

**Memorandum**

**7 February 2020**

**To:** Anna Jennings, Principal Advisor – Urban Growth and Housing

**Cc:** Glenn Boyd – Relationship Manager, Henderson-Massey, Waitakere Ranges and Whau  
Wendy Kjestrup – Senior Local Board Advisor, Henderson-Massey  
Carol Stewart – Senior Policy Advisor, Local Board Services

**Subject:** Henderson-Massey Local Board feedback on the Urban Development Bill

**From:** Chris Carter, Henderson-Massey Local Board Chair

**Purpose**

1. To provide feedback from the Henderson-Massey Local Board to inform Auckland Council's submission on the Urban Development Bill.

**Context**

2. The Urban Development Bill is a complex piece of legislation which provides specific powers to enable Kāinga Ora-Homes and Communities (Kāinga Ora) to undertake urban development within a defined specified development project area and provides the ability to use powers of acquisition for all Kāinga Ora's development activities.
3. Auckland Council staff have identified some key themes for consideration to inform Auckland Council's submission on the Bill, and local boards have also been invited to provide feedback as part of that submission.
4. Henderson-Massey Local Board agrees with the staff recommendation that Auckland Council maintain support for Kāinga Ora to undertake urban development within specified development areas while noting the following areas of concern:
  - the impact on local decision-making processes
  - duplication of process (particularly consenting)
  - lack of strategic alignment
  - challenges for network planning and funding and infrastructure delivery
  - unachievable timeframes

**Feedback from the Henderson-Massey Local Board**

5. Henderson-Massey Local Board also wishes to highlight the following concerns.

**General**

6. Henderson-Massey Local Board supports in principle the proposal to enable Kainga Ora to undertake urban development in certain areas.
7. Henderson-Massey Local Board shares concerns noted in advice to the Planning Committee around duplication of processes and resources, particularly in consenting.
8. Henderson-Massey Local Board shares concerns noted in advice to the Planning Committee around lack of alignment to Auckland Council's strategic planning framework

## **Auckland Council governance model**

9. Henderson-Massey Local Board is concerned about the lack of regard in the bill for Auckland Council's governance model, considering that Auckland will likely be an area of focus for potential Kainga Ora developments due to its size and the high levels of population growth predicted in the region. Not only does the bill create confusion for unitary authorities with its specific provisions around local and regional authorities, but it also fails to recognise the role of local boards and CCOs. Of particular concern are the very tight timeframes proposed in the bill around establishment of Special Development Project Areas.

### **Acquisition powers**

10. Henderson-Massey Local Board has concerns around the potential impact of the powers of acquisition on public open space. Local boards as the landowners for local parks and reserves have effectively no opportunity under this bill to provide meaningful input into a decision which may impact on these reserves. Local plans and strategies developed to guide Auckland Council and CCO project delivery decisions, for example the Henderson-Massey Open Space Network Plan, Connections Plan and Harbourview-Orangihina Masterplan may be overridden, inhibiting cohesive planning within local communities. Overall, the bill does not appear to reflect an understanding of the value of open space to local communities, in particular the value of local parks, recreational reserve or sports parks.

### **Standards and codes of practice**

11. The absence of requirement for Kainga Ora developments to meet normal codes of practice or to work closely with Auckland Transport or Watercare could have negative impacts on the infrastructure network. Issues could arise around health and safety, costs (where the Auckland Council Group takes over maintenance of infrastructure not built to its normal standard) and impacts on traffic congestion and public transport service provision. The local board considers that the bill should include requirements for Kainga Ora to work with the Auckland Council Group to ensure that infrastructure provision in Kainga Ora developments will be safe, meet the needs of growth, and not impose a consequent financial burden on the council group and ratepayers.

### **Consistency**

12. Henderson-Massey Local Board notes the need for regional consistency around provision of assets and infrastructure and service levels. The bill creates potential for inconsistency around the management and maintenance of public assets which could create reputational risk for local boards.

### **Community infrastructure**

13. There is potential for consequential maintenance costs falling to local boards for community infrastructure built as a part of Kainga Ora developments. This is essentially forcing local boards to pay for assets they were not involved in planning.

### **Engagement with Māori**

The local board sees full, meaningful engagement with mana whenua as essential to ensure kaitiakitanga and best practices around environmental management (for example around stormwater run-off and protection of local waterways).

### **Climate change**

14. The Henderson-Massey Local Board is concerned about the lack of consideration for the impacts of climate change in the bill. Auckland Council's Environment and Community Committee declared a climate emergency in June 2019 and committed to, amongst other things:
  - providing strong local government leadership in the face of climate change, including working with local and central government partners to ensure a collaborative response.

- advocating strongly for greater central government leadership and action on climate change.
15. Sustainability and the impacts of climate change need to be a high priority in all new urban development projects. The board considers inclusion of requirements for best practice sustainable urban design within the bill, especially in light of extreme weather events in recent years that have had significant financial and infrastructure impacts on local authorities.

### **Next Steps**

16. This feedback will be reported to the 17 March meeting of the Henderson-Massey Local Board for retrospective ratification.
17. If staff have questions about any of the above feedback, please contact the Senior Local Board Advisor – [wendy.kjestrup@aucklandcouncil.govt.nz](mailto:wendy.kjestrup@aucklandcouncil.govt.nz).



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Chris Carter  
Chairperson, Henderson-Massey Local Board

Date 7 February 2020