

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions in relation to the
Intensification Planning Instrument to the Upper Hutt
City Council's District Plan

and: **Retirement Villages Association of New Zealand
Incorporated**
(Submitter 64; Further Submitter 14)

and: **Ryman Healthcare Limited**
(Submitter 57; Further Submitter 15)

Statement of Evidence of **Gregory Michael Akehurst** on behalf
of the Retirement Villages Association of New Zealand
Incorporated and Ryman Healthcare Ltd

Dated: 14 April 2023

**STATEMENT OF EVIDENCE OF GREGORY MICHAEL AKEHURST ON
BEHALF OF THE RETIREMENT VILLAGES ASSOCIATION OF NEW
ZEALAND AND RYMAN HEALTHCARE LIMITED**

QUALIFICATIONS AND EXPERIENCE

- 1 My full name is Gregory Michael Akehurst. I have a Bachelor of Arts, majoring in Geography and a Bachelor of Commerce, majoring in Economics from the University of Auckland. I am a founding Director of Market Economics Limited ("ME"), an independent research consultancy. I have more than 25 years of consulting and project experience, working for commercial and public sector clients.
- 2 I have developed models to assess community needs and assess allocation networks set up to meet those needs. I have previously given expert witness evidence in a number of local government hearings, the Environment Court and provided affidavits as an expert for the High Court in the area of development contributions (DCs).
- 3 My experience also includes developing models to assess the economic impact and particularly the labour requirements for major construction projects, including the Christchurch Earthquake rebuild, the Auckland construction and infrastructure sector, the Auckland Airport development and nationally for the construction sector overall. I have also carried out major studies of Auckland's residential and industrial land requirements for both private developers and Auckland Council including providing Auckland's Independent Hearings Panel with advice on business land requirements as part of the Proposed Auckland Unitary Plan process.
- 4 I drafted MBIE's guidance document for local councils needing to meet the National Policy Statement for Urban Development Capacity (NPS-UDC) requirements in respect of providing capacity for business land for economic growth. And I have led a number of Housing and Business land assessments under both the NPS-UDC and National Policy Statement on Urban Development (NPS-UD) for high growth councils (Hamilton and Future Proof, Queenstown Lakes District, Tauranga City, Auckland City and others).
- 5 I have a significant amount of experience in assessing the mechanics and rationale behind DC (and financial contribution) policies. In particular I have assisted both private developers and local authorities in the drafting and review of DC policies, including the equitable allocation of funding between existing and growth households, and the definition and application of catchment-based funding structures. I have carried out this work for the legacy councils in Auckland: North Shore City, Waitakere City and Auckland City as well as assisting with work for Rodney District. I have

assessed DC policies in Taupō District for Genesis Energy, Christchurch City and in Tasman District.

- 6 I provided evidence on behalf of the Developers Group to the High Court in respect of the *NEIL Construction Limited v North Shore City Council*.¹ My evidence assisted in overturning the DCs policy at the time, on the basis that the Council had failed to adequately account for demand and the distribution of benefits between existing users and growth.
- 7 In 2015, I provided evidence on behalf of Mapua Joint Venture in their objection to a DC charge imposed by Tasman District Council, which I understand is the only reported decision under the DC objections process in the Local Government Act 2002 (*Act*).
- 8 I prepared evidence on behalf of Ryman Healthcare in its successful application to review the DC charge levied on the village developed at 75 Valley Road, Pukekohe. Ryman objected on the grounds that council had failed to properly take into account the demand characteristics of Ryman's comprehensive care retirement village and its occupants when setting DC charges. I developed a number of surveys of resident activities and used that to show low levels of demand on council infrastructure. This evidence proved successful in reducing the levy charged.
- 9 Recently, I prepared analysis and presented to Auckland Council on behalf of Ryman Healthcare Limited (*Ryman*), the Retirement Villages Association of New Zealand Incorporated (*RVA*), Kiwi Development, Fulton Hogan, Oyster Capital, Drury Crossing Ltd and others on the Drury DCs amendments to the Auckland Unitary Plan. In this instance, Auckland Council's model failed to account for differences in consumption of infrastructure and other issues around land price inflation and impact on development viability. Council are now reviewing this model.

CODE OF CONDUCT

- 10 Although these proceedings are not before the Environment Court, I have read the Environment Court's Code of Conduct for Expert Witnesses, and I agree to comply with it as if these proceedings were before the Court. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

¹ *NEIL Construction Limited v The North Shore City Council* (High Court, CIV-2005-404-4690, 21 March 2007).

SCOPE OF EVIDENCE

- 11 My evidence addresses:
 - 11.1 Relevant statutory and economic principles when setting DCs and FCs;
 - 11.2 Upper Hutt City Council's (*Council*) proposed changes to the Financial Contributions (*FCs*) policy as a component of its Intensification Planning Instrument (*IPI*) to change the City of Upper Hutt District Plan (*District Plan*); and
 - 11.3 Discussion on the implementation issues associated with the FCs.

SUMMARY OF EVIDENCE

- 12 Council has proposed changes to its FCs policy as part of its Plan Change IPI hearings. The changes allow Council to collect FCs (in the form of land or money or both) such that it is able to avoid, remedy, mitigate or offset any adverse environmental effects that might arise as a by-product of development. The changes also allow FCs to be collected for water, wastewater, stormwater, and transport infrastructure. The collection of charges for these types of infrastructure overlaps with Council's Development Contributions Policy potentially leading to 'double dipping'.
- 13 I understand that RVA and Ryman oppose (in part) the FCs provisions contained within the IPI. Essentially, I understand the RVA and Ryman's position to be that the methodology for charging FCs is unclear and should be clarified. In my view, this lack of clarity provides little certainty for developers and potentially delays activity resulting in reduced economic activity.
- 14 I consider that the proposed FC regime should also acknowledge that retirement village residents either create no demand or create substantially reduced demand on Council infrastructure compared with the average population in relation to reserves, recreation and community facilities, transport, water and wastewater. This reduced demand applies to both infrastructure installed in anticipation of demand, and infrastructure yet to be installed.
- 15 This lower demand is because (based on the RVA and Ryman evidence):
 - 15.1 For reserves, recreation and community facilities, retirement village residents are significantly older than the general retired population and the population as a whole. Many residents have reduced mobility and are frail. To ensure quality of life and access to appropriate amenities for this

type of resident, retirement villages provide a wide range of social and recreational amenities within each village. The combination of these factors means very low demand for council recreation and community facilities and reserves. The demand is substantially lower than an average residential user. Independent residents may place a low level of demand on community infrastructure but residents in care place little to no demand.

15.2 These reduced activity levels are also reflected in significantly reduced traffic volumes generated by the villages overall and on a per retirement unit basis. Residents are making far fewer trips to access: parks, reserves, sportsfields and recreational facilities of any sort than the average person. In addition, they make far fewer trips to eat out, to shop, to attend concerts, cinemas and museums per head than the average resident. Traffic movements are generally off peak.

15.3 Finally, due to the nature and age of the residents their consumption of water and generation of wastewater is significantly lower, on a per capita basis, than residents in general. This is due to efficient commercial kitchens and laundries in retirement villages, as many of the residents do not cook their own meals or use their own washing machines.

16 I observe that the process requirements of section 106 of the Local Government Act 2002 (*LGA*) do not appear to have been followed by Council when promoting the FC changes. The IPI documentation contains no evidence that usage and load differences, such as those present in retirement villages (on a per dwelling basis) have influenced the amount of FCs Council will be seeking. The existing provisions do not specify a formula, and simply state that a financial contribution in cash or land to an equivalent value equal to 4.0% of the value of each new residential unit or allotment up to a maximum of \$10,000 per residential unit or allotment can be applied.² It is unclear how that maximum has been set with the documents pointing to a traditional rate rather than a clear analysis of demand for capital expenditure based on growth needs, divided through by anticipated new dwellings. While the provisions recognise that the maximum is not appropriate in all cases,³ they do not offer a methodology to assess an appropriate charge that might allow developers ahead of time to calculate the FCs owed before developing.

17 It is clear from this blanket imposition of a FC that there has been little or no consideration of the load that identifiable sections of the community place on Council infrastructure – or the benefits they are

² New Rule, DC-R2A.

³ New Rule, DC-R2A (a).

likely to receive from investment in that infrastructure. I have concerns that this regime will lead to a disproportionate charge being imposed on retirement village developments. It is very clear from the research that the loads placed on infrastructure and the benefits received by retirement villages are low. A uniform charge is inequitable and disproportionate as a result.

- 18 Further, in order for the Council to strike an appropriate rate, it will require individual assessments to be made each time to determine the extent to which the development generates adverse effects that cause Council to spend money to avoid, remedy, mitigate or off-set them. I do not support this approach, which is inefficient and unclear. The approach is also likely to lead to inconsistent application, as some developers may be required to pay for new infrastructure, despite others having contributed to its need but having not paid any more than the relevant DC charge.
- 19 Upper Hutt City collects both DCs (under the LGA and FCs under the Resource Management Act 1991 (*RMA*)). FCs are to help fund capital expenditure on water, wastewater, stormwater and transport while FCs help fund reserves and any infrastructure impacts caused directly by a development that are not addressed and funded by development contributions. This opens the possibility for double dipping as it is not clear from the policy if FCs will be used to collect additional funds on a second pass.
- 20 I acknowledge the Council officer has stated double dipping will not occur, as the FC provisions state that this outcome is not allowed.⁴ The Officer goes on to state that once the Council updates its Development Contributions Policy, DCs will be the method used rather than FCs. I still have concerns with this approach, as in practice, the distinction between what is covered by a DC policy and what is not may not be sufficiently clear. This is because the policy wording appears to allow for an overlap. In that context, I am concerned that overlaps between FCs and DCs will be inevitable, and charging of FCs will therefore lead to challenges relating to double dipping. I consider the preferred and more robust approach would be for Council to undertake a more holistic assessment of infrastructure needs and the distribution of costs to beneficiaries, as is contemplated by the LGA.
- 21 The proposed plan rules allow Council to reduce the charge from the full and actual cost to some lesser amount including if the works “*address an existing and meaningful level of service deficit*” or provide “*significant benefits to other parties*”.⁵ Significance is not defined in the IPI, so it is difficult for a developer to know the degree to which the costs of upgrading a portion of the roading

⁴ Councils Evidence (s42A) Report Upper Hutt City Council’s IPI, at [1099].

⁵ New rule DC-R2B (b)

network that benefits existing or future residents might offset their FC charge, and by how much. More generally, the criteria for assessing reductions in rules DC-R2A(a), DC-R2B(b) are insufficiently clear. I recommend they contain greater specificity on the circumstances where reductions should be applied.

- 22 As they stand the rules contain significant uncertainty which has the potential to inhibit developers making fully informed decisions and therefore will lead to inefficient outcomes.
- 23 Proposed rule DC-R2E compounds this uncertainty as it appears to exist as a catchall rule that allows Council to collect an unspecified amount from developers for unspecified effects of growth that (in Council's opinion) have not been captured through the other aspects of the FC policy.

ECONOMIC PRINCIPLES RELEVANT TO FINANCIAL CONTRIBUTION CHARGES

- 24 Councils are tasked with providing social and community infrastructure to meet the needs of their communities. Demand for facilities and other community infrastructure is a "derived demand". This means that the demand is not for the facilities themselves. Rather, it is to carry out activities and to participate in events that are accommodated by the community infrastructure. For example, a requirement for a basketball court is due to demand by residents to play the game of basketball, and a requirement for reserves is to engage in passive and active forms of recreation such as walking or exercising a dog or oneself.
- 25 Therefore, a council setting a FC policy regime needs to understand how the community engages in activities in order to determine the number, scale and location of facilities needed to meet community demands and usage. This includes parks and reserves and the assessment should identify demand from key segments of the community – such as the retirement community.
- 26 In addition to the direct usage of infrastructure and reserves, residents benefit from the existence value of the infrastructure and there is a public good element to the benefits residents receive. While some account needs to be made of these additional benefits, they are small relative to the direct benefits received.
- 27 Once the demand profile is established, councils need to translate it into an amount of infrastructure required (by activity group). Then as the city grows, councils can understand and predict how that growth will translate into requirements for additional infrastructure.
- 28 Once the need for additional infrastructure is established, councils will develop a programme of works and land purchases that should

ensure that the provision of new assets generally matches growth in demand such that levels of service are maintained. It is acknowledged that in reality development and growth patterns may differ from the underlying assumptions of a development or FCs policy – so flexibility is allowable.

- 29 The amount of capital expenditure (once components that cover repairs and improvements in levels of services for existing community are removed) is aggregated and split between growth units. This split should be undertaken in a manner that ensures the amount paid by growth units is commensurate with the demands they place on the system.
- 30 While it is not administratively possible to align exact usage with FC (or DC) charges, and because areas over time (say a 30 year horizon) tend to aggregate towards the average, an averaging process is often used in setting FC policies and is generally appropriate. However, it is important that a council stands back from this process and assesses whether the act of averaging everything results in significant inequity and unfairness. Councils need to be able to identify groups within the community that are disadvantaged by the process (if they exist) and that this disadvantaging may cause significant harm. If that is the case, councils need to be able to adjust their funding policies or funding allocation to alleviate this inequality.

UPPER HUTT CITY COUNCIL'S FINANCIAL AND DEVELOPMENT CONTRIBUTIONS POLICIES

General

- 31 Council is instigating the IPI plan changes in order to incorporate aspects of central government's requirements to accommodate more residents in Upper Hutt City. Specifically, to incorporate the Medium Density Residential Standards (*MDRS*) into the District Plan. This will allow up to 3, 3 storey dwellings to be constructed on most residential sites as a permitted activity.
- 32 Council is also currently in the process of updating its Development Contributions Policy, with a view to change the charging regime from the proposed financial contribution policies to those outlined in an updated development contribution policies.⁶ In my view, the approach UHCC are seeking to adopt does not provide certainty for developers at present as the updates to the DC policy are not available.
- 33 The IPI also "*updates provisions relating to financial contributions..*" In my opinion, it is important that any improvements to the FCs

⁶ Councils Evidence (s42A) Report Upper Hutt City Council's IPI, [at 1095 and 1096].

policy include improvements in estimating demand for additional infrastructure, including demands from the retirement village sector.

- 34 The changes proposed in the IPI appear to broaden the base for FCs in terms of what they are able to be collected for. They explicitly state that developers are to pay the full cost of any additional infrastructure that Council must install or to upgrade any infrastructure, regardless of the share of load they place on that infrastructure.⁷
- 35 The change also clarify timing for payments for FCs (prior to issuing of CCCs) and include wording that gives Council discretion to reduce fees charged for "*Infrastructure and transport for residential intensification activities in Residential zones and Commercial and Mixed Use Zones*"⁸ in cases where a maximum impact fee may not be appropriate.
- 36 In these cases, the Plan states "*in determining whether the base maximum should be adjusted the following matters will be taken into account...*"⁹
- *Whether there will be an increase in intensity of use of land from that which existed before.*
 - *Whether there is a change in the nature and character of the use of land.*
 - *The subsidies that council may receive from the New Zealand Transport Agency.*¹⁰
- 37 On the face of it, this list appears to reinforce the threshold for charging the full amount, rather than allowing for the fact that key development types – such as retirement villages, will place significantly less load on Council infrastructure and the need for additional capital expenditure.
- 38 The criteria list is narrow and fails to highlight any of those very material differences. I consider it is important that these criteria are further clarified to address these types of scenarios.
- 39 For infrastructure and transport the IPI seeks to impose a blanket contribution of 4% of the value of each allotment up to a maximum of \$10,000 per allotment. As noted this amount appears to have no scientific or economic modelling basis. It is simply a traditional rate.

⁷ New proposed policy; DC-P3.

⁸ New proposed rule; DC-R2A.

⁹ New rule DC-R2A.

¹⁰ Rule DC-R2A (a)(i-iii).

This approach gives rise to material risks of over (or under) charging and double dipping, particularly where developers simply opt to pay the full amount without challenging the reasonableness of the charge in their circumstances.

- 40 These metrics are subjective and do not allow a developer to estimate the level of financial contributions they are likely to be charged. Without full information, developers will not be able to make fully informed decisions.
- 41 While the IPI outlines matters Council will take into account when faced with an appeal to an imposed FC charge, in my view, it is highly inefficient for developers to have to go through this type of negotiation or appeal process to set a financial contribution amount that, at the very least, matches Council's own anticipated expenditure.
- 42 By striking a contribution charge simply based on the number of new dwellings to be developed assumes that all people living in those dwellings use Council infrastructure in the same manner and to the same degree.
- 43 This is not the case for residents within retirement villages. Most residents move into retirement villages in the very later stages of life. I understand that the average age for the Independent Living units is usually in the 80s. Average age in the Care Facilities is higher – often in the late 80s and 90s. Due to frailty and age, these people engage far less frequently in parks and reserves and other community infrastructure than the average retired person – let alone the average resident overall.
- 44 This fact, combined with the amenity and infrastructure supplied by the retirement village, means that often the additional load they create is very low. I understand that retirement villages offer the type of in-house amenities because they understand that residents do not have the ability to engage with those same amenities outside of the village. Grounds are landscaped and gardens maintained at a high level to ensure that residents can enjoy a park like surrounding.
- 45 The same logic applies for other facilities and amenities provided within retirement villages that mimic amenities provided by Council for the general public. This includes, meeting rooms, exercise facilities, often bowling greens, libraries or visits by the mobile library. Interest group meetings are held within the facility and speakers give talks to residents.
- 46 In my view, it is unfair and inequitable to charge retirement residents for these amenities within a public realm (that they make very little use of so gain little or no benefit from), while at the same

time, they are paying for the same amenities that they do use (e.g. parks, reserves, community infrastructure) in a private capacity within the villages.

- 47 Research I have carried out in the Auckland environment where I surveyed residents in a number of retirement villages and compared the activity rates with averages, for the city indicate that Independent Unit residents make use of parks, reserves and open spaces slightly less than 5% of the rate of the average Aucklander.
- 48 Based on the evidence of Professor Kerse and Ms Maggie Owens relating to broader demographic and retirement village characteristics, I would expect to see similar patterns across the retirement sector as a whole, that is at the national level not just within Auckland.
- 49 Overall, in my view, given the very low levels of usage or benefit the retirement sector receive from; community infrastructure, water infrastructure, parks, reserves and open space and the transport network – compared with an ‘average’ household, this should be a key factor that can be taken into consideration when adjusting the FC down from the maximum.

Under recovery

- 50 A concern raised by other Councils is the issue of under-recovery. That is, if the regime results in FCs that fail to collect sufficient money to fund the growth portion of capital investment in infrastructure, the burden then falls onto rate payers.
- 51 I recognise that this is a risk, in that the future is not able to be predicted exactly. However, it is also a risk that the investment in infrastructure serves a much wider catchment than the growth community alone.
- 52 The most appropriate approach for Councils to adopt is to calculate the levels of investment required based on the best information available at the time. They can then strike a consistent FC or DC rate based on that information and have the ability to adjust the rate in future as it unfolds. Therefore, if growth materialises sooner and requires more infrastructure than planned, then Council can reset the charges accordingly. If growth fails to materialise and less infrastructure investment is needed – or it is to be delayed, then Councils are able to make that change as well. This is standard practice in terms of preparing DC policies and what I understand that the LGA expects (particularly section 106).
- 53 Overcharging the growth community today because Council believe that projections being relied upon are going to result in an under collection of FCs is not an appropriate response and likely to sit outside the RMA.

- 54 In my opinion, based on my assessment, if the Upper Hutt City FC charge is as outlined in the IPI, it will result in an overcharging for the retirement sector by around 22 times (for reserves/community facilities). However, as noted the policy is not clear on how the FC will be finally settled, which produces significant uncertainty potentially leading to sub-optimal investment decisions being made.
- 55 I have significant concerns with the approach proposed, which will be inefficient to implement given the uncertainty involved. The regime may also provide a disincentive to development given the inability for developers to undertake accurate feasibility studies given the lack of a robust assessment methodology within the policy.

TRANSPORT, WATER WASTEWATER AND STORMWATER

- 56 While the above applies most directly to reserves, open space and community facilities, similar issues will potentially occur in assessing FCs for transport, water, wastewater and storm water, given the lower demands of retirement villages in these areas.

Transport

- 57 Impacts in terms of traffic and transport tend to follow usage of council community infrastructure parks and open spaces. Residents in retirement villages make far less use of the roading network based both on their age and mobility constraints and also because of the amenities provided in the villages themselves.
- 58 As mentioned above, there are often gyms, swimming pools, gardens and sometimes sports facilities such as bowling greens and meeting rooms for clubs and activities. All contribute to a significantly lower need to make use of the roading network.
- 59 To a certain extent this is offset by workers traveling to and from the village and delivery vans and trucks, although I understand the overall traffic movements from retirement villages are still substantially lower than typical housing types.
- 60 For example, in the Auckland analysis the per-household transport rate worked out at approximately 30% of the average Auckland household (HUE). If through the FCs policy, Council charge based on the same ratio as an average household, retirement villages would be significantly overcharged.
- 61 However, as discussed above, there is no clear pathway for the retirement sector to have the specifics of the load they impose on infrastructure that might cause Council to spend capital, reflected in their FC charge.

Water, Wastewater and Stormwater

- 62 Demand for water and therefore wastewater from residents in retirement villages is significantly less on a per person basis than the general public. This is due to their overall lower impact lifestyle. And, there is use of commercial kitchens to provide food for a large number of units meaning the number of residents that operate kitchens is relatively low.
- 63 In addition, the villages have centralised laundry services which are significantly more efficient in terms of water use than the same number of individual households carrying out their own household laundry.
- 64 In terms of other water usage, lower numbers of cars per household (on average) and centralised repairs and maintenance of buildings and grounds means efficiencies in water use and significantly less water used per unit than in the district as a whole.
- 65 Relying on a standard household approach – or more correctly, applying the same charge to a retirement unit as a standard residential dwelling will significantly overstate water use and wastewater generation resulting in higher development levies than are justifiable.
- 66 With respect to stormwater, I understand that it is often the case that onsite treatment or calming of stormwater flows is associated with the comprehensive developments that Ryman and others in the retirement sector build. This may not be the case with general residential development of house and land package type developments given the more limited opportunities for onsite management devices on smaller sites.
- 67 It is important that the actual load retirement villages put on the stormwater disposal services is assessed and incorporated into the FC policy, and to account for onsite mitigations. As drafted the FC provisions in the IPI are likely to significantly overstate this load leading to disproportionate charges applied to the retirement sector.
- 68 The lack of clarity of approach may also lead to issues relating to the adoption of a causation versus benefits approach to setting the FC. For example, with respect to stormwater and wastewater, there does not appear to be a mechanism to offset costs of new infrastructure required for a particular development that might serve a wider catchment or for future growth. There is simply a statement that the developer that triggers the additional expenditure shall pay the *“full and actual cost for all such upgrading and new facilities.”* In my opinion this could lead to unintended outcomes where a developer ends up funding a significant share of new infrastructure that is over and above what is required for their development.

- 69 This would be inequitable and is inconsistent with the approach taken for water supply, where Council will pay a share of costs for infrastructure put in place in excess of a single developer's needs.

DOUBLE DIPPING

- 70 The RVA and Ryman have raised concerns about 'double dipping' between the DC and FC policies. While the DC policy is currently being re-drafted, historically, in a number of locations, in both the Development Contributions and Financial Contributions policies it states that the charges are separate, the distinction between what is covered by a DC policy and what is not, may not be sufficiently clear. This is because Council infrastructure networks are interconnected.
- 71 In the Council's evidence report, the officers identify a number of times that FC's will be charged up until the DC policy comes into effect. In other words, for the same activities and covering the same sets of infrastructure.
- 72 In that context, I am concerned that overlaps between FCs and DCs will be inevitable, and charging of FCs has the potential to lead to challenges relating to double dipping.
- 73 As noted earlier, I consider the preferred and more robust approach would be for Council to undertake a more holistic assessment of infrastructure needs and the distribution of costs to beneficiaries. This would form part of a more robust assessment of needs and benefits that would underpin the DC and FC policy that fully recognised the unique characteristics of retirement villages and set levies accordingly (as described above).

CONCLUSIONS

- 74 It is clear from the research carried out in Auckland and across the country retirement villages create significantly less demand for reserves, community infrastructure, water, wastewater and traffic than the average residential dwelling due to:
- 74.1 The demographic and mobility characteristics of retirement village residents;
 - 74.2 The onsite recreational amenities and services provided by the retirement operators such as Ryman;
 - 74.3 The resulting reduced load on the transport network; and
 - 74.4 Lower levels of water consumption and wastewater generation than the average person along with (usually)

onsite stormwater mitigation provided by the larger comprehensively developed villages.

- 75 Council's FCs amendments as part of the Intensification Planning Instrument plan changes, could result in development levies that are far higher than the effects of the relevant development.
- 76 I recommend that a more nuanced policy is developed that:
- 76.1 Contains a more robust methodology for determining FCs, which is able to be readily quantified and interpreted and proportionately links demands and related benefits and does not overlap with DC charges; and
 - 76.2 Appropriately differentiates the retirement village sector from more general residential development to reflect the lower level of demand placed on Council infrastructure; and
 - 76.3 To the extent the regime needs to rely on reductions for some activities, that the Plan provides greater clarity on when reductions will be applied. I would recommend at least that the provisions provide for reductions in the following circumstances:
 - (a) Where the projected load placed on the infrastructure networks, by the development, is substantially lower than the average on a per household equivalent basis. This is brought about through a combination of the type and nature of the development (retirement village versus suburban housing development), and the facilities and private infrastructure provided (gardens, recreational facilities, meeting rooms and other facilities).

Gregory Michael Akehurst
14 April 2023