

15 November 2021

Committee Secretariat
Environment Committee
Parliament Buildings
Wellington

To the Parliamentary Select Committee on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill

This submission is made on behalf of the Urban Design Forum (UDF) Aotearoa of NZ.

1. The Urban Design Forum (UDF) thanks the Environment Committee for the opportunity to provide comments on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. The Urban Design Forum supports the Government's intention to enable the delivery of a wider range of housing options, including affordable housing in Aotearoa New Zealand.

Urban Design Forum

2. The UDF is a membership organisation dedicated to promoting urban design excellence across Aotearoa New Zealand.
3. The UDF has a multi-disciplinary membership comprising built environment professionals including city and transport planners, architects, designers, landscape architects, engineers, surveyors, politicians, academics, developers, architectural historians, design and planning students among others. The UDF promotes and represents a cross-disciplinary approach to understanding our urban environments.
4. The UDF recognises that creating great quality urban places also depends on a range of other aspects including politics and law-making including financial policies; development economics; social, community and cultural issues; policing; and traffic management to name but a few. Cities are complex organisms, and urban design seeks a coordinated approach to the arrangement of the physical components of urban form. These constitute the setting for the urban life, the choice of an overwhelming majority of people in the 21st century.

Introduction

5. We value the opportunity to make a submission to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill.
6. While the Urban Design Forum supports the Government's intention to enable the delivery of a wider range of housing options, including affordable housing in Aotearoa New Zealand,

we note that the Bill appears to have been developed with haste. Timeframes and solutions in the Bill do not appear to recognise the existing context nor the extent of potential impacts on our urban environments.

7. The Bill does not appear to align with frameworks under development, including spatial plans, mandated by Government, intended as a considered approach to urban form, including intensification.

Key issues

8. Our members have looked closer into the Bill, the extent to which it applies, and the new set of residential standards that it mandates. We have found that the new Bill has no consideration of the urban design matters which we would normally expect to go hand in hand with such an intensification proposal to ensure quality urban places. A few points of note are:
 - a. The Bill effectively rezones nearly all residential zones in Auckland, Wellington, Hamilton, Tauranga and Christchurch to medium density. It does so with a reductive set of blanket standards that cover only the most basic bulk and location standards.
 - b. While the press releases suggest that the rules allow 'up to three houses' on most sites, due to no minimum site size requirement many more than three houses can be built on sites of any size. See Appendix 1 for the illustration of this.
 - c. The standards in the Bill are not sufficient to manage the well-known challenges of providing intensive housing for safe and functional use of new development. These include ensuring access to sunlight, privacy, safe pedestrian access, access to nature, and practical servicing and storage. In addition, the standards do not address matters such as the street interface (with the exception of a setback rule) which are vital to ensuring a safe and well-functioning neighbourhood.
 - d. The Bill does not support climate change adaptation. It incentivises dispersed intensification which will result in an inefficient urban form. It also lacks any provisions relating to low impact environmental design.

Key submission points

9. We make the following key points
 - a. UDF supports intensification that generates sustainable urban areas. For this to occur intensification must occur in the right place, along transport corridors and in compact walkable neighbourhoods around city and suburban centres. Intensification around walkable neighbourhoods enhances and strengthens communities making them resilient to climate change and our changing economic environment. The Bill as proposed is likely to disperse intensification where consolidation is required.
 - b. UDF does not support the Bill as it is currently drafted, because, while promoting intensification, it does not promote quality design. Both the purpose and the proposed set of standards have multiple gaps and issues. UDF is concerned that

these will repeat poor development outcomes experienced in our larger cities (Tier 1 and 2) in the past. Broad legislative changes such as this bill should be informed by the positive intensification and quality medium density mechanisms that are occurring now in our Tier 1 and 2 cities.

- c. UDF does not support the one size fits all blanket approach. To enable quality design, each city's unique set of circumstances needs to be considered to form its new intensive residential identity and increase its quality of life. UDF considers the nature and type of intensification must respond to its context and be place based, to generate good quality urban design.
- d. UDF would support a national set of minimum standards if they ensure the creation of a liveable standard of urban housing capable of supporting people's physical and mental well-being and that better addresses climate changes issues. UDF would also support further direction giving councils the ability to manage urban intensification in a more flexible and sustainable manner appropriate to local contexts.

Intensification at the right place

10. The UDF supports intensification of our urban areas, where this is informed by principles of good urban design because this:
 - Supports walkable neighbourhoods and makes active and public transport viable and convenient.
 - Optimises land use and density to create a more compact urban form and, in turn, protects productive land for food production. Making our cities more compact is particularly important in facing the challenges of climate change.
 - Makes provision of public spaces, cultural and sports facilities, schools, parks and open space more viable, affordable and accessible for more people.
 - Supports public transport and reduces commuting times which correlates negatively with well-being and happiness. Reduced commuting time is also better for the economy with reduced unproductive time.
11. For the above benefits to be realised, there are two critical conditions:
 - a. Intensification is located on transit corridors and around commercial/ neighbourhood centres
 - b. Intensification is balanced with well managed and maintained, adequately sized public open spaces with good tree coverage and high level of safety.
12. The Bill will disperse rather than focus intensification and has no provision to provide the necessary counter balance of green open space. The Bill, as it is currently drafted, will not provide the above two critical conditions required for intensification to support physical and

mental well-being of individuals and communities.

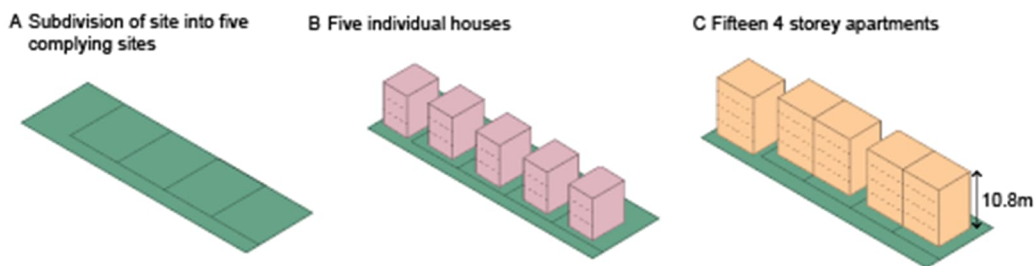
13. There are key elements of the Bill that the UDF do not consider have not been effectively addressed through the standards proposed including:
- Increased intensification in areas that are not accessible for our communities i.e. they lack the physical and social infrastructure that supports public and active transport.
 - Ensuring safe and healthy places for people, with adequate access to daylight and quality open space, including for our existing and future generations.
 - Ensuring accessible development, considering our aging population and recent reform with respect to people with disabilities.
 - Addressing the effects of climate change such as heat islands, biodiversity challenges including tree and vegetative cover, and environmental health issues such as water quality resulting from stormwater runoff.
 - Providing vibrant, pleasant, attractive places where people feel welcome, at home, established, and are proud of (reducing transience and strengthening community resilience).
14. Rather, the onus is placed on the private sector developer to be a good citizen and deliver. There are some exceptional developers who will, but from our experience in the public and private sectors, there are many who won't, whether through ignorance, focus of the financial bottom line, or lack of care. There is a lot left to chance that tools, such as urban design guides, without statutory or financial backing, won't resolve. We consider this could further marginalise communities and adversely impact our environment in a form that will have intergenerational consequences.
15. In addition, the UDF questions whether the standards proposed have been effectively evaluated in terms of the outcomes that could be implemented through the standards. To this end, we have utilised our planning, design and development expertise to critically analyse the potential outcomes resulting from the proposed standards. Appendix 1, as attached provides illustrations of the potential for multiple subdivisions, and we plan to submit additional material to accompany our oral submission.

Gaps and issues

16. The proposed medium density residential standards will not support a liveable standard of housing. They are not sufficient to manage well-established challenges of providing intensive housing that includes ensuring residents have access to sunlight, outlook, safe pedestrian access, access to nature, and efficient provision of on-site amenities (such as rubbish collection, washing lines and bicycle parking). They will not provide for adequate privacy in dwellings or outdoor areas, or encourage communal spaces and other best practice features of urban housing and Papakainga. Therefore our principal concern is with

the quality of life afforded new residents rather than amenity impacts on existing neighbours due to change.

17. Additionally this form of development with absence of street interface standards would not support safe and attractive streetscapes which are needed to encourage active transport and low emissions neighbourhoods.
18. The proposed standards would also affect adjoining residential neighbours, by promoting the creation of long bulky buildings with significant shading effects, due to no limits in building length, the proposed Height in Relation to Boundary controls, and the long length of typical sections.
19. The Bill would allow three houses on any size section; and the proposed subdivision direction (schedule 3a Part 1 section 6) does not allow minimum section sizes. This creates the potential for vertically stacked apartments to be built on sites that are very small, including the ability to divide a site into small parcels, each of which can then be developed, joined to neighbouring sites through a common wall. We do not believe this was the intent of the Bill and this potential for repeated subdivision needs to be removed. An example is shown below:



20. Further, and most importantly, the Bill does not support climate change adaptation. In addition to the dispersed intensification and the inefficient urban form it creates, The Bill does not contain provisions relating to low impact environmental design nor provide for mitigation such as trees or other vegetation to be planted to reduce urban heat island effects and remediate emissions. To the contrary, the Bill is likely, through the proposed standards, to further encourage large scale tree and vegetation removal as well as a lack of consideration for protection of important natural features such as water bodies.

Potential for national provisions

21. UDF would support a national set of minimum standards and associated tools if they were to ensure the creation of a liveable standard of urban housing capable of supporting

people's physical and mental well-being. These would also need to better address climate changes issues.

22. We understand Hamilton, Christchurch and Auckland councils as well as the Coalition for More Homes, have suggested either key content or a rules package that can potentially be shared as an alternative to the provisions of the Bill. All of these are similar in their intent evidenced on their development experiences.
23. The analysis provided by these cities indicates that there are a range of alternatives that would deliver the same or similar development yields, but which would result in creating higher level of liveability in our neighbourhoods.
24. As such we propose that a small working group comprising practising urban designers, architects/architectural designers, planners and developers representing the Tier 1 cities is formed. This group would assist MfE to prepare a shared set of provisions, to be completed in the first quarter of 2022. These can then be applied across the country, with opportunity for some variability to allow for topographic and geographic differences and to reflect turangawaewae, in conjunction with the NPS-UD.

Industry-wide concern and collaboration

25. We shared our key points with the wider industry, including Te Kāhui Whaihanga The New Zealand Institute of Architects (NZIA), The Urban Development Institute of New Zealand (UDINZ) and a number of large scale developers as well as our own membership. Despite the limited submission period following the announcement of the Bill, we have been able to establish that there are industry-wide concerns around similar key points. We are in agreement with the key points raised by the NZIA and the UDINZ. We also believe that these shared concerns form a good basis for establishment of a multi-disciplinary working group as suggested above.

Conclusion

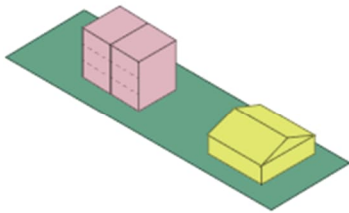
26. We wish to reiterate that the UDF supports the intentions of the Bill for a wider range of housing options including affordable housing and to reduce further urban sprawl. We agree that more access to housing is needed, and quickly, for the well-being of the people.
27. However we have significant concerns around the haste and the apparent lack of consideration given to unintended consequences. The UDF is concerned the Bill will reduce and disperse intensification rather than increase and locate where it can support physical, mental and economic well-being. In a number of our Tier 1 and 2 cities there are planning rules that are presently in place that allow greater intensification with improved quality of design. This Bill can cancel these positive changes and cause a banal lower density urban environment.

28. The UDF believes that there are alternatives that could be applied instead of the MDRS rule set that the Bill proposes. Examples have been discussed above and include acceptable solutions and collaboratively developed national design guidelines. UDF would welcome the opportunity to work on these with the Ministry, offering to draw from the expertise of its diverse membership comprising built environment professionals.
29. We wish to thank the ministry and the environment committee for the opportunity to provide feedback, both verbally and in writing. The UDF would like to speak to the submission.

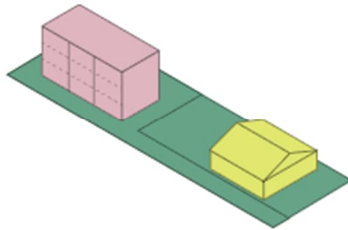
Appendix 1

1. Subdivision possibilities

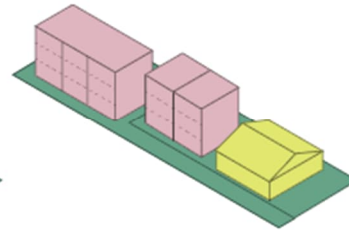
1 Two houses built behind the original house



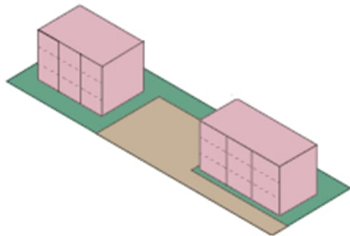
2 Subdivision of back garden to create a new site for 3 houses



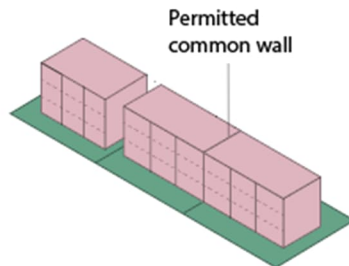
3 Subdivision of back garden, followed by development of original house site



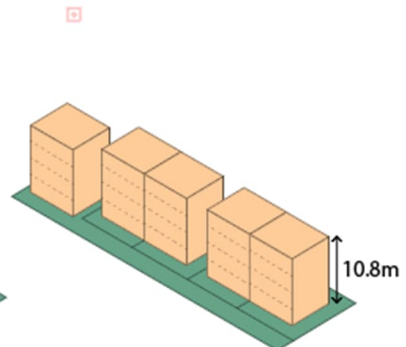
4 Subdivision of site into two development parcels, with 3 houses on each



5 Subdivision of site into three development parcels, with 3 houses on each



6 Fifteen 4 storey apartments





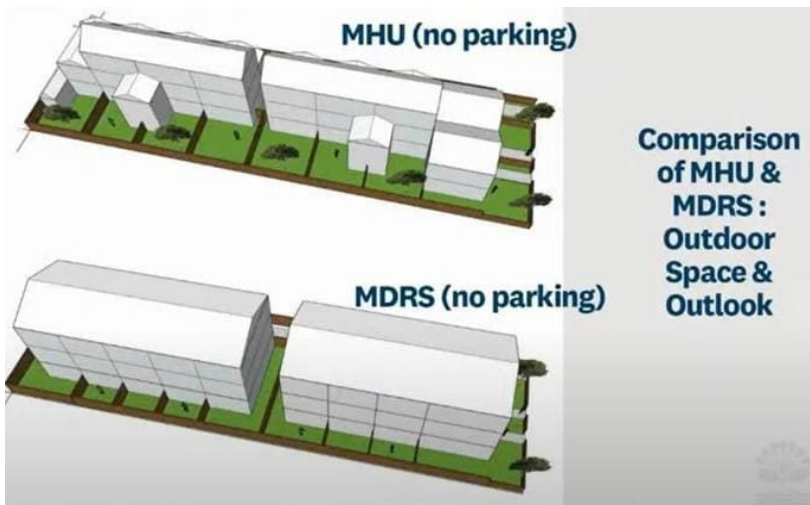
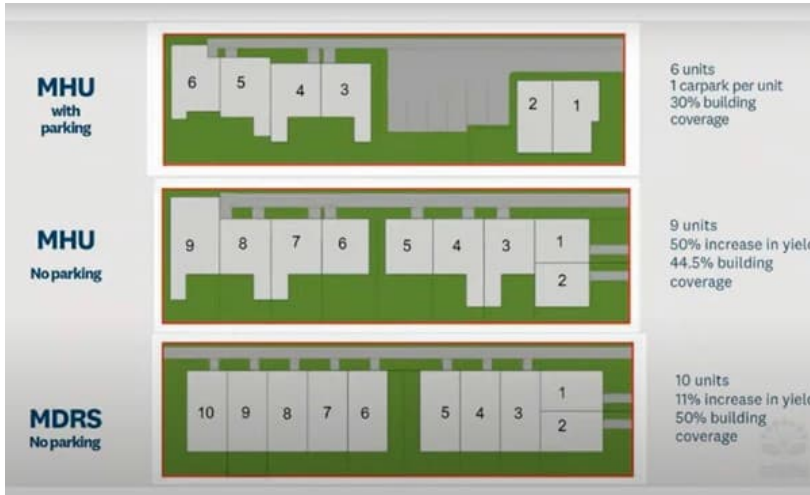
URBAN DESIGN FORUM
A o t e a r o a

Email: manager@urbandesignforum.org.nz

Web: urbandesignforum.org.nz

Post (please communicate via email)
PO Box 5455, Auckland 1141

2. Auckland City Council's comparison of the MDRS with the existing rule packages that are operative in Auckland





URBAN DESIGN FORUM
A o t e a r o a

URBAN DESIGN FORUM INC

Email: manager@urbandesignforum.org.nz

Web: urbandesignforum.org.nz

Post (please communicate via email)
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Proposed MDRS Bulk : Street View



MHU Bulk: Streetview

