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

Submission Reference no: 26

Environmental Noise Analysis and Advice Service (Southern Monitoring Services Ltd)

New Zealand

Submitter Type: Other
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
Somewhat

Notes
The Environmental Noise Analysis and Advice Service (ENAAS) is a service contracted by the Ministry of Health to advise the Ministry and Public Health Services about environmental noise. This submission is made independently by ENAAS and is solely with respect to issues of environmental noise affecting public health. A National Policy Statement on Urban Development is supported so as it could underpin protection of public health with respect to environmental noise in new urban homes. With increased housing density and more housing in areas that are affected by environmental noise (such as near transport networks), it is essential that basic standards are implemented so that new homes provide a healthy environment for residents. For example, by ensuring internal noise levels in bedrooms are such that residents have adequate sleep. While the consultation document does refer to "quality urban environments" and "well-being", the surrounding narrative does not acknowledge the need for protection of health inside new urban homes. Where references in the consultation document are made to "health/healthy" it appears to be more in a context such as encouraging active modes of transport rather than in the context of healthy environments inside homes. Existing controls to provide healthy noise environments in homes under the Resource Management Act are not consistent between urban areas and in many places are inadequate or absent. Environmental noise coming from outside buildings is not addressed by the New Zealand Building Code under the Building Act. It is submitted that the NPS-UD should include clear objectives and policies to provide healthy homes in urban areas with respect to environmental noise. There is a strong focus in the consultation document on affordability of homes, but no acknowledgement of the increased costs in terms of sound insulation and mechanical ventilation that are often necessary in urban environments to achieve healthy homes. These costs should not prevent affordable homes in urban areas. However, unless protection of health is regulated, there is a risk that directions around affordability will override costs for implementation of appropriate building designs.

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
Clause G6 of the New Zealand Building Code has two requirements regarding internal sound insulation between household units. These requirements are set at a poor standard relative to most developed countries and can result in noise disturbance between units. In the past there have been consultations about improvements to these requirements, but no changes have been implemented. Increased urban housing density will exacerbate this existing unresolved issue with Clause G6 and is likely to contribute to adverse public health outcomes. Past consultations on Clause G6 included proposals to extend its scope to also control environmental noise entering homes from outside. Again, no changes have been implemented. Because environmental noise entering homes is not addressed by Clause G6 under the Building Act, some district plans impose controls under the Resource Management Act. However, where they exist these district plan controls are inconsistent and often inadequate to protect health. Inconsistencies are both in terms of which environmental noise sources are controlled (e.g. road, rail, airport, port, commercial, industrial) and in terms of the required sound insulation and ventilation. Mechanical ventilation is often required so windows can be kept closed for sound insulation. It is submitted that environmental noise entering homes should be regulated at a national level. For protection of public health the same minimum standards should be achieved in all homes. Such controls should either be under the Building Act or the Resource Management Act. If controlled under the Building Act then it is submitted that Clause G6 should be revised as currently it does not address this issue at all. If controlled under the Resource Management Act it is submitted that a National Environmental Standard should be prepared to provide a universal, consistent and adequate standard. Without national regulation of environmental noise entering homes, the
proposed NPS-UD is likely to result in more people exposed to environmental noise in their homes above World Health Organisation guidelines for the protection of health. Conversely, if national regulation of environmental noise entering homes were introduced it would enable increased urban development.

**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?

**Notes**

No comment

**Clause**

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

**Notes**

No comment

**Clause**

Can you suggest any alternative approaches for targeting the policies in the NPS-UD?

**Notes**

No comment

**Clause**

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

**Position**

Somewhat

**Notes**

Spatial planning can provide an effective tool for environmental noise management by separating noise generating and noise sensitive activities. As such, requiring spatial planning through FDSs is supported. The proposed objective and policies do not require consideration of compatibility of activities in terms of environmental noise. It is submitted that a policy should be added to require areas affected by environmental noise (such as around industrial zones) to be identified in FDSs. Such areas should generally be avoided for future residential development.

**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**

Spatial planning as a tool for environmental noise management could be beneficial in all districts.

**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 comment

**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**

Somewhat

**Notes**

Mention is made of “good health” in the preamble and “well-being” in proposed objective O2. However, the proposed objectives and policies do not explicitly include healthy environments inside urban homes as being an essential bottom line for a quality urban environment. From the overall context the implicit meaning of “well-being” does not appear to include providing healthy environments inside homes.

**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**

No - The proposal does not explicitly include healthy environments inside homes as an essential part of quality urban environments.
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
No comment

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

Notes
No comment

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

Notes
No comment

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

Notes
No comment

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

Notes
No comment

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)

Notes
No comment

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
The proposal should be extended so that “enabling development” includes ensuring adequate protection of health within that enabled development. Sometimes noise limits in district plans are inconsistent with activities sought to be enabled as set out in objectives and policies. This can include noise limits that are too strict to permit noisy activities sought in a zone, and also noise limits that are too lenient to adequately protect noise sensitive activities sought in a zone. Requiring consistency between zone descriptions, objectives, policies and rules, would highlight and resolve at the outset any fanciful notions of noise generating and noise sensitive activities in the same zone without adequate controls.

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 - A clear description of the types and nature of development should assist in setting appropriate noise controls to manage effects on public health.

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

Notes
Yes - In terms of managing environmental noise effects it is important that the nature of urban noise environments is accurately described. The inherent tension between noise generating and noise sensitive activities in urban areas is often inadequately addressed in district plans. Sometimes a false impression is given that different activities can occur together without compromise or management.

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)

Notes
No comment

Clause
What impact will these policies have on achieving higher densities in urban environments?
Notes
No comment

Clause
What option(s) do you prefer for prescribing locations for intensification in major urban centres? Why?
Notes
No comment

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
No comment

Clause
What impact will directly inserting the policy to support intensification in particular locations through consenting decisions have?
Notes
No comment

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?
Notes
No comment

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
No comment

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
No comment

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
No comment

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?
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<tr>
<th>Clause</th>
<th>Which proposed option could best contribute to achieving quality urban environments?</th>
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<td>Notes</td>
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<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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<td>Notes</td>
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<th>Clause</th>
<th>How would the 18 month implementation timeframe impact on your planning processes?</th>
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<td>Notes</td>
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<th>Clause</th>
<th>What support should be considered to assist local authorities when removing the requirement to provide car parking to ensure the ongoing management of car parking resources?</th>
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<td>Notes</td>
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<tr>
<th>Clause</th>
<th>Question 11. Do you think that central government should consider more directive intervention in local authority plans?</th>
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<tr>
<td>Position</td>
<td>Yes</td>
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<td>Notes</td>
<td>No comment</td>
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<tr>
<th>Clause</th>
<th>Which rules (or types of rules) are unnecessarily constraining urban development?</th>
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<td>Notes</td>
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<tr>
<th>Clause</th>
<th>Can you identify provisions that are enabling higher density urban development in local authority plans that could be provided for either nationally or in particular zones or areas?</th>
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<tr>
<td>Notes</td>
<td>Adequate sound insulation (and ventilation) rules enable higher-density urban development.</td>
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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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<td>Notes</td>
<td>No comment</td>
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<th>Clause</th>
<th>Given the potential interactions with the range of rules that may exist within any given zone, how could the intent of more directive approaches be achieved?</th>
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<td>Notes</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>
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<td>Notes</td>
<td>No comment</td>
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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?
Notes
No comment

Clause
Do you think the proposals are an appropriate way to ensure urban development occurs in a way that takes into account iwi and hapū concerns?
Notes
No comment

Clause
How do you think local authorities should be directed to engage with Māori who do not hold mana whenua over the urban environment they are currently living in?
Notes
No comment

Clause
What impacts do you think the proposed NPS will have on iwi, hapū and Māori?
Notes
No comment

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?
Notes
No comment

Clause
Question 15. What impact will the proposed timing for implementation of policies have?
Notes
No comment

Clause
Question 16. What kind of guidance or support do you think would help with the successful implementation of the proposed NPS-UD?
Notes
As set out above, successful implementation of the proposed NPS-UD will require national regulation of environmental noise entering urban homes. As such a National Environmental Standard, or revision of Clause G6 to the New Zealand Building Code is required.

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.
Notes
No comment

Clause
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?
Notes
No comment

Clause
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?
Notes
No comment
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<th>Clause</th>
<th>Question A2. What do you anticipate the impact of the proposed polices (and any related changes) would be on planning and urban outcomes?</th>
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<td>Notes</td>
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<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>
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<th>Clause</th>
<th>Question A4. How could these policies place a greater emphasis on ensuring enough development capacity at affordable prices?</th>
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<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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<td>Notes</td>
<td>No comment</td>
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