Further submission in support of, or in opposition to, submission on notified proposed plan change

Kāpiti Coast DISTRICT COUNCIL
Me Huri Whakamuri, Ka Titiro Whakamua

About preparing a further submission on a proposed plan change

You must use the prescribed form

- *Clause 8, Schedule 1 of the Resource Management Act 1991 (RMA) requires further submissions to be on the prescribed form.*
- *The prescribed form is set out in Form 6, Schedule 1 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.*
- *This template is based on Form 6. While you do not have to use this template, your submission must be in accordance with Form 6.*

Certain persons may make further submissions

- *Under clause 8, Schedule 1 of the RMA the following persons may make a further submission, in the prescribed form, on a proposed plan to the relevant local authority:*
  - *any person representing a relevant aspect of the public interest*
  - *any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has*
  - *the local authority itself.*
- *You will need to explain why you meet one of these categories (space is provided in the form for this below).*

Your further submission and contact details will be made publicly available

- *Section 352 of the RMA allows you to choose your email to be your address for service. If you select this option, you can also request your postal address be withheld from being publicly available. To choose this option please tick the relevant boxes below.*

Note to person making the submission

- *A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority (Kāpiti Coast District Council).*

Reasons why a further submission may be struck out

Please note that your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least 1 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 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.*

To Kāpiti Coast District Council

Further Submission in Support of (or Opposition to) a Submission on Proposed Plan Change to the Operative Kapiti Coast District Plan 2021

Plan Change Number:	2
Plan Change Name:	Intensification

Further submitter details

Full name of person making further submission: Ryman Healthcare Limited	
Contact person (name and designation, if applicable): Luke Hinchey	
Postal address (or alternative method of service under section 352 of the RMA): c/o Chapman Tripp, Level 34, 15 Customs Street West, PO Box 2206, Auckland 1024	
Telephone: +64 9 357 2709	
Electronic address for service of person making further submission (i.e. email): luke.hinchey@chapmantripp.com / marika.williams@chapmantripp.com / hannah.okane@mitchelldaysh.com	
I would like my address for service to be my email *[select box if applicable]*	☑
I have selected email as my address for service, and I would also like my postal address withheld from being publicly available *[select box if applicable]*	☐

State whether you are [*select appropriate box*]

a person representing a relevant aspect of the public interest.	☐
In this case, also please specify the grounds for saying that you come within this category	
a person who has an interest in the proposal that is greater than the interest the general public has.	☑
In this case, also please explain the grounds for saying that you come within this category Please see attached submission.	
the local authority for the relevant area.	☐

Scope of further submission

I support ☐ **oppose** ☐ **the submission of:** [*select the appropriate wording*]	
Original Submitter's Name and Address for Service: Please see attached submission.	
Submission number of original submission: Please see attached submission.	

Particular parts of the submission I support (*or* oppose) are:

Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal. While it is not a requirement, it would be helpful if you could state the submission point number as listed in the summary of decisions requested document.

Please see attached submission.

Continue on a separate sheet if necessary

The reasons for my support (*or* opposition) are:

[*give reasons*]

Please see attached submission.

Continue on a separate sheet if necessary

I seek that [*select appropriate box*]

The whole ☐ or part ☐ of the original submission be allowed ☐ disallowed ☐
[*describe precisely which part below*]
Please see attached submission.
Continue on a separate sheet if necessary

Hearing Submissions [*select appropriate box*]

I wish to be heard in support of my further submission.	☑
I do not wish to be heard in support of my further submission.	☐
If you wish to be heard, please tick one of the following	
If others make a similar submission, I will consider presenting a joint case with them at a hearing.	☑
If others make a similar submission, I will not consider presenting a joint case with them at a hearing.	☐

24/11/22

Signature of person making a further submission
(or person authorised to sign on behalf of person making further submission)

Date

A signature is not required if you make your submission by electronic means.

Email your further submission to district.planning@kapiticoast.govt.nz or post/deliver to:

Attn: District Planning Team
Kāpiti Coast District Council
175 Rimu Road
Paraparaumu 5032

For office use only
Further submission No: S196.FS.1

Form 6

Clause 8 of Schedule 1, Resource Management Act 1991

24 November 2022

To Kāpiti Coast District Council (*Council*)

Further submitter details:
Ryman Healthcare Limited (*Ryman*)

Ryman made a submission on the Council's Proposed Plan Change 2 (*PC2*) to the Operative Kāpiti Coast District Plan (*District Plan*). Ryman's submission number is S196.

Introduction

1 This is a further submission on PC2 to the Kāpiti Coast District Plan.

Interest in the submissions

2 Ryman represents a relevant aspect of the public interest and has an interest in PC2 greater than the general public for a number of reasons, including (without limitation):

a. Ryman has a significant interest in how the District Plan, including the amendments proposed by PC2, provides for retirement village and aged care provision in the Kāpiti Coast District Plan, given the existing and predicted demand for such accommodation in the region.

b. Ryman wishes to ensure that the District Plan, and the amendments proposed by PC2, appropriately provide for retirement villages and all related activities so that the Plan enables proportionate, flexible, efficient and effective consenting processes.

c. 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. Ryman's ability to provide villages that contribute to the social and economic wellbeing of the Kāpiti Coast District will depend on the reasonableness and appropriateness of the District Plan provisions, including amendments proposed by PC2.

d. Given Ryman's history, operations and current activities, Ryman has specialist experience and expertise relevant to determining the merits of the District Plan provisions, including amendments proposed by PC2.

e. Ryman made a submission on PC2.

Decisions sought

3 The decisions sought are detailed in the table **attached** to this form as **Appendix 1**.

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

Request to be heard in support of further submission

5 Ryman wishes to be heard in support of its further submission.

6 If others make a similar submission, Ryman will consider presenting a joint case with them at a hearing.

Matthew Brown
NZ Development Manager
Ryman Healthcare Limited
matthew.brown@rymanhealthcare.com

Address for service of submitter:
Ryman Healthcare Limited
c/- Luke Hinchey
Chapman Tripp
Level 34
15 Customs Street West
PO Box 2206
Auckland 1140

Email address: luke.hinchey@chapmantripp.com / marika.williams@chapmantripp.com

APPENDIX 1 - FURTHER SUBMISSION ON BEHALF OF RYMAN

Submitters Name and Address who you are further submitting on	Particular parts of the submission supported/opposed	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Rachel Ryan (S027)	S027.02	Oppose	Ryman opposes the relief sought in this submission as it is inconsistent with the Enabling Housing Act.	Disallow submission point.
Infill Tapui Limited (S028)	S028.22	Support in part	Ryman supports the relief sought subject to the relief sought in Ryman's primary submission, as it is consistent with the NPSUD.	Allow submission point subject to the relief sought in Ryman's primary submission.
Cuttriss Consultants Ltd (S043)	S043.06	Oppose	Ryman opposes this relief, as it is not consistent with the Enabling Housing Act or the NPSUD.	Disallow submission point.
Waka Kotahi (S053)	S053.08	Oppose	Ryman does not oppose this submission point in principle, but due to the age and frequency of mobility constraints amongst retirement village residents, Ryman considers that the relief sought should not apply to retirement villages.	Allow submission point, subject to excluding retirement villages from the application of the new provision.
Waka Kotahi (S053)	S053.09	Oppose	Ryman does not oppose this submission point in principle, but due to the age and frequency of mobility constraints amongst retirement village residents, Ryman considers that the relief sought should not apply to retirement villages.	Allow submission point, subject to excluding retirement villages from the application of the new provision.
Cancer Society of NZ (Wellington Division) (S073)	S073.07	Oppose in part	Ryman oppose this relief as it is not consistent with the Enabling Housing Act or the NPSUD.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.06	Oppose	Ryman opposes this relief as the new policy sought is unnecessary given the Proposed Plan already has objectives and policies regarding infrastructure servicing.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.08	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate controls in the Proposed Plan.	Disallow submission point.

Fire and Emergency New Zealand (S089)	S089.10	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate controls in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.12	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate controls in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.14	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.15	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.17	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.19	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.20	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.21	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.23	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.25	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.27	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.

Fire and Emergency New Zealand (S089)	S089.28	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.30	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.32	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.34	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.35	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.37	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.39	Oppose	Ryman opposes this relief as matters relating to fire-fighting servicing are already provided for under the Building Act and it is inappropriate to duplicate this in the Proposed Plan.	Disallow submission point.
Fire and Emergency New Zealand (S089)	S089.41	Oppose	Ryman opposes this relief as it is inconsistent with the purpose of the NPSUD and Enabling Housing Act.	Disallow submission point.
Kiwirail (S094)	S094.05 - S094.07	Oppose	Ryman 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. Ryman 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 from these activities rather than from the boundaries.	Disallow submission points.
Greater Wellington Regional Council (S097)	S097.03	Oppose	Ryman opposes the relief sought in this submission point as:	Disallow the submission point.

			- The matters addressed in the submission point should be properly considered under the Proposed Natural Resources Plan. - Further, the effects of subdivision, use and development on water quality, waterway values, including hydrological and ecosystem processes, riparian margins, water users and cultural values are not suitable as a matter of discretion as they do not respond to any adverse effects of allowing the activity on the environment. - To the extent the reasons given on this submission point refer to financial contributions (although no specific relief is sought) Council's development contributions policy already requires contributions for Network Infrastructure, which includes stormwater.	
Greater Wellington Regional Council (S097)	S097.04	Oppose	Ryman opposes the relief sought in this submission point as the relief sought is not clear and has the potential to slow down the provisions of housing to respond to demand, contrary to the intent of the NPSUD. Ryman also questions whether some of the matters outlined in the submission points are more appropriately considered under the Proposed Natural Resources Plan, and whether a requirement to 'achieve outcomes additional to flood control such as providing amenity spaces…' is appropriate as it does not appear to respond to any adverse effects of allowing the activity on the environment.	Disallow the submission point.
Greater Wellington Regional Council (S097)	S097.06	Support in part	Ryman does not oppose this submission point in principle, but due to the age and frequency of mobility constraints amongst retirement village residents, Ryman considers that the relief sought should not apply to retirement villages.	Allow submission point, subject to excluding retirement villages from the application of the new provision.
Greater Wellington Regional Council (S097)	S097.07	Oppose	Ryman opposes this relief as it is inconsistent with the Enabling Housing Act and NPSUD in that it will slow down, not speed up	Disallow the submission point.

			intensification and has the potential to affect the consenting requirements of retirement villages.	
Greater Wellington Regional Council (S097)	S097.20	Oppose in part	Ryman opposes the relief sought in this submission point, as it has the potential to affect the consenting requirements of retirement villages. Ryman opposes any rules relating to financial contributions that allow 'double dipping' with Council's Development Contributions Policy, and that do not provide clarity as to contributions payable and do not take into account retirement villages' substantially lower demand profile compared to standard residential developments.	Disallow submission point, and allow relief sought in Ryman's primary submission, being a clear and proportionate financial contributions regime that prevents double dipping, provides clarity as to contributions payable, and provides a retirement-village specific regime that takes into account retirement villages' substantially lower demand profile compared to standard residential developments.
Greater Wellington Regional Council (S097)	S097.26	Support	Ryman supports the relief sought in this submission as it recognises and provides for retirement villages.	Allow the relief sought.
Kāinga Ora Homes and Communities (S122)	S122.01	Support in part	Ryman supports the relief sought in this submission point as it will achieve consistency across the Wellington Region, however it seeks that the relief sought in Ryman's primary submission is carried over to any new zone provisions.	Allow the submission point, subject to the relief sought in Ryman's primary submission.
Kāinga Ora Homes and Communities (S122)	S122.17	Support in part	Ryman supports in part the relief sought in this submission relating to the removal of design guides as this is consistent with Ryman's primary submission.	Allow part of the submission where the design guides are removed, but otherwise disallow the submission in relation to retaining design guidelines as a non-statutory tool.
Kāinga Ora Homes and Communities (S122)	S122.18	Support	Ryman supports the relief sought in this submission as it is consistent with Ryman's primary submission.	Allow the submission point.

Kāinga Ora Homes and Communities (S122)	S122.41	Support	Ryman supports the relief sought in this submission as it is consistent with the Enabling Housing Act, subject to the relief sought in Ryman's primary submission.	Allow the submission point, along with the relief sought in Ryman's primary submission.
Kāinga Ora Homes and Communities (S122)	S122.45	Support in part	Ryman supports the relief sought as it is consistent with the Enabling Housing Act and NPSUD, and will enable consistency across the greater Wellington region, subject to the relief sought in Ryman's primary submission being applied to any new MRZ and HRZ chapters.	Allow the submission point, along with the relief sought in Ryman's primary submission.
Kāinga Ora Homes and Communities (S122)	S122.106	Support in part	Ryman supports the relief sought as it is consistent with the Enabling Housing Act and NPSUD, subject to the relief sought in Ryman's primary submission.	Allow the submission point, subject to the relief sought in Ryman's primary submission.
Kāinga Ora Homes and Communities (S122)	S122.112	Support in part / Oppose in part.	Ryman opposes the relief sought as it is inconsistent with the NPSUD and Ryman's primary submission regarding the inclusion of design guides as a non-statutory tool. Ryman does not otherwise oppose the changes to LCZ-P6 sought by the submitter, subject to Ryman's primary submission point on LCZ-P6 being granted.	Disallow the submission point in relation to the design guides being retained as a guidance tool but otherwise allow submission point, subject to granting the relief sought in Ryman's submission.
Kāinga Ora Homes and Communities (S122)	S122.151	Support in part / Oppose in part	Ryman supports the general submission point seeking the removal of the Design Guidelines, but opposes the specific relief sought in this submission point (inclusion of design outcomes in matters of discretion and objectives and policies) as it is inconsistent with Ryman's primary submission.	Allow submission point regarding removal of Design Guidelines in full, but otherwise disallow the submission point.
Kāinga Ora Homes and Communities (S122)	S122.163	Support in part / Oppose in part.	Ryman supports the general submission point seeking the removal of the Design Guidelines, but opposes the specific relief sought in this submission point (inclusion of design outcomes in matters of discretion and objectives and policies) as it is inconsistent with Ryman's primary submission.	Allow submission point regarding removal of Design Guidelines in full, but otherwise disallow the submission point.
Leith Consulting Limited (S202)	S202.10	Support	Ryman supports the relief sought in this submission point as it provides for the benefits of retirement villages, recognises their functional and operational needs and is consistent with the NPSUD.	Allow the relief sought.

Te Rūnanga o Toa Rangatira on behalf of Ngāti Toa Rangatira (S161)	S161.39	Oppose in part	Ryman does not opposes the relief sought in this submission in principle, but seeks that the reference to the Centres Design Guide is excluded in relation to retirement villages, as per its primary submission.	Allow submission point subject to the relief sought in Ryman's primary submission.
Te Rūnanga o Toa Rangatira on behalf of Ngāti Toa Rangatira (S161)	S161.42	Oppose	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.
Te Rūnanga o Toa Rangatira on behalf of Ngāti Toa Rangatira (S161)	S161.43	Oppose in part	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.
Te Rūnanga o Toa Rangatira on behalf of Ngāti Toa Rangatira (S161)	S161.44	Oppose	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.
Te Rūnanga o Toa Rangatira on behalf of Ngāti Toa Rangatira (S161)	S161.45	Oppose in part	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.
Ngā Hapū o Ōtaki (S203)	S203.53	Oppose	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.
Ngā Hapū o Ōtaki (S203)	S203.54	Oppose	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.
A.R.T (Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (of Ngāti Raukawa ki te Tonga) and Ngāti Toa Rangatira) (S210)	S210.18	Oppose in part	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.
A.R.T (Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (of Ngāti Raukawa ki te Tonga) and Ngāti Toa Rangatira) (S210)	S210.18 (should be S210.19)	Oppose	Ryman opposes the relief sought as it is inconsistent with the financial contribution requirements of the RMA.	Disallow submission point.