

SUBMISSION TO BETTER URBAN PLANNING

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Question	Topic	Comment
1	Scope	<p>Planning is a dynamic profession that works to improve the welfare of people and their communities by creating more convenient, equitable, healthy, efficient and attractive places for current and future generations. It recognises our democracy and enables civic leaders, businesses and the community to play a meaningful role in envisioning and creating the communities that they want to live, work, and invest in, as well as raise children and grow old. Good planning enables communities to understand the choices and trade-offs and to find the right balance between new development and essential services, environmental protection and innovative change. City visioning and remapping enables city-wide public interests to be advanced against more parochial ones.</p>
2	Land use planning	<p>Planning is not just about allocating land use and ensuring land supply and infrastructure development. Aesthetic and urban design matters are legitimate concerns to address the negative externalities of development and to support agglomeration (page 9/10). The Government's own work identifies the economic value of urban design.</p>
3	New model New tools	<p>The appropriateness of new models depends, in part, on the issues you are trying to address. There is a need to set out more clearly the issues that a new model should seek to address, as well as the principles and outcomes that a planning system should seek to achieve. A robust policy development process is required to identify options for a new planning system. Think-pieces by credible international and local planners and non-planners may be a useful approach to canvass options.</p> <p>Urban environments are complex and dynamic. There are a diversity of views and agendas. There are differences in power within society and differences in the ability to participate in civic life. There are tensions between public and private rights, and change is difficult and political.</p> <p>The discussion document appears to seek an unrealistic simplicity – and many of the tools that are introduced are focussed on single issues or transactions. While they could be part of the mix, cannot replace the overall system (or replace zoning).</p> <p>The document implies that there may be successful, unplanned (i.e. unzoned), complex cities that we could emulate. I do not consider this likely.</p> <p>A planning system cannot simply consider individual decisions (as was the intent of the RMA effects-based principle). Cumulative impacts of millions of individual decisions need to be considered and addressed. This is one purpose of a zoning approach.</p>

		<p>A planning system needs to work effectively for different scales e.g. from a garage extension to a new power station or new suburb. The level of regulation, scrutiny, prescription and engagement should be commensurate with the level of impact and externalities.</p> <p>Clarity about what you can and can't do with your land is important and can be achieved by detailed and prescriptive planning rules and guidance. This can be more cost efficient and effective than broad flexibility, where the result or goal posts may be unknown.</p> <p>Climate change – The World Economic Forum have said that this is the most pressing issue the world has faced. The Government's own Science Advisor has outlined the serious and broad implications for NZ across society and the economy. It is not mentioned in the discussion document at all. A planning system needs to be able to address and advance climate change mitigation and adaptation. Local government is struggling in this area and national guidance on adaptation will be required.</p> <p>Local land use planning can support the delivery of government policy objectives e.g. health, recreation, alcohol, obesity. Rather than being concerned that the scope of the planning system is expanding, the role that local government can play in joined-up policy and delivery should not be underestimated. For example while the council is not responsible for health policy, its local land use, transport and recreational planning can make a significant impact on the health of communities.</p>
7	Legislative integration	<p>The various acts and processes that are part of the current planning system do need to be better integrated. A useful principle to consider might be that decisions shouldn't require approvals under more than one piece of legislation (or should happen together in same process).</p> <p>A focus should be on aligning spending, policy, regulation and development. The Queensland system that aligns the state infrastructure and growth management planning with funding, should be considered for further review.</p>
9	Consultation	<p>Public engagement and consultation is critical to a healthy democracy and a resilient community.</p> <p>There are many more "actors in the Planning system" than identified – Iwi, local community, business owners, and it cannot be assumed that any group will have a shared view.</p> <p>There needs to be flexibility for new community engagement models to be used, rather than prescribed processes. With changing communities, technology, lifestyles, new ways are needed and new approaches are possible.</p>
10	Level of consultation	<p>Support the front-loading of public consultation. The focus should be effective engagement and consultation early in plan making process. Once plans are approved the right to oppose applications that are consistent with the plan should be limited. This requires the council to</p>

		strongly stand up for the public good, and will be more effective where council ensures good urban design outcomes are achieved and externalities minimised (on behalf of the community).
Page 34/5	Lack of focus on urban Issues	<p>This is a key issue as the RMA has not provided for the management of cities and urban matters. The RMA focus on resource management has created significant obstacles to proactive and innovative urban social, economic and land use planning and growth management. Urban planning and design is a legitimate focus of planning in urban areas (where the more intensive environment is less “forgiving” and fitting in new homes, businesses and infrastructure is more complex – but also more efficient.) A different set of principles and tools should be provided.</p> <p>Improving, clarifying or introducing legislative settings to support Urban Development Agencies and other urban planning and delivery tools should be considered.</p>
13	Unnecessary compliance costs	Consideration needs to be given to one-stop-shop approaches, greater clarity and prescription (can be more efficient), bringing legislative requirements/approvals together, different processes for different scales of development (garage extension vs new power station).
14	National interests	<p>While national interests should be recognised (e.g. national transportation or infrastructure networks, national environmental protection and resource management) the impact on local areas and private property must be acknowledged and as far as possible, compensated.</p> <p>Stronger and more-timely national guidance would reduce duplication of policy work and decision making (and has been too slow in coming under RMA).</p>
15	Environmental outcomes – and climate change	<p>The RMA has not achieved environmental protection or enhancement (where degraded) across a number of measures or indicators. There are however some improvements (often by initiatives outside the planning system, e.g. fuel emissions).</p> <p>Climate change is the most significant issue facing New Zealand in the medium to longer term. Impacts across the economy and society can be anticipated (as identified by the Chief Scientist). It is disappointing that this discussion paper does not raise this issue. The planning system needs to be able to enable climate change adaptation and risk management, as well as transition NZ to a low carbon economy.</p>
16	Urban outcomes from the planning system?	<p>Auckland is cleaner, safer, more vibrant, has greater access to services and facilities, new housing choices, transport choices, economic growth/business development, investment attracted, agglomeration, protection of green spaces, some protection of character and heritage, improved amenity (of public and private developments), improved sustainability, tourism, increased demand and rising prices (a signal of success), regeneration of brownfield areas.</p> <p>It is not simply about land supply or land prices. Auckland is not alone amongst the more liveable, progressive and innovative cities, with high</p>

		land and house prices
17	RMA	<p>Unrealistic expectations –planning is not about managing the “effects” or externalities of millions of individual decisions. This ignores the complexity of urban systems and trade-offs and the cumulative impacts of those decisions.</p> <p>Lack of national guidance.</p> <p>Narrowly focussed.</p>
22-24	Alternative tools and approaches	<p>While there may be a role for economic instruments and other tools and approaches, the case is not well made in the discussion document. The issues that the planning system is trying to address have not been clearly established and therefore it is hard to comment on the value of the alternative tools. The tools that are discussed appear to be mostly single issue focused (and are not therefore theoretical alternatives to zoning). There are clear winners and losers, they are complex and costly to participate in and ignore the cumulative impacts of decisions and the public good. They imply that if an applicant and a neighbour are ok with something, then it is ok for the wider community, environment and economy – and this may not be so. They do not appear to provide certainty.</p> <p>Suggest consideration of UK Planning System, the national planning guidance and requirement for affordable housing. This system appears to deliver a large number of retained affordable homes and/or developer contributions to infrastructure, while at the same time enabling developers and land owners to make a profit. It prevents the runaway land price increases that have been experienced in NZ that provide windfall benefits to individual landowners. Auckland and Queenstown in particular are struggling with growth, infrastructure funding and delivery of affordable housing. The UK system appears to address these issues in an integrated manner.</p>
25	Other jurisdictions	<p>The use of binding rules in local land use plans provides certainty and is common across the world.</p> <p>The principle that each level of planning must take account (or implement) higher level plans, while at the same time lower level planning must be allowed to participate in preparation of higher plans is supported. Clarity of roles and responsibilities, reduced overlaps of legislation, more national guidance and requirements to implement higher level (national or regional planning objectives and policies) would support a more efficient urban planning system.</p> <p>The examples of international planning systems cited provide significant support for a broader scope of planning (Q1).</p>
27	Urban and non-urban areas	The planning system needs to work for both urban and non-urban areas, and declining and growing areas.
28	Integration of infrastructure planning and funding	Further consideration should be given to integrating the acts under which infrastructure planning and funding occurs. Clearer national infrastructure objectives and plans (including schools and hospitals), compensation rights, infrastructure staging and timing, aligned with funding, would make local land use planning easier.

30	Industrial and commercial land	<p>This is a complex issue in urban areas where the highest and best use for land may be housing. Forecasting and zoning of land for these uses is important, where consideration can be given to transport networks, logistics, supply chains, impacts. There are limited locations for industrial activities given their dominance and negative externalities. Protecting industrial land for industrial purposes is important, but this is often not supported as it is seen as inflexible to changing circumstances.</p> <p>For example, how do you protect land for marine industry activity and port activity (which must be close to the water/wharf) or land for food growing (where there is good soil, water and climatic conditions) or future airport development, without zoning?</p>
32	Greater competition	<p>Business has shown itself capable and willing to use and abuse the planning system for anti-competitive purposes. The planning system is not anti-competitive by not enabling all business activity everywhere. Supermarket and mall developers will always argue that the planning system is unsupportive and that we need more shops. The examples in the document are naive. The UK “town centre first” policy is aimed at achieving vibrant centres (dealing with decay), resource efficiency and use of sunk infrastructure investment, traffic and CO2 management (i.e. addressing the externalities of the vast out-of-town shopping centres and associated sprawl). Queensland is strewn with failing, unloved malls and shopping strips as the developers build new ones further along the road. The public costs of these private investments need to be taken into account.</p>
34	Natural hazards and climate change	<p>These are issues that councils’ are grappling with now. Any new planning system will need to be able to deal with these complex issues and ensure that the costs and benefits are borne appropriately. As far as possible the private landowner should take the risk of building where natural hazards may occur. However the council is often held responsible for having done, or not done, the analysis.</p>
35	Technological and other change	<p>Government should be involved in research and forecasting of technological and scientific, lifestyle, climate, environmental change that will impact the way cities and rural areas operate in the future. It should not be up to local government to make judgements about driver-less cars, for example, and a government role would reduce duplication of effort across local government as well as enable national direction to be set.</p>
37/38	Culture of planning profession - capability	<p>Total reform of the urban planning system will be challenging for all – just like any other profession where their purpose and role, tools, processes etc are fundamentally changed.</p> <p>I have worked in the planning system for many years. Planning professionals are highly skilled and trained and have developed new capability in many areas over the last few decades (for example in areas such as mana whenua engagement and Maori planning, environmental bottom lines, urban regeneration, economic development, urban design, outcomes monitoring, consultation, natural hazards, climate change). A successful transition will require realistic timeframes, significant \$\$\$\$\$, real engagement by planners in</p>

		<p>the development of the new system, national guidance, training.</p> <p>It is not appropriate to imply that the prevailing culture within organisations and professions will be a hindrance, in some way, to innovative change.</p>
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