



Submission of Civic Trust Auckland on The Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill

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1. Civic Trust Auckland

Civic Trust Auckland is a non-profit public interest group, formed in 1968, with activities and interests throughout the greater Auckland region.

The aims of the Trust include:

- Protection of natural landforms
- Preservation of heritage, in all its aspects
- Encouragement of good planning for the city and region.

CTA is a regular submitter on matters of interest to its members, both at a local government level and also on national matters where they may affect the Auckland region. We are included on Auckland Council's list of regional stakeholders.

Our submissions have included those on the National Policy Statement on Urban Development Capacity, the Government Policy Statement on Housing and Urban Development, and the Consultation Draft of the Natural and Built Environment Bill. We also made extensive submissions on the 30-year spatial plan, the Auckland Plan, and the Auckland Unitary Plan.

2. Purpose of the Bill

The purpose of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill [*the Bill*] is to enable greater supply of housing in urban areas, including Auckland. Its particular focus is to address issues relating to housing affordability and choice, and it seeks to rapidly accelerate the supply of housing where the demand for housing is high. It introduces medium density residential standards for all tier 1 urban environments to enable at least three dwellings of up to three storeys per site in tier 1 areas and it aims to achieve the greatest heights and densities possible.

Civic Trust Auckland's response to the Bill

Housing Needs

3.1. CTA recognises that there are many New Zealanders who are not housed or who are housed inadequately. A number of our members are active in supporting homeless people in central Auckland and in South Auckland, and we see this as a serious issue, not only for Auckland, but for the country as a whole.

3.2. CTA supports the building of healthy and resource efficient dwellings that are dry, warm, sound-proofed, energy efficient and appropriately solar oriented.

3.3. The Bill as proposed would require territorial authorities in the country's Tier 1 cities to set more permissive land use regulations to enable greater intensification in urban areas by bringing forward and strengthening the National Policy Statement on Urban Development (the NPS-UD).

3.4. We support housing choices being both available and affordable. We understand therefore the Government's desire to rapidly accelerate the supply of housing in an attempt to improve issues of availability and affordability, particularly in the country's largest cities.

Population Growth

4.1. The Unitary Plan provisions were purposefully calculated and allocated across the region to accommodate future generations within the context of the Auckland Spatial Plan's projected growth of one million people by 2040.

4.2. According to a capacity analysis recently carried out by Auckland Council, the AUP already provides for sufficient capacity for at least 30 years of housing development. The figures show ***there is currently enough existing development capacity under the AUP for up to 900,000 more dwellings in Auckland.***

4.3. Furthermore, as stated by Stats NZ on 22 October 2021, "In the wake of the COVID-19 pandemic, New Zealand's population growth slowed down with Auckland recording a population decline for the first time ever."
(<https://www.stats.govt.nz/news/aucklands-population-falls-for-the-first-time>)

4.4. Staging of intensification can provide for required capacity now, and more when it is needed, with a review of intensification at 10-year intervals.

Capacity Provided by the Auckland Unitary Plan

5.1. Auckland Council recently consulted on, and made operative the Auckland Unitary Plan (AUP). It became operative in part on 15 November, 2016 and followed 3 years of seminars, discussions, meetings, feedback, more than 9,400 submissions on the Proposed Auckland Unitary Plan, with 93,600 unique requests, and 3,800 further submissions with a total of 1,400,000 points, and an appeal process.

5.2. The introduction to the AUP (Chapter A, pp 1-2) outlines the plan's three key roles:

(1) it describes how the people and communities of the Auckland region will manage Auckland's natural and physical resources while enabling growth and development and protecting the things people and communities value;

(2) it provides the regulatory framework to help make Auckland a quality place to live, attractive to people and businesses and a place where environmental standards are respected and upheld; and

(3) it is a principal statutory planning document for Auckland.

5.3. H5.1 of the plan states: "Up to three dwellings are permitted as of right subject to compliance with the standards," and the AUP (at H5.6.8) has already determined the dimensions for yards that are required by the Bill, namely, minimum depth: front 2.5 metres, side 1 metre, rear 1 metre. In CTA's view, AUP controls to achieve the required density are already in place and the medium density residential standards for Auckland have already been achieved in its mixed housing urban zone in the AUP.

5.4. CTA considers that while the Bill as proposed may enable more housing, theoretically, it will not actually result in any more housing. We think more weight should be given to the enabling capacity already provided by the AUP. That plan is the culmination of comprehensive and integrated long-term planning, and it has been successfully enabling development in Auckland for the last five years. More importantly, with the relaxed height and density requirements under the AUP, resource consent numbers in Auckland are at record levels, and the AUP is currently delivering the kind of intensified housing sought in Auckland.

5.5. Staging of intensification can provide for required capacity throughout New Zealand now, and more when it is needed, with a review of intensification at 10-year intervals. This would allow for gradual and progressive change that is aligned with population growth and would also allow the consequences of intensification in different areas to be reviewed. It would also avoid adverse effects on areas of heritage and historic character.

Quality of Urban Design

6.1. CTA strongly supports a quality built environment. Changes to the built environment are long-lasting, with changes affecting not only the current New Zealand communities but future generations.

6.2. In our view, areas with low heritage and landscape values should be where intensification should be prioritised. Such areas may include current poor developments and thus allow for improvements to these areas.

6.3. Good design includes not just the structure of a building but the landscaping (including provision for vegetation, which reduces heat island effects) and the interface with the street and nearby buildings. Good design adds to the amenity of a neighbourhood and new buildings should be designed to be in keeping with or sympathetic to the streetscape values including: views, viewshafts of important buildings and landscapes, sunlight, architectural style and unity of form and scale.

6.4. Although the NPS-UD "recognises the national significance of having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now

and into the future.” .. the quality of the built environment is not adequately provided for in the Bill.

6.5. The standards in the Bill are not sufficient to manage the challenges of providing intensive housing for safe and functional use. These include ensuring privacy, safe pedestrian access, access to nature, and practical servicing and storage. A national set of collaboratively developed minimum standards and associated tools could be used to assist with producing good quality developments at low cost. This could include rules controlling the transition between low rise and high rise to avoid building dominance, new builds that are out of character for the area, loss of privacy, loss of sunlight and loss of views.

6.6. The AUP intended to ensure that Auckland continues to be a quality place to live. Good quality urban design is an essential element in any successful city or town and needs to be an integral part of land capacity decision making. Urban design not only has a significant impact on the quality of life for people in cities, but on the economic performance of cities.

7. Historic heritage, historic character and natural heritage

7.1. The AUP's Regional Policy Statement identifies as one of eight issues of regional significance: “protecting our historic heritage, historic character and natural heritage.” It notes that, “Further growth places pressure on our ability to protect and conserve historic heritage.” We note that the quality compact city model that the Unitary Plan adopts provides for lower levels of growth in neighbourhoods with recognised character, identity and heritage.

7.2. The Auckland Unitary Plan states at 4.1: “Historic heritage is important to Auckland because it helps us understand and appreciate our history, culture and identity. Our heritage contributes to Auckland's distinctiveness as a visitor destination and to its economic vitality. The protection, conservation and appropriate management of our historic heritage places will help future generations use and appreciate what these places meant to the development of our city. Our historic heritage is unique to Auckland; it cannot be duplicated or replaced. It comprises buildings and structures, archaeological and maritime sites, gardens and plantings, places of historical or cultural importance, including sites and places of significance to Mana Whenua, areas, townscapes, streetscapes, landscapes, and other places of heritage value.”

7.3. Some of Auckland's early residential suburbs contain distinctive timber housing including cottages, villas and bungalows. Those *areas designated as 'special character areas (SCAs) now* constitute an integral part of the city's valued historic heritage and are a significant part of the city's identity and character. While they may not warrant scheduling as individual heritage buildings, they do have heritage value in a collective sense. When character houses are removed in historic character suburbs, the integrity of the collective value of the city's heritage is undermined.

7.4. Growth and development in urban, rural and coastal areas has already altered or destroyed much of Auckland's historic heritage and places of cultural importance, and the Bill as proposed would undermine the integrity of many character areas by inserting much larger and incongruous multi-dwelling units on an ad hoc basis. We consider the integrity of already established areas should be preserved where possible in order to maintain their amenity values. Greater consideration should also be given to adaptively reusing existing buildings rather than demolishing and building

anew. This is more sustainable both in terms of minimising the city's carbon footprint and also in terms of preserving existing neighbourhood character.

7.5. The Bill is likely to further encourage large-scale tree and vegetation removal as well as a lack of consideration for protection of important natural features such as water bodies, both of which would likely mean further loss of urban biodiversity.

8. Universal Access

8.1. There seem to be no provisions for universal access considered in the Bill. However, the National Policy Statement on Urban Development (NPS-UD 2020) recognises the national significance of “providing sufficient development capacity to meet the different needs of people and communities.”

8.2. Universal access addresses the needs of people with disabilities, the elderly and children, who together make up a significant proportion of the population. The aged sector is on the increase; ideally, we should all be able to remain living in our communities, despite our housing needs tending to change as we age. There is also currently an increase in chronic disease. In addition, people with temporary impairments through illness or injury also benefit from universal access, as well as the necessity for carrying loads or luggage, using pushchairs or moving house.

8.3. The design principles of universal access enable a safer, more convenient, cost effective, socially inclusive and more sustainable environment to meet the everyday needs of people of all ages and abilities, increasing the choice of where people can live independently.

8.4. Universal access increases the sustainability of housing stock, which aligns with the underlying purpose of the Resource Management Act (1991).

9. Conclusions and Recommendations

9.1. In conclusion, we do not wish the Bill to proceed in its current form. In particular we consider imposition of MDRS across the Tier 1 city of Auckland is unnecessary because there is already enough well-planned and integrated capacity under the AUP, and providing for more capacity in an ad hoc manner runs a high risk of unwanted urban design outcomes.

9.2. Before areas of collective character are sacrificed, we suggest that addressing the reportedly 40,000 ‘ghost houses’ in Auckland might usefully contribute to increasing the availability of housing.

9.3. We recognise the Government has cross-Party support and is intent on passing the Bill, and so if the Government proceeds with applying the provisions of the Bill in Auckland, we encourage consideration be given to the matters raised in our submission concerning the quality of urban design, historic heritage and character, natural heritage, and issues surrounding universal access.

9.4. We also wish to submit in opposition to the proposal under the Bill that would see the Intensification Streamlined Planning Process (ISPP) replace the right of appeal to the Environment Court with a final decision to be made by the Minister for the Environment that cannot be appealed (other than via judicial review).

Date of submission: 16 November, 2021



A handwritten signature in dark ink, appearing to read "Audrey van Ryn". The signature is fluid and cursive.

Audrey van Ryn
Secretary, Civic Trust Auckland