Proposed National Policy Statement on Urban Development

Introduction

Tenants Protection Association (ChCh) Inc (TPA) has been operating in Christchurch for over 35 years. Our principal aim is to advance generally the rights interests and welfare of tenants in Christchurch. We provide advice, information, advocacy, and education services to tenants which includes anyone who lives in a home they do not own. In the past three years our database shows we have had over 12000 (twelve thousand) client contacts per year to our services, through telephone and internet contact, drop-in and appointment services, outreach clinics, and education sessions. We are submitting on selected areas of the National Policy Statement on Urban Development (NPS-UD).

TPA, as a member of the International Union of Tenants (IUT) has agreed to promote a number of goals for the next three-year period (2019 – 2021). TPA will monitor progress in achieving affordable, decent housing for all and the implementation of the United Nations Sustainable Development Goals by 2030. The IUT goals of note that relate to the NPS-UD are as follows:

- Housing is not a commodity, it is a basic human right
- Political and power struggles do not get in the way of basic human housing needs
- Everyone should have the right to live in healthy and safe housing
- Stop skyrocketing rents
- “Touristification” of cities by short term rental platforms must be avoided at the expense of local residents and key workers. Our cities should not be for sale
- Co-operation between governments and local authorities is essential to plan for current and future housing needs and fight against financialisation
- Housing shortages are not only affecting the poor but affect everybody
- Tenant participation in communities is essential
- Migration and climate changes may affect future housing needs, and planning is therefore needed
- Build housing suitable for its population needs, climate and culture
- Tenants’ rights as consumers must be protected

By 2050 it is estimated that three quarters of the world’s population will be living in urban areas. It is essential that central government and local authorities plan for this, working together to achieve the goal of making “cities and human settlements inclusive, safe, resilient and sustainable” (United Nations Sustainable Development Goals, goal 11).

Targeting Cities that would benefit most

We agree a centralised policy will provide New Zealand with an integrated, cohesive strategy for adequate housing. Adequate housing is defined as meaning: adequate privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location with regard to work and basic facilities – all at a reasonable cost” (United Nations Factsheet No. 21, The Human Right to Adequate Housing). We are concerned that “Christchurch Major Urban Centre” includes Waimakariri District Council and Selwyn District Council. As the NPS-UD does not define terms such as ‘centres’ and ‘frequent public transport stops’ we are concerned areas that should not
have higher density housing may be required to provide housing that is inappropriate for the area and the people in need of housing. It also doesn’t reflect the largely rural areas that Waimakariri District Council and Selwyn Councils cover. Instead the NPS-UD is a ‘one size fits all’ approach that is not appropriate for all the Major Urban Centres identified. In general, the NPS-UD does not consider that local authorities and communities are already working together to provide adequate housing.

Future Development Strategy

We are also concerned about the opaque policy measures in the NPS-UD. The cost of compliance does not appear to have been properly considered in the NPS-UD discussion document, or how these costs are to be met. The cost of compliance for councils will be passed on to ratepayers and local residents. This does not reflect co-operation between government and local authorities, indeed the directives contained in the document puts a halt on co-operation, to the detriment of the local communities. NPS-UD must take account of local authorities existing regional policy statements and regional and district plans, amendments must only be required when it is absolutely necessary. Changes should be phased in rather than an immediate requirement for compliance as this also increases costs for local communities. The requirement to update or prepare a Future Development Strategy should be in line with existing medium and long term planning to reduce costs.

Making room for growth

We support objective two: “to enable quality urban environments that make it possible for all people...to provide for their wellbeing”. In developing this policy, we encourage the government to refer to the United Nations seven standards for adequate housing:

- **Security of tenure**: Residents should be protected against forced eviction, harassment and other threats including predatory redevelopment and displacement
- **Habitability**: Housing must provide residents with adequate space that protects them from cold, damp, heat, rain, wind, and other threats to health, structural hazards, and disease
- **Accessibility**: Housing must be accessible to all, and disadvantaged and vulnerable groups – including the disabled – must be accorded full access to housing resources
- **Affordability**: Housing costs should be at such level so as not to compromise the attainment of other basic needs. For example, people should not have to choose between paying rent and buying food
- **Availability of services, materials, facilities and infrastructure**: Housing must provide access to services essential for health, security, comfort and nutrition. This includes water and sanitation, power and other essential utilities.
- **Location**: Housing should not be built on polluted sites or in immediate proximity to pollution sources that threaten the right to health of residents. The physical safety of residents must likewise be guaranteed. Additionally housing must be in a location which allows access to employment, health-care services, schools, child care centres, and other social facilities.
- **Cultural adequacy**: Housing and housing policies must guarantee the expression of cultural identity and diversity, including the preservation of cultural landmarks and institutions. Redevelopment or modernisation programs must ensure that the cultural significance of housing and communities is not sacrificed.
We draw attention to the recommendation from the UN Committee on Economic, Social and Cultural Rights that New Zealand adopt a human rights-based national housing strategy. The NPS-UD document needs to reflect this in all areas, not just this section.

**Amenity Values in urban environments**

We are concerned that the directive for housing intensification does not integrate with the objective for amenity. The NPS-UD as it is proposed does not encourage, or allow for, community involvement in the development of local areas. Instead of a directive for intensive housing, we would prefer a directive for local communities to be consulted to ensure the amenity is retained, accounting for changes over time.

**Enabling opportunities for development**

We agree that local authority “policies, plans and strategies enable enough opportunities for development to meet diverse demands for housing and business land”, however we are concerned the proposed policies do not “enable opportunities for development” but instead enforce minimum requirements on councils to provide intensive housing, in some cases where it is completely inappropriate, and would counter the amenity in suburban and semi-rural areas. A ‘bottom line’ does not allow for population fluctuations, where there will be times that building to a bottom line exceeds requirements. Allowing a local authority to revise the bottom line renders a ‘bottom line’ invalid and ineffective. We feel this is also an opportunity to provide policy guidance on the use of residential properties for short term stays or “Airbnb” as the “touristification” of centres such as Queenstown pushes out local residents and key workers.

**Providing for Intensification**

Directing local authorities to enable higher-density housing is concerning, and is a shift from allowing higher-density housing. Since the earthquakes there has been a number of medium-density housing complexes built in Christchurch, some of these in inappropriate areas, which have even come to the attention of local Members of Parliament. Adequate housing in New Zealand must reflect our unique culture, where the UN identified that Maori and Pasifika families and persons with disabilities are more likely to experience severe housing deprivation, including overcrowded conditions (UN Committee on Economic, Social and Cultural Rights: Concluding observations on the Fourth Periodic Report of New Zealand 2018). The proliferation of high density housing in urban areas will not alleviate these issues. The right to adequate housing includes the right to choose one’s residence, to determine where to live and to freedom of movement. Building large volumes of high density housing takes away from these rights.

We are concerned a directive will lead to increased high density housing in areas where it is completely inappropriate, will not provide affordable housing options for families, and will become disused and derelict. If a higher density housing option is to be introduced, we would ask that a descriptive approach is taken to allow local authorities and communities to decide what is appropriate, with guidance from the NPS-UD.

**Removing minimum car parking requirements**
The removing of minimum car parking requirements shows a lack of consideration for people one low incomes who do not work 9-5, Monday to Friday jobs. Regardless the level of affordable housing built, and where in the community it is built, there are large industrial areas where there is no housing, as it should not be. Therefore, in order to start work at 4am in a factory, low income workers needs to be able to drive to work, and park safely both at home and at work. Removing the ability for a low income worker to park safely at home not only prevents them from working, but increases security risks, and isolation. We urge you to retain the ability for local authorities to regulate car parking, this cannot conceivably be done centrally.

Conclusion

Tenants Protection Association (Chch) Inc would like to see the implementation of a national housing strategy that is human rights-based, ensuring adequate housing for everyone living in New Zealand. The strategy must include the participation of local communities in determining housing development that meets the needs of residents. It should direct central government to work with local authorities and communities to ensure the strategy remains current and relevant to the needs of those it is intended to serve. It should be introduced in a manner so as not to increase the level of accountability and cost to local authorities, but instead be integrated into existing planning. It must, as a bottom line, recognise the true diversity of people living in New Zealand, their living and working arrangements, in order to encourage full participation in society.