



August 3, 2015

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Chair
Productivity Commission

Using land for housing: Draft report

1. Thank you for the opportunity to comment on this draft report.
2. The Public Health Association of New Zealand (PHA) is a national association, with members from the public, private and voluntary sectors, which provides a forum for information and debate about public health in Aotearoa New Zealand. Public health action aims to improve, promote and protect the health of the whole population through the organised efforts of society. This includes physical and social environment such as cities. Our organisation's vision is 'Good health for all - health equity in Aotearoa', or 'Hauora mō te katoa – oranga mō te Ao', and we work to increase health equity.

Principles

3. While our comments are organised around the chapters of the report which are relevant to our work, they are underpinned by some fundamental principles which we believe need to be addressed in the final report. They are:
 - Land/whenua is not merely a base for housing, and the use or non-use of land for housing has social and cultural implications, and economic costs, which must be taken into account
 - The health and sustainability of cities and their populations should be the underpinning principle in making decisions about land use
 - Effective and sustainable land use and housing processes are those which take into account the total costs, including health and environmental implications of transport, climate change etc) and not just the ticket price of the house
 - All legislation, regulation and structures to improve land supply for housing must explicitly recognise the Treaty of Waitangi (in particular Article 2) and the values and significance that land/whenua has for Māori, and must aim to reduce inequities for Māori while not creating new ones.

Chapter 2: Cities, growth, and land for housing

4. We appreciate the emphasis on cities as social systems and national assets, noting that the list of benefits should include 'cultural' and 'social'. While cities bring environmental costs (eg mass demand for water, aggregated environmental impacts such as sewage) they are also recognised as potentially efficient and sustainable ecosystems (if planned and managed well) ¹. The final report should include these benefits.
5. We recognise the need for cities to grow to house increasing populations. However, this report does not in our view adequately analyse the concept of 'growth', often implicitly conflating 'growth in land area' with 'growth in housing availability'.
6. Sprawling cities of the kind that have characterised New Zealand are not efficient users of land, nor are they particularly healthy either socially or environmentally.
7. A common result of poor urban development policy has been that low-income families are forced to the margins of cities, areas are which often poorly served by public transport, and which often lack basic amenities such as established schools, shopping and social amenities – which in turn serves to increase social inequality. While reducing housing costs would address some of these problems, making yet more land available will only encourage more sprawl.
8. 'Land' not merely space on which houses can be built. It is also – particularly in south Auckland and north Waikato – high-quality soil which is badly needed for food growing. Councils do not appear to have the powers to adequately take into account the opportunity costs of using prime land for housing. These costs are long-term, and very often more critical at national rather than local scale.
9. While current methods of controlling growth have (in some cities) resulted in increased housing costs and contributed to this 'move to the margins', we believe a much wider range of options needs to be considered.
10. We note the increased attention that this report gives to transport infrastructure (eg pp35), not only in Chapter 2 but throughout. However, we suggest that better transport infrastructure does not necessarily go along with increased city boundaries; better infrastructure could also encourage better use of land within existing boundaries. If transport networks do not have to cover ever greater distances at high cost, they could provide much better servicing with and across outer suburbs.

Costs of urban planning

11. We are concerned about section 6, (p43) which considers the costs of urban planning. This does not address the health, social and environmental costs of poor urban planning – which then bring significant economic costs – or the health benefits of good design².

Chapter 3: Integrated planning

12. The analysis in this chapter is very helpful. While we have no expertise to offer on planning legislation, the argument that qualitative differences between different sizes and types of city in New Zealand mean that appropriate 'targeted' legislative and regulatory processes are needed is well made.
13. Spatial plans appear to have potential to help cities integrate planning not only for transport, but for social and environmental infrastructure (factors which contribute to better mental and physical health). We would like to see those benefits recognised in the final report.

Chapter 4: Supplying and releasing land

'Releasing' public land

14. We agree that the Crown should prioritise releasing surplus urban land it owns, especially land inside existing urban boundaries.
15. However, as the report shows, and the recent case in Auckland makes clear, a significant amount of such land was acquired under the Public Works Act from iwi and hapū. Processes for identifying surplus land and deciding on its release for housing must be done with proper research, and not override Treaty settlements or current claims.

Chapter 5: Regulations and approval processes

16. We agree that the Resource Management Act could more clearly recognise urban environments and housing. We believe that this could be done without compromising the principles of the overall approach of the RMA.
17. We are strongly in support of getting rid of minimum parking requirements. This would have both immediate and long-term economic, environmental and social benefits, as well as freeing up land for housing.
18. We also support changes to rules on balconies and minimum apartment sizes. Similarly, we support taking a different approach to regulating building heights, which retain urban values such as view shafts.

Chapter 6: Planning and delivering infrastructure

19. This chapter makes some helpful points. We support proposals discussed in Section 6.6 to encourage (and empower) councils to use existing infrastructure much more effectively, particularly by changing planning rules. While we understand the importance of clear rules, existing planning processes have often discouraged new models of housing (such as urban papakainga)³ which could be both more efficient (in density terms) as well as meeting social needs.

20. We also support changes which would incentivise smaller houses, or better use of land.

Chapter 8: Governance of transport and water infrastructure

Water infrastructure

21. We agree that water is not only an essential, but a finite, resource, and much more thought needs to be given to how it is managed.

22. We are disappointed that the report gives so much attention is given to Auckland and Water care, and would like to see more analysis in the final report of how the proposals would impact on other urban types.

Chapter 9: Shaping local behaviour

23. We agree that current land use policies may be privileging current property owners (and particularly those who buy houses for investment rather than as residences).

24. We agree with concerns that this privileging is helping to marginalise the interest and needs on non-home owners, who are disproportionately young, Māori and Pacific peoples. Cities can only be healthy social and economic systems if all residents see that participation in urban development is meaningful and worthwhile, and can actually affect the final decisions made by local authorities.

25. However, we do not believe that continuing to increase the amount of rural land taken for housing is the only solution, nor that it will per se improve the ability of ordinary New Zealanders to be well housed.

26. Equally, there appears to be an implicit assumption that low-income and marginalised people and groups do not value amenity. While parks and walkways may not be 'urgent' on their hierarchy of needs, that is not the same as *not* valuing, using or appreciating them.

27. Moreover, for Māori 'landscapes which enable[e] all of us (mana whenua, mataawaka, tauiwi and manuhiri) to connect to and deepen our 'sense of place' are essential both to wellbeing and to maintaining rangatiratanga and kaitiakitanga.⁴

Chapter 10: Planning and funding our future

The case for an urban development authority

28. We support the broad concept of an urban development authority. Such a model appears to have some effectiveness overseas, and has the potential to bring back some of the best aspects of earlier New Zealand planning models, particularly a focus on long-term and broader planning.

29. However, we agree much more consideration needs to be given to how such an organisation would work. Without robust processes for democratic participation and true engagement with communities, an urban development authority could become an instrument for the benefit of a few commercial interests, or a tool by which central government could intervene heavily-handedly at local levels.
30. Equally, an authority that focused solely on land development without considering the health, social and environmental consequences would not be a positive step.
31. It is essential that an authority *not* be set up in the model of the Auckland CCOs; that instead it be accountable, open and transparent in its structure and processes. It should also be explicitly charged with taking into account, social, environmental, health and cultural impacts in its decision-making.

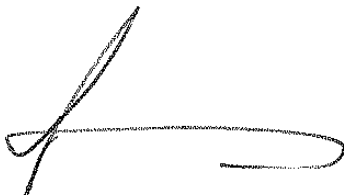
Compulsory acquisition

32. We appreciate the helpful discussion on the delicate balancing act that compulsory acquisition policy faces. Compulsory powers of acquisition have been misused in the past – particularly against owners of ‘Māori land’.
33. Future powers should be limited, and open to challenge through a process that does not advantage well-funded agencies against ordinary home owners.

Other general comments

34. We would like to see the final report focus much more on the housing needs of other cities than Auckland. We note particularly the surprisingly small amount of attention given to greater Christchurch, given both its unique challenges and the opportunities for innovative urban planning that the rebuild offers.
35. We are happy to provide any clarification or additional information on our submission.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized capital letter 'L' followed by a horizontal line that loops back to the left.

Warren Lindberg
Chief Executive Officer

¹ Newman, P., Beatley, T., & Boyer, H. (2009). Resilient cities: Responding to peak oil and climate change. Washington, DC: Island Press.

² Rethinking Urban Environments and Health. Wellington: Public Health Advisory Committee, 2008. Healthy Places, Healthy Lives: Urban environments and wellbeing. Public Health Advisory Committee. 2010.

³ For instance, see Blair, N. "Orakei papakainga ki mua: Towards 2030 and beyond' in *Tāone Tupu Ora – Indigenous knowledge and sustainable urban design*: NZ Centre for Sustainable Cities, 2010

⁴ Te Aranga Māori Design Principles. http://www.aucklanddesignmanual.co.nz/design-thinking/maori-design/te_aranga_principles