Planning for successful cities - a proposed National Policy Statement on Urban Development

Submission Reference no: 128

Historic Places Canterbury

Submitter Type: Environmental NGO/community group
Source: Web Form
Overall Position: Support in part

Clause
Question 1. Do you support a national policy statement on urban development that aims to deliver quality urban environments and make room for growth? Why/Why not?
Position
Yes
Notes
It is important to provide for sufficient and affordable housing of a variety of types to meet future needs while at the same time discouraging uncontrolled and unsustainable sprawl.

Clause
Question 2. Do you support the approach of targeting the most directive policies to our largest and fastest growing urban environments? Why/why not?
Position
Yes
Notes

Clause
Do you support the approach used to determine which local authorities are categorised as major urban centres? Why/why not?
Notes
HPC supports the approach of requiring only the major urban centres facing the most serious housing challenges as needing to meet the more stringent requirements of the NPS

Clause
Question 3. Do you support the proposed changes to FDSs overall? If not, what would you suggest doing differently?
Position
Yes
Notes

Clause
Do you support the approach of only requiring major urban centres to undertake an FDS? Would there be benefits of requiring other local authorities to undertake a strategic planning process?
Notes
The rationale for and FDS (better spatial planning), identifying best locations for future intensification and those to avoid should be just as important for non-major urban centres. The requirement should extend to all, with a more lenient time frame to reflect the lesser pressure on those areas.

Clause
Question 4. Do you support the proposed approach of the NPS-UD providing national level direction about the features of a quality urban environment? Why/why not?
Position
Notes

Providing a national level direction is a good idea so long as the features of a quality urban environment are adequately identified. The features identified at page 27 can best be viewed as a starting point only. Ecological design, for example, is important but so is good architectural, landscape and urban design. The intent behind this list is rather unclear. The discussion document refers to lack of definition of quality environment, pointing out that planning decisions on urban development often only address environmental aspects and not how urban environments meet the social, economic and cultural needs of communities. However, the list as presented only highlights a restricted range of features which contribute to a quality urban environment. It is stated that the matters listed will be included by way of a preamble rather than having legal weight. This is a recipe for downgrading such values. Although heritage values are recognised, the word “reflect” used in relation to historic and cultural heritage is weak in comparison to the wording used for the other examples: “promote”, “enhance”, “reduce the impact on”, “provide”. Placing a plaque on a lost building could be said to “reflect” heritage but is a poor second best for having the actual building.

Clause

Do you support the features of a quality urban environment stated in draft objective O2? Why/why not? (see discussion document, page 26)

Notes

The features identified in draft objective O2 are all important but not sufficient. Why are we afraid to mention aesthetics for example. All the greatest cities of the world provide aesthetic pleasure. O2 is adequate but scarcely aspirational or inspirational. We should aspire for cities that provide good design, which need not be expensive design. The quality of the built environment is a fundamental aspect of how we view cities, and having cities which reflect their past as well as the present is a vital aspect of that. Our cities are an expression of our culture and therefore need to be treated with the respect due to cultural artifacts. In our view the NPS does not give sufficient weight to this aspect of the urban environment. At the very least, without a specific requirement to address those matters set out in the proposed preamble as things that contribute to quality urban environments, they are likely to be given less weight than they should be.

Clause

What impacts do you think the draft objectives O2-O3 and policies P2A-P2B will have on decision-making (see discussion document, page 26)?

Notes

These draft objectives and policies will doubtless help help to deliver the desired intensification but this will surely be at the expense of the existing character of our cities.

Clause

Question 5. Do you support the inclusion of proposals to clarify that amenity values are diverse and change over time? Why/why not?

Position

Somewhat

Notes

It is undoubtedly true that amenity values are diverse and can change over time, and also that the planning system will tend to protect some at the expense of others. It is also true that some aspects of amenity will tend to be more highly valued the scarcer they become but the opportunity to provide for those values may be lost if steps are not taken to protect and provide for them at a point when they are less valued. One obvious example is heritage, but equally this could apply to certain types of natural environment. Many lovers of heritage believe that it is important to protect examples of the best areas of our cities which reflect changing patterns of development and style over time. Inclusion of the suggested proposal may help to give more recognition to this amenity value but it is more likely that as a result of the overall thrust of the proposed NPS protection of heritage values will be downgraded in the desire to provide for intensification and minimise the undesirable sprawl of our cities. Nevertheless is it important that the very worthwhile goals of providing for sufficient intensification and of better strategic planning for outward intensification are adequately balanced with other desirable values which make for great urban environments. There is a real danger that the imperatives of this NPS in its proposed form will be counterproductive to achieving such a balance.

Clause

Do you think these proposals will help to address the use of amenity to protect the status quo?

Notes

Yes, but there seems to be an implicit assumption here that the status quo is always undesirable. New Zealand cities often contain pleasant neighbourhoods that provide a pleasing environment for residents and non residents alike. They form part of the historic fabric of our cities. It should be possible to protect the best or most characteristic of these without being seen as merely protecting the status quo. The desire and need to provide for intensification should not become a justification to always override existing patterns of development within our cities, obliterating evidence of past patterns of development and building types. Protection of heritage from inappropriate subdivision, development, and use is considered a matter of national significance in the RMA and this should be reflected in the NPS. The oldest areas will naturally tend to be closest to the city centre. Many of these have already been significantly impacted upon by the inevitable changes wrought over time. Thus it is all the more important that where distinctive pockets have managed to survive relatively intact, that this proposed NPS does not become the means of their destruction. Protecting the best examples of the domestic and commercial development of our cities cannot be done adequately through isolated example of building types. We need to protect a range of intact areas to
document our changing social and cultural history and the efforts to do so should not be viewed in pejoratively as protecting the status quo, but recognised as a contributing factor to quality urban environments.

**Clause**
Can you identify any negative consequences that might result from the proposed objective and policies on amenity?

**Notes**
As noted above, the proposed objectives and policies in their present form are likely to result in the loss of important surviving areas of heritage in close proximity to the centre of our major cities.

**Clause**
Question 6. Do you support the addition of direction to provide development capacity that is both feasible and likely to be taken up? Will this result in development opportunities that more accurately reflect demand? Why/why not? (see questions A1 - A5 at the end of the form for more questions on policies for Housing and Business Development Capacity Assessments)

**Position**
Yes

**Notes**

**Clause**
Question 7. Do you support proposals requiring objectives, policies, rules, and assessment criteria to enable the development anticipated by the zone description? Why/why not?

**Position**
Yes

**Notes**

**Clause**
Do you think requiring zone descriptions in district plans will be useful in planning documents for articulating what outcomes communities can expect for their urban environment? Why/why not?

**Notes**
Yes

**Clause**
Do you think that amenity values should be articulated in this zone description? Why/why not?

**Notes**
Yes

**Clause**
Question 8. Do you support policies to enable intensification in the locations where its benefits can best be achieved? Why/why not? (for more detail on the timing for these policies see discussion document, page 53)

**Position**
Somewhat

**Notes**
In general we support policies to enable intensification where its benefits can be best achieved, with the provisos addressed in our other comments; that just because, for example, a location is under demand as shown by prices or is close to a town centre or a transport hub, this should not necessarily override other factors which mitigate against intensive development, including protection of significant areas of heritage. We are concerned to see that nowhere in the discussion document is mention made of directing intensification to brownfield sites - downgraded former industrial or light industrial sites. There are many such area in our major cities. In European cities brownfield site are often favoured for intensification projects, not only as a means of revitalising and bringing life back to semi-derelict areas which are a visual blight on the city, but also as a means to protect existing areas from the need for more development. The best and most representative of our suburbs of villas and bungalows are no less worthy of protection than the row houses and terraces of European cities. It is important that our changing social and cultural history can be documented by retaining a range of commercial and domestic areas that represent the growth of our cities over time.

**Clause**
What option/s do you prefer for prescribing locations for intensification in major urban centres? Why?

**Position**
Option 1 (the descriptive approach)

**Notes**
HPC favours a descriptive approach in the first instance. If it becomes apparent that this is not working then a prescriptive approach could be considered. However, before this approach is taken other issues which are contributing to the housing shortage and urban sprawl need to be addressed. For example, the recent census showed an 18% increase in empty house in Auckland since the previous census, an increase from around 33 thousand to around 39 thousand. It is probable that the census did not capture all the houses which are vacant for a proportion of the time because they have been purchased to operate as as Airbnbs. Although there are sound reasons in terms of landuse to pursue higher density and to reduce the
prodigious sprawl of our cities, we should not lightly caste aside the distinctive character of our cities in pursuit of these goals without addressing alternatives. We are concerned that the suggested prescriptions are too blunt an instrument and will inevitably lead to loss of the distinctive character of our cities. Zoning all areas within 1.5 km of a city centre for high density, would put important largely intact historic parts of Wellington, for example, at risk. Change is inevitable and accepted but it needs to occur in a considered way, with recognition of what we are potentially losing and looking at more subtle tools to achieve the desired outcomes addressed by this policy statement. Providing higher density housing in the inner city will not necessarily address housing shortages, for example. It is clear from what has happened in Christchurch post earthquake that new high density housing in the inner city has done nothing to address the need for affordable housing. New developments have almost exclusively been at the high end of the market and many people are forced to seek housing in the outskirts or in satellite towns such as Rolleston in order to be able to afford to buy. Moreover, if a prescriptive approach is adopted then it is important that a clear list of exemptions is provided which should include listed historic areas, listed historic sites and wahi tapu areas, areas of natural biodiversity, areas of significant natural hazard, areas of high agricultural potential and areas designated for future infrastructure. However such exemptions would not protect all locations where it might be desirable to avoid intensification.

Clause
If a prescriptive requirement is used, how should the density requirement be stated? Please provide a suggestion below (for example, 80 dwellings per hectare, or a minimum floor area per hectare).

Notes
If a prescriptive approach is adopted, it would be better to set population density (people per hectare) as this would allow greater flexibility in how the goal is achieved than either number of dwellings per hectare or minimum floor areas approaches. Minimum floor areas would be preferable to number of dwellings per hectare. Using either population density or minimum floor areas would encourage more innovative and flexible responses than adopting a number of dwellings per hectare approach.

Clause
What impact will directly inserting the policy to support intensification in particular locations through consenting decisions have?

Notes
This seems a logical requirement and will direct the consenting authority to giving the issue due weight.

Clause
Question 9. Do you support inclusion of a policy providing for plan changes for out of sequence greenfield development and/or greenfield development in locations not currently identified for development?

Position
Unsure

Notes
This seems counterproductive to the goal of encouraging more efficient and sequenced greenfield development. It is accepted that conditions can change and planners are not infallible but it is not clear why a special provision is needed to provide for plan changes for out of sequence development, when there is already provision in the RMA for variation to plans.

Clause
How could the example policy better enable quality urban development in greenfield areas (see discussion document, page 37)?

Notes
HPC is uncomfortable with the example policy especially the mandatory requirement that a plan change be allowed if the conditions are met. Councils may, for example, face financial difficulties in extending infrastructure to cater for the unplanned location, yet the example policy has no proviso relating to this. (This difficulty might be overcome by requiring the developer to pay for the cost of extending the infrastructure.) What is meant by protected areas or areas for restoration is not adequately defined. Is it intended to include prime agricultural land for example? If such a policy is to be included in a NPS Councils should retain a discretion.

Clause
Are the criteria sufficiently robust to manage environmental effects to ensure a quality urban environment, while providing for this type of development? (see example policy in discussion document, page 37)

Notes
HPC does not believe the criteria proposed are sufficiently robust. See comments in previous section. In addition it is difficult to envisage a situation where infrastructure couldn't be provided. Surely the appropriate consideration is how much it would cost both in financial terms and environmental terms to provide it out of sequence and whether this is sufficiently justifiable.

Clause
Question 10. Do you support limiting the ability for local authorities in major urban centres to regulate the number of car parks required for development? Why/why not?

Position
Yes

Notes
Removal of this ability would encourage more innovative ways of dealing with parking issues and would also help promote
greater use of public transport and or alternative forms of individual transport.

**Clause**
Which proposed option could best contribute to achieving quality urban environments?

**Position**
Option 3: removing the ability for local authorities to set minimum car park requirements in areas providing for more intensive development.

**Notes**
In terms of this NPS option 3 is sufficient. In the interests of the Policy Statement on Land Transport it may be desirable to adopt option 1 or 2.

**Clause**
What would be the impact of removing car park minimums in just high- and medium-density, commercial, residential and mixed use areas, compared with all areas of a major urban centre?

**Notes**
If the car park minimums were removed from all areas of a major urban centre it would help to promote adjustment in thinking about vehicular transport towards a more sustainable model.

**Clause**
Question 11. Do you think that central government should consider more directive intervention in local authority plans?

**Position**
Somewhat

**Notes**
This may be desirable in instances where there is clear evidence that a particular type of rule is unnecessarily inhibiting choice and flexibility or is counterproductive to the aim of the rule, but the evidence needs to be compelling. There is a danger that removal of some minimums could give developers carte blanche to provide unacceptable quality dwellings which adversely affect the amenity of those living in the dwelling as well as neighbours but would nevertheless sell because of housing shortages. On the other hand some existing minimum rules are undoubtedly also creating adverse outcomes in terms of the quality of the urban environment. The key objective must to to ensure that any directive intervention does indeed result in improved quality of the urban environment. Such directives would need to be closely monitored to ensure that there were not any unintended outcomes.

**Clause**
Should a minimum level of development for an individual site be provided across urban areas (for example, making up to three storeys of development a permitted activity across all residential zones)?

**Notes**
HPC is strongly opposed to this suggestion. If, as suggested in the example, three storey buildings were a permitted activity in all residential zones, the amenity of neighbours would be seriously impacted upon - shading, loss of privacy, loss of visual amenity. This would be counterproductive to the goal of strategic intensification. Loss of amenity would soon lead to loss of existing dwellings and random rather than planned intensification. The only beneficiaries of this proposal would be property developers and speculators. The sort of random intensification such a proposal would promote would also have an adverse impact upon the ability of councils to efficiently plan for the upgrades in infrastructure such as sewage needed to cope with increased population density. It is important for the liveability of our cities that the amenity of existing neighbourhoods is protected. Areas of greater intensity need to be tightly defined and only expanded as need arises or otherwise we are at risk of obliterating the qualities which make our cities distinctive and pleasant to live in. The single dwelling model which has historically dominated our cities need not necessarily be a low density model if people adopt different living patterns, for example groups of retirees “flatting” together in homes that formerly housed a family. The creativity in housing models which this document aspires to encourage needs to extend to creative thinking about how to better use our existing housing stock, remembering that there are environmental and carbon costs in replacing existing buildings.

**Clause**
Question 12. Do you support requirements for all urban environments to assess demand and supply of development capacity, and monitor a range of market indicators? Why/why not?

**Position**
Yes

**Notes**

**Clause**
Question 13. Do you support inclusion of policies to improve how local government works with iwi, hapū and whānau to reflect their values and interests in urban planning? Why/why not?

**Position**
Yes

**Notes**

Clause
Question 14. Do you support amendments to existing NPS-UDC 2016 policies to include working with providers of development and other infrastructure, and local authorities cooperating to work with iwi/hapū?
Position
Yes
Notes

Clause
Question 16. What kind of guidance or support do you think would help with the successful implementation of the proposed NPS-UD?
Notes
A mixture of guidance documents, technical support and ongoing face-to-face support for local authorities are all likely to be necessary and helpful. Funding studies on the impacts of various types of typical planning rules or minimum standards would be one potential area to focus assistance.

Clause
Question 17. Do you think there are potential areas of tension or confusion between any of these proposals and other national direction? If so, please identify these areas below and include any suggestions you have for addressing these issues.
Position
Yes
Notes
There seems potential for conflict between protecting good agricultural land efficient extension of infrastructure as the need for outward intensification develops, given current patterns of growth and infrastructure which have not taken these matters into account. Past patterns of development are also likely to lead to conflict between areas which are suitable for intensification in relation to proximity to major transport corridors or proximity to an urban centre, but which are at risk from hazards such sea level rise and or other causes of flooding or the potential impacts of seismic activity including liquefaction. These sorts of potential conflicts could be addressed by a list of exemptions to the NPS-UD. Potential conflict with s. 6 (f) of the RMA which identifies protection of historic heritage from inappropriate subdivision and development has already been referred to. At a bare minimum, wahi tapu areas, and historic areas listed under the Heritage New Zealand Act, should be exempted from development.