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

Submission Reference no: 218

Clifford Paul Mason

Submitter Type: Individual
Source: Web Form
Overall Position: Oppose

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
No

Notes
In the Executive Summary of the Discussion Document under “Context” the second paragraph states that cities need to function “within environmental limits”. Such limits necessarily include limits to growth. Yet no acknowledgement of this fact is included in the document and the statements of the Ministers stress growth as an unquestioned imperative. The entire document is given over to the methodology of enabling growth with no mention of the critical limit of carrying capacity - that level of population which can be supported in perpetuity without incurring deterioration of the life-supporting qualities of the natural environment. This focus on growth, taken as necessary and inevitable, is a fundamental failing of the proposed National Policy Statement and will place it at odds with other legislation designed to ensure ecological sustainability. A National Policy Statement on Urban Development (NPS-UD) that does not reference ultimate limits to growth is unfit for purpose. The NPS-UD may provide some means to deliver quality urban environments but, the emphasis on removing obstacles to continuous growth is likely to compromise the existing quality of many urban environments as well as that of surrounding greenfield areas destined for urban development. There is a recurrent and disturbing theme in the proposed NPS that suggests a need for cultural change. It implies that many of the values which have characterised our privileged life in New Zealand must be abandoned to accommodate population growth. This is a very significant proposal that cannot be assumed to be inarguable. The status of New Zealand as a relatively ecologically intact (‘clean, green’) country is largely a result of low population pressures. A NPS which looks to facilitate population growth as a fundamental aim will inevitably lead to increased ecological damage. This is emphasised by several particular parts of the NPS which target for change or elimination present legislation that imposes limits for ecological purposes.

Clause
Are there other tools under the RMA, other legislation or non-statutory tools that would be more effective in achieving a quality urban environment and making room for growth?

Notes
Yes. The proposed NPS seems to conceive of present problems of an apparent shortage of housing relative to population as a simple market failure which can be addressed by increasing supply of residential units. This is a simplistic assessment of the situation. The conception of housing in a purely market sense is an ideological approach that is outdated in a world where neoliberal economic theory is proving inadequate for our present circumstances. The effective implementation of present laws and regulations that serve the purpose of the RMA would do much to secure a quality urban environment. The intended introduction of further NPSs aimed to protect elite agricultural soils and freshwater will also contribute to this end. Legislation addressing financial matters that tend to increase house prices (e.g. capital gains tax), immigration pressures, overseas ownership, trade training and a host of other matters are likely to have benefit with less of the potential long term destructive effects of an NPS promoting development and deprecating environmental and amenity value protection.

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
No

Notes
There is a threat of undemocratic process when central government directives can overrule local consultative processes. Events in Christchurch around ECAN elections and earthquake recovery provide past instances of such processes. Discretion at local level should be retained as far as possible in towns and cities of all sizes.

Clause
Do you support the approach used to determine which local authorities are categorised as major urban centres? Why/why not?
Notes
Acceptable

Clause
Can you suggest any alternative approaches for targeting the policies in the NPS-UD?
Notes
A National Policy Statement should be just that- national in intent and application - and intended to ensure uniform best practice in resource management. Targeting is inconsistent with this general intent.

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

Clause
What impact will the proposed timing of the FDS have on statutory and other planning processes? In what ways could the timing be improved?
Notes
No opinion

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
No
Notes
The Objectives lack any reference whatever to the natural environment. While it might be assumed that subsequent consenting processes under the RMA might incorporate such references, their absence in such a fundamental document with potential major detrimental effects on the natural environment is unacceptable.

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
AS above; no mention of natural environment.

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
The attempt to intervene in markets in a complicated fashion by specifying a large number of requirements is likely to prove problematic.

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


This section has a strong flavour of social engineering by attempting to discredit many prevalent cultural attitudes to matters such as intensification. The NPS as a whole seeks to disrupt many long-established urban planning practices, especially where these intentionally and with good cause place limits on building heights, density etc. There is also an attempt to change the meaning of ‘amenity value’ as defined in the RMA. This cannot be done in subsidiary legislation.

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

**Notes**
There is nothing wrong with the use of amenity to protect the status quo. It is recognised in the RMA and should not be subverted by a NPS.

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

**Notes**
Yes. Loss of amenity under a veil of pretext. The acknowledgment that amenity is variable and changeable would seem to preclude any attempt to redefine it.

**Clause**
Can you suggest alternative ways to address urban amenity through a national policy statement?

**Notes**
Re-statement of the RMA definition and support in the remainder of the document for this.

**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**
No

**Notes**
This is the core area of objection as it is where the unquestioned growth paradigm is given practicable form. Enough plus a margin! In particular, Policy P4G b) proposes to change almost the entire suite of planning instruments that are designed to limit the adverse effects of development. This would put all of these protective instruments that help to support sustainability under extreme duress. Such a powerful bias to the planning system in favour of development regardless is unacceptable in a NPS.

**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**
Somewhat

**Notes**
Zone descriptions seem a reasonable approach if they are not forced into relentless pro-development forms by the other matters in this NPS.

**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. They are an important element of any planning decisions as stated in the RMA

**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**
Intensification should not be the default in any location. Location should be primary as this includes the features of the supporting natural environment that must underpin sustainability. There are suppositions regarding urban transport patterns that underlie the idea of intensification around transport hubs. Decentralised urban forms would greatly reduce the need for such hubs and for transport overall. This element of urban planning (decentralisation) is absent from the NPS although it is manifest presently in some locations (e.g. particularly in Christchurch post earthquake).

### Clause
What impact will these policies have on achieving higher densities in urban environments?

**Notes**
Will likely increase with some unavoidable detrimental effects.

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

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

**Notes**
Preference is based on assumed flexibility in Zone designation; both in physical circumscription of the Zone and the characteristics specified.

### 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**
DO not approve

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

**Notes**
Add to conflict with existing property owners and public.

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**Notes**
DO not approve

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**Notes**
Add to conflict with existing property owners and public.

### 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**
Somewhat

**Notes**
Greenfield developments should be minimised in general but the sequence need not be prescriptive.

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

**Notes**
No comment

### 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**
Barely

### Clause
To what extent should developers be required to meet the costs of development, including the costs of infrastructure and wider impacts on network infrastructure, and environmental and social costs (recognising that these are likely to be passed on to future homeowners/beneficiaries of the development)? What impacts will this have on the uptake of development opportunities?

**Notes**
Most, increasingly where distant from existing infrastructure or where present infrastructure capacity is stressed

### Clause
What improvements could be made to this policy to make development more responsive to demand in suitable locations beyond areas already identified for urban development?

**Notes**
<table>
<thead>
<tr>
<th>Clause</th>
<th>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?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Yes</td>
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<tr>
<td>Notes</td>
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<table>
<thead>
<tr>
<th>Clause</th>
<th>Which proposed option could best contribute to achieving quality urban environments?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Option 1: removing the ability for local authorities to regulate the requisite number of car parks</td>
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<tr>
<td>Notes</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause</th>
<th>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?</th>
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</thead>
<tbody>
<tr>
<td>Notes</td>
<td>No comment</td>
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<thead>
<tr>
<th>Clause</th>
<th>Question 11. Do you think that central government should consider more directive intervention in local authority plans?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Somewhat</td>
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<td>Notes</td>
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<table>
<thead>
<tr>
<th>Clause</th>
<th>Which rules (or types of rules) are unnecessarily constraining urban development?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notes</td>
<td>No significant &quot;unnecessary&quot; restrictions</td>
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</tbody>
</table>

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<tr>
<th>Clause</th>
<th>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)?</th>
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</thead>
<tbody>
<tr>
<td>Notes</td>
<td>No</td>
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<tr>
<th>Clause</th>
<th>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?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>No</td>
</tr>
<tr>
<td>Notes</td>
<td>Too complex and see comments re market ideology above</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Clause</th>
<th>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?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Yes</td>
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<tr>
<th>Clause</th>
<th>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?</th>
</tr>
</thead>
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<tr>
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<tr>
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<tr>
<td>Question</td>
<td>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.</td>
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<tr>
<td><strong>Position</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Notes</strong></td>
<td>As stated above - inconsistent with much legislation and NPSs intended to support sustainability of the natural environment</td>
</tr>
</tbody>
</table>

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<tr>
<th>Clause</th>
<th>Question 18. Do you think a national planning standard is needed to support the consistent implementation of proposals in this document? If so, please state which specific provisions you think could be delivered effectively using a national planning standard?</th>
</tr>
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<tr>
<th>Clause</th>
<th>Question A1. Do you support the changes to the HBA policies overall? Are there specific proposals you do or do not support? What changes would you suggest?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Position</strong></td>
<td>Unsure</td>
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<td><strong>Notes</strong></td>
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<tr>
<th>Clause</th>
<th>Question A3. Are the margins proposed in policies AP3 and AP12 appropriate, if not, what should you base alternative margins on? (for example, using different margins based on higher or lower rural-urban price differentials)</th>
</tr>
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<tr>
<th>Clause</th>
<th>Question A5. Do you support the approach of targeting the HBA requirements only to major urban centres? Why/why not?</th>
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