

15 July 2016

Vicky Robertson  
Chief Executive  
Ministry for the Environment  
PO Box 106483,  
**Auckland City 1143**

CANTERBURY  
Mayoral Forum

*A strong regional economy with resilient, connected  
communities and a better quality of life, for all.*

Email: [npsurbandevlopment@mfe.govt.nz](mailto:npsurbandevlopment@mfe.govt.nz)

Dear Vicky,

**Canterbury Mayoral Forum submission: proposed National Policy Statement on Urban Development Capacity**

The Canterbury Mayoral Forum welcomes the opportunity to make a submission on the proposed National Policy Statement on Urban Development Capacity. The Forum comprises the Mayors of the ten territorial local authorities in Canterbury, and myself, as Chair of Environment Canterbury.

Many of our councils have a strong interest in the proposed policy statement. In particular, the local authorities who work together, along with a range of other agencies, to implement the Greater Christchurch Urban Development Strategy.

The Canterbury Mayoral Forum would like to be part of ongoing discussions and collaboration to ensure any approved National Policy Statement on Urban Development Capacity is appropriate and effectively implemented to provide benefit for our communities.

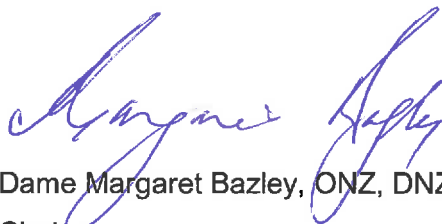
The Forum would like to thank you for the consideration given to its submission on the proposed policy statement.

For any enquiries, please contact:

Dr Ronnie Cooper

027-839-2565 / [ronnie.cooper@ecan.govt.nz](mailto:ronnie.cooper@ecan.govt.nz)

Yours sincerely



Dame Margaret Bazley, ONZ, DNZM, Hon DLit  
Chair

# Submission to the Ministry for the Environment from the Canterbury Mayoral Forum

CANTERBURY  
Mayoral Forum

*A strong regional economy with resilient, connected communities and a better quality of life, for all.*

## Proposed National Policy Statement on Urban Development Capacity

---

15 July 2016

1. The Canterbury Mayoral Forum comprises the Mayors of the ten territorial local authorities and the Chair of Environment Canterbury, supported by our Chief Executives. The purpose of the Forum is to promote collaboration across the region and to increase the effectiveness of local government in meeting the needs of Canterbury's communities.
2. All Canterbury councils actively participate in the Forum:
  - Kaikōura District Council;
  - Hurunui District Council;
  - Waimakariri District Council;
  - Christchurch City Council;
  - Selwyn District Council;
  - Ashburton District Council;
  - Mackenzie District Council;
  - Timaru District Council;
  - Waimate District Council;
  - Waitaki District Council; and
  - Environment Canterbury.
3. The Mayoral Forum work programme is implemented by the Canterbury Chief Executives Forum and the Canterbury Policy Forum. For planning related matters, the Policy Forum is supported by the Canterbury Planning Managers Group.
4. The Canterbury Mayoral Forum welcomes the opportunity to make a submission on the proposed National Policy Statement on Urban Development Capacity (proposed NPS-UDC), and appreciates the significant work that has gone into developing the document in a relatively short period of time.
5. The Canterbury Mayoral Forum observes that the consultation document on the proposed NPS notes the intention for the Minister for the Environment (the Minister) to decide on whether to approve the proposed NPS-UDC following consideration of submissions and the preparation of a summary of submissions report, including recommendations, by the Ministry for the Environment (the Ministry). This is acknowledged as reflecting the process available to the Minister as set out in section 46A(1)(b) of the Resource Management Act 1991 (RMA). This process does not include a Board of Inquiry or hearing to consider submissions. The Canterbury Mayoral Forum considers that the significance of the proposed NPS would be better recognised by, and likely resulted in a more robust and well-developed NPS, through the process available under section 46A(1)(a).
6. The submission from the Canterbury Mayoral Forum has been developed with input from staff of key councils within Canterbury.

7. Some councils represented on the Canterbury Mayoral Forum have also developed their own submissions on the proposed NPS-UDC. In particular, the local authorities who work together along with a range of other agencies to implement the Greater Christchurch Urban Development Strategy (the UDS Partnership) have provided a detailed submission, reflecting the significant implications for that area of the proposed NPS as currently drafted.
8. This submission focuses on those parts of the proposed NPS-UDC that affect all local authorities, with the expectation that the UDS Partnership submission and individual council submissions will provide further detail on specific points of interest for their communities.

### Supporting the UDS Partnership

9. The UDS partners work collaboratively to address cross-boundary issues in Greater Christchurch, guided by the Greater Christchurch Urban Development Strategy (UDS). The UDS has been in place since 2007. It provides a strategic framework to guide the growth management of the Greater Christchurch area.
10. The UDS document and the supporting governance structures have been very important through the recovery of Greater Christchurch from the unprecedented effects of the Canterbury earthquakes.
11. The UDS document, and the significant background work that went into it, provided important information and guidance for recovery planning, such as the development of the Land Use Recovery Plan. In this way it contributed significantly to the resilience of Greater Christchurch. To reflect the many planning documents developed for earthquake recovery the UDS has been updated recently.
12. The UDS governance structures include groups at various levels of partner agencies, with overall responsibility sitting with the Urban Development Strategy Implementation Committee (UDSIC). The Recovery Strategy for Greater Christchurch: Mahere Haumanutanga o Waitaha established a governance framework which mirrored the UDS governance structure to enable effective connection and communication between the UDS partners and central government agencies involved in the recovery.
13. The Canterbury Mayoral Forum **supports** the submission made by the UDS Partnership. In particular, the proposed NPS-UDC should not in any way undermine the UDS, but rather support it to continue to ensure the sustainable management of urban development in Greater Christchurch.
14. It is also noted that if, like the UDS partners, other councils in New Zealand are already undertaking growth management planning and have supporting strategies, then many of the aims of the proposed NPS are likely already being achieved in those areas.

### General Comments

#### *Development of a NPS on Urban Development Capacity*

15. The Canterbury Mayoral Forum is **not opposed** to the development of a NPS on Urban Development Capacity. The Government's policy objectives for the development of the proposed NPS-UDC are recognised as commendable aims, these being to:
  - "Maximise the economic, social and cultural benefits of urban environments at the local and national level, while managing within environmental bottom lines;

## **Mayors standing together for Canterbury.**

Ashburton District Council • Canterbury Regional Council • Christchurch City Council • Hurunui District Council  
Bopikoura District Council • Mackenzie District Council • Selwyn District Council • Timaru District Council  
Waimakariri District Council • Waimate District Council • Waitaki District Council

Mayoral Forum Secretariat, C/ Environment Canterbury, PO Box 345, Christchurch 8140 T: 03 345 9323

- Improve the availability and choice of housing and economic opportunities in urban areas; and
  - Promote effective and co-ordinated land use planning (including with infrastructure, and across council boundaries) that responds to growth and change in urban areas.”<sup>1</sup>
16. The policy objectives have been modified following the completion of the cost benefit analysis, and read differently in the Regulatory Impact Statement (RIS):
- “Maximise the economic, social and cultural benefits of urban environments at the local and national level in a sustainable manner;
  - Improve the availability and choice of housing and economic opportunities in urban areas to enable more people in communities to provide for their wellbeing (particular for those on medium to moderate incomes for whom access to housing in urban areas is becoming increasingly constrained);
  - Promote greater efficiency in the supply of development capacity to respond to change and growth in urban areas (providing for the social, economic, cultural and environmental wellbeing of future generations).”<sup>2</sup>
17. While both sets of policy objectives are good aims, it would be beneficial for the supporting documents to make clear which are the objectives of the proposed NPS-UDC, and for the rationale behind these changes to be explained.
18. It is also noted that these policy objectives can be clearly linked to the strategic directions of the UDS document, which are listed in section 2 of that document under the themes of enriching lifestyles, enhancing environments, encouraging prosperous economies, managing growth, providing effective governance and leadership, and integrating implementation. Specifically, these strategic directions include, among a number of others:
- Increasing the supply of well-located, affordable housing;
  - Providing for new urban development that is well integrated with existing urban areas and towns; and
  - Ensuring the integration of environmental, social, health, cultural, and economic matters in all policies, plans and activities and working in partnership with surrounding communities, to achieve the strategic outcomes.
19. However, it is considered that there are aspects of the proposed NPS-UDC as currently drafted that need to be amended to make it a workable document, achieve these policy objectives, and ensure it integrates well into the current and future planning regimes in New Zealand, if approved by the Minister. These are set out in more detail below.

---

<sup>1</sup> The policy objectives as set out in section 4.1 of the supporting document ‘Cost benefit analysis of policy options for and NPS-UDC’.

<sup>2</sup> Regulatory Impact Statement for the Proposed National Policy Statement on Urban Development Capacity under the Resource Management Act 1991, page 7.

## **Mayors standing together for Canterbury.**

Ashburton District Council • Canterbury Regional Council • Christchurch City Council • Hurunui District Council

Kaikoura District Council • Mackenzie District Council • Selwyn District Council • Timaru District Council

Waimakariri District Council • Waimate District Council • Waitaki District Council

Mayoral Forum Secretariat, C/ - Environment Canterbury, PO Box 345, Christchurch 8140 T: 03 345 0323

### **Overall direction of the proposed NPS-UDC**

20. While the Canterbury Mayoral Forum notes the limited scope of the proposed NPS-UDC through its development, it is still important to point out that the overall direction of the NPS has a narrow focus on providing additional development capacity only in urban areas with projected medium and high future growth. The Forum questions the appropriateness of this given the range of issues New Zealand urban areas are facing.
21. While the proposed NPS-UDC may be appropriate for some areas of New Zealand, there are many urban areas in the Canterbury region for which the policy statement lacks relevance, will not address the critical issues, and will not achieve the stated policy objectives.
22. A key example of this is that there are no provisions supporting the sustainability of future urban development. Furthermore the proposed NPS-UDC does not include provisions to address changes and issues facing communities with declining and ageing populations, or others that have structural change within stable or declining population and household numbers. In these areas it is not the capacity for urban development that is an issue, but other issues such as the cost of maintaining services and infrastructure, the viability of communities, and the different types of services, facilities and housing that will be required in the future.
23. The Canterbury Mayoral Forum also notes the comments made by the Ministry for Education on the proposed NPS-UDC, in that the proposal does not require development that provides access to community facilities, good urban design, or integrated planning of social infrastructure.<sup>3</sup> It is noted that these matters link directly to the first and third policy objectives listed above. These comments are also reflected in the proposed NPS-UDC preamble, which states that, “[i]t is also important that planning provides good accessibility between housing and businesses, and the social infrastructure necessary in a successful city”. However, the subsequent NPS-UDC as currently drafted makes no reference to the quality of the urban development, urban form and design that would lead to accessibility between housing and business, or the community infrastructure and facilities that are required to support the wellbeing of communities.
24. The Canterbury Mayoral Forum **supports** the intent of the comments made by the Ministry for Education, and considers that the inclusion of provisions to address these matters would be beneficial to an approved NPS on Urban Development Capacity.
25. Additionally, it is noted that intensification is mentioned only twice in the proposed NPS-UDC (and only in reference to the requirement for councils to prepare a land release and intensification strategy). This reinforces the narrow approach of the document as currently drafted. Although the footnote on the supporting explanation on page 20 of the consultation document states that development capacity explicitly refers to the capacity for intensification as well as expansion, the definition of development capacity in the proposed NPS does not refer to intensification explicitly.

### **Recommendations**

1. *Inclusion of provisions in the NPS-UDC to address matters relating to the quality of urban development and social infrastructure and facilities (as raised by the Ministry for*

<sup>3</sup> As discussed in the Cabinet paper ‘Approval for public consultation on a proposed National Policy Statement on Urban Development Capacity’, para. 62 – 63.

## **Mayors standing together for Canterbury.**

Ashburton District Council • Canterbury Regional Council • Christchurch City Council • Hurunui District Council  
Kaikōura District Council • Mackenzie District Council • Selwyn District Council • Timaru District Council  
Waimakariri District Council • Waimate District Council • Waitaki District Council

Mayoral Forum Secretariat, C/- Environment Canterbury, PO Box 345, Christchurch 8140 T: 03 345 9323



*Education).*

2. *Explicit reference in the NPS-UDC to intensification and brownfield development as a means to achieve greater urban development capacity.*

### **Purpose of the RMA**

26. The Canterbury Mayoral Forum **supports** the points raised in the Environment Canterbury submission on the need to better reflect the purpose of the RMA in the proposed NPS-UDC, and submits that the proposed NPS-UDC as a whole needs to provide more clarity on its relationship with Part 2 of the RMA. As currently drafted Objective OA3 and Policy PA3 in particular, and the other Objectives and Policies more generally, could achieve greater consistency with the purpose of the RMA.
27. The Canterbury Mayoral Forum requests that additional wording be included to achieve this, for example greater incorporation of and consistency with section 5 (2) (a), (b) and (c) of the RMA. This should also provide clarity on how the proposed NPS interacts with RMA sections 6, 7 and 8.
28. Specific wording for OD1, and particular issues with OA3 and PA3 are addressed below (paragraphs 52-55, 57 and 67-71).

### **Recommendation**

3. *Inclusion of wording in relevant provisions of the NPS-UDC to ensure greater consistency with Part 2 of the RMA.*

### **Support for local authority coordination**

29. The Canterbury Mayoral Forum **supports** the provisions included in the proposed NPS-UDC relating to the need for local authorities to work together in coordinated and integrated fashion. It is noted that this is already occurring in Canterbury through mechanisms such as the Canterbury Mayoral Forum and supporting groups, and specifically for the geographic area around Christchurch, through the Greater Christchurch UDS Partnership.
30. However, the provisions included in the proposed NPS-UDC could be improved through alignment with the Canterbury Mayoral Forum's focus on effectiveness of local government, including through collaboration and sharing of resources. The Canterbury Mayoral Forum would be willing to provide additional guidance on how to achieve this.
31. As noted below, the provisions also need to recognise and provide for what is already being done throughout the country in relation to management of urban growth and development, and not weaken these activities.

### **Ongoing engagement**

32. The Canterbury Mayoral Forum **requests** to be engaged in ongoing discussions to support the development of the proposed NPS-UDC, and to help develop guidance for the implementation of any approved NPS on Urban Development Capacity.

## **Mayors standing together for Canterbury.**

Ashburton District Council • Canterbury Regional Council • Christchurch City Council • Hurunui District Council  
Kaikoura District Council • Mackenzie District Council • Selwyn District Council • Timaru District Council  
Waimakariri District Council • Waimate District Council • Waitaki District Council  
Mayoral Forum Secretariat, C/- Environment Canterbury, PO Box 345, Christchurch 8140 T: 03 345 9333

33. This guidance needs to take into account the ability and resources of local authorities to effectively and efficiently undertake any ongoing work required by an approved NPS, and take into account and strengthen work already being undertaken by local authorities. Engagement with the Canterbury Mayoral Forum would enable valuable advice to be provided to the responsible Ministries on these matters.

**Recommendation**

4. *That the Ministries establish a collaborative working group with local government to address drafting issues with the proposed NPS-UDC prior to recommendations being provided to the Minister for the Environment.*

**Support for existing growth management**

34. In those areas where urban development and growth management strategies are in place, councils are likely to already be giving effect to many of the objectives and policies of the proposed NPS-UDC through non-statutory documents and council processes.
35. As noted above, an example of this in the Canterbury region is the Greater Christchurch UDS. The UDS already supports the objectives of the proposed NPS-UDC, and does so through voluntary collaboration of the local authorities, other relevant agencies and Te Rūnanga o Ngai Tahu.
36. The Canterbury Mayoral Forum submits that any approved NPS-UDC needs to clearly support what is already being done through these existing plans, strategies and collaborative processes, in particular the Greater Christchurch UDS. The worst outcome for an approved NPS on Urban Development Capacity would be to undermine the positive contributions existing growth management provides to sustainable management of New Zealand urban areas.

**Recommendation**

5. *That the NPS clearly supports what is already being done through existing plans, strategies and collaborative processes, in particular the Greater Christchurch UDS.*

**Drafting issues**

37. While the Canterbury Mayoral Forum recognises the relatively short time period within which the proposed NPS-UDC was drafted, there are a number of issues in the drafting of the provisions. These problems include inconsistencies, vagueness, and interpretation issues.
38. To give an example, it is difficult to interpret what 'likely to exist' means in relation to the provision of adequate infrastructure in the definition of development capacity. This is an important aspect, as it relates directly to the assessment of development capacity, and therefore has flow-on effects for whether additional capacity will be required. Similarly, it is unclear what threshold 'indicates' provides in relation to the evidence base or monitoring for whether there is sufficient development capacity under Policy PD1. There are a number of other such areas where improvements in the drafting would be beneficial, which are outlined in greater detail in the submission from Environment Canterbury on the proposed NPS-UDC.

**Mayors standing together for Canterbury.**

39. These issues should be addressed through the collaborative working group recommended above.

### **Objectives of the proposed NPS-UDC**

40. The Canterbury Mayoral Forum considers that amendments are required to ensure the Objectives in the proposed NPS-UDC better reflect needs and opportunities of development in urban areas across New Zealand
41. Amendments are also required to better align the Objectives of the proposed NPS-UDC with the policy objectives for the development of the proposed NPS (noted in paragraphs 15 and 16 above).

### **Housing affordability**

42. While noting the discussion on 'affordability' in paragraphs 59 and 60 of the Cabinet paper, the Canterbury Mayoral Forum recommends explicit reference to housing affordability in the Objectives. This should be included in the Objective Group A – Outcomes for decision-making.
43. It is understood that housing affordability issues are part of the main drivers for the development of the proposed NPS-UDC, as noted in the preamble, "[t]his National Policy Statement aims to help reduce regulatory barriers to the supply of housing, and reduce the cost of housing relative to income".<sup>4</sup>
44. This is also reflected in the problem statement set out in the Regulatory Impact Statement and associated cost benefit analysis, which is framed around a central assumption that a limited supply of housing and rising property prices are occurring as results of planning policies constraining development capacity and limiting the ability of the market to meet demands in growing cities.
45. The response to this problem in the proposed NPS-UDC is to require urban land capacity provided for through local authority plans and policy statements to exceed demand.
46. It is also noted that housing affordability was a matter included in earlier proposals for amendments to Part 2 of the RMA, but were not subsequently included in the Resource Legislation Amendment Bill.
47. If one of the desired outcomes to be achieved through the policy statement is greater housing affordability then this should be set out clearly in the Objectives. It is recognised that this relates to Objective OA1 through social and economic wellbeing of people and communities. However, the Canterbury Mayoral Forum submits that this should be made more explicit, as it would provide a clearer link between the purpose of the RMA, the objectives of the NPS-UDC, and the responses set out in the policies.

---

<sup>4</sup> Page 6 of the Consultation Document

## **Mayors standing together for Canterbury.**



**Recommendation**

6. *That the proposed NPS-UDC be amended to explicitly refer to housing affordability as an objective, which relates to sustainable management through enabling people and communities to provide for their social, economic, and cultural well-being and for their health and safety.*

**Consideration of environmental effects**

48. The Canterbury Mayoral Forum **supports** the points raised by Environment Canterbury on the need for consideration of the sustainable management of New Zealand's natural and physical resources. The provision of urban development capacity through plans and policy statements needs careful consideration of the actual and potential effects on the environment, including all aspects of the environment as defined under the RMA.

49. The Canterbury Mayoral Forum strongly recommends at least the inclusion of environmental wellbeing in Objective OA1. Currently this Objective does not adequately recognise subsections 2(a), (b) and (c) of the purpose of the RMA. Including environmental wellbeing would help to achieve a better balance of priorities in the proposed NPS-UDC, and reflect councils' requirements under the RMA and other acts such as the LGA, which sets out principles which local authorities must act in accordance with. These principles include the need to maintain and enhance the quality of the environment in taking a sustainable development approach.

50. Along with including environmental wellbeing in OA1, the Ministry for the Environment should consider recommending the inclusion a new Objective, specifically addressing avoiding, remedying or mitigating the effects of urban development on the environment. This would link to Part 2 of the RMA, and the Government's policy objectives of the proposed NPS-UDC (as set out in paragraph 15 above) to manage within environmental bottom lines.

51. In discussing risks associated with interactions with other NPS and NES and Part 2 of the RMA, the supporting cost benefit analysis document states that:

"These matters do not necessarily inhibit the provision of development capacity, but require that, at plan-making stage, the local authority gives due weight to the value of nationally significant resources...This is explicitly addressed in all NPS-UDC options considered, through Objective OA3 and Policy PA3."<sup>5</sup>

52. The Canterbury Mayoral Forum notes that the Objective OA3, as assessed in the cost benefit analysis, also included the phrase, "while best managing both its positive and adverse effects". This analysis also referred to OA3, in stating that:

"NPS-UDC options recognise that councils will be required to give appropriate consideration and management response to avoiding, remedying and mitigating the potential adverse effects of urban growth on these resource values, while appropriately enabling the provision for such growth to achieve the overall purpose of the Act."<sup>6</sup>

<sup>5</sup> 'Cost benefit analysis of policy options for and NPS-UDC', page 84.

<sup>6</sup> 'Cost benefit analysis of policy options for and NPS-UDC', page 65.

**Mayors standing together for Canterbury.**

Ashburton District Council • Canterbury Regional Council • Christchurch City Council • Hurunui District Council  
Invercargill District Council • Mackenzie District Council • Selwyn District Council • Timaru District Council  
Waimakariri District Council • Waimate District Council • Waitaki District Council

Mayoral Forum Secretariat, C/ Environment Canterbury, PO Box 345, Christchurch 8140 T: 03 345 9323

53. Without the additional phrase as included in the cost benefit analysis version of OA3, the provisions of the proposed NPS-UDC may not necessarily appropriately allow for the achievement of the purpose of the Act through the provision of urban development capacity.
54. The Canterbury Mayoral Forum therefore submits that the version of OA3 included in the cost benefit analysis be used in the NPS-UDC. Analysis and recommendations of PA3 are provided below.

**Recommendation**

7. *That the proposed NPS-UDC be amended to:*
- a. *include environmental wellbeing in Objective OA1*
  - b. *the version of OA3 included in the cost benefit analysis be used in the NPS*
  - c. *include an additional objective relating to environmental considerations.*

**Amendments to Objectives OB1 and OD1**

55. Objective OB1 should be worded to relate directly to urban development capacity. It seeks to ensure plans and regional policy statements are based on a robust, accurate and frequently updated evidence base. While this is not opposed, and is generally a sound aim for local authority policy-makers, it is a wide ranging statement and needs greater specificity in this context.
56. Objective OD1 seeks "to ensure that planning decisions enable urban development in the short, medium and long terms". The Canterbury Mayoral Forum submits that additional wording is required to qualify the appropriateness of urban development that is to be enabled, to achieve the policy objectives of the proposed NPS-UDC, align with the purpose of the RMA, and respond to the concerns of other organisations such as the Ministry for Education. This also relates to recommendation 1 above.
57. The Canterbury Mayoral Forum submits that OD1 should be amended to read:

To ensure that planning decisions subject to Part 2 of the RMA enable, in the short, medium and long term, appropriate urban development in locations that avoid natural and other constraints and are or will be supported by adequate physical and social infrastructure.

**Recommendation**

8. *That the proposed NPS-UDC be amended to:*
- a. *word OB1 to relate directly to urban development capacity*
  - b. *qualify the appropriateness of urban development that is to be enabled through amendments to Objective OD1*

**Mayors standing together for Canterbury.**

## Policies affecting all territorial authorities

58. The Canterbury Mayoral Forum has focused its submission on the provisions of the proposed NPS-UDC that relate to all local authorities in Canterbury. For the Policies, this means those set out under Outcomes for decision making, policies PA1, PA2 and PA3.
59. Overall, it is considered that some of the policies support work already going on, particularly through the UDS (and these could be refined to provide stronger support), while others may undermine the role of the partnership and should be amended.

### Policy PA1

60. Overall, Policy PA1 is not opposed. However, it is not clear exactly what the 'potential for social and economic exchange within the urban area' actually means. As decision-makers will be required to provide for an urban form that maximises this, greater clarity and explanation is required. For example, would a 'compact city' urban form, where development capacity is **only** provided through intensification, achieve this?
61. PA1 also requires decision-makers to have 'particular regard' to 'scarce urban land and infrastructure'. It is not clear how this fits with Part 2 of the RMA, particularly how this is to be weighed against the matters in sections 6 and 7. Again, additional wording is required to provide clarity.
62. Although a more detailed point, the Canterbury Mayoral Forum is also concerned that PD9 requires local authorities to have 'particular regard' to PA1 in developing a future land release and intensification strategy. This would appear to create potential for adverse consequence, such as placing greater weight on 'enabling the competitive operation of land and development markets' than on 'minimising the adverse effects of development' (PA3) through decision making processes, which would likely have flow-on unintended and significantly adverse consequences for New Zealand's environment.

### Recommendation

9. *That the proposed NPS-UDC is amended to provide clarity and explanation for:*
- a. *what the 'potential for social and economic exchange within the urban area' is; and*
  - b. *how particular regard to 'scarce urban land and infrastructure' fits with Part 2 of the RMA.*

### Policy PA2

63. The Canterbury Mayoral Forum is concerned that PA2, when read alongside the definition of "sufficient" at page 10 of the proposed NPS-UDC, would require all local authorities to provide 'sufficient development capacity', i.e. 20 percent over and above projected short and medium-term demand, and 15 percent over long-term demand.
64. This could have significant adverse consequences, especially for local authorities with smaller urban areas. This policy could result in very poor planning outcomes, particularly over time, if development does not occur sequentially as planned. In addition, the requirement for development capacity to take into account the provision of adequate infrastructure could

## **Mayors standing together for Canterbury.**

place very significant financial burden on the smaller local authorities, especially if development does not occur in areas identified for development due to other factors, such as land ownership fragmentation.

65. It is also noted that under section 8.1.1 of the cost benefit analysis document no rationale is provided for the level of excess development capacity required under PA2 and the definition of 'sufficient'. Additionally, the percentage level required has increased from 15 percent and 10 percent above the short and medium-term, and long-term demand, respectively, to 20 percent and 15 percent, with no apparent explanation.
66. The Canterbury Mayoral Forum considers that the lack of initial rationale and the subsequent change significantly undermines the robustness of these figures, the cost benefit analysis, Regulatory Impact Statement, and the proposed NPS-UDC as a whole. The question in the consultation document on the appropriateness of these figures cannot be answered before the rationale is explained.

#### **Recommendation**

10. *That the proposed NPS-UDC is amended to explain in more detail the rationale behind the definition of 'sufficient'.*

#### **Policy PA3**

67. The Canterbury Mayoral Forum is concerned about a number of aspects of Policy PA3 as included in the proposed NPS-UDC. Generally, Policy PA3 does not provide clarity on how decision makers would determine the relationship of these matters with sections 5, 6 and 7 of the RMA. Additional wording should be included to provide this clarity, as indicated through recommendation (iii) above.
68. Additionally, it appears that the version of Policy PA3 assessed in the cost benefit analysis for the proposed NPS included 'environmental wellbeing' along with social, economic and cultural wellbeing in the first bullet point. As PA3 was specifically identified as relating to Part 2 of the RMA in this analysis (as noted above), the Canterbury Mayoral Forum submits that environmental wellbeing should be reinserted into this part of the policy. Additionally, the second bullet point is suggested to read;  
  
    "...adverse effects of urban development on the environment."
69. These amendments would achieve greater consistency with Part 2 of the RMA and the policy objective for managing within environmental bottom lines.
70. The Canterbury Mayoral Forum also has concerns about the third bullet point of Policy PA3. It is not clear how a decision-maker is to have particular regard to the positive effects of urban development at a national scale. This would also seem to suggest that positive effects should be given more weight than negative effects, regardless of what these effects are, or their level of impact. Amendments are required to allow for effects to be appropriately considered and balanced.
71. Additional concern is raised due to the fact that this part of the policy has also changed from that analysed in the cost benefit analysis version, which read, "[a]ssess urban development in terms of its national, regional and district effects, as well as local effects". As the wording in the proposed NPS also makes it unclear whether 'particular regard' should be given to the

### **Mayors standing together for Canterbury.**

positive effects at all scales, including local effects, or just to national, regional and district scales, the Canterbury Mayoral Forum submits that the cost benefit analysis version be used, or the policy comprehensively rewritten to clarify what is meant.

**Recommendation**

11. That the proposed NPS-UDC policy PA3 be amended as detailed above.

**Conclusion**

72. The Canterbury Mayoral Forum is not opposed to the development of a national policy statement to address urban development capacity. However there are a number of concerns with or important considerations for the proposed NPS-UDC, as outlined in this submission, relating to:

- General Points
  - Overall direction of the proposed NPS
  - Purpose of the RMA
  - Support for local authority coordination
  - Ongoing engagement
  - Support for existing growth management
  - Drafting issues
- Objectives of the proposed NPS-UDC
  - Housing affordability
  - Consideration of environmental effects
  - Wording amendments to Objective OB1 and Objective OD1
- Policies affecting all territorial authorities
  - Clarifying and improving Policies PA1, PA2 and PA3

73. The Forum would like to thank the Ministries for the consideration given to its submission on the proposed policy statement. We look forward to future involvement with the Ministries and others to address the issues raised in this submission and by other submitters.

74. For further enquiries, please contact the Secretariat for the Canterbury Policy Forum:

Dr Ronnie Cooper, Environment Canterbury

027-839-2565 / [ronnie.cooper@ecan.govt.nz](mailto:ronnie.cooper@ecan.govt.nz)

**Mayors standing together for Canterbury.**