PROPOSED NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT SUBMISSION

Our submission on the proposed National Policy Statement on Urban Development (NPS-UD) focuses on matters relevant to retaining Thorndon as a valued heritage/character suburb. The appendix provides information on the Thorndon Society.

It appears to the Society the NPS-UD presents a radical planning change to promote high-density development and intensification without sufficient consideration of the effects.

We are concerned the proposals are weighted heavily in favour of deregulation and promoting widespread intensification, particularly in areas adjacent to city centres. This could foster a belief that valued heritage areas such as Thorndon will have to be sacrificed for the "greater good" of increased housing. We therefore seek to ensure that the NPS-UD is crafted in a way that better balances the need for intensification against competing policy interests, particularly the protection of historic heritage from inappropriate subdivision, use and development.

Response to Questions

Introductory comments

Alternative tools: Question 1

Councils need both the will and resources to proactively manage urban environments to secure quality outcomes. The successful renewal of our cities will not be achieved by maintaining reactive planning regimes or that deregulation provides the answers.

Targeting cities: Question 2

Agreed that a tiered targeting regime appears sensible.

Future development strategies: Question 3

We are concerned that this section does not give sufficient guidance to ensure that high-density growth or intensification avoids important heritage or character areas. Item (a) refers to the identification of areas where urban development as a whole must be avoided, but not to more localised urban areas.

Within established urban areas it should be recognised that valued heritage and character areas may be protected from high density development and intensification. This is particularly relevant for neighbourhoods where the requirements of Part 2 of the Resource Management Act (RMA) relating to the protection of historic heritage are applicable.
Making room for growth - Quality urban environments: Question 4

We do not support the proposals that purport to promote the achievement of quality urban environments. The proposals present a high-level expression of urban quality and noticeably omit reference to amenity values, i.e. those physical qualities and characteristics that contribute to people's appreciation of pleasantness, aesthetic coherence and cultural and recreational attributes. Amenity considerations contribute significantly to people's perception of environmental quality and should not be ignored. The high-level description proposed risks taking amenity values out of any debate on urban growth and intensification.

We are concerned about the sixth bullet point at the top of page 27 which refers only to 'reflecting historical and cultural heritage in the urban environment' (our underlining). In our opinion the word 'reflecting' significantly downplays the requirement under Part 2 of the RMA to protect historic heritage as a matter of national importance. This provision should be redrafted to more clearly identify the importance of historical and cultural heritage in defining quality urban environments.

We request that the New Zealand Urban Design Protocol be referenced in terms of identifying matters relevant to achieving quality urban environments.

Amenity values in urban environments: Question 5

A new definition of amenity values is not required. We do not support the proposed redefinition of amenity values, particularly if the intent is to replace the existing definition in the RMA. The existing definition provides the foundation for most district plan provisions relating to matters of heritage, character and design so must be retained.

The adoption of a new definition of amenity values to support the intensification agenda by reflecting future values appears to us to be fraught with difficulties. While the amenity values of future built environments might be described in broad terms it would not be possible to predict the more fine-grained characters or qualities that are the primary determinants of people's appreciation of an area.

To the extent that the amenity values of future high-density environments can be described or explained, our view is that content of this nature should reside in district plans.

Enabling opportunities for development: Question 6

We consider the whole question of providing sufficient and feasible development capacity to meet housing demand in terms of locational diversity, typologies and price is fraught with difficulties. The risk is that Councils will become mired in dubious statistics and placed in a position of concocting 'targets' which will be beyond their ability to achieve. Ongoing monitoring, review and updating of plans to rejig the numbers will only compound the problems. These requirements are likely to be all-consuming and draw valuable resources away from practical planning and urban design initiatives to promote new housing development and achieve quality environments.

Ensuring plan content provides for expected levels of development: Question 7

This section largely reflects existing planning practice, at least in Wellington City. In areas where higher-densities and intensification are to be promoted we accept that zoning provisions in district plans should include appropriate descriptions that clearly identify intended outcomes.
As outlined in the response to Question 5 above, we are not convinced that there is anything to be gained by attempting to define future amenity values of growth areas. Well-crafted zone descriptions should be sufficient to define the intended future form of any growth area.

Providing for intensification: Question 8

While we do not oppose urban intensification in principle we consider that if high-rise development is to be permitted it should be confined to agreed locations. However, we are apprehensive that the NPS-UD favours intensification around city centres to maximise benefits. Where these areas also have high heritage/character values there is no clear guidance as to how competing interests might be balanced,

On page 36 it is stated that proposed objectives and policies are intended to shift the focus to intensification in all areas that can maximise benefits, unless there is a good (evidenced) reason not to. (our underlining). In our view this begs the question, what evidenced reasons are likely to prevail where there is an overwhelming presumption for intensification? The fear is that quantitative data supporting growth and development will swamp more qualitative information on matters pertaining to the protection of historic heritage or amenity values.

We consider the NPS-UD should be more explicit about situations where intensification might not be appropriate and particularly where there are likely to be tensions with matters required to be addressed under Part 2 of the RMA.

We note both the NPS on Electricity Transmission and the NPS for Renewable Electricity Generation refer to the requirements of Part 2 of the Act as a means of ensuring that competing objectives are appropriately balanced. A similar approach should be adopted for the NPS-I-JD.

Please note that in addition to the issue of historic heritage, Thorndon is traversed by a major earthquake fault line. Section 6 (h) of the RMA which requires the management of significant risks from natural disasters is therefore relevant. Again, we believe the proposed NPS should be drafted in a manner which enables this matter to be appropriately balanced against the drive for growth and intensification.

Options for directing intensification

The NPS-UD presents two options for directing intensification through district plan policies, a descriptive approach and a prescriptive approach. We do not consider that this will necessarily be an either/or situation as district plan provisions may well involve a combination of both descriptive and prescriptive measures.

However, we oppose total reliance on prescriptive measures for directing intensification. The RMA originally heralded a move from prescriptive planning. This approach should remain an anathema to progressive planning authorities intent on encouraging quality urban development.

Considering intensification in consenting decisions

The NPS-UD proposes that before policies and provisions on intensification are included in district plans, Councils be directed to give immediate effect to a policy requiring the consideration of intensification objectives when resource consent applications for higher-density developments are being determined.
We totally oppose this proposal. Under the present consenting processes (which favour development by largely excluding third part involvement and delegating decision making to Council officers), this would be the death knell for heritage/character areas such as Thorndon. The policy would provide an open door for developers to gain consent for high-rise applications before intensification plans are agreed and settled. We consider this to be a dangerous and anti-democratic measure that should not be countenanced.

Providing for further greenfield development: Question 9

The Thorndon Society generally opposes further urban sprawl.

Removing minimum car parking requirements: Question 10

We consider some flexibility should be retained for residential developments in suburban areas. If Councils are to be prevented from setting minimum car parking requirements or otherwise regulating car parking numbers then we suggest a maximum limit of one car parking space per unit should be allowed. This would provide options for developments to meet the reasonable needs of future owners, occupiers, or visitors.

More directive intervention: Question 11

We read with considerable concern that the Government is now exploring direct intervention in district planning processes to progress its urban growth agenda. Government direction to achieve greater national consistency in respect of specific technical matters is one thing, interventions that have the effect of shaping the form of our towns and cities are another.

The RMA and its predecessor the Town and Country Planning Act were enabling statutes that mandated planning but retained a clear prerogative for local authorities to shape their own communities.

When writing on the strengths of the New Zealand planning system a former Director of the Ministry of Works said:

> Responsibility for planning rests with local government as it should if planning is to remain responsive to the community it serves. Central government is involved in all stages of the planning process...but as a party to the process and not a dictator of it (our underlining).

We believe this statement still holds true. We consider state directed district planning could be a negative force which would promote uniformity and undermine the goal of high quality, responsive urban environments.

Conclusion

The NPS-UD envisages a radical approach to planning which could transform existing residential communities into intensive, high-density areas. It appears that by oversight or design, other matters of national importance may have been forgotten. As a result, neighbourhoods valued for their heritage or residential character could be lost.

We believe the Government should consider how a better balance can be achieved between intensification and high-density growth and other matters of national importance, particularly the protection of historic heritage.
If 'Planning for Successful Cities' is to have any real meaning it is incumbent upon the Government to take this matter seriously.

Summary of key outcomes sought by the Thorndon Society

1. To promote quality urban environments the NPS-UD be reworked to recognise the desirability of maintaining and enhancing valued heritage and character suburbs, neighbourhoods or areas.

2. Relevant matters in Part 2 of the Resource Management Act be recognised, notably the protection of historic heritage and the management of risks in areas prone to natural disasters.

3. The present definition of 'Amenity Values' in the Resource Management Act be retained.

4. The amenity values of future high-density growth areas be described as far as reasonably practical in relevant planning documents (and not subject to any attempted redefinition of the term).

5. The New Zealand Urban Design Protocol be recognised and cited in promoting the attainment of quality urban environments.

6. Prescriptive planning measures not be used to direct intensification.

7. There be no special direction to the effect that Councils give immediate effect to a policy requiring the consideration of intensification objectives when resource consent applications for higher-density developments are being determined.

8. With regard to off street car parking some flexibility be retained for residential developments in suburban areas by setting a maximum limit of one car parking per unit.

9. As a matter of principle local authorities retain the right to shape their own urban futures and that investigations into options for Government intervention in district planning processes cease.

For the Thorndon Society

Appendix

The Thorndon Society

The Thorndon Society was established in 1973 in response to the destruction of a large part of Thorndon for the construction of the Urban Motorway. The primary focus of the Society is to protect and preserve what remains of Thorndon's heritage and to maintain its residential character. The Society has been active in opposing the further loss of heritage housing stock, the conversion of houses to non-residential use and the 'creep' of commercial uses into the suburb from the Central Area zone. The Society also
works to promote an interest in Thorndon's heritage through the publication of an historical newsletter and other initiatives such as the Notable Homes Plaques Project.

Thorndon is widely recognised for its heritage qualities, which are well documented. An excellent Wellington City Council report entitled Thorndon Heritage Project (2008) ably summarises the position. The report states:

Thorndon is New Zealand's most historic suburb. It contains the city's greatest collection of Victorian and Edwardian housing amidst a wider collection of nationally and locally significant heritage buildings. Thorndon was the home of many of the city's first settlers, a place where significant institutions were located and the scene of nationally important events. Even with substantial changes made to the suburb in recent decades, it remains an historically significant area where important events continue to take place (page3).

Notwithstanding the measures taken to protect Thorndon's heritage, the suburb has remained under threat from a variety of development sources and there is still much that could be done to secure and enhance its heritage future. This in the Society's view would be in the interests of promoting a quality urban environment and planning for a successful Wellington city.

A looming issue for Thorndon is that under existing planning processes not all heritage in the suburb is subject to specific heritage listings in the district plan. Most is regulated or managed through character controls which are based on joint amenity and heritage considerations. The Society is concerned that the present character area approach will be used as an argument to downplay the significance of Thorndon as a heritage suburb and advance proposals for high-density development and intensification. This has the potential to undo the past fifty years of community and planning action to save Thorndon's heritage and would be to the detriment of Wellington City and the nation.

Heritage suburbs such as Thorndon still provide opportunities for renewal and intensification but this requires planning with a deft hand. Broad-brush approaches reflected in the NPS-UD come with a high risk of losing heritage qualities.