

**Before the Auckland Unitary Plan
Independent Hearings Panel**

In the Matter of the Resource Management Act 1991 and the local Government
(Auckland Transitional Provisions) Amendment Act 2010

And

In the Matter of the conference called by the Unitary Plan Independent Hearings
Panel to be held on 27 January 2015

**Memorandum concerning Interim Recommendations on the RPS
and on Proposal for Additional Expert Conferencing on RPS Matters**

January 2015

Jon Maplesden
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Email: jon@landsolutions.co.nz

May it please the Hearings Panel

1. I have read the initial memorandum of counsel for Auckland Council dated 16th December 2014, the letter of the same date from Russell McVeagh, and the memorandum from Mr Richard Brabant dated 19th December 2014.
2. At the time of writing, the expected further memorandum from Auckland Council setting out the procedural options that the Council considers are available and the Council's preference in regard to those, is yet to be available.

Interim Recommendation on Regional Policy Statement sections of Proposed Auckland Unitary Plan

3. As I understand the respective legal positions to date, Russell McVeagh essentially say that some sort of position needs to be taken on the RPS sections of the PAUP before detailed considerations can be given on subsequent sections. That is, a regional policy framework is legally and practically vital. Suggestions as to the legal and practical methods for implementing such a process then follow.
4. I am not qualified to make legal comment in regard to an interim recommendation process for the RPS sections, however I support the concept in principle.
5. I agree that it is desirable that both the Panel and the Council clarify their suggested wording for the RPS sections of the PAUP prior to regional and district planning hearings in order that evidence and discussion can focus on what the likely operative RPS position will be. I agree with the Russell McVeagh letter at paragraphs 18 to 20 that if the Council and the Panel have widely divergent views on the RPS sections then it is better that we know this sooner rather than later.

Additional Expert Conferencing on RPS Matters

6. During the course of hearings on RPS topics 005 and 013 with which I was involved, it became apparent that there are widely divergent views held by the expert witnesses who gave evidence (including Council witnesses), and including experts whose work was referenced but who were not able to submit evidence directly. I believe that the Panel (and perhaps also various Council staff) have suggested that additional expert conferencing would be beneficial in order to try to clarify and/or resolve some of the key differences and identify crucial gaps in data.

7. As the Panel is aware, one of my key concerns is that the density goals set out in the notified plan may not have been robustly tested against various factors including market factors, the economics of high density development, existing density levels in Auckland and that this is already high, and physical limitations on specific sites, to name just some of the relevant research.¹

8. It may be that this work has been done and considered by Auckland Council. However, I have not seen it clearly referenced or discussed in the RPS process and the confusion over whether or not the Council has commissioned and considered research on the comparative costs of various growth and density options has added to my disquiet. In summary, I attempted over 18 months of emails and phone calls to Auckland Council, to clarify whether or not a 'Costs of Growth' study (CoGS) had been commissioned and when the results would be available. I had considered that a professional, rigorous and robust study was necessary to support or contest, various political views being pronounced by the Mayor and Deputy Mayor, back in 2011, prior to adoption of the Auckland plan.

9. Council has now advised that the CoGS was not commissioned as a study of alternative growth paths (in a response to my email to Council Chief Executive Stephen Town, dated 27th November 2014, from Ms Ree Anderson dated 5th December 2014). It is understood that Ms Anderson has a role with the Council as Manager of the Housing Project Office established under the Auckland Housing Accord and the HASHA Act, and does not have a direct role with the Unitary Plan. Rather the study has now been renamed the "Cost of Servicing Residential Growth Study" and therefore presumably has a more limited scope. Although it has apparently been initiated under the Council's Housing Action Plan, it may still be useful as data to inform the PAUP if it should ever be completed and available to the Panel. I attach a copy of Ms Anderson's email as Appendix 1 as this gives more detail about what is included in the scope of the study. Despite it being originally due before the end of 2013, Ms Anderson now says it is "likely" to be ready now early in 2015. I invite the Panel to consider contacting Ms Anderson and perhaps have experts, both independent and from the appropriate Council teams, to assist in interpreting and applying the data (see my further comments below in regard to further expert caucusing).

10. So, if the CoGS was not in fact, a cost of growth study, had this work been done? I asked this of Ms Anderson and received an email reply from Michelle Le Gassick (on 9 December 2014 – see

¹ See my primary evidence dated 3 December 2014 for the Auckland Developers Group (5145) submitted on topic 013, particularly at paragraphs 6.6-6.35.

Appendix 2) referring me to one of the technical reports contained within the Section 32 analysis for the Auckland Plan and Auckland Unitary Plan as providing the basis for adopting the density and urban form proposed. This was to Appendice 3.1.5a "Scenario Evaluation Workstream - Technical Report: September 2011" and accompanying attachments 3.1.5b and 3.1.5c.

11. As the Panel will be aware, these documents are three of a total of seventeen appendices to the chapter 2.1 'Urban Form' of the section 32 report. In theory, it is these documents and the research they report, that has in part been debated by the expert evidence in hearings. This debate is where the divergence of opinion comes (see paragraph 6 above). There may also still be research and data missing altogether and further work needed before the proposed urban form can be assessed (see paragraph 7 above and footnote 1).
12. I therefore strongly support an urgent, Panel initiated and facilitated, bringing together of key experts in order to define any further research that is needed, and agree on how and who will do it. Further, I suggest that experts who have not been directly involved in the PAUP process so far and yet who have acknowledged standing in their areas of expertise and who work in an independent capacity (that is, not engaged by a submitter) could be of invaluable assistance.
13. I respectfully request that the Panel provide an update as to whether any additional expert conferencing is to be held, or further research completed, and any information as to how the process might work and timing of that in relation to matters such as the issuing of RPS recommendations.
14. The issue of the provision of Affordable Housing continues to slide into a deepening problem for Auckland. The latest Demographia survey, released on 19th January 2015 highlights the continuing trend. Although, somewhat predictably, both central and local government politicians' initial response has been guarded, the dreadfully high cost of housing confirmed by the survey condemns an increasing proportion of the population to poverty conditions of overcrowding, domestic violence and all that follows. Every step must be taken to urgently address this matter.
15. It is suggested that a major step could be a giant leap, if the RPS were strongly recommended to council as soon as possible – along with a clause for review by the Independent Panel within five years.

16. It is appreciated that this would apparently require an amendment to either the RMA or the Transitional Provisions, but one or other now seems likely anyway.

17. The crisis of planning for the future of Auckland, now seems too great to allow to drift along, albeit with many worried frowns – bold steps are required, even if they do not suit everyone or even anyone, at first sight.

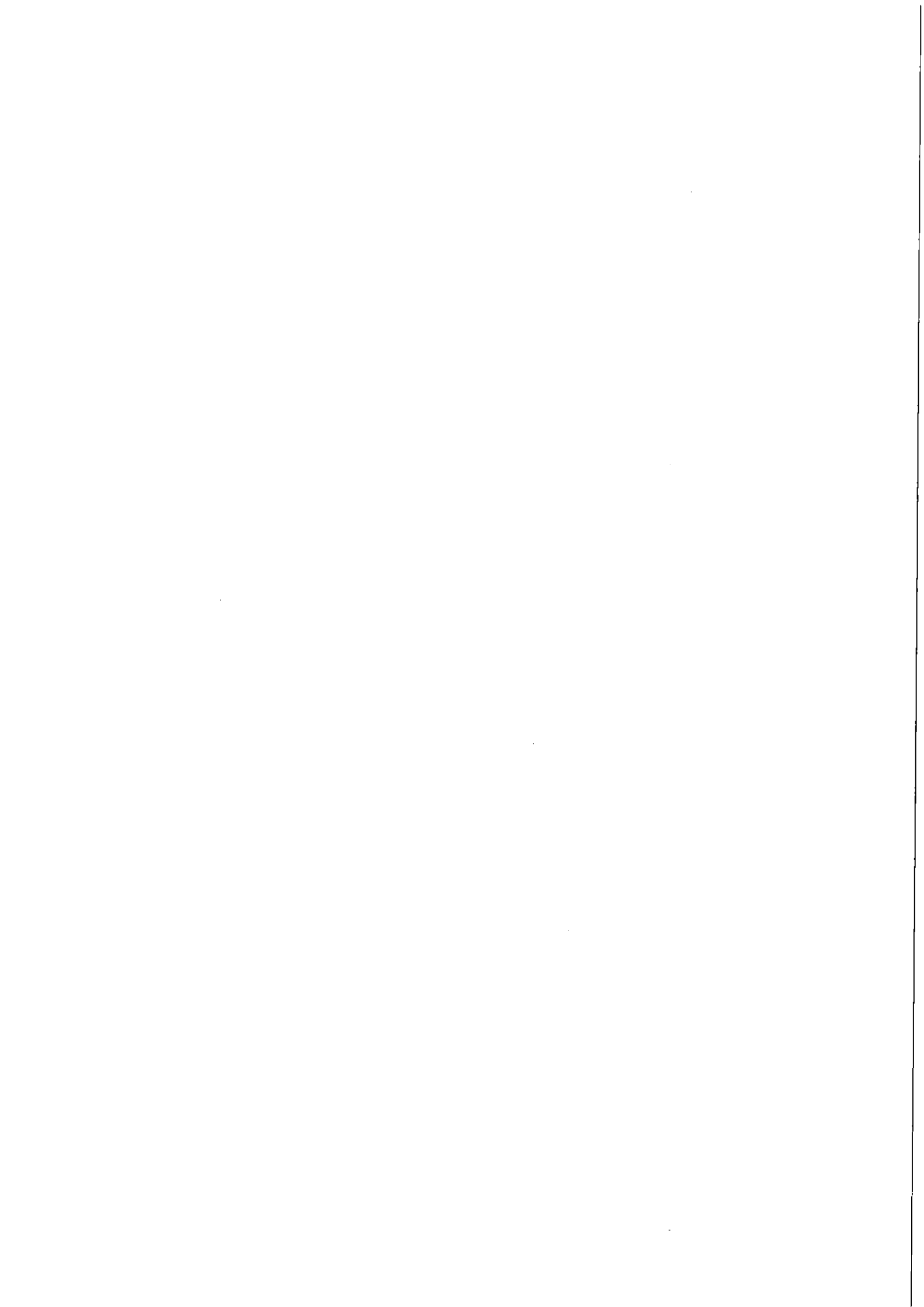
Dated at Auckland this 21st day of January 2015

A handwritten signature in black ink, appearing to read 'Jon Maplesden', with a horizontal line underneath the name.

Jon Maplesden

MIPI, MNZIS

Land Solutions Ltd



Jon Maplesden

From: Jon Maplesden
Sent: Monday, 8 December 2014 3:32 p.m.
To: Ree Anderson
Cc: Stephen Town; Yvonne Parlane; Teresa Lamont
Subject: Re: Cost of Growth Study and PAUP Hearings

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ree,

Thank you for your email.

Please are you able to tell me where I might read the full scope of the "Cost of Servicing Residential Growth Study", mentioned in your second paragraph, as it sounds from your description as if it would indeed be useful for the PAUP (even though unfortunately it is not available as yet).

You have said that it was not intended that this study would be a study of alternative growth paths. Can anyone in Council tell me whether such work (comparing the likely costs/impacts on costs of development at different locations, densities, types of residential dwellings) has been done in any form? Or is intended to be?

I would also be grateful if someone could point me to exactly where I might find, and the title/s of, the scenario testing material that was collected for the purposes of the Auckland Plan? I am guessing you mean some of the Technical Reports?

Again, I am appearing at the Hearing for Topic 013 (Urban growth) which begins next Monday 15 December and therefore it would be of great assistance if I might be advised of the above asap.

Regards,
Jon

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From: Ree Anderson <Ree.Anderson@aucklandcouncil.govt.nz>
Sent: Friday, 5 December 2014 10:20 a.m.
To: Jon Maplesden
Cc: Stephen Town; Yvonne Parlane; Teresa Lamont
Subject: Cost of Growth Study and PAUP Hearings

Dear Jon,

Thank you for your email of 27 November 2014 to council's Chief Executive, Stephen Town, regarding the Cost of Growth Study. He has asked that I respond directly to you.

First, I need to clarify that the Cost of Growth Study you refer to is a study that was initiated under council's Housing Action Plan. Action 15 of the Action Plan requires council to "undertake more thorough empirical research showing the true cost of servicing different types of development and assessing the impacts of location and typology". The study was not a Cost of Growth Study commissioned for the Unitary Plan. It is clear in the scope that the study was related to residential development as it identified 6 different types of residential densities (eg low, medium, high) and 6 different locations (eg isthmus, outer MUL) to be included in the study as case studies.

In May 2013 the council called for expressions of interest (EOI) to undertake an "Auckland Cost of Growth Study" as a means of giving effect to Action 15 of the Housing Action Plan. I accept that the title for this EOI has contributed to the confusion about the outcomes of the study.

The EOI indicated that the study could inform asset management planning and policy development, but it also talked about informing and improving plans for growth, albeit it was not intended to be a study of alternative growth paths. The council has taken care to now refer to this study as the "Cost of Servicing Residential Growth Study" to avoid confusion.

There has been delay in completing the Cost of Servicing Residential Growth Study owing to the need to obtain and interpret information from the 8 legacy councils who captured information in different ways. It is likely to be available early next year.

In terms of informing the Auckland Plan and the PAUP, material was collected on different urban forms (scenario testing) as part of the development of the Auckland Plan. Similarly, advice was received from council controlled organisations including Auckland Transport and Watercare Services on the impact and cost of servicing more dispersed growth versus more concentrated growth. That advice confirmed that a more compact city model allows for the optimisation of investment in infrastructure. The material that served to inform the Auckland Plan has been available publicly, as has material for the PAUP.

I trust this addresses your enquiry.

Naku noa na | Regards

Ree Anderson

Project Director - Housing

Ph 09 373 6206 | Extn (40) 6206 | Mob 027 687 9709

Auckland Council, Level 25, 135 Albert Street, Auckland

Visit our website: www.aucklandcouncil.govt.nz

From: Stephen Town

Sent: Thursday, 27 November 2014 10:18 a.m.

To: Ree Anderson

Subject: Fwd: Cost of Growth Study

Hi Ree, see the attached email trail. Please reply.

Thanks

Stephen Town
Chief Executive

Begin forwarded message:

From: Jon Maplesden <Jon@landsolutions.co.nz>

Date: 27 November 2014 10:11:11 am NZDT

To: "stephen.town@aucklandcouncil.govt.nz" <stephen.town@aucklandcouncil.govt.nz>

Cc: Russell Bartlett <bartlett@shortlandchambers.co.nz>
Subject: Cost of Growth Study

Dear Stephen

It is with great concern that I contact you in the above matter.

The study was required to inform the original Auckland Plan, and subsequently the draft Unitary Plan. However after a number of years, and now in the midst of consideration of the Proposed Unitary Plan by the Independent Panel, appointed by Central Government, the study has still not come to hand.

This is despite a series of approaches by myself, and no doubt others seeking the information to support unsubstantiated claims by various officers of council, that "a compact urban model is more cost effective from an infrastructure aspect than alternatives".

We believe that this is a somewhat sweeping assessment that would be generally correct in some circumstances, but equally untrue in others. The central issue is the cost of retrofitting or upgrading such as pipelines, in the existing urban area, coupled with determination of their eventual usage.

Your urgent response as to when this report can be expected would be appreciated, in order that the Independent Panel can be advised at forthcoming Hearings next month.

Regards

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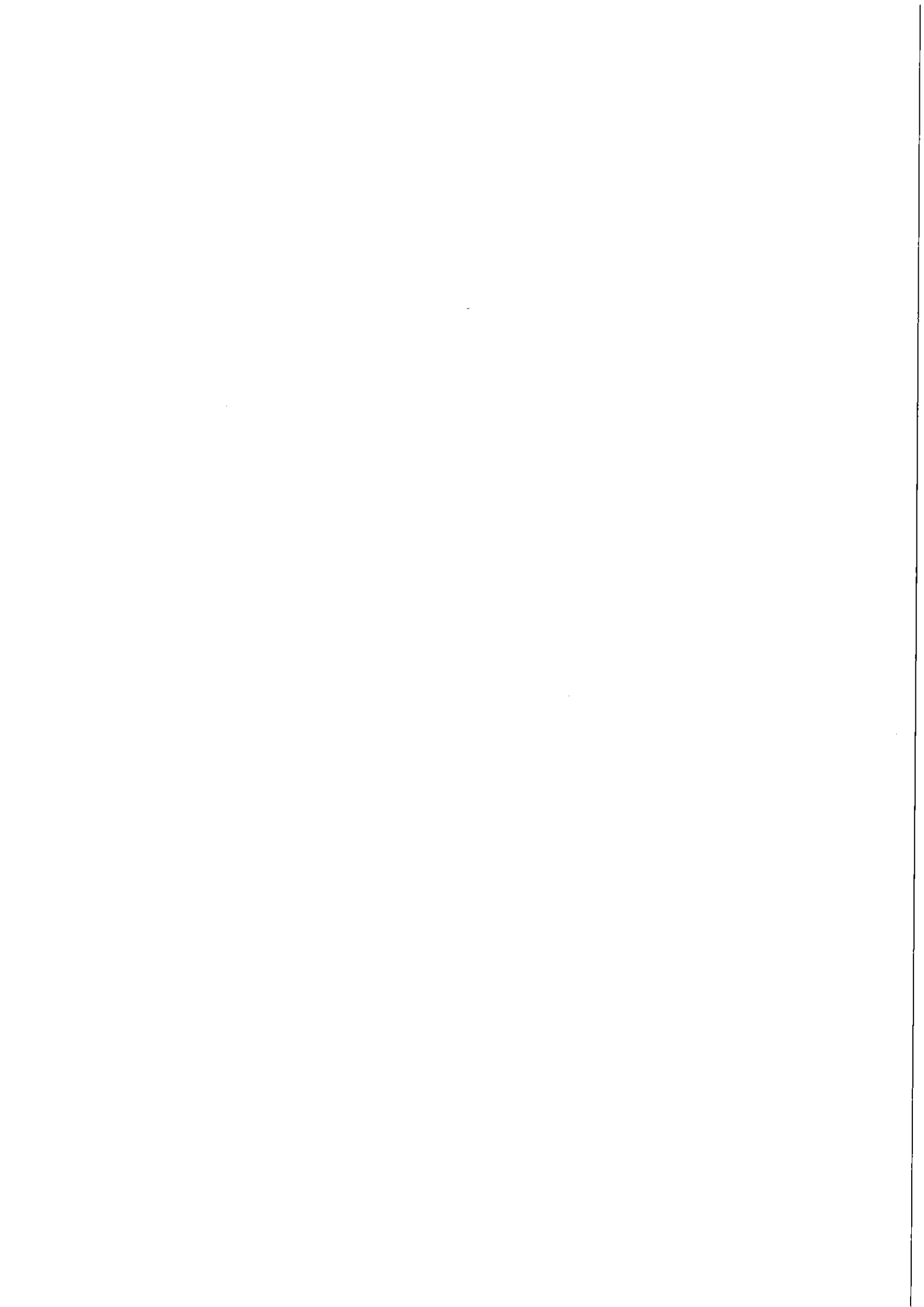


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Jon Maplesden

From: Michelle Le Gassick <Michelle.LeGassick@aucklandcouncil.govt.nz>
Sent: Tuesday, 9 December 2014 2:33 p.m.
To: Jon Maplesden
Cc: Ree Anderson
Subject: FW: Comparison of costs/impacts on different locations/densities
Attachments: Technical Report Scenario Evaluation, Attachment 1, September 2011.pdf; Technical Report Scenario Evaluation, Attachment 2, September 2011.pdf


Hello Jon

The attached documents go with the Auckland Plan Scenario Evaluation Technical Report.

Yours sincerely

Michelle

**Michelle Le Gassick | PA to David Hawkey, Manager – Transport and Infrastructure Strategy
Auckland Plan Strategy and Research**
Ph 09 980 5139 | Extn (46) 5139 | Mobile 021 679 592
Auckland Council, Level 24, 135 Albert Street, Auckland
Visit our website: www.aucklandcouncil.govt.nz

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From: Michelle Le Gassick
Sent: Tuesday, 9 December 2014 2:30 p.m.
To: 'Jon@landsolutions.co.nz'
Cc: Ree Anderson
Subject: Comparison of costs/impacts on different locations/densities

Hello Jon

Ree Anderson has passed on your email querying whether Council has done any work comparing costs/impacts on different locations, densities etc. I trust you are aware of the S32 reports on Auckland Council's website (see: www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/section32report.aspx) that traverse the background work Council has done to arrive at a preferred urban form for the PAUP. This of course includes the Auckland Plan Scenario Evaluation Workstream 2011, which I have attached a copy fyi. I will send the attachments that go with this Technical report via separate email as these files are very large. These and the other various assessments and reports are referred to in council officers evidence to Topic 013 (Urban growth).

Yours sincerely

Michelle

**Michelle Le Gassick | PA to David Hawkey, Manager – Transport and Infrastructure Strategy
Auckland Plan Strategy and Research**
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