

**Statement in Support of Submissions by Puriri Park and Maunu Residents Society Inc
and Dr Kerry Grundy on the Urban and Services Plan Changes**

Dr Kerry Grundy BSc, DipSci, MRRP, PhD

1. My name is Kerry James Grundy.
2. I am a qualified planner with 30 years experience in the profession. I have a Bachelor of Science, Post Graduate Diploma in Science, Master of Resource and Regional Planning, and a Doctor of Philosophy in Resource Management and Environmental Planning (all from the University of Otago). I have also qualified as an Independent Hearings Commissioner. I have been retired for two years.
3. I was a member of the New Zealand Planning Institute for around 30 years and have on two occasions been awarded the Institute's Award of Merit in recognition of a meritorious contribution to the theory and practice of planning. The first in 1993 for the publication *Sustainable Development: A New Zealand Perspective* and again in 2003 for the Whangarei District Council Environmental Monitoring Strategy.
4. I worked at Whangarei District Council (WDC) as Team Leader for Futures (strategic) Planning and worked in that position for around 15 years. Prior to that I worked at the University of Otago for a period of 10 years whilst undertaking research on my post graduate degrees. During this time, I researched and published extensively on the Resource Management Act, sustainable development/management, and other resource management and environmental planning issues.
5. I am speaking in support of the submission and further submission (301 and 350 respectively) from the Puriri Park and Maunu Residents Society Inc. (PPMRS). I am a member of that Society. I am also speaking in support my own submission (073) which is substantially similar to that of the PPMRS. I do not intend to repeat those submissions as they are available to the Hearings Commissioners and I am relying upon them to read them in their own time. What I wish to do today is to elaborate on some of the issues raised in those submissions and reasons for raising them.
6. Generally, the submissions are opposed to high density residential development in the existing Living 1 Environment of the Operative Whangarei District Plan (OWDP) and the Medium Density Zone proposed to replace it. In particular the proposed rule enabling multi-unit development in the zone is rigorously opposed. The submissions are also opposed to proposed provisions that compromise the ability of the public to engage with development proposals. There are also a range of other provisions that are opposed. The cross submission from the PPMRS opposes the submission (268) from Housing New Zealand (HNZ) in its entirety. Details are contained in further submission 350.
7. The submissions from the PPMRS and my own encompass a number of concerns all of which I will not repeat here as they are easily accessed in the submissions

themselves. But I do wish to mention a few concerning Plan Change 881 (Living Zones). Plan change 881 will create a new zone (Medium Density Residential Zone) which will replace the existing Living 1 Environment (zone) in the District Plan (I will refer throughout this statement to the zoning names as publicly notified not the proposed new names). There are a number of changes proposed to the provisions (objectives, policies and rules) of the existing zone that are of concern. These relate mainly to changes proposed to increase the density of development in the zone and allow for multi-unit development. These proposed changes will change the nature of the Living 1 Environment and should not proceed. If implemented they will likely result in adverse effects on the existing open space character of the Living 1 zone and adverse effects on existing amenity values, neighbourhood identity and local character, amongst other things.

8. Specifically, new objective MDR-02-Housing Variety states: "Provide for a range of allotment sizes and densities and low impact, minor residential units to provide for affordable, diverse and multi-generational living". I believe this is inappropriate in a medium density zone and more appropriate in the new High Density Residential Zone which has been proposed by the plan changes. It is also contradictory to Objective MDR-01-Density, which states, "Subdivision and development are consistent with the medium density built environment and are compatible with the amenity levels of medium density residential development." The two objectives are mutually incompatible. Whilst provision for minor residential units may be appropriate, a range of allotment sizes and densities below minimum lot size specifications is not appropriate in a medium density residential zone. This objective should be amended to apply only to minor residential units.
9. Policy MDR-P6-Residential Amenity and Character makes no mention of the need to protect the open space nature of the Medium Density Residential Zone, neighbourhood identity, community character, aesthetic coherence or sense of place. These are important values that are included in the definition of amenity values in the RMA and in the Whangarei Growth Strategy and need to be included. The policy should be amended to include these values.
10. Policy MDR-P12 – Density states: "To provide for a range of site sizes and densities while protecting residential character and amenity by considering increased residential density where:
 - I. A mixture of housing typologies, including low-cost options, is provided.
 - II. The location is supportive of pedestrians, cyclists and public transport.
 - III. The area is in proximity to the City Centre, Mixed-use, Local Commercial or Neighbourhood Commercial Zone".

This policy is not appropriate in the Medium Density Residential Zone. If higher density is desirable at these locations they should be zoned for such development and related provisions placed in the chapter dealing with higher density. This policy should be deleted in its entirety from the Medium Density Residential Zone.

11. Rule MDR-R20-Multi Unit Development, provides for developments of any number of residential units (over three) to be developed at higher densities than otherwise allowed in the Medium Density Residential Zone as a restricted discretionary activity. It requires compliance with some of the other rules but not all of them including outdoor living courts. It relies on the provision of communal or public open space to replace the need for private outdoor living courts thus enabling increased density. It has no matters of discretion which need to be complied with relating to amenity effects on neighbours, compatibility with existing character and built form of the neighbourhood, open space nature of the locality or anything else relating to existing residents or residential amenity values. This rule is opposed in its entirety. It is entirely inappropriate in the Medium Density Residential Zone. Such provisions should be restricted to the proposed High Density Residential Zone. However, if it is to stay it should be a non-complying activity.
12. It is also proposed that such development will not require the written consent of affected persons and will not be notified except if Council considers there are special circumstances. These provisions are also opposed on the basis that they are inappropriate and a truncation of the rights of those people most likely to be affected by such development. Proposing that higher density residential development should be located in a medium density residential zone and at the same time proposing that such development will not require written consent of affected parties and will not be notified suggests an intent to encourage such development and ease the way by removing the ability of affected parties to object to it. This is a misuse of the planning process and quite simply undemocratic.
13. If the Multi Unit Development Rule remains in the Medium Density Residential Zone as proposed there will be little to prevent high density residential development anywhere in the Medium Density Zones across Whangarei (most of the urban area). Apart from the obvious effects on amenity values, open space nature, neighbourhood identity, community character, aesthetic coherence and sense of place of the Medium Density Residential Zone, this would undermine the rationale for having two separate zones for different densities of residential development. If high density residential development can locate anywhere in medium density residential zones there is no rationale to separate these different densities into specific zones.
14. Moreover, people and communities will have no certainty as to what future neighbouring land uses could locate on their boundary or in their neighbourhood if high density development can locate anywhere in the Medium Density Residential Zone. Along with ensuring the sustainable management of resources, managing adverse environmental effects including on people and communities, and enabling the orderly and efficient provision of infrastructure and services, one of the functions of spatial land use planning is to provide a level of certainty to property owners as to the likely future land use of neighbouring properties. This applies to industrial, commercial, and rural land uses as well as residential.
15. Industrial, commercial and rural businesses need to make investment decisions that rely upon a level of certainty that neighbouring land uses will not adversely affect their

continued operation and viability. Residential activity is similar. People invest large sums of money, substantial effort, and their family's future prospects when buying a house and becoming part of a community. When they do, they should be able to do so with the expectation that their investment, their home and family, and their community will not be adversely affected by future neighbouring land uses that were not envisaged nor provided for in planning documents as appropriate in that location when they bought their property and/or by weaknesses in the zoning provisions that allow very different types of residential development with very different environmental effects to locate in the same location. Otherwise how else are people to make major investment and important life decisions over where to buy a home and raise a family if their planning documents don't provide this level of certainty? It becomes a lottery, and the chance of having your investment devalued and your family and community disrupted will depend on chance and luck or unregulated market forces. This is not good planning.

16. The submission from HNZ seeks to redesign practically the entire urban area of Whangarei increasing urban residential density on a district wide scale. HNZ seeks to remove density controls, such as minimum lot sizes, introduce a three storied minimum height provision to large swaths of the City and increase zoning of residential land over extensive areas of the district. As a planner, I find this submission extraordinary if not outright bizarre. In effect, HNZ is trying to replan most of the urban environment of Whangarei through its submission to meet its narrow agenda of building social housing and to accord with its planners Auckland centred view of the world. All without bothering to engage with the people of Whangarei.
17. The PPMRS further submission (350) on HNZ's submission opposes the submission in its entirety and outlines the points of opposition and reasons for them. I don't propose to go over them here as I would be here all day. I also believe much of it is out of scope and do not wish to waste time unnecessarily on it. The commissioners will have the PPMRS further submission and I ask that they look at it at their convenience. I will make some more general comments relating to it in this statement.
18. The Resource Management Act (RMA) when first introduced was heralded as an advance in devolved, participatory, community based planning where the aspirations of people and communities would be at the forefront and plan making and decision making over resource use would, wherever possible, take place at the local level so that those most likely to be affected by resource use would inform and participate in producing those planning documents and making development decisions. The planning documents produced under the RMA, particularly the district plan, were intended to encapsulate local community aspirations about how they wanted resources used, including land, and how their cities and districts should develop over time. There were specific provisions in the Act to ensure extensive community input to the formulation of planning documents and decisions over development proposals.
19. Those noble aspirations have largely been compromised. Local aspirations and the involvement of people and communities in resource management processes and

decisions over the use of local resources have been increasingly marginalised over time. People and communities have been excluded and been replaced by lawyers, planners and a myriad of specialists and experts from various disciplines. There are various reasons for this which I don't have time to go into here but the result is clear – planning documents increasingly do not represent the aspirations of people and communities and people and communities have a much reduced role in decision making processes over the use of local resources. Planning has become a technocratic and legalistic process dominated by experts and specialists of various kinds along with members of the legal profession, and increasingly dictated by Central Government.

20. There is, of course, a place for experts and expert opinion in the planning process. Specialist knowledge is an important input to analysis and decision making in resource management procedures. But this should not be to the marginalization and/or exclusion of local and community knowledge and input. Both should inform the planning process and decisions made under that process. If not, planning documents and developments are imposed on people and communities which creates resentment and a loss of confidence in the planning system which, at the end of the day, is supposed to represent their aspirations for the places they live in and raise families in. Yet, in practice, expert and specialist opinion is almost always given greater weighting than the opinions and input of local people and communities. This is despite local people and communities often having extensive knowledge of the places where they live. Because they are not considered 'experts' this is often marginalized and overlooked.
21. The current HNZ proposal further marginalises local aspirations and the involvement of local people and communities in the planning process. In fact, it takes this to a new and deeply disturbing level. HNZ's proposal to redesign the urban environment of Whangarei has no mandate from local people or communities. Furthermore, local people and communities have had little or no opportunity to comment on the proposals. They were not publicly notified, are completely out of scope with what was notified so the public scrutinising the notified plan changes would have had no inkling of what HNZ is proposing. HNZ undertook no consultation with the public about its proposals. In fact, it would be fair to say it deliberately excluded the public from any involvement in its proposals. If not deliberately, it certainly had no concerns about excluding the public.
22. HNZ circulated its planning evidence three days before the start of the hearing (15 days late). I received notification of their completed evidence on the 22 November. The hearing was scheduled to begin on 25 November. There were 419 pages of this evidence. How is the general public expected to respond to this in the time frame available? I, as an experienced planner, could not respond to it in any meaningful way. My ability to respond to this evidence was severely compromised to the point of being unable to do so at all. I consider this an abuse of process and wish to have my objection formally noted. The late provision of this evidence by HNZ has severely prejudiced my ability to engage in any meaningful way with this large volume of documentation. I believe most of the public would be in the same position.

23. HNZ is redesigning the urban environment of Whangarei. It has no mandate from the people of Whangarei to do this, has not consulted with the people of Whangarei about its intent, nor seems interested in engaging with the people of Whangarei over its proposal. More than this, it seems intent on deliberately excluding the people of Whangarei from any involvement in its proposals. Instead HNZ has employed a raft of planners, experts, specialists and lawyers most, if not all, from Auckland. These experts, planners and lawyers seem intent on redesigning Whangarei in the image of Auckland despite the fact that Whangarei faces very different issues to those facing Auckland and the people and communities of Whangarei have very different aspirations for their City than those the people of Auckland have for theirs. HNZ's undemocratic and unwanted attempt to redesign the City of Whangarei is an abrogation of the rights (and responsibilities) of the people and communities of Whangarei. It is turning the concept of a participatory, community based planning process into a farce and a caricature of what it was intended to be. In a more troubling sense, it is not drawing too long a bow to compare it to Stalinist style centralist planning, the exact antithesis of the devolved, participatory, community based planning process envisaged by the RMA. And sadly, I'm very serious in my comparison.
24. Lastly, I want to clear up some apparent misunderstandings regarding the strategic planning context of this suite of plan changes. During my time as head of the strategic planning team at WDC, I and my team produced the Whangarei District Growth Strategy: Sustainable Futures 30/50 (2010) a strategic planning document to manage growth in the district sustainably over the next 30 – 50 years. It was intended to inform all lower level planning documents such as the Long Term Plan, District Plan, structure planning and various other policy and planning initiatives. This document was adopted by WDC in 2010 and to my knowledge has not been rescinded by Council. Therefore, it still has effect. There is a Draft Discussion document intended to update the Growth Strategy but it is still under consultation and should carry limited weight in these proceedings.
25. The Growth Strategy was produced following extensive consultation with, and participation by, the public (in its widest sense) and tangata whenua. It therefore represents the types of development (including residential) that the community wishes to take place in particular locations on both a district and local scale. The document provides a strategic planning framework on a district and local scale for residential development (amongst other types) and one that should be incorporated into the District Plan as the statutory land use planning document. It is a framework that is supported by the community. The notified plan changes do align with this planning framework in many respects but not in all respects concerning residential development.
26. The Growth Strategy did not envisage, nor advocate for high density residential development across all Living 1 Environments of the Operative District Plan. It recognized and supported the low to medium density of residential development and associated amenity values existing in the Living 1 Environments and prescribed its maintenance and enhancement. There was a recognized capacity for some incremental infill development in these zones mainly by way of subdividing larger lots

to provide an extra compliant sized lot or lots. The Growth Strategy did prescribe an expansion of higher density residential zones and mixed use zones around the City Centre and Town Basin, in the Regent and Avenues and around suburban shopping centres, particularly Kamo. However, it was envisaged that this intensification would be achieved by identifying specific higher density residential and mixed use zones not by way of indiscriminate plan provisions across all Living Environments. This is simply bad planning and has the capacity to result in ad hoc development and unplanned intensification without any strategic oversight.

27. It is acknowledged that the proposed plan changes do include a proposed High Density Residential Zone with associated provisions and zoning. This is supported and is the appropriate method to provide for high density residential development. Over time should the proposed zoning prove insufficient it can be extended by way of a council initiated plan change. There is no need for indiscriminate high density development in the Medium Density Residential Zones.
28. The HNZ proposal does not align with the strategic planning framework established by the Growth Strategy. Indeed, it threatens it and undermines the community aspirations that the framework represents. The Growth Strategy did not envisage increasing the density of Living 1 Environments beyond incremental residential infill, removing density controls in the Living Environments, rezoning large swaths of Living 1 Environments to three storied higher density residential zones, or extensively extending Living 1 Environments across the City as HNZ proposes to do. On the whole the Growth Strategy found that there was sufficient capacity of zoned residential land in most parts of the district to accommodate projected growth for 30 years or more and in some places considerably longer. This is supported by the draft update to the Strategy (see addendum)..
29. There were identified needs for more commercial/industrial land in a few places and as mentioned a need for a limited amount of higher density residential/mixed use zoned land in particular locations but nothing approaching what HNZ is proposing. The redesigning of the Whangarei urban environment as proposed by HNZ is not supported in any way by the Whangarei Growth Strategy despite claims to the contrary by HNZ. These comments refer to HNZ's proposal for the residential environments only. There are other proposals from HNZ that do not align with the Growth Strategy. Some of these are mentioned in the PPMRS further submission (305).
30. The Growth Strategy recognized the importance of sense of place in urban planning and advocated strongly for its maintenance and enhancement. There was an entire chapter on sense of place in the district wide part of the Strategy and each nodal analysis in the sustainable future part had an individual section on sense of place. Yet this largely disappears from the plan changes as notified and from the HNZ proposals. Both are largely concerned with accommodating future population growth and in HNZ's case addressing a shortfall in social housing that it has allowed to build up to crisis levels. But simply accommodating future housing needs, both social and private, does not require the radical transformation of the City landscape that HNZ proposes nor the

loss of sense of place that the plan changes as notified will result in. Good planning can accommodate future population growth, social housing provision, and the maintenance and enhancement of the existing and much loved sense of place that attracts and retains people to and in Whangarei. Turning Whangarei into a miniature version of Auckland is both undesirable and unnecessary.

31. The Whangarei District Growth Strategy described sense of place as “an important, multi-faceted concept that attracts, retains and enriches communities in relation to a particular locality... Sense of place comprises two essential elements: the ‘community’ or those people who feel attachment or a sense of belonging to a place; and the physical and intangible elements of a place that contribute to its special character or ‘familiarity’. A sense of place helps people identify with where they live and with each other. And an enduring sense of place assists social cohesion and social engagement”.
32. Sense of place at a local level incorporates local character and neighbourhood identity as defining characteristics. Local character is described in the Growth Strategy as “the distinctive identity of a particular place that results from the interaction of many factors – built environment, land use patterns, landscape, style and era of architecture, open spaces, people and their activities. Character can be distinguished from the individual attributes that constitute it. While each of these qualities may be advantageous in its own right, ‘character’ describes the additional benefit that results when such qualities combine to create an easily recognisable identity. An inner-city suburb, an older, well established suburb and a seaside village all have their own, quite distinct local character. Local character may be the character of a single neighbourhood”.
33. In regard to neighbourhood identity the Growth Strategy states the following. “Neighbourhood identity is important because urban neighbourhoods, as well as being functional units, provide an important source of ‘identity’ or ‘meaning’ for their residents. More specifically, the location and quality of buildings, streetscapes, public facilities, open space and pedestrian infrastructure are elements of urban form that determine identity within the neighbourhood. It is the cumulative impact of all these contributions that establishes neighbourhood identity and creates the impression that a place is interesting, safe and attractive. Whangarei’s distinctive neighbourhoods are a great asset to the City... each has elements that set it apart from the others and establish its identity”.
34. Allowing, indeed encouraging, the ad hoc intrusion of high density residential development into existing Living 1 Environments typified by a spacious aesthetic created by stand alone, mainly single storied houses on relatively large lots (over 500m²) featuring expansive gardens and lawns and containing many trees and shrubs will threaten the distinctive sense of place these suburbs have developed over many years. Community coherence/cohesion and neighbourhood aesthetics are at risk of being undermined. Local character and neighbourhood identity will be significantly altered and the sense of place that people and communities feel in relation to a particular locality will be lost. Good planning would instead protect the sense of place that makes our City special and attracts people to live here and remain here.

35. Should HNZ's proposal eventuate not only will the special qualities of Whangarei be lost or severely compromised, and the distinctive characteristics of particular localities undermined, they will be replaced with a sameness and uniformity across the City such that Whangarei will look more and more like a smaller version of Auckland, as some of our coastal settlements already do. This will be a tragedy for the City, for its diverse suburbs, its distinctive neighbourhoods, its unique characteristics, its idiosyncrasies and indeed its appealing messiness. The very things that make Whangarei different to other places will be lost over time and Whangarei will be homogenised to accord with the view of Central Government and its consultants as to what Whangarei should look like.

It will also be a tragedy for the planning system to permit such a radical redesign of the Whangarei urban landscape behind the backs of the people who live there. It would sound the death knell for devolved, community based, participatory planning and further set in place a centralised, dictatorial, top-down urban planning system driven by Central Government and implemented by outside planners, experts, specialists and lawyers disconnected from the place and the communities they are engineering.

Dr Kerry Grundy

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Brief addendum: Growth Projections

Over the last 20-30 years the Whangarei District experienced an average annual population growth rate of around 1% p.a. Approximately 60% of this was in the rural and coastal areas. Around 40% took place in urban Whangarei or on the urban fringe. The average annual growth rate in urban Whangarei was under 0.5% p.a.

The projected population growth rate for the next 20-30 years is 1.3% p.a. or roughly 1,000 extra people per annum. Over 50% of this is projected to be outside the Whangarei urban area. Growth in occupied dwellings is projected at 1.5% p.a. This equates to around 400 extra dwellings p.a. More than 50% of these are projected to be outside the Whangarei urban area. After 20 years, growth in population and dwellings is projected to slow.

These figures are from the Whangarei District Growth Strategy: Sustainable Futures 30/50

The figures from the Draft Update to the Growth Strategy are similar. Here it is projected that the District's population will grow by about 1.2% p.a. between 2018 and 2028 and by about 0.6% p.a. between 2028 and 2048. This is less than the Growth Strategy projections.

Both the Growth Strategy and the Draft Update state that there is more than sufficient residentially zoned land to accommodate these population projections over the next 20-30 years. There is no need in most places to zone any more. And if more is needed in certain locations it is better to zone closer to when its needed than at the present time.