b><u>Matters of Discretion (Commercial)</u></b></p>	<p>See above.</p>

<p>CCZ -R12, NCZ-R10 Residential activities</p> <p>1. Activity status: Permitted Where:</p> <p>a. The activity is located:</p> <p>i. Above ground floor level;</p> <p>ii. At ground floor level along any street edge not identified as an active frontage; or</p> <p>iii. At ground floor level along any street edge not identified as a non-residential activity frontage; or</p> <p>iv. At ground level along any street not identified as requiring verandah coverage; or</p> <p>v. <del>At ground level on any site contained within a Natural Hazard Overlay.</del></p> <p><del>2. Activity status: Discretionary Where:</del></p> <p><del>a. Compliance with the requirements of NCZ R10.1 cannot be achieved.</del></p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of LCZ-R10.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in LCZ-P4, LCZ-P6 and LCZ-P7;</p> <p>2. The extent and effect of non-compliance with LCZ-S5 and LCZ-S6;</p> <p>3. Whether residential activities exceed 50% of the street frontage at ground floor;</p> <p>4. The extent to which an acceptable level of passive surveillance is</p>	<p>1. <u>The matters in LCZ-P6, LCZ-P7, LCZ-P8, LCZ-P9, LCZ-P10 and PX new policies;</u></p> <p>2. <u>The extent and effect of non-compliance with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5, LCZ-S6, LCZ-S7, LCZ-S8, LCZ-S9, LCZ-S10 and LCZ-S11 and LCZ-SX (Boundary setback from a rail corridor);</u></p> <p>3. <u>The extent and effect of any identifiable site constraints;</u></p> <p>4. <u>Construction impacts on the transport network;</u></p> <p>5. <u>The availability and connection to existing or planned three waters infrastructure; and</u></p> <p>6. <u>In relation to the effects of the retirement village on adjacent private properties, streets or public open spaces and subject to the functional and operational needs of the retirement village, the following outcomes and design guidance contained in the Commercial and Mixed Use Design Guide:</u></p> <p>i. <u>Under the theme of 'Responding to the natural environment in an urban context': Design guidance G2, G3 and G4;</u></p> <p>ii. <u>All of the design outcomes and design guidance listed under the theme of 'Effective public-private interface';</u></p> <p>iii. <u>Under the theme of 'Well-functioning sites': Design</u></p>	
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<p>maintained between the interior of the building and the street or area of public space;</p> <ol style="list-style-type: none"> <li>5. The extent to which the building frontage is designed and located to create a strong visual alignment with adjoining buildings;</li> <li>6. The effect on the visual quality of the streetscape and the extent to which the activity contributes to or detracts from the surrounding public space;</li> <li>7. The continuity of verandah coverage along the identified street, informal access route or public space; and</li> <li>8. The extent to which non-compliance with verandah coverage will adversely affect the comfort and convenience of pedestrians.</li> </ol> <p>Notification status: An application for resource consent made in respect of rule LCZ-R10.2.a is precluded from being either publicly or limited notified.</p> <p>In the City Centre Zone:</p> <p>CCZ-RX Retirement Villages Activity status; Permitted</p> <p>CCZ-R12 Residential activities 1. Activity status: Permitted Where: a. The activity is located:</p> <ol style="list-style-type: none"> <li>i. Above ground floor level; or</li> <li>ii. At ground floor level along any street edge not identified as an active frontage; or</li> <li>iii. At ground level along any street not identified as requiring verandah coverage; <del>or</del></li> </ol>	<p><a href="#">guidance G17, G19 and G21; and</a>  <a href="#">Under the theme of 'High quality buildings': Design outcomes O12, O14 and Design guidance G32, G33, G35, G36 and G37.</a></p>	
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<p>iv. At ground level on any site contained within a Natural Hazard Overlay.</p> <p><del>2. Activity status: Discretionary Where:</del>  <del>a. Compliance with the requirements of CCZ-R12.1.a cannot be achieved.</del>  <del>Notification status: An application for resource consent made in respect of rule CCZ-R12.2.a is precluded from being either publicly or limited notified.</del></p> <p>2. Activity status: Restricted Discretionary  Where:  a. Compliance with the requirements of CCZ-R12.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in CCZ-P2, CCZ-P4 and CCZ-P9;</li> <li>2. The extent and effect of non-compliance with CCZ-S7 and CCZ-S8;</li> <li>3. Whether residential activities exceed 50% of the street frontage at ground floor;</li> <li>4. The extent to which an acceptable level of passive surveillance is maintained between the interior of the building and the street or area of public space;</li> <li>5. The extent to which the building frontage is designed and located to create a strong visual alignment with adjoining buildings;</li> <li>6. The effect on the visual quality of the streetscape and the extent to which the activity contributes to or</li> </ol>		
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<p>detracts from the surrounding public space;</p> <p>7. The continuity of verandah coverage along the identified street, informal access route or public space; and</p> <p>8. The extent to which non-compliance with verandah coverage will adversely affect the comfort and convenience of pedestrians.</p> <p>Notification status: An application for resource consent made in respect of rule CCZR12.2.a is precluded from being either publicly or limited notified.</p>		
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