

Wellington Civic Trust

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SUBMISSION ON RESOURCE MANAGEMENT (ENABLING HOUSING SUPPLY AND OTHER MATTERS) AMENDMENT BILL

INTRODUCTION

The Wellington Civic Trust (the Trust) has as its Objects to:

- a) promote the liveability and prosperity of Wellington so that its built and natural environment becomes a better resource for the use, benefit and enjoyment of all.
- b) stimulate public interest in the beauty, heritage and character of Wellington and its dignity as the capital city.
- c) support high standards in urban design, landscape management, architecture, building, transport and other infrastructure.
- d) provide a forum for citizens to freely and frankly express their aspirations for their city.

The Trust is therefore particularly concerned about Wellington's future urban development and the risks that the current Bill presents in terms of the Trust's areas of interest.

GENERAL SUBMISSION

The Trust is opposed to the Bill in its entirety.

1. We consider it inappropriate and unacceptable for Government to introduce a new range of changes to the existing Resource Management Act while local authorities are still in the process of implementing the 2020 National Policy Statement on Urban Development (NPS-UD), grappling with the alterations to their District and Regional Plans as a result of the first set of National Planning Standards, and trying to contribute to the complete review of the Resource Management Act which is underway.

2. While we acknowledge that the Bill provides for development which is permitted, local authorities have a raft of associated responsibilities for infrastructure and servicing which will require long-term planning and a great deal of administrative effort. We consider that this Bill puts local authorities in an impossible situation with regard to ensuring the “well-functioning environments” which the NPS-UD is supposed to deliver¹.
3. The haste with which this is being forced on local authorities gives few opportunities for adequate consideration of “qualifying matters”, which include important considerations for the Trust including minimising risk of natural hazards (including risks associated with climate change) and protection of historic heritage. If not identified in this round of process, heritage may be lost for ever and further development locked in in unsuitable locations (for example near to coastal areas subject to sea level rise).
4. The provisions of the Bill provide free range for a very basic form of housing development, last seen in large number in the 1960s and early 1970s, which provided such unacceptable living for people and such unacceptable impacts on surrounding development, that many local authorities brought in new ordinances to limit their worst excesses. The form of development was widely described as “sausage blocks” – in those days two stories high (compared to the three now proposed), with no amenity or privacy for residents except when within the units. When within the units, the privacy and amenity of adjoining housing was often lost as a result. This legacy of bland and low-quality development still persists in a number of cities, and continues to detract from its surroundings.
5. The type of development facilitated by this Bill will favour larger sized, regular shaped existing lots. These are more likely to be found in out-lying suburbs than close to suburban and city centre locations. New planned greenfields development areas will be particularly attractive for such development. Distribution of this type of development is likely to exacerbate public transport issues and contribute to increased use of private cars, contrary to other important government and council policy including recognition of the climate emergency².

SPECIFIC CLAUSES

Clause 7

Clause 7 includes new sections after section 77D to the RMA, which provide for the new intensification provisions. New proposed section 77O provides that the Minister for the Environment, after consulting with the Minister of Housing, can make changes to the NPS-UD to align it with the provisions in an Act that emerges for this Bill. This contrasts with the normal procedure for a change to any other national policy statement. This is a draconian provision, which we strongly oppose. Its inclusion demonstrates the haste with which this Bill appears to have been promulgated and the lack of careful analysis across the policy framework.

¹ See Policy 1, NPS-UD, which includes access to open space and natural areas.

² <https://www.labour.org.nz/news-climate-emergency>

Clauses 9 and 10

These clauses amend RMA section 86B and 86F, indicating when rules have effect. This extends the effectiveness of “proposed” rules for intensification to match the powers already applying to those relating to matters which require protection (such as soil and water and historic heritage). However, the current provisions go further by not only making such rules effective, but also cancelling the previous rules ahead of any consideration by an independent hearings panel or the Minister (as provided for in proposed changes to the RMA first schedule). This provision is unreasonable and draconian. It has the potential to provide for unacceptable and inappropriate development in areas where, for example, the local authority has not provided for qualifying matters, but submissions seek such provision.

Clause 14

This clause adds new processes to the RMA first schedule for ISPPs. In particular we oppose the provisions of proposed CI 104 to 106, which provides for the Minister to make final decisions on the provisions where the local authority has not accepted the recommendations of the independent hearings panel, and removes the right of submitters to appeal. This removal of rights is unreasonable and draconian, particularly given the Environment Court’s expertise in such areas.

CONCLUSION

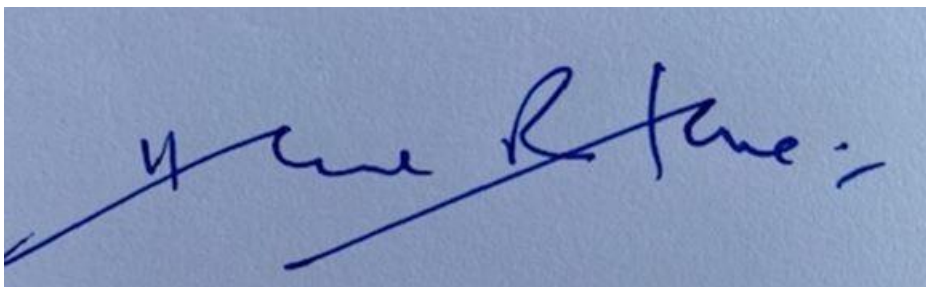
The Trust cannot understand why the government is progressing this legislation at the very time that local authorities are diligently progressing the requirements of the NPS-UD, and when the community is engaged in consideration of RMA reviews.

It is our observation that, at least in the Wellington urban areas, the development community is already responding to the housing shortage and consents are exceeding the ability of builders to take on additional contracts, and the availability of material supplies. Substantial growth and change in housing supply is already taking place under the NPS-UD. The additional changes provided for in this Bill are unnecessary and will set in place a future of housing development types that will be substandard in terms of sustainability, climate change considerations and basic human needs. Further aspects of this Bill will put in place precedents that are out-of-kilter with good and responsible governance, and potential inconsistent with the outcomes of the RMA reforms currently under way.

We seek that the government abandon this Bill.

The Wellington Civic Trust wishes to appear before the Select Committee to speak to this submission.

Yours sincerely,

A handwritten signature in blue ink on a light blue background. The signature is written in a cursive style and appears to read "Helene Ritchie".

Helene Ritchie

Chair

Wellington Civic Trust

14th November, 2021