

**Joint Submission on the Auckland Unitary Plan by
Community Housing Aotearoa,
Te Matapihi and
The Auckland Community Housing Providers' Network
28 February 2014**

Community Housing Aotearoa (CHA) and Te Matapihi are the peak bodies for the community housing and Maori housing sector in New Zealand. Between them, they represent a significant number of organisations and advocate on their behalf to support the growth and development of community housing in New Zealand. Our collective objective is to be an effective voice for the housing sector and for 'All New Zealanders [to be] well housed.'

Auckland's Unitary Plan directly affects at least 20% of CHA's member organisations who provide housing within Auckland City boundaries. These organisations are primarily those that are part of the Auckland Community Housing Providers' Network. Between them they own and manage more than 900 properties. Members include:

- Accessible Properties New Zealand Ltd (Accessible Properties)
- Bays Community Housing Trust
- CORT Community Housing (Community of Refuge Trust)
- Habitat for Humanity Auckland
- Monte Cecilia Housing Trust
- New Zealand Housing Foundation
- The Salvation Army Social Policy and Parliamentary Unit
- VisionWest

This submission on the Proposed Auckland Unitary Plan (PAUP) provides a summary of feedback on behalf of all organisation with whom CHA and Te Matapihi work.

Its purpose is to reflect the common areas of support and concern and minimise duplication.

We (CHA, Te Matapihi and the Auckland Community Housing Providers' Network) also acknowledge that the Unitary Plan model implemented in Auckland is likely to be replicated in other areas of New Zealand. The adoption of similar models will affect a number of community housing providers working in these areas, many of whom are our members.

It is also anticipated that several individual organisations will complete submissions on specific provisions of the PAUP that relate to their areas of operation.

We recognise that the PAUP is a starting point and a tool for planning. The PAUP vision to "House all Aucklanders in secure, healthy homes they can afford....improve housing affordability and the supply of affordable housing" closely aligns with our collective vision for New Zealanders.

We do, however, have grave concerns that the Plan does not go far enough in addressing the significant challenge of housing affordability and the practical concerns of providing affordable housing with the current land costs.

This submission responds to the following aspects of the PAUP:

1. Part 1 Introduction and Strategic Direction. Chapter B: Regional Policy Statement 1 - Issues of regional Significance
2. Part 2 Regional and District Objectives and Policies. Chapter C: Auckland-wide objectives and policies - 7 General
3. Part 3 Regional and District Rules Chapter H: Auckland-wide rules – 6 General
4. Part 4 Definitions
5. Part 5 Appendices

We support the specific provision:

PART 1: INTRODUCTION AND STRATEGIC DIRECTION, CHAPTER B: REGIONAL POLICY STATEMENT - 1 ISSUES OF REGIONAL SIGNIFICANCE

1.1 1.1 Enabling quality urban growth

The reasons for our views are:

We support and welcome the:

- The identification of the influence of housing affordability on people's quality of life and social well-being, and that access to affordable housing is a basic human need.
- The underlying premise of the PAUP in its vision to "House all Aucklanders in secure, healthy homes they can afford....improve housing affordability and the supply of affordable housing" set out in strategic direction 11 of the Auckland Plan. This closely aligns with our collective vision for New Zealanders.
- Ongoing recognition of Auckland's Housing Affordability as an issue of regional significance.
- Auckland Housing Accord as an interim measure to address Auckland housing unaffordability prior to the implementation of the Proposed Auckland Unitary Plan in 2016.
- On-going pursuit of a wide range of housing options that provide affordable, stable and suitable housing for all Aucklanders.

We consider it crucial that the development undertaken during the Auckland Housing Accord is well-planned and attains high quality housing outcomes.

The increase in numbers of dwellings is welcome: well-planned, well-designed communities are essential for ongoing sustainability.

We recommend using the experiences of those involved in SHAs and in housing development over the next three years as part of the Auckland Housing Accord to inform the Auckland Design Manual case studies and to promote guidance on best practice. We welcome open dialogue and involvement in post-Auckland Housing Accord workshops to facilitate best practice and ways to refine the process for the future.

We recommend that the provision identified above is amended to consider the following:

We recommend amendments within the PAUP to make explicit rather than implicit reference to Placemaking and community development approaches for future Auckland residential developments. We support this amendment as explicit reference to Placemaking embodies the concept of well-planned, sustainable communities in which people are engaged. Placemaking builds capacity within communities and empowers communities 'to make a difference to communities.'

The Projects for Public Spaces (PPP) states that 'Placemaking's significance is in its ability to engage and empower the community so that there is a collective sense of connectedness and ownership. This is best achieved through active involvement from the planning stage...Placemaking is a bottom-up approach that empowers and engages people in ways that traditional planning processes do not. It draws on the assets and skills of a community, rather than on relying solely on professional "experts."

We support the specific provision:

4.2 Area Based Planning Tools

The reasons for our views are:

We support the use of

- Mandatory structure plans to ensure that affordable housing provision can be planned from the outset. We consider these provide an important means by which affordable housing provision can be well-planned early in the development process.
- Framework plans as potentially useful for brownfields type developments that do not involve a plan change (i.e. undertaken via resource consent).

We recommend that the provision identified above is amended to consider the following:

We recommend amendments to this provision to:

- Provide more detailed criteria and a requirement for mandatory, rather than voluntary Framework Plans in order to achieve a broad spatial pattern for greenfield and brownfield sites, and ensure the consistent adoption of 10% affordable housing within housing developments.
- Expand criteria for framework plans to provide clear identification of affordable housing.
- Clarify whether structure plans are required when land is rezoned from one urban use to another, e.g. from business to residential.

We support the following provision:

**INTRODUCTION AND STRATEGIC DIRECTION, CHAPTER B: REGIONAL POLICY
STATEMENT – 2 ENABLING QUALITY URBAN GROWTH**

2.1 Providing for quality growth in a compact form

We support a well-planned approach to urban growth and measures to increase housing affordability across Auckland.

We recommend that the provision identified above is amended to consider the following:

We are concerned about the provision's emphasis on:

- Where intensification is to occur rather than specifically dealing with housing affordability.
- The location of affordable housing in areas close to the edge of the Rural Urban Boundary (RUB), satellite towns such as Warkworth and Pukekohe and in the rural and coastal towns as potentially contradicting the Auckland's Unitary Plan's strategic objective for 'Social Well-being'.

The reasons for our views are:

Well-being is intrinsically linked to people feeling part of the community.

The financial and emotional well-being of households on low to medium incomes living in communities isolated from the main employment, social and transport infrastructure centres will be disadvantaged. Households are likely to spend significant amounts of time and resources travelling to and from work in Auckland City. These households are likely to be less connected to the infrastructure of their communities and spend less time with their families. These areas may become dormer developments: somewhere to sleep rather than someone to live.

Concentrating affordable housing in these areas precludes families from being close to extended family and support in other areas of Auckland.

We welcome amendments that will set out how the provision of affordable housing across the whole of Auckland will be achieved.

We question how infrastructure will be adequately provided for new developments in view of the proposed law changes designed to rein in development levies i.e. limit the contribution Auckland council can ask for from developers to fund infrastructure. These law changes appear to be at odds with creating well-planned communities since they will rely on Auckland Council continuing to prioritise a range of community facilities as infrastructure for growing and new communities while raising both rates and debts.

We support the specific provision:

2.3 Development capacity and supply of land for urban development

We note that Regional Policy Statement (RPS) level objectives and policies focus on land supply. We welcome policy 5 in requiring greenfield areas to be structure planned and interpret this as meaning that due consideration will be given to housing affordability as part of the comprehensive planning of achieving a well-planned quality community.

We recommend that the provision identified above is amended to consider the following:

We recommend the inclusion of a definition with cross references throughout the Plan for:

- 'A well-planned, quality community'.
- Placemaking and other tools for engaging communities.

These definitions will include regard for demographics, community and social infrastructure as well as how input and feedback will be sought through community consultation.

We support the specific provision:

2.4 Neighbourhoods that retain affordable housing

We support the:

- Provision of well-planned mixed tenure communities that will meet the needs of current and future low to moderate income households.
- RPS level objectives and policies that seek to improve the affordability of dwellings for households on low to moderate incomes.
- Focus on the intermediate housing market to complement the government provision of social housing.
- Establishment of a high level approach that supports inclusionary zoning requirements, later addressed in the district level objectives, policies and rules. (Auckland-wide).

We query whether this provision is adequately supported by policies and rules elsewhere in the PAUP that would allow Community Housing Providers to deliver social and affordable housing. Submissions from members including Accessible Properties and CORT identify the challenge of density provisions that may exclude the types of housing they are able to deliver.

We support the specific provision:

PART 2: REGIONAL AND DISTRICT OBJECTIVES AND POLICIES, CHAPTER C: AUCKLAND-WIDE OBJECTIVES AND POLICIES – 7 GENERAL

7.8 Affordable housing

We support

- Auckland-wide (district plan level) objectives and policies that seek provision of Retained Affordable Housing (RAH) to address regional objectives relating to social and economic well-being, transport and land use.

- Provision for retaining affordable housing established through the resource consent process
- Retention that can be by a separate body such as a community housing provider.

We recommend that the provision identified above is amended to consider the following:

We strongly advocate the implementation of universal design and Greenstart standards as a benchmark for all new housing including affordable housing. Building homes to these standards creates sustainable, warm and energy efficient housing. It precludes households from needing to move when needs change and ensures that housing can be quickly and cost-effectively modified to meet the needs of people with disabilities.

We are concerned about the vagueness of the word ‘similar’ and recommend specific, strict criteria within the resource consent process to ensure that affordable housing has consistent minimum space standards and finishes.

We support in part the specific provision:

**PART 3: REGIONAL AND DISTRICT RULES, CHAPTER G: GENERAL PROVISIONS – 2
GENERAL RULES AND SPECIAL INFORMATION REQUIREMENTS**

2.6 Framework Plans

The reasons for our views are:

We support the inclusion of reference of the need to include retained affordable housing within these provisions and greater cross-referencing of RAH within the overall Unitary Plan documentation.

We note that the provision 2.6 to outline framework plans sets out a voluntary mechanism for landowners to demonstrate comprehensive development through a restricted discretionary resource consent rather than a plan change. It is our understanding that the tool is intended for

- large greenfield or brownfield landholdings proposed to be urbanised or intensified
- contiguous landholdings that are held predominantly in single ownership
- specified areas of redevelopment generally in Precincts

We express concern that the voluntary nature of framework plans may be used as a way of circumventing the need for RAH.

We note that the structure plan process (2.4) requires consideration of retained affordable housing: location, size and general design. However, there is no similar reference in the provisions for framework plans. Although it is intended that a structure plan would precede a framework plan it is unclear whether it is possible to prevent a framework plan being used instead of a structure plan.

We support in part the specific provision:

PART 3: REGIONAL AND DISTRICT RULES, CHAPTER H: AUCKLAND-WIDE RULES - 5 SUBDIVISION

5.2.1 Development Controls

We note that this provision links the subdivisions back to the overarching plan that outlines the layout. We understand this provision is to ensure that what was approved through a preceding process is implemented at subdivision.

We support the:

- Inclusion of reference to the location and numbers (proportion) of RAH.
- Linkage of subdivisions back to the overarching plan because it changes the activity status to discretionary where subdivision is not in accordance with the previously approved plan.

We recommend amendment of this section to:

- Make specific reference to RAH.
- Include location, size and the number of RAH units in each development within Framework, Structure, Precinct and Concept Plans so that there is clarity across all plans.
- Cross-reference the affordable housing definition and criteria across the plan.

We seek clarification of the specific provision:

5.4 Assessment of Restricted Discretionary Activities

We note that:

- Table 13 lists all the matters of discretion
- Table 14 lists the assessment criteria to be considered for a restricted discretionary subdivision depending on the number of sites created, within three categories:
 - Up to 4 sites
 - 5-15 sites
 - Over 15 sites

We recommend that RAH is included within these tables with specific cross references to Chapter 6.6 and that there is a need for the consideration of subdivision where there is no previous plan approved and where a standard subdivision of over 15 sites created.

5.5 Special Information Requirements (Table 15)

We seek to clarify special information requirements through this provision with inclusion of specific reference to RAH. RAH is integral to the whole plan.

We recommend the provision identified above is amended to consider the following:

We recommend specific reference to RAH to be included with cross referencing to other sections of the Unitary Plan including Chapter 6.6. Insufficient referencing may result in confusion and the potential for inconsistency. RAH references need to be integral to each relevant section of the plan.

We support the specific provision:

PART 3: REGIONAL AND DISTRICT RULES, CHAPTER H: AUCKLAND-WIDE RULES - 6 GENERAL

6.4 Sustainable development

We note the requirement for developments of 5 or more dwellings to achieve a 6-star rating from the NZ Green Building Council Homestar Tools (2013) or certification under the Living Building Challenge (2013).

We support Auckland Council's commitment to ensure 6-star rating on all affordable housing as being consistent with Part 1 1.1 Enabling quality urban growth 'Access to warm, dry and affordable housing'.

We support the specific provision:

6.6 Affordable Housing

We support and welcome the provision of development controls that are required to be met for all developments involving residential units and that determine whether these developments are permitted or require resource consent as a restricted discretionary, discretionary or non-complying activity. We understand that this rule applies to all zones within the RUB i.e. residential, business and town centres including the CBD.

We recommend that the provision identified above is amended to consider the following:

Exploration of opportunities where there is a benefit to the development for doing more affordable or social housing.

Cross-referencing of terms across the wording of relevant zones (e.g. residential zone provisions) to alert users to the affordable housing provisions.

We support in part the specific provision:

6.6.1.1 Number of retained affordable housing dwellings

We note that this provision outlines the threshold at which RAH is required to be included as well as the proportion required.

We welcome clarification about specific areas that are required to provide RAH in the proportions specified.

We also query whether within the current wording there is scope for developers to release dwellings in clusters of less than 15 to preclude the provision of retained affordable housing. We suggest tightening wording to clarify: 10% of total dwellings within a development (as identified within a structure or framework plan) are to be retained affordable housing. Their location and size should be identified within the plan.

We seek clarification of the specific provision:

6.6.1.1 Number of retained affordable housing dwellings

We seek clarification as to how developments that are part social housing and part market rate housing will be treated. It seeks clarification as to whether the social housing component is deemed to satisfy the RAH requirement, or whether the RAH requirement applies only to the market rate part.

We ask for consideration of including a threshold where a development that includes a significant proportion of social housing, for example more than 50%, is deemed compliant with the RAH requirements.

We support provision of RAH that protects the philosophy of providing mixed tenure communities wherever possible.

We have concerns that including a proviso that developments that are *solely* providing social housing will not have to meet conditions for RAH will result in one tenure communities.

A HNZC only development conflicts with the stated aims to provide well-planned, mixed tenure communities.

We object to and seek amendment of the specific provision:

6.6.1.2 Location of retained affordable housing

We note that the provision outlines a prescriptive number within a cluster. We seek clarification on the proximity of 'clusters' of housing and recommend that rather than specify a number, the provision gives due regard to a proportion (percentage) within a development. There could then be regional discretion on dispersal and clustering based on providing a well-planned community. We advocate that the location of RAH is decided at the Structural Plan stage rather on a piecemeal basis. Although we believe that the philosophy behind the

idea of dispersing affordable housing is laudable, we welcome discussions with CHPs/developers about the location and density of affordable housing within the development, and a consideration of what will work best for the overall development and the community rather than a prescriptive formula.

We recommend emphasising the need for market value properties, retained affordable housing and social housing to be identified within a structure /framework plan and dispersed throughout the development to provide a cohesive community.

We argue that similar is too vague a term to use in this provision and welcome clearer guidance for design standards and minimum floor space. We recognise that standards need to be consistent and realistic so that provision of affordable housing is an attractive and sustainable proposition for developers. These properties will also need to be of a size and standard that will provide long term housing for future households.

Specific criteria are required to ensure that affordable housing is appropriate and of high quality. Without these standards, affordable housing may be used to boost the number of dwellings rather than provide a long term solution to Auckland's housing affordability

Again, we emphasise the need for market value properties, retained affordable housing and social housing to be identified within a structure /framework plan and dispersed throughout the development to provide a cohesive community.

The requirement that the retained affordable housing must have a *similar* range of dwelling types and sizes to that provided elsewhere in the development may result in housing being provided that does not meet the needs of those assessed as eligible for affordable housing. Developments may end up with a surplus of under or over occupied properties. Emphasis should be on providing well-planned developments that meet identified need.

This provision also only deals with the location of units, not their size or spread. We suggest that it be amended to specify a range of dwelling sizes similar to those elsewhere in the development. These amendments could include a threshold for 'net internal floor area' of RAH provided it does not exceed the minimum dwelling size standards in rule 9.16 (Residential zone).

We recommend amendment of the specific provision:

6.6.1 Design of retained affordable housing

We note that there is currently no reference within this provision to the design of RAH. External design should be indistinguishable from market rate housing, although internal fit out may differ. Reference should be made to external materials and finishes. This provision requires clear design standards and criteria. Without these, there is scope for dwellings that are unsuitable or unsustainable.

We recommend amendment of the specific provision:

6.6.1.3 Securing retained affordable housing

We note that the provision deals with RAH that is not to be owned by a community housing provider. Rather than being specific as to the retention mechanism, the plan requires a 'legally enforceable retention mechanism'. We welcome identification of specific mechanisms, or reference to ownership/operation by a registered community housing provider.

We support the specific provision:

6.6.1.4 Eligibility for retained affordable housing

We support clear criteria for assessing eligibility for RAH. We welcome ongoing consultation with any refining and adjustment of this assessment process to ensure that it operates smoothly.

We support in part the specific provision:

6.6.2.1 Matters of Discretion and 6.6.2.2 Assessment Criteria

We note that the matters of discretion only relate to number and location, therefore it is unclear how the other controls (retention, eligibility) are to be assessed or what activity status they are if not adhered to.

It is our understanding that as a restricted discretionary activity the assessment of resource consents can only be considered against the matters of discretion listed. If relevant considerations are not listed then they cannot be assessed. Retention and eligibility should be listed as a matter of discretion if they are to be a restricted discretionary activity. If these matters or any others are better identified as discretionary or non-complying activities then this needs to be made explicit, and in this case the assessment defers to the objectives and policies and assessment criteria is not required.

The provision of RAH off-site may require further clarification and be identified as a separate matter. Matters such as size, type, mix, and design of units should also be considerations for any resource consent application.

We ask for consideration of the ability to provide land, rather than houses, as appropriate where there is a commitment/ agreement with a Community Housing Organisation that this is a more appropriate means of meeting the objective. In these circumstances, there is a need to consider whether sufficient incentive is included or guidance as to what would be appropriate to meet the objectives and policies and ultimately delivery of housing.

We seek amendment of the specific provision:

6.6.3 Special Information Requirements

We note that this requirement means that all resource consent applications involving RAH must be accompanied by an 'affordable housing assessment'. However, the affordable housing provisions themselves only require a resource consent where the development controls are infringed. Therefore in theory a development could comply with the RAH requirements as a permitted activity and would not need a resource consent.

The requirement should refer to 'all development and subdivisions of 15 or more dwellings / vacant sites'.

We note that the information requirements may be best located in the relevant residential, business and subdivision sections (i.e. Part 3, Chapter I Residential zone rules 1.12 special information requirements). For developments of 15 or more dwellings requires an affordable housing assessment and linkage to chapter 6.6.

We support in part the specific provision:

PART 3: REGIONAL AND DISTRICT RULES, CHAPTER I: ZONE RULES - 1 RESIDENTIAL

1.6.12, 1.7.22, 1.8.24 and 1.9.23

We note that this provision establishes a development control for universal access to be included within each main residential zone (Single House Zone, Mixed House Suburban Zone, Mixed House Urban Zone, Terrace Housing and Apartment Building Zone). The purpose is to ensure that developments of 10 or more dwellings provides for 20% of dwellings to comply with universal access requirements. We also note that where development does not comply with this rule a resource consent is required as a restricted discretionary activity.

This provision provides for a well-planned range of affordable housing, universal access, and sustainable development provisions for large scale developments.

We welcome case studies and best practice guidelines within the Auckland Design Manual to provide ongoing guidance and to showcase what is possible.

We support in part the specific provision:

PART 4 DEFINITIONS

Retained affordable housing

We seek clarification on how the 80-120% band is to be interpreted and welcome criteria for encouraging housing across the spectrum. We are considering some specific suggestions for the definitions that we would present during our verbal submissions

We advocate for the lower banding at 80% to be reviewed according to the needs of specific communities in Auckland. We recommend provision for lowering the banding to 60%-80% or 40%-60% in areas where local demand requires deeper affordability and potentially, where land can be provided at lower cost to the community housing sector through the evolution of inclusionary zone provisions.

We recommend amendments to the criteria outlined for public transport accessibility. This provision should be amended to target areas of more frequent (greater) transport accessibility since currently only a 30 min service meets this definition.

We recommend that this provision is amended to reflect the PAUP definition of 'rapid and frequent service network' as being:

- frequent minimum frequency every 15 minutes, and
- all day, operating between 7am and 7pm weekdays as a minimum.

Point 4 requires further consideration to ensure that the formula used for developing costs supports the development of affordable apartments. The provision currently outlines a formula that may result in a potentially perverse outcome where small apartments may be offered at an affordable price that may actually exceed market rate prices, and where such apartments may not fully meet local market demand for affordable product

We question whether this could be addressed through the rules (6.6.1) by clarifying that a spread is expected when more than 2 units are provided, i.e. developments of 20 units or more. For developments of 2 units or less than they should be priced on 100% or less of the regional median household income. This means that above this then there could be equal spread of units at different price points. We will continue to give further thought to this and speak more fully during our verbal presentation.

Point 2 of this provision provides for an increase in price in response to quality and proximity of transport as these reduce household living costs. We question whether this is appropriate in the definition or whether it should be in the rules.

We support the specific provision:

Part 5 Appendices

Appendix 1.1 Structure plan requirements for future urban zoned greenfield land and brownfield land

We support the successful introduction of consideration of retained affordable housing into the planning process for greenfield land through the Future Urban Areas, and also in existing urban areas through brownfield development where structure plans are used.

We note that developers under the Special Housing Areas legislation have different criteria for considering affordable housing requirements.

Further Information:

Community Housing Aotearoa, Te Matapihi and Auckland Community Housing Providers' Network would welcome the opportunity to expand on the points above, and to make a verbal submission on the above.

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