



SUBMISSION ON THE 'BETTER URBAN PLANNING' ISSUES PAPER, NEW ZEALAND PRODUCTIVITY COMMISSION

Introduction

Thank you for the opportunity to submit on the important topic of better urban planning for New Zealand. We commend the work of the Productivity Commission on this very interesting issues paper and the important questions raised in it.

The **New Zealand Centre for Sustainable Cities** is an inter-disciplinary research centre dedicated to providing the evidence base necessary to develop innovative solutions to the economic, social, environmental and cultural development challenges of our urban centres. As well as undertaking this research, we make submissions to central government and councils on a range of issues relevant to cities, from climate change policy to the design and reconstruction of Christchurch. Since October of 2012, the Centre has been administering the four- year Resilient Urban Futures research programme, funded by the Ministry of Business, Innovation and Employment (MBIE).

Regional Public Health (RPH) is a regional service, organisationally part of Hutt Valley District Health Board but serving the greater Wellington region. Our business is public health action - working to improve the health and wellbeing of our population and to reduce health disparities in our communities. We aim to work with others to promote and protect good health, prevent disease, and improve quality of life across the population. We are funded mainly by the Ministry of Health but also have contracts with District Health Boards and other agencies to deliver specific services. We have a particular focus on children, Māori, and Pacific populations. Our staff include a range of occupations comprising: medical officers of health/public health physicians, public health advisors, public health analysts, health protection officers, vision and hearing technicians, and public health nurses.

In this joint submission we set out to present our thoughts on some of the key issues and aspects of 'better' urban planning in New Zealand that we feel are vital to get right when re-designing our current system. This is a brief submission intended to provide a glimpse into our research direction and capability that is relevant to this inquiry. We extend an offer to the Commission to talk to us during their inquiry. We will be more than happy to help in any way we can.

The contact details for this submission are:

Ed Randal
Research Fellow
New Zealand Centre for Sustainable Cities
Phone: 04 918 6191 or 021 424 209
Email: edward.randal@otago.ac.nz
University of Otago, Wellington

Sidd Mehta
Public Health Advisor
Regional Public Health
Phone (04) 570 9002
Email: Siddhartha.Mehta@huttvalleydhb.org.nz

The scope of planning

The stated main purpose of the inquiry is ‘to review New Zealand’s urban planning system and to identify, from first principles, the most appropriate system for allocating land use to support desirable social, economic, environmental and cultural outcomes’ (p.1).

This statement is problematic: Urban planning is more than establishing distinctions between different types of property, allocating land use, and determining so-called ‘rights of way’. The latter part of the statement appears to reflect this limited view of planning. Normally, the ‘urban planning system’ would be understood to include activities carried out by local government pursuant to legislation which includes the LGA, RMA, LTMA, etc. For example, local government appropriately carries out various activities such as planning and provision of local infrastructure networks (e.g. roads and the three waters networks)¹ and planning and funding of community development. These go well beyond land use allocation and conducting affairs solely based on the matter of property rights. This can be considered as ‘strategic (spatial) planning’ (Albrechts, 2004).

Of course, a major activity *is indeed* planning and regulating land use (especially where doing so allows for more affordable housing or provides public goods such as roads or waste disposal). Beyond what is presented in the issues paper, there is also a strong argument that local planning activities should centre on the ***provision or regulation (including protection) of local public goods and the control of local negative externalities***. Public goods include many aspects of the physical and in some cases the social environment. This includes activities in which local government has a role in the construction of social infrastructure like values, norms and ‘institutions’—in the sense of Vatn (2005), such as participatory value articulating institutions (e.g. multi-criteria analysis; various forms of consultation). This wider ‘institutionalist’ (Hall & Taylor, 1996) view of the role of local government can be contrasted with the narrower neoclassical view in which the role is limited to constraining undesirable activities.

Although it can reasonably be argued that local government must accept that it cannot do everything that ‘the community’ may ask of it, it is simplistic to see much of urban planning as subject to ‘scope creep’ (p.8). A discerning view of the scope of local public goods is needed. For example, it is a legitimate role for local government in setting up a panel of designers and architects to identify and articulate what is appropriate urban design for city property developments.

In terms of what the appropriate role is for planning in controlling land use for design or aesthetic reasons, there is no easy way to answer this if we accept that the role of local government is focused around public goods. Reduced local control over the design and aesthetic of new housing development was trialled in new planning standards developed for the Christchurch Central Business District (CBD) after 2011 in the development of the ‘New Urban Village’ (Future Christchurch, 2016) and ‘A Liveable City’, the residential chapter of the Christchurch City Blue Print (CCDU, 2016), to mixed reception.

Local authorities have a role in the construction of social infrastructure. Planning processes define the values and images of what society seeks to achieve (Albrechts, 2004). Some public goods are straightforward – e.g. clean water or air – but many are necessarily defined in terms of generally ‘accepted preferences’ or ‘norms’, e.g. attractive public spaces. Thus, to answer this role question it is necessary to take a view on how preferences are socially and culturally constructed. In our view,

¹ Recognised on p.5 of the Issues paper.

attention should also be paid to how planning processes can reinforce or address existing inequities, including the marginalisation of Māori interests. It is reasonable for local government, in our view, to take a leadership role in this process.

Considering urban planning in Aotearoa New Zealand, it also needs to be remembered that mana whenua organisations, such as iwi, hapū, and land trusts, play a range of roles in urban planning, as do other Māori organisations such as mataawaka and taura here groups, marae, whanau, and businesses (Stuart and Thompson-Fawcett, 2010; Ryks et al., 2014; Ryks et al., In press). Māori interests in urban planning are broad, ranging from advancing self-governance to economic development to improving environmental, social, and cultural outcomes, often through long-term, not-for-profit investment. Many Māori organisations are actively planning for urban development, using assets including land returned under Treaty settlement to meet the needs and aspirations of their people (Early et al., 2015).

The 'four wellbeings' enshrined in the Local Government Act (prior to amendment) are only one way of describing these interests - other frameworks, such as Ngā Pou Mauri Ora, which describe wellbeing determinants for urban Māori, should be considered when discussing the 'purpose' of urban planning (Waa, 2014). Strengthening connection to place through recognising the significance of concepts such as tūrangawaewae and mauri in urban areas is an important task for future urban planning in Aotearoa New Zealand (Whaanga-Schollum et al., 2015) (Stuart and Mellish, 2015). The Te Aranga Māori Cultural Landscape Strategy, and te Aranga Principles which have recently been adapted for the Auckland Design Manual and are referenced in the Proposed Auckland Unitary Plan, provide an example of how Māori concepts can be practically used in a planning system (Te Aranga Steering Committee, 2008; Te Aranga, 2014).

Complex Systems

As acknowledged in the issues paper, urban areas are complex systems and, as such, exhibit emergent properties, uncertainties, feedback loops, as well as multiple cross-level interactions and linkages (Chapman, Howden-Chapman, & Capon 2015). Furthermore, just as urban and rural areas are different, so too are cities and areas within cities. This does not mean that every area within a city needs its own planning regime or that we should necessarily do away with planning as an undertaking. It is likely that an integrated combination of the approaches set out in this paper, and some not mentioned, will be needed to collaboratively form the most appropriate and efficient strategy for New Zealand. However, because of the complex nature of cities, the system chosen will need to have some key features.

Firstly, the system will need to be adaptable and facilitate policy experiments, embracing ideas such as 'adaptive management' and 'real options' approaches to decision-making in circumstances of uncertainty. These allow actions to be taken whilst avoiding investment in 'white elephants' and the creation of stranded assets (Grimes, 2014; Chadès et al, 2015; Marchau et al, 2008).

Secondly, there is, as noted above, a strong need for rules to minimise externalities and provide for public goods – and, as mentioned, these may extend to constructing provisionally agreed aesthetic environments. People (especially democratically elected councillors) deliberating and agreeing on the provision of parks or guidance on building design, for example, is just as valid as markets self-organising to reflect individualised preferences.

Integrated Decision-making

Thirdly, it is vital that any updated urban planning system allows for and encourages integration, not only between departments within councils, but between councils, between local and central government, and within central government, together with other 'sectors' such as communities and neighbourhoods, civil society, and the market. This is important for efficient but participatory decision-making and a more equitable distribution of resources that can be often seen as lacking in the current planning regime. It is our position that careful co-creation of such a system would improve overall urban resilience and the resilience of the planning system itself and still provide sufficient regulatory certainty to ensure appropriate investment in our urban areas.

A case can be made, however, that councils often work on the basis of limited information and understanding of the consequences of their actions, and/or they do not adapt their decisions in the light of changing circumstances, so that rules become maladaptive. Health and environmental consequences of council decisions are often not well understood, and shorter-term political considerations rather than longer-term consequences may be privileged. More attention thus needs to be given to the range of co-benefits and adverse consequences of council decisions (Chapman, Howden-Chapman, & Capon 2015). This of course is not a criticism limited to local government – it applies at central government level also.

Complex and 'wicked' problems:

Cities are complex physical, social, and economic systems that are characterized by complex problems that need a robust multi-disciplinary planning system that departs from a 'place-based' perspective and allows them to tackle these problems and inherent complexity (Blackman, 2000; Blackman, 2001, & Eppel et al., 2011). Not only does this include local issues such as addressing social inequalities, providing public and common goods and services, and local environmental protection, but also addressing global issues such as climate change, which research has shown cities are well placed to make significant contributions to (Girona, 2014; Chapman 2008; Howden-Chapman, Stewart, & Chapman, 2010; Witten, Abrahamse, and Stewart, 2011).

Public health is determined by an interconnected network of factors arranged in a complex nexus. Addressing these factors linearly is inadequate, for example focusing on increasing just physical activity interventions without addressing dietary needs, cultural considerations, behavioural and genetic factors for people overweight or obese. Such issues in Public health are labelled as 'wicked problems'—problems that are continually evolving, with many causal pathways and with no silver bullet solutions. Solutions can only be classified as better or worse, rather than right or wrong (Signal, Walton et al 2012).

It has been recognised by policy makers that a mixture of environmental policy and public health interventions are needed to address these wicked problems. The scope for future urban planning should extend to accounting for public health outcomes and consider what could be done from a planning standpoint to bring about coherence in strategies across government sectors to tackle the increasing problems of obesity and other related lifestyle disease, for example how certain characteristics of urban form and design can influence obesogenic environments.

Public health (and personal health) is determined by a lifetime of choices mediated by the environments we live in. Health effects of those direct and indirect choices can only be seen retrospectively over long time scales. It would be helpful if analytical frameworks took into account these longitudinal issues. The Treasury's Living standards framework and regionally Greater

Wellington Regional Council's Genuine Progress Indicators offer a contribution to accounting for complex factors which influence environmental and public health outcomes (GWRC, 2008), but there is a significant contribution that better spatial planning can also offer in this domain.

Given the vital importance of protecting the environment and maintaining a 'safe operating space' for all activities (including economic) to take place in, it is desirable to aim at an urban planning system that ensures councils can effectively and efficiently address these issues.

Centralisation vs. Decentralisation:

Decentralisation has advantages and disadvantages in terms of effective outcomes for cities. Central government has a clear and important responsibility for public good issues of a national scope (such as the overall transport system and national-level highway planning), environmental quality and the overall public health. The role of central government in urban planning, articulated through legislation, setting high level goals, and issuing national policy (and national environmental) statements, is key for ensuring a common direction and integration across municipalities. But it is also important for local government to have sufficient power to act on local issues, in line with the principle of subsidiarity, as well as enacting the changes required to meet central government goals.

Examples from well-performing cities in Europe show the benefits of relatively high levels of autonomy at the city or municipal level (Girona, 2014). While many New Zealand cities are too small to be adequately resourced, New Zealand has often demonstrated an inefficient mix of decision-making at both local and national level when it comes to urban planning, as can be seen in the Proposed Auckland Unitary Plan process. Contrary to what has been proposed by other interests, lessons learned from the implementation of the Christchurch City Blueprint (CCDU, 2014) and the Housing Accords and Special Housing Areas Act 2013, an appropriate balance may not lie in taking power away from cities and other localities, but in improving processes at the local level, reducing collaboration barriers and bureaucracy, and ensuring local governments and their communities act democratically. The findings of Girona (2014) are that the cities which exhibit a more decentralised power structure performed better in terms of capacity to stimulate low-carbon development, for example. Whilst local government differs in scale and resourcing between Europe and New Zealand, we note that this finding was consistent over six countries with a range of different settings, populations, and economies, and therefore may contain useful lessons for other contexts.

Resilience to Natural Hazards and 'Vertical' versus 'Horizontal' Coordination

Decentralisation is also important for building community and neighbourhood resilience, or the capacity of cities and their diverse localities or areas to withstand and recover from, sudden or 'acute shocks' (like coping with a major natural disasters) and long-term or 'chronic stresses' (like economic decline and social fragmentation in specific areas) (Rockefeller Foundation, 2015). To 'bounce back' (Early et al., 2013) from adversity, communities and neighbourhoods must be able to have an active role in the planning process and this creates the need for "horizontal coordination in New Zealand's planning system". An ongoing qualitative study of community resilience and housing recovery after the Canterbury Earthquakes in 2010 identified that, even in the context of uncertainty and a 'top-down' or 'vertical' approach to recovery in the creation of the Canterbury Earthquake Authority (CERA), communities, neighbourhoods, and other third sector entities were identified as 'resilient' and their role highlighted as key stakeholders in the response and recovery, and the ongoing process of rebuilding a more 'resilient' city (Rivera-Muñoz, 2016).

Local Government Resourcing

Addressing the way cities are funded in New Zealand will be a vital part of a successful review of urban planning. It is important that urban authorities have access to sufficient resources to fulfil their duties. The Local Government Amendment Act 2014, which among other things capped the building development charges levied by councils, has limited the capacity of urban authorities to harness a much needed revenue stream, making local government much more reliant on property rates. This has 'enhanced' the role of property rights in our urban planning system in relation to the interests of other social sectors that do not own property, but are nevertheless actors in our urban landscapes. This hampers the capacities of council and other local authorities to resource activities focused on the public good and bolster the social infrastructure of urban landscapes (The Treasury, 2016).

It is noted in the Commission's Issues paper that local government has failed to stop the decline in active transport in recent decades. However, we would argue that this is, at least partly, due to a lack of appropriate resources, as well as a central government lack of interest. Our recent research has shown that if councils were given the modest resources needed to encourage active transport and the ability to address strategic barriers that favour the status quo, then this trend could be reversed, as seen in New Plymouth and Hastings through the Model Communities Programme (Keall et al 2015). While we appreciate the fiscal implications and that greater efficiency might conceivably be afforded by greater central government involvement, we would place more weight on the importance of local democracy, consultation, accountability, engagement with mana whenua, and legitimacy – all important principles we believe might be compromised by greater centralisation.

We feel that local councils are generally well placed to understand their local needs and take appropriate action if they are both adequately resourced and provided with the ability to do so by the planning regime. In many successful cities around the world, local authorities are able to generate revenue in more efficient ways than are seen in New Zealand. A more efficient distribution of income tax from central government is provided, for example, through revenue sharing, or greater power at local levels to generate revenue through local taxes and levies, such as congestion charges.

Consultation

As well as ensuring local councils have appropriate power and resources, the consultation process also needs to be addressed. Our research on the drivers of urban change has highlighted that the current processes seem to be failing both the councils and the communities involved. Consultation is important to get right, particularly for maintaining citizen satisfaction and trust in local government (Early et al 2015). The importance of consultation is further emphasised when dealing with complex issues, like those discussed above, "as no one person or organisation is likely to have sufficient information or resources to understand a complex system" (Eppel, Matheson and Walton, 2011; p53).

Discussion of Māori interests in urban planning is often limited to 'consultation with iwi'; however a range of Māori actors, with diverse interests, are active in urban areas. As a subsidiary of central government, local government has duties and obligations to Māori under Te Tiriti o Waitangi. Article 2 of Te Tiriti o Waitangi guarantees 'te tino rangatiratanga' to mana whenua over natural resources. Accordingly, Professor of Indigenous Planning at Lincoln University Hirini Matunga has written that 'Article two of the Maori text is an affirmation of Maori chieftainship, management authority and, importantly for environmental planning, the right of Maori to plan and be their own planning agents'

(Matunga, 2000, p38). In addition, Article 3 guarantees all Māori – including mataawaka, taura here, punga hou - the rights of citizenship, which includes meaningful participation in planning processes. These distinctions, duties and obligations are already recognised by some local authorities – for example, Auckland Council's Long-Term Plan (2012-2022), recognises that 'Te Tiriti o Waitangi/the Treaty of Waitangi provides a useful guide to council's approach in fostering more positive and productive relationships with Auckland Māori. In particular, working with Mana Whenua through Article 2 and Mataawaka, Māori residents and ratepayers through Article 3' (Auckland Council, 2012, s.2.3.2).

Conclusion

We have presented here a theoretical and evidence based analysis on what urban planning systems may look like in New Zealand. In picking the interconnected themes of planning systems, complexity, wicked problems and governance as basis of our analysis, we have sought to elicit perspectives and approaches that the Commission will find useful in the process of developing its report to the government. We see this submission as a conversation starter and are looking forward to working with the commission as it develops its thinking on better urban planning.

References

Albrechts, L. 2004. Strategic (spatial) planning reexamined. *Environment & Planning B: Planning & Design*, 31, 743-758. Available: DOI 10.1068/b3065.

Auckland Council 2012. *Auckland Council Long-Term Plan (2012-2022)*. Auckland, Aotearoa New Zealand.

Blackman, T. (2000) 'Complexity theory', in G. Browning, A. Halcli and F. Webster (eds), *Understanding Contemporary Society*, London: Sage Publications.

Blackman, T. (2001). Complexity theory and the new public management. *Social Issues*, 1(2). Retrieved from: www.whb.co.uk/socialissues/tb/htm.

Chadès, I., T. Tarnopolskaya, S. Dunstall, J. Rhodes, and A. Tulloch (2015). A comparison of adaptive management and real options approaches for environmental decisions under uncertainty. In Weber, T., McPhee, M.J. and Anderssen, R.S. (eds) *MODSIM2015, 21st International Congress on Modelling and Simulation*. Modelling and Simulation Society of Australia and New Zealand, December 2015. ISBN: 978-0-9872143-5-5.

Chapman, R. (2008). Transitioning to low-carbon urban form and transport in New Zealand. *Political Science*, 60(1), 89-98.

Chapman, R., Howden-Chapman, P., & Capon, A. (2015). Understanding the systemic nature of cities to improve health and climate change mitigation. *Environment International*, in review.

Central City Development Unit (CCDU). (2014). *Christchurch central recovery plan*. Canterbury Earthquake Recovery Authority (CERA), Christchurch, NZ. Retrieved from: <https://ccdu.govt.nz/the-plan>.

Early, L., Chapman, R., et al. (2013). *Defining resilience: Background paper for the Resilient Urban Futures research program*. New Zealand Centre for Sustainable Cities, University of Otago, Wellington, NZ.

Early, L., Howden-Chapman, P. & Russell, M. 2015. *Drivers of urban change*. Wellington : Steele Roberts Aotearoa, 2015.

Eppel, E., Matheson, A., & Walton, M. (2011). Applying complexity theory to New Zealand public policy: Principles for practice. *Policy Quarterly*, 7(1): 48. Retrieved from: <http://igps.victoria.ac.nz/publications/files/c6108074474.pdf>.

Future Christchurch. (2016). *Breathe: The New Urban Village project*. Greater Christchurch, Christchurch, NZ. Retrieved from <http://www.futurechristchurch.co.nz/breathe>.

Girona, S. N. (2014). *Green Cities and Green Urban Economy; Contributions from Case Studies for a Necessary Low-Carbon Future*. (PhD), Universitat de Girona.

Grimes, A. (2014) *Infrastructure and Regional Economic Growth*", Chapter 28 in *Handbook of Regional Science* (eds. M. Fischer & P. Nijkamp). Heidelberg: Springer.

GWRC (2011). *Wellington Region Genuine Progress Index (GPI): 2001-2010*. Wellington Regional Strategy. Greater Wellington Regional Council.

Hall, P. & Taylor, R. C. R. (1996). Political science and the three new institutionalisms. *Political Studies*, XLIV: 936-957.

Howden-Chapman, P., Stuart, K., & Chapman, R. (2010). *Sizing up the City: Urban form and transport in New Zealand*: Steele Roberts.

Keall M., Chapman R., Howden-Chapman P., Witten K., Abrahamse W., & Woodward A. (2015). Increasing active travel: results of a quasi-experimental study of an intervention to encourage walking and cycling. *J Epidemiol Community Health*. doi:10.1136/jech-2015-205466.

Marchau, V.A.W.J., W.E. Walker, & R. van Duin (2008). An adaptive approach to implementing innovative urban transport solutions. *Transport Policy*, 15, pp. 405–412.

Matunga, H. 2000. Decolonising Planning: The Treaty of Waitangi, the Environment and a Dual Planning Tradition. In: Memon, P. A. & Perkins, H. C. (eds.) *Environmental planning and management in New Zealand*. Palmerston North, N.Z. : Dunmore Press, 2000.

Rivera-Muñoz, G. (2016). *Understanding Community Resilience and Housing Recovery: A Case Study of the Canterbury Darfield Earthquake Series*. Resilient Urban Futures research programme, NZ Centre for Sustainable Cities, University of Otago.

Rockefeller Foundation. (2015). *100 Resilient cities*. Author. Retrieved from: <http://www.100resilientcities.org/resilience>.

Ryks, J., Howden-Chapman, P., Robson, B., Stuart, K. & Waa, A. 2014. Māori participation in urban development: challenges and opportunities for indigenous people in Aotearoa New Zealand. *Lincoln Planning Review*, Vol 6, 4-17.

Ryks, J. L., Waa, A. & Pearson, A. In press. Mapping urban Māori: A population-based study of Māori heterogeneity. *New Zealand Geographer*.

Signal, L. N., M. D. Walton, C. Ni Mhurchu, R. Maddison, S. G. Bowers, K. N. Carter, D. Gorton, C. Heta, T. S. Lanumata, C. W. McKerchar, D. O’Dea and J. Pearce (2012). Tackling ‘Wicked’ Health Promotion Problems: A New Zealand Case Study. *Health Promotion International*. doi:10.1093/heapro/das006.

Stuart, K. & Mellish, L. 2015. *Tūranga waewae, time and meaning: two urban Māori icons*. Urban History Planning History. Gold Coast, Australia.

Stuart, K. & Thompson-Fawcett, M. 2010. *Tāone tupu ora : indigenous knowledge and sustainable urban design* / edited by Keriata Stuart & Michelle Thompson-Fawcett. Wellington, N.Z. : Steele Roberts, 2010.

Te Aranga. 2014. *Te Aranga Principles*. Tamaki Makaurau, Aotearoa New Zealand: Auckland Council. Available: http://www.aucklanddesignmanual.co.nz/design-thinking/maori-design/te_aranga_principles 2015].

Te Aranga Steering Committee 2008. *Te Aranga Maori Cultural Landscape Strategy*. New Zealand: Te Aranga Steering Committee.

The Parliament. (2013). *Housing Accords and special Housing Areas Act 2013*. Wellington, NZ: Author. Retrieved from: <http://www.legislation.govt.nz/act/public/2013/0072/latest/DLM5369001.html>.

The Parliament. (2014). Local Government Act 2002 Amendment Act 2014. Wellington, NZ: Author. Retrieved from: <http://www.legislation.govt.nz/act/public/2014/0055/latest/DLM5706806.html>.

The Treasury. (2016). Higher living standards. Wellington, NZ: Author. Retrieved from: <http://www.treasury.govt.nz/abouttreasury/higherlivingstandards>.

Vatn, A. (2005). Rationality, institutions and environmental policy. *Ecological Economics*, 55(2), 203-217 <http://www.sciencedirect.com/science/article/B6VDY-4FHJYDM-1/2/db17112b4be08672343e0ac9f5e4601c>.

Waa, A. 2014. A framework for understanding how cities can promote wellness among Māori. Population Health Congress. Auckland.

Whaanga - ScholluM, D., Robinson, C., Stuart, K., Livesey, B. & Reed, B. 2015. 'Ensuring the container is strong' - Regenerating urban mauri through wānanga. *Landscape*. Available: <http://www.landscape.org.nz/regenerating-urban-mauri.html>.

Witten, K., Abrahamse, W., & Stuart, K. (2011). *Growth Misconduct?: Avoiding Sprawl and Improving Urban Intensification in New Zealand*: Steele Roberts Aotearoa.