Tēnā koe

Whangarei District Council Submission to the National Policy Statement on Urban Development.

Introduction

Whangarei District Council (WDC) welcomes the opportunity to provide feedback on the proposed National Policy Statement on Urban Development (NPS-UD). In general, WDC is supportive of the approach taken in NPS-UD and we also welcome the efforts made to engage with our local community and hapū partners on this NPS as well as the proposed policies on Freshwater and Highly Productive Land.

However, WDC has already committed considerable time and resources dedicated to meeting the requirements of the 2016 National Policy Statement on Urban Development Capacity. We seek clarity that this work will be able to be used in meeting the requirements of the NPS-UD and certainty that this policy will not revised every 2 – 3 years as this difficult for Councils to manage.

The following submission is structured around the key issues identified in the NPS-UD.

1. Whangarei is no longer a ‘High Growth District’

WDC acknowledges that the NPS-UD removes the categorisation of urban areas by the rate of projected growth in favour identifying major urban areas (Auckland, Hamilton, Tauranga, Wellington, Christchurch and Queenstown). WDC is generally supportive of the approach.

However, the recent 2018 Census release and our own Growth Model demonstrates that the Whangarei District is experiencing an unprecedented rate of growth. Between the 2013 Census and 2018 Census, Whangarei has grown by 17.3% with an average annual increase of over 3%. This is one of the highest rates of growth in New Zealand for a Territorial Authority and Northland Region experienced the highest percentage increase in New Zealand. Alongside population growth, our house prices have increased by 62% between 2013 and 2019.

This has put considerable pressure on our District. As a Council we are well placed to manage this growth. Financially we are in a comfortable position with relatively low rates and debt headroom. Our strategic plans have outlined a clear spatial vision for growth. Our District Plan have enabled feasible capacity for housing to meet projected demand.
WDC considers that the way the NPS-UD is structured does not recognise fast growing medium sized urban areas, such as Whangarei which, face similar planning and infrastructure pressures as the major urban areas, but due to our size have a more limited means to respond.

WDC is not advocating to be classified as a major urban area but would like to see recognition with the NPS-UD that medium sized urban areas with high growth will require support and policy guidance in managing future development to ensure enough capacity is maintained. This may include the following:

- Greater support and direction for planning outcomes at strategic level that recognise the need to provide capacity to meet demand.
- Acknowledgment that funding for infrastructure is crucial to support and enable future development opportunities and a recognition that for smaller authorities the affordability infrastructure investment is a significant pressure.
- Greater support to consider growth beyond just the urban area. Northland is experience considerable growth in areas of the Kaipara District, such as Mangawhai which is having ‘spill over’ impacts into the Whangarei Area.
- Greater clarity on policy expectations and deliverables (this point is expanded upon in the following section).

2. Greater clarity on policies that apply to areas not classified as ‘Major Urban’

WDC supports that the NPS-UD has a clearer policy direction compared with the previous policy statement. WDC generally supports the policy direction of the NPS-UD and considers that it broadly aligns with the approach taken in our Draft Growth Strategy and our Urban and Services Plan Change.

However, WDC is concerned that there is a lack of clarity for policies applying to areas not classified as major urban. Some examples are noted below:

- While policies are required for major urban areas, they are encouraged for all other areas. Some of these policies will be too difficult or costly for medium and small councils to deliver and may not add value to existing planning processes. By encouraging all other councils to comply with these policies may set an expectation with our communities that we will undertake this work. WDC suggests that the NPS-UD be amended to remove any statement that encourage compliance with a policy specifically intended for major urban areas.

- There are examples such as Objective 6, which applies to all urban environments, but the corresponding policies only apply to major urban areas. It is therefore unclear how areas that are not classified as major urban should implement this objective.

- It is unclear who should be responsible for some policies NPS-UD that apply to all urban areas, whether it is a regional council responsibility with changes to the Regional Policy Statement or whether it sits with the territorial council (or both).

- Greater clarity needs to be given to the reference to ‘quality urban environments’. WDC acknowledges that this is a difficult issue to define, but it is an important one in the context of intensification.

- Linked to the point above, greater emphasis should be given to the definition of ‘other infrastructure’. WDC considers that provision of open space and public amenities is a crucial element in achieving quality high density urban environments and should be better recognised in the NPS-UD

- Policies P1G and P1H only apply to major urban centres but could apply to all urban environments where an FDS exists.
WDC would like to see greater clarity in the NPS-UD for areas that are not classified as major urban, and to ensure that the outcomes are reasonably achievable for all urban areas.

3. Future Development Strategies and Housing Capacity Assessments

Policy P4A, P6A and P8A apply to all urban areas. WDC considers that in order to comply with these policies, planning would need to be completed to a level that would be similar or the same as the Future Development Strategies and Capacity Assessments (that are required for the major urban areas).

WDC request greater clarity on whether this is the intent of the NPS-UD. If it is, WDC suggests that this would be too burdensome and costly for smaller councils. If it is not the intent of the NPS-UD, then WDC suggests the policies need to be reframed to enable easier compliance for medium and small councils and to give greater clarity as to how it expects the policies to be achieved.

4. Enabling intensification

WDC supports the aim of the NPS-UD to enable intensification opportunities. This broadly aligns with the approach taken in our planning documents.

However, WDC seeks clarity that to comply with this policy, a Plan change may not always be needed if the existing planning framework already enables the prescribed outcomes. WDC is currently going through a plan change which enables intensification and would not want to, or need to, undertake a further plan change to meet the requirements of the NPS-UD.

WDC seeks greater acknowledgement of how legislation, other than the RMA, enables intensification. The NPS-UD should give greater guidance as to how and when these tools can be used:

- Investment core infrastructure to enable intensification (e.g. investment in stormwater infrastructure to avoid reliance on on-site management, which can limit intensification opportunities)
- Investment in public spaces to encourage intensification and private investment, such as streetscape upgrades
- Support for public transport and active modes of transport and alignment with transport strategies and funding
- Consideration of how financial tools such as rates and development contributions can enable/incentivise intensification.

WDC has concern with the density sought under P6C. A density of 60 residential units per hectare is very high for a town such as Whangarei and may not be appropriate.

5. Greenfield development

WDC is supportive that the NPS-UD addresses the issue of plan changes for out-of-sequence greenfield development and/or greenfield development in locations not currently identified for development.

However, WDC would like to see stronger wording to avoid inappropriate plan changes. This should include issues such as:

- infrastructure provision (not limited to core infrastructure)
6. If capacity cannot be achieved

WDC notes that in P4B, all urban areas are required to notify the Minister if development capacity cannot be achieved. WDC would like to see further detail as to the purpose of this policy whether this may be linked to either funding support or interventions into the plan making process.

7. Alignment with RMA reforms and National Planning Standards

WDC wishes to better understand how the NPS-UD would align with future reforms of the RMA and whether certain requirements of this NPS would better sit within the RMA. An area of concern is that the Phase Two reforms of the RMA have reference the use of spatial planning. How will this differ from the Future Development Strategies referenced in the NPS. WDC recommends that they must be aligned and that two separate ‘strategic planning’ requirements should be avoided.

Furthermore, there are parts of NPS-UD which prescribe outcomes for the District Plan. WDC would like to clarify whether these are compatible or a duplication of the National Planning Standards. Several policies appear to be duplicative of normal territorial authority functions and requirements under the RMA (e.g. P5B, O9). Unnecessary duplication or misalignment will cause considerable confusion for our community and our planning processes.

8. Alignment with National Policy Statement for Freshwater Management and Highly Productive Land

WDC acknowledges that as part of the urban growth agenda there are other policy statements being proposed including the National Policy Statement on Highly Productive Soils (NPS-HPL) and National Policy Statement on Freshwater Management (NPS-FM).

WDC considers that it is essential that this policy framework is aligned, and we acknowledge that this aim is stated in the consultation documents. However, WDC considers that there is insufficient guidance or policies which set out how the three policies should be considered through decision making at a local government level.

WDC considers that the risk is that this could fall to local authorities to balance these outcomes, and even more concerning that this may fall to decisions on resource consents. WDC recommends that the clear guidance and policies set out how these three policies are to be balanced and reconciled, rather than being left to individual councils to determine.

9. Decision making

WDC has concerns with several policies which could apply to resource consent decision making. WDC considers that it is not reasonable for a resource consent process to reconcile significant issues in the absence of direction from higher level strategies and a District Plan.

WDC has concerns that Council has limit or no ability to influence some of the matters that are included in the objectives and policies of the NPS-UD. For example, it is unclear in P2A how Council can have regard to limiting “the adverse impacts on the competitive operation of land and development markets”.

WDC objects to the inclusion of the “take-up” (development that gets built) in Policy P4A. Although Councils can to a certain extent influence the feasibility of development, there is very little if no ability to influence take up through an RMA process. Therefore, WDC see no merit in including this in our planning considerations. If NPS-UD is to include ‘take-up’, there should be
greater guidance and clarity on how a council can influence whether a development gets built, beyond a consideration of feasibility.

Whangarei District Council welcomes further opportunity to provide feedback on the NPS-UD. If there are any questions or points of clarification needed on our submission please contact

Nāku noa, nā

Whangarei District Council