

Submission

by

**The Employers and Manufacturers
Association (Northern)**

to the

Productivity Commission

on the

Better Urban Planning Issues Paper

15 March 2016

BETTER URBAN PLANNING ISSUES PAPER – SUBMISSION BY EMA (NORTHERN)

Introduction

The EMA (Northern) welcomes the opportunity to submit to the Productivity Commission on the Better Urban Planning Issues paper. This submission supports an earlier interview with the Commission.

As an organisation representing nearly 50% of business in New Zealand, in the area north of Taupo, the EMA takes close interest in planning matters that impact on the very fast growing areas within our region, particularly Auckland and Tauranga. We also support initiatives that will enable economic growth in our region, particularly in the provision of infrastructure to support growth, planning to accommodate growth and planning for new or brownfields industrial/commercial areas to meet the expansion of business in the region and Auckland.

Planning Fails to Support Growth

Of particular concern to our members in areas of rapid urban growth, are the ongoing inconsistencies and delays in implementation of the current planning acts, especially the RMA.

It is the EMA's view that the RMA is simply not equipped to cope with growth and fails to enable growth or support economic development as well as it could or should.

When combined with the restraints on funding and planning under the Local Government Act and the additional demands and restraints of the Land Transport Management Act, developments in urban settings face three complex sets of hurdles to jump before a project can begin.

This slows the pace of development in urban housing and in other areas so that development fails to keep up with growth.

This inability to keep pace with the demands of growth is further complicated by the lack of alignment with strategic transport planning as evidenced in the context of both rapid growth and subsequent congestion problems facing both Tauranga and Auckland.

Solutions to transport issues tend to be bolted on after the pressure from new development makes its presence felt. For example a number of Special Housing Areas in Auckland are effectively stranded by a lack of transport and other infrastructure while Tauranga's growing toll highway network has also largely been built in response to existing congestion.

The emphasis is on developers providing the infrastructure on an ad hoc basis as development occurs rather than planning and building infrastructure for housing and business to follow.

Planning for industrial/commercial and infrastructure growth also tends to fail to adequately account for where population growth might occur.

Again to highlight Auckland, new industrial land is largely being planned for the south with small areas in the west and only a small pocket of industrial land allocated to the North, in Warkworth. Auckland Airport has the most available industrial land in the wider city region but, being privately –owned, is generally regarded as more expensive and access through roads and public transport is constrained.

Population Growth and Infrastructure Delivery Fail to Align

All predictions for Auckland’s 750,000 new citizens by 2041 have them being accommodated in roughly equal numbers in the South, West and North Shore of Auckland. These areas are already heavily congested with travel time estimates to centres of employment predicted to get worse.

Of the 270,000 new jobs expected with that population growth, around 100,000 jobs are expected in the city centre and fringe with those service industry roles likely to attract higher paid workers. They will mainly seek to live closer to the centre in the increased population density allocated to the attractive Eastern Suburbs.

But schools in those eastern areas are already bursting at the seams with little or no room for expansion, road access to the east is slowly being strangled and public transport, on the same road corridors, is approaching peak capacity.

Those service sector, white collar workers have highly portable skills sought after within Auckland and outside New Zealand. They will not want to live in south, west or north where it will become increasingly difficult to travel to work.

This is an issue already facing employers in Auckland seeking to relocate their expanding business operations but being forced away from more central locations. Skilled staff are simply refusing to make the more difficult work journeys and head to other employers closer to home.

Planning for designated business growth and planning for transport corridors and public transport projects fails to align with population growth and tends to lag behind residential growth.

Consultation and Consenting Deliver Uncertainty

Doubt caused by the uncertainties of the RMA, the consenting and consultation process, the implementation of the Act by various authorities and their staff and the vagaries of tying up planning legislation with environmental outcomes is a major issue for EMA members.

It would be very difficult to find an EMA member without an RMA horror story to tell.

Slippage in timelines and additional costs are just taken as a given by our members when it comes to the consent process. There are some improvements in systems being noticed but it remains incomprehensible that many consents, especially those in Auckland, are handled manually.

Interpretations of the Act vary by regional or city authority and often the paperwork for similar or identical projects will vary considerably in volume and time to process depending on the jurisdiction. Further variations are expected when dealing with unfamiliar or different staff.

There is a tendency for local authority officials to want to design the outcome instead of just designing the envelope. The EMA is aware of specific projects that have delivered less than optimal design outcomes following the interference of council officials.

This can include varying interpretations of sight lines, height to boundary ratios, accommodation of trees, size of floor plates, access to light, ceiling heights, balconies and even where the car garage should be located.

If the building envelope meets the plan envelope, that should be the end of the involvement of officials. Design aesthetics are subjective not dictated.

Consultation requirements, in the view of the EMA, are currently weighted too much towards an ability to interfere from a distance. Objectors to development often have no immediate relationship to that development and their current ability to have input into consultation should be curtailed or given less weight.

Examples abound of relitigation of consents or massive delays as individuals, lobby groups and even councils revisit decisions based on political considerations – consents for a Titirangi homeowner were challenged and revisited despite him already having a consent to fell a small kauri, non-notified consents suddenly become the subject of another round of consultation when well-organised national or regional lobby groups enter the fray at a late point in the consents process.

Monitoring of conditions on consents is piecemeal as is gathering information on the effects of development. Such monitoring in information gathering could inform future development in the region or even around the country but Council's ability and resources to capture this valuable information is patchy.

The EMA is of the view that this inability to capture this information and act upon it, is partly responsible for the overall degradation in environmental measures that is becoming evident across the country.

In Conclusion

The EMA would make the following recommendations:

- Reform the RMA to separate environmental legislation from and planning legislation/regulation
- As part of the reform process examine the current planning roles of the RMA, LGA and LTMA with a view to aligning the three Acts to create a more streamlined planning process or look at creating a single planning framework
- The Environmental Protection Authority could be expanded to become a single national regulatory authority on environmental issues with its own network of local authority offices

- Ensure national guidelines/standards are written into both the planning and environmental legislation to help minimise both regulatory authority inconsistency in implementation and reduce the ability for individuals to apply their own interpretations
- Ensure urban planning is largely restricted to designing the envelope rather than trying to prescribe the design of the contents of the envelope – again with national guidelines to minimise regional variation and uncertainty
- Ensure land use planning and transport planning are aligned – e.g. in Canada land use planners and transport planners approve each other's plans
- Large-scale urban development must factor in an agreed proportion of accessible industrial/commercial land or factor in travel times to large employment centres – e.g. 35 minutes by private transport and 45 minutes by public transport
- Monitoring of environmental effects and reporting to a central agency (i.e. EPA or Parliamentary Environment Commissioner) to analyse benefits/effects of mitigation and development – Treasury has a model that works in terms of information on assets etc. gathered from the education, welfare, housing and public health sectors
- Restrict consultation to those directly affected by the development and place a timeframe on the consultation process – i.e. 12 months
- Prevent councils from relitigating decisions when they suddenly become politically unpalatable due to political pressure from minority lobby groups or individuals

The EMA contact for questions/queries regarding this submission is:

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About the EMA

The EMA has a membership of more than 4000 businesses representing around 40% of the New Zealand workforce.

The EMA provides its members with employment relations advice from industry specialists, a training centre with more than 600 courses and a wide variety of conferences and events to help businesses grow.

The EMA also advocates on behalf of its members to bring change in areas which can make a difference to the day-to-day operation of our members, such as RMA reform, infrastructure development, employment law, skills and education along with export growth.

We have a solid reputation as a trusted and respected voice of business in New Zealand, and our presence makes a difference. Therefore, we are constantly called on to speak at conferences, comment in the media and partner or provide advice to Government on matters which impact all employers (such as ACC, health and safety, pay equity).