

SUBMISSION ON DRAFT USING LAND FOR HOUSING REPORT

General Points

In keeping with the direction for this study to look only at councils experiencing high growth this is a partial report, which does have some limitations in a country the size of New Zealand and in a country with nationally applied planning legislation. However, throughout the report there are statements to the effect that ‘the RMA leads’ to or ‘district plans do’ etc. suggesting that these are universal statements that apply everywhere. In fact the conclusions drawn about legislation, plans and processes they may only apply in the high growth areas being studied. The danger is that these conclusions will be generalised and changes will be instituted and applied across the country including in areas where the original problem never existed. For instance finding all district plans deficient in terms of providing for differing styles of residential development overlooks good practice elsewhere. The Commission may at times like to look at the practice outside these high growth areas where they may in fact find more innovative practice. For instance in Palmerston North there has been a single residential zone since the early 1980s and allowed the creation of sites of less than 300m² in the 1980s. Research needs to also focus on how and why such provisions have worked in provincial New Zealand as this may be more informative than importing ‘new’ ideas from overseas. While overseas models of urban development may provide informative insights in many cases their approaches cannot be transferred directly into a New Zealand context. Too often we adopt these overseas approaches without recognising that they have been applied in a quite different social, economic, political, legislative and above all taxation context. I have discussed an example of the type of issue later in this submission. Essentially, we need to have more faith in developing our solutions rather than hoping that something imported from overseas will instantaneously provide a suitable solution in this country.

The draft report also seems to rely heavily on largely anecdotal reports from a number of players many of whom have a vested interest in promoting change. Developers in particular have a strong interest in promoting change to planning and building processes which will reduce the costs of these processes. This is completely rational behaviour derived from their often high risk role in the land development sector. However, the developer is the player who has the shortest interest in any development. Once the residential development is completed and sold the developer’s interest and involvement ends. It is those who inhabit the development and those who are the development’s neighbours who will deal with the long terms positive and negative impacts of the development. That is presumable why the New

Zealand planning system has quite consistently given those people a voice in the process of determining what, how and where development occurs. The privileging of the developer's voice in much of this report also overlooks the cost increases that developers create through building covenants. These covenants are incredibly destructive in terms of requiring large, expensive and quite rigidly designed houses to be built in their development. This limits the potential for creating affordable houses and is put in place solely to enhance the value and saleability of their development. These covenants in the long term are a sham as they can only be enforced through civil action by the owners of the other sites in the development, something that is time consuming and expensive. Any local body planner could tell you of the time spent explaining to section owners that the council has no role and in fact no power to enforce such covenants.

Given the developer and only the developer benefits from such covenants why could they not be removed by legislation?

Urban Growth and an Ageing Population

The 2013 census revealed that we have 607,032 people over 65 and other population predications that by the 2030s this group will make up 25% of the population. The government's policy in this area is outlined in *The New Zealand Positive Ageing Strategy* (2001) which states it

‘aims to encourage and assist older people to remain in their own homes, in order to enhance their sense of independence and self-reliance’

Given we have this ageing population which is expected to largely to age in place we are still producing a building stock of large 4 bedroom multi-bathroomed homes often on several levels with significant grounds that will be palpably unsuitable for ageing in place. In the case of these fast growing centres they may also be located on the fringe of these cities in areas poorly served by public transport that the ageing population has greater reliance on particularly as the ageing population will contain greater proportions of people in the over 80 category. This group is more likely to lose the ability to drive for a range of reasons but often because of health issues.

Some of the solutions offered here which largely mirror what is advocated for elsewhere in terms of increasing urban densities and in all of them the ageing population's needs are relatively invisible. While we all entertain visions of an active retirement where age is

irrelevant in terms of activities, the reality is that most people will experience mobility issues along a wide spectrum. Any work addressing increasing density usually includes terrace housing or attractive ‘village’ type developments with narrow fronted two storied town houses. These are all attractive solutions to increasing density but they all include the use of stairs often very narrow winding staircases to access the upper levels where bedrooms are usually located. This is not a viable living space for anyone with a disability which affects their mobility and is an option for ageing in place that will suit few. It may be necessary for some form of government intervention or even a private-public partnership to ensure that an adequate amount of the intensified housing is produced to a universal design standard that ensures it is good living space for the disabled and the elderly. Using a universal design model will ensure that housing is perfectly good living space for the fully able but also adaptable to the needs to those with mobility and other challenges. If we continue to allow the housing stock to develop the way it is and including inflexible medium density residential developments we will be left with a housing stock that does not meet the needs of an increasing aging population. It will also effectively scupper the policy of people ageing in place.

More research is required to develop models of intensification that acknowledge the housing needs of the disabled and an ageing population. This issue should at least be acknowledged and discussed in this report.

Regulation and Approval Processes

This chapter makes much use of studies that focus on developer’s reflections on the cost and/or impact of various district plan rules and development controls. This material is obviously useful but it does need to be used much more critically. One glaring omission is any real assessment of the benefits of various planning controls. The reports all appear to accept that the rules and controls were focused on either extracting money from the developer or limiting their capacity to use their land to the maximum.

What is missing is any reflection on why the rules that the developers found so irksome were instituted in the first place? As noted above the developer has the shortest interest in their development and their interest is in maximising the return from their development. The local authority on the other hand is there to ensure its planning system serves the needs of all its citizens both now and in the future. As such it has to balance the needs of a developer with the long term impacts of any development on those who will live in the proposed

development and those who live in the areas adjoining the development. This balancing act is what produces the controls that are put into district plans. District plans are produced through a public process in which citizen and developer are invited to participate. It is a process that offers some of the widest participation opportunities of any planning legislation in the world. In the end decision on what will go into a district plan is determined by local body politicians. It is a system in which the planner offers expert advice but in which the politicians or commissioners make the decision. It is a system that at times is complex but it is one that ensures decisions do still reflect the concerns of the community which will in the long term experience the positives and negative effects of any development.

The report goes on to address a number of what are seen as examples of unnecessary intrusion into the size of apartments and the requirement for balconies. This and other recent reports are overshadowed by the perceived 'housing crisis in Auckland'. While Auckland does have housing issues the crisis is clearly not so severe that it is sufficient to dissuade people from moving there which logic suggest is what would happen if there was a crisis of the proportions often cited.

This crisis discourse existed historically in New Zealand and more especially in Britain and Europe in the post-World War II period. In New Zealand it was addressed through the ramping up of the state housing programme and in many ways the proposal for the Urban Development Agency replicates the Housing Construction Division first of the State Advances Corporation and then the Ministry of Works. In Britain and Europe the solution by the 1950s was the high rise apartment developments with shared open space along the lines of the solutions advocated by Le Corbusier and others in the 1930s. The housing crisis of the time made these high rise developments a viable option to replace the housing stock destroyed in the war and increase the housing stock to deal with the baby boom.

The results were the 'streets in the sky' made up of medium and high rise flats often produced using industrial systems including prefabrication. They made extensive use of the new tilt slat construction which is still used. Open space was provided at the base of these apartment blocks and despite the flats being owned and allocated by public authorities families with children often found themselves in flats on the higher floor levels well away from the shared open space. These developments were completely dependent on consistent and high quality maintenance particularly of the lifts and of the shared open space. However, these blocks of flats often developed together in distinct estates quickly became foci of social

unrest as the maintenance was not done, the blocks became rundown, often housing those with social problems. People with problems became concentrated in them as other tenants left as the flats deteriorated usually because they had no other options and the rents were cheapest. Women with children and the elderly found themselves trapped on the high levels because the lifts were not working and they could not manoeuvre a push chair or manage the walk down the many flights of stairs let alone get back up them carrying groceries. At the base the open space suffered the tragedy of the commons — nobody owned it/had responsibility for it so nobody looked after it. The problems were so great that many of these blocks of flats were removed in the 1970s and 80s.

The moral of this story is that if you are to produce and sustain high density developments they will need a great deal of on-going management if they are to succeed. That management would have to include careful selection of tenants and an acceptance that shared open space is unlikely to be a good solution to people's amenity needs. In short positing quite extreme solutions to a perceived housing crisis can produce results that are less than successful in the long term. In this case removing what are seen as unnecessarily intrusive or obstructionist rules around medium/high density developments because of the perceived crisis in Auckland's housing could produce some extreme, unforeseen and long term consequences.

The advocacy for removing the requirement for a minimum apartment size is also an example of the inappropriate transfer of overseas models to New Zealand. A micro apartment or in fact one of 40m² is modelled on large cities overseas the populations of which exceed the population of New Zealand. While Auckland is our largest city in international terms it is very small. In the large cities overseas these types of apartments serve a role much the same as a hotel room. They exist as a place to sleep, to shower and to prepare a simple meal. The owner/occupier's social and other life occurs in the public realm where there are venues to cater for that life. That is unlikely to happen in New Zealand beyond a small group of people with the type of income to achieve such a life style. In fact unless the apartments are in the public owned no one will have any control over who lives in them. So that tiny apartment might come to house a family or a solo parent with children who live in these small apartments because they are all they can afford and for whom it is a less than appropriate living environment. Just as the British high rise flats became the focus of social problems there will be nothing to stop this happening in New Zealand. Given the growth in employment is in the service sector which is notoriously poorly paid this is a situation that could easily occur. A walk past some existing high rise blocks in Auckland will reveal that

those unnecessary balconies become a space in which bikes can be stored, washing dried or the sun enjoyed because there is nowhere else in the already cramped apartments.

To remove minimum area requirements could produce a range of long term problems that will last for decades. We need to be planning not for the perceived problems of the present and instead to be looking to the long term use of the building we are presently constructing but which will be around for 100 years ago.

This report needs to look more critically at the present discourses around the 'housing crisis' to ensure that we are responding to a real question not a discourse constructed from the perspectives of one of the player. Developers obviously have an interest but not an exclusive one that should be allowed to crowd out other perspectives.

The report needs to better recognise what can be learnt from history and to assume that overseas solution are applicable to New Zealand without some modification.

Conclusion

Thank you for the opportunity to comment on this report. My submission is a little truncated due to the intrusion of illness but I am very happy to comment further if that will be of assistance.

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