

Better Urban Planning

NZ Centre for Sustainable Cities/IGPS VUW

12.30 pm Friday 9 June 2017

Dr Roger Blakeley

Greater Wellington Regional Council



This presentation is my analysis of:
Better Urban Planning
NZ Productivity Commission, March 2017

- ◆ ToR: First Principles look at NZ's urban planning system:
- ◆ “To identify the most appropriate system for allocating land use to support desirable social, economic, environmental and cultural outcomes”.



“Better Urban Planning” Conclusions

The Commission’s proposals are designed to give:

- ◆ Less prescriptive land use rules, more space for development within clear environmental limits, & for local innovation
- ◆ Plans supply development capacity to keep up with demand
- ◆ More use of market-based tools and infrastructure pricing
- ◆ Long term plans with flexible investment decision making

Good things about the NZPC *Better urban planning* report

There are some good recommendations in the report, eg:

- ◆ Strong on Urban Planning and the Treaty, eg NPS, Maori Advisory Board.
- ◆ Use of Independent Hearings Panels – depends on scale.
- ◆ Fast growing cities planning for development capacity for future growth.
- ◆ Regional Spatial Plans should be mandatory.
- ◆ Councils have more tools to fund infrastructure eg value uplift capture.
- ◆ Urban development authorities, operating with streamlined planning processes

Regional Spatial Planning: A powerful tool

A photograph of a woman with long dark hair, seen from behind, holding hands with a young boy on the left and a young girl on the right. They are standing on a sandy beach at sunset, with the ocean and distant hills in the background. The scene is bathed in the warm, golden light of the setting sun.

THE
AUCKLAND
PLAN

The NZPC report favours market-led processes over 'planning' approaches

- Councils over use design rules
- Current system blind to price signals leading to undersupply
- Urban design assessments may lead to poor exercises of regulatory discretion
- Unnecessary, excessive and poorly targeted land use regulations



Wellington's urban landscape



Auckland's urban landscape



9. Urban planning and the national (sic) environment. Recommendations.

NZPC : “If developments breach community standards for the natural environment, then decision makers should *balance* the benefits of development against the impacts on the natural environment”.

I disagree. The core idea of the RMA was that development must take place within the capacity of the eco-systems that support it. ‘Environment’ and ‘development’ are not competing values, one to be sacrificed to the other. RMA is driven by Part 2: purpose is to promote “the sustainable management of natural and physical resources’.

9. Urban planning and the national (sic) environment. Recommendations..cont..

NZPC appears to have gone back to Justice Grieg in the High Court case *NZ Rail Ltd v Marlborough District Council*, 1994 of ‘overall judgement’ approach which over-rode the intention of the Act to provide environmental bottom lines.

The Supreme Court in the 2014 *King Salmon* case rejected the ‘overall judgement’ approach and stressed the purpose of the Act to provide environmental bottom lines.

After 24 years of jurisprudence that finally secured clarity in the *King Salmon* case, starting again is not sensible.

13. Statutory framework, institutions and governance. Recommendations.

NZPC: “The primary statutory base should be a single piece of legislation covering land-use planning and resource management, with clear and separate objectives for regulating the built and natural environments”.

I do not agree with the proposal to replace the RMA with a new Act. There is much about the RMA that needs to be fixed. The fixes do not require ‘throwing out’ the Act, nor should they involve changes to the purpose and principles of the Act as set out on sections 5, 6 and 7.

I agree that the urban design provisions in the Act should be strengthened. But roads and rivers and sewerage schemes do not stop at the borders of a city. Urban areas are not an ‘environment-free zone’

13. Statutory framework, institutions and governance. Recommendations.

I recommend that major changes are made to the way the RM Act is being implemented, that would better enable economic and social development, while also achieving better environmental outcomes. They are:

- ◆ Regional spatial planning as mandatory
- ◆ Integration across the RMA, Local Govt Act and Land Transport Management Act.
- ◆ Better provision for urban planning within the RMA.
- ◆ Mitigation and adaptation to climate change.
- ◆ More central guidance through NPS and NES.
- ◆ Better district planning and rule making.
- ◆ Rigorous monitoring/evaluation of the effectiveness of the RM Act

“The Triumph of the City”

Edward Glaeser

“Building cities is difficult, and density creates costs as well as benefits. But those costs are well worth bearing, because whether in London’s ornate arcades or Rio’s fractious favelas, whether in the high-rises of Hong Kong or the dusty workspaces of Dharavi, our culture, our prosperity, and our freedom are all ultimately gifts of people living, working, and thinking together – the ultimate triumph of the city”.