

22 Orwell Rd
Greenhithe
Auckland 0632
4 March 2013

Inquiry into local Government
Regulatory Performance
%NZ Productivity Commission
Attention: Mr Stephen Bailey.

Dear Stephen,

Please excuse the nature of this submission, and the lack of "ficc" to the text of your draft report. Rather, it is in the nature of a general submission prompted more by the "Issues Paper" than by the Draft Report, of which I have only a copy of the first few pages ending with the "overview".

Since obtaining the "Issues Paper" last year, I have not been at all well. A major operation last December did not go well, and 9 in in for another one tomorrow afternoon. So these scribbled notes are the best I can manage without access to my computer.

If you care to send a photocopy to my home address, I could probably attempt a more directly relevant and formal submission within a few days of returning here, currently "pencilled in" for Fri 15 Mar. If you would like a focus on any particular point, you could leave me an email on david@CUTS.org.nz.

Cheers, David Willmetts
Centre for Urban & Transport Studies

1.0 "Power of general competence". legislatively "awarding"
Such a power does not ensure its conference.
Essentially, it says "do whatever you like."
Under its aegis, central planning of people's
lives, lifestyles, locations, relationships, modes
of inter-accessibility, moral values, attitudes etc
has become common-place, - by elites imposing
their own view of the world using other people's
money, property, freedoms of thought, choice,
action etc. Arguably, this is the mechanism
whereby "authority" usurps so much of the
substance of freedom & democracy as to kill off
"the goose that lays the golden eggs" of profitability
and prosperity, that productivity goes down
even as the costs of compliance go up, - past
"the point of no return" where debt - both
governmental and private - escalates
uncontrollably (AE-PC)

2.0 The (global) "Absolutist Enviro-Planning Complex".
is analogous to Ike Eisenhower's "Military-Industrial
Complex". It is a "natural" conjunction of the
interests of "collectivist-solutions" Enviro-NGOs
and those of collectivist/central planners - by nature
town planners, both of which groups seek to
change the world (and/or "stop the world") to fit
with their own aesthetic and power predilections. These are
sufficiently in the area of "urban growth manage-
ment" for a strongly symbiotic relationship
to develop, strong enough to "sell a bag of goods"
as advisable by playing at "designer cities".
The now-globalised model of designer city -
"compact cities" / densification / stop sprawl = straight
factotum on expansion / demerise cars = efficiency =
freedom of choice / promote recursively public transport
Systems built around rail transit / etc known to
American architecture-driven town planners as
"smart growth", and copied directly by our
"resource managers", who are really "town planners
wrapped up in green drag".

3.0

Auckland's Amalgamation has destroyed what was left of democracy in local government.

Today there are only around 20 councillors intended to ensure the interests of 1.2 million citizens are served by the bureaucracy. As lay-people, they are almost to a person impressed and overwhelmed by the complexity and (apparent) "planet-saving" virtues of the "compact city" presuming the planners are correct to put "sustainability" ahead of economic efficiency, affordability, social mobility (ie avoidance of economic glass ceilings) and indeed the very "sustainability" of the city's socio-economic engine. Today it is clearly evident in America (a great test-bed of the veracity - or otherwise - of AE-PL claims) that "smart growth" cities (labelled "compact cities" in NZ) are a recipe for economic collapse and social migration to the non-SG cities (mainly all across the south and through the mid-west) which are still commerce-welcoming, business/development-oriented, and can be characterised as "expansive, decentralising cities" (Refer my impending paper accepted to my great surprise by NZPI for their conference upcoming entitled "REALLY smart growth").

4.0 "Consultationism" The presumption in this process is that planners are appropriate people to sieve through submissions and put their own interests aside in evaluating them. This is absolutely the opposite of what happens. Having adapted the "smart (sic) growth" form of development control as the ruling ideology (ie completely reversing the RMA's intent) our "resource managers" have adapted rigorous and draconian town planning, pretending that its ^{selective, subjective} interpretation of "sustainability" overrides the "more market" intent of the RMA at the time (post 1984 economic collapse) to throw out town planning (including zoning) in favour of "enablement" of the private sector to do anything subject only to environmental "bottom lines" - not the and our growth requires

5.0 The concept of 'sustainability': Many definitions exist, the most commonly accepted being that of the Brundtland Committee. Entirely consistent with Mr Brundtland's socialist background and the rise of 'post-modernism' as a reaction by idealists and romantics against the fact-based and pragmatic professions (science, civil engineering, cost accounting, that part of economics based on individual wants and needs being the sole determinant of 'value', as distinct from macroeconomics focussed on the state's control of the economy through political determination of 'value'), this definition of 'sustainability' becomes a fog for the application of collectivised and entirely subjective opinions. With the symbiosis between planner interests and environmentalist interests, a single ideology has developed entirely consistent with Mayor Brown's acceptance of the "smart growth" the AE-PC promotes and was signalled with the ARC's first "Regional Policy Statement" of 1994. It hasn't changed one iota since, despite all the "consultations" mainly because politicians and media alike are easily persuaded that it is the only possible future capable of saving the planet, and to criticise it in any way invites derision and excommunication. The "absolutism" ascribed to the symbiosis of environ-NGOs and town planners is a reflection of "sustainability (as interpreted by them in "smart growth" planning) uber alles", and certainly their perception of the formula required to "save the planet" totally displacing any economics or affordability considerations. So much for the present government's concern for "economic efficiency".

6.0 RMA section 32 - requirement for consideration of costs, & effects

This is effectively ignored, as is evidenced by the 2.5 pages of rubbish ascribed to "Transport" in the old ARC's "Section 32 report on Smart Growth/compact city". Yet on that basis and selective adoption of the views on transport held by sycophantic "professional advisers", the ARC/AC planners are antipathetic to cars and any new roads, seeing transit (especially rail) as a planet-saver. Yet rail in Auckland (especially rail) is a much heavier per person-km deliverer ^{daylong} of goods _{to cities} than any other mode.

to UN agencies keen to deprive 'developed nations' in favour of 'underdeveloped' nations.

7.10 Aspirations for global govt & global socialism

Many people believe this is the inevitable future which will be achieved slowly but surely with ever-greater powers ceded to UN agencies through "voluntary" sign-ups to UN initiatives not least including IPCC (human responsibility for climate change, as if it didn't change before the industrial revolution, and as if human discipline can enable the UN to play god with the climate, controlling it at will) and UNEDS (?) "Earth Summit" in Rio 1992 when it released the "Agenda 21" concocted by the UN-funded enviro-NGOs to evince "sustainability" displaced "economic efficiency", ie stasis (no change) displaced "progress". The 27 principles of Agenda 21 are a specification for global socialism/collectivism under 'one world government (by UN agencies)', disguised as a means of "saving the planet" through collectivised action, primarily through central of energy type and use by UN agencies, coupled with "smart growth" as pre-arranged initially by American architect-planners to empower them to play at "designer cities" based on wholesale adoption of Agenda 21 and its 27 principles which purport to define "sustainable development". The UN agency created to promote sust.devt./Agenda 21 was initially named ICLEI - it provides tools and procedures for Council bureaucrats to bypass public opinion and impose "smart growth" despite its enormous detrimental effects. In reality in Auckland these already amount to \$6 to \$8 billion p.a. of lost opportunity costs, reduction in profitability, growth of congestion deliberately to force people to use public transport in order to better control their inter-accessibilities in favour of The Plan, increase in the cost of developing land to now being about 10 times what it needs to be for a basically serviced section in Auckland, thus reduction in affordability and a pre-bust scramble to get onto the bottom rung of the property ladder before it is raised beyond reach, etc etc etc. Thus loss of effective democracy at local level is matched by ^{unchecked, non-mandated} deliberate ceding of sovereignty by state servants

9.0 ICLEI's targeting of local govt bypassing Nat. govt,

Planners justify their reversal of RMA's "more market intent by choosing to focus on the MFE's "signup" to Rio's Agenda 21, thus preferring the American Planning Institute's interpretation of "sustainable development" as being satisfied by "smart growth" i.e. our "compact cities". Thus ~~sustainability~~ the RMA's promotion of "sustainable development" is held to trump its express purpose of private sector "enablement" in section 5. But, although Rio+20 held in 2012 resulted in chaos and the sending of Enviro-NGOs back to better define "sust devt" in the next two years despite being unable to do so in the last 20 yrs, our (new) Ministry for Everything has ignored this impasse and Auckland politicians sturdently support the Auckland Plan for smart growth regardless of the contribution it makes to housing (land development!) unaffordability, over-mortgaging, inflation, major private sector indebtedness, and a fragile government debt which could well continue to grow towards collapse despite govt intentions to "balance the (its) books" by 2015. Planners continue to promote their acceptance of (global) "best practice" thereby hiding behind the global authority promoted by ICLEI when the latter's driving motive is global socialism as a basis for Global (UN) government disguised as "saving the planet".

9.0 Tom DeWeese and American Policy Centre

< americanpolicy.org > has several explanatory essays which, after 20 years of deregulation and dismissal by the AE-PC, are finally cutting through and persuading American cities to withdraw from membership and financial support thus dependence on ICLEI.

10.0 "Anahnee principles" and "Lone Mountain compact"

The principles were formulated by a group of well known architect planners as the philosophical basis for smart growth. They triggered a response from a group of civil engineers, economists and other pragmatists meeting at Lone Mountain hotel who prescribe a "more market" approach to planning consistent with the intent of our RMA. They are easily accessible on the internet.

⑪ "Better local regulations"

Depends on what you mean by "better". If you mean the balancing of AE-PC idealism and hunger for power to be able to enforce their "ideal" as smart growth/compact cities, to achieve the Yin-Yang balance revered by Chinese philosopher, by offsetting the idealism with pragmatism, then (in effect) you need re-structuring of current local government to ensure that every "idealistic" department is balanced with a pragmatic department tasked with exposing facts, realities and real costs and effects of any proposed plan or Public Work. Only in this way will politicians have access to all the info they need (together with affordability) to make the value-judgements and tradeoffs on behalf of the ratepaying electorate, rather than having such judgments made for them by planners and enshrined in a "silver bullet" plan which claims to achieve all things for all men with no downsides simply because its proponents have been allowed sufficient latitude to formulate their own facts and choose the expertise which tells them what they want to hear.

⑫ Loss of Freedom & Democracy as basis for Peace & Prosperity

Anyone submitting on draft plans in Auckland last year who also wanted to be heard was treated with contempt. Everyone was "processed" in a single day of hearings where they had a choice of tables to join each hosted by a single councillor. That councillor offered a few short minutes for each submitter to speak at his/her table, thus the prospects of influencing the Plan were reduced to influencing a single politician, each of whom heard only about a tenth of the submissions. No wonder smart growth/compact city remained unchanged all verbal submitters being "got rid of" with this excuse of a "hearing". And a feature of the submitters I heard at one table was concerned about a scale of problem appropriate to a local community committee, far less a borough council, and far, far less a regional core of planners who are so removed from "minor, local" problems as to be careless of them, relying on "one size fits all" policies administered by remote planners who change jobs and responsibilities seemingly overnight to ensure insensitive responses. The local "community committees" might as well not exist for all the power they have, = none.

13) Improve the efficiency of local govt services

Wealth and prosperity-creation occurs only when the private sector sees - and is able to act upon - an opportunity to "make a buck" by building a better mousetrap or otherwise producing goods and services which others value highly enough to warrant purchasing at an "affordable" price which is sufficiently rewarding to the producer to induce him to produce it for sale. The lower the overhead costs imposed by govt and local govt, the more opportunities there are for job-creation and wealth-creation. But if middle-classes and the academic elites are left to set standards which render goods and services too costly for lower-income families to afford (eg land development costs and processes which increase a basic cost over tenfold, through additions such as land setbacks for stream protection and 'prevention of soil runoff, and imposition of "urban design" on all new subdivisions (not just higher-quality/higher cost sections) creates a very solid "glass ceiling" over property ownership by lower-income households. We can hardly complain that the wealth-gap is increasing when we deliberately plan for that outcome by setting development standards way above what the horizontal can afford.

Urban expansion and decentralisation of commerce and jobs to the subdivisions happens naturally in "natural" growth because it is by far the cheapest, most choice-laden form of accommodating bigger populations and more jobs. The enforced denial of such "natural" (ie most betterment-enhancing) growth by urban implosion (compact cities) imposes higher costs by wasting the resources currently residing in existing undensified properties (including their energy content) in favour of reinforced concrete apartment blocks which cost twice as much per m² as do timber subdivisonal houses, simply because the energy content is two times higher per m². Too often, the building resources so destroyed comprise neighbourhoods and "heritage designs" which incorporate major social values. The acceptability of such "brownfields clearance" over large areas when "there is no room for new roads" demonstrates the lack of logic underlying "smart growth".

NZSS 4404 provided a guide to minimal engineering standards for full servicing of residential land devt. I should know as I was instrumental in its initial production in 1977. Recently an "Urban Design Champion" set about converting it into a recipe for perfection as determined by urban designers and the new profession of absolutist ("world's best") own-of-purity, which succeeded in adding \$50,000 to all new sections, which then riddled into the cost of all previous