

QLDC Council
12 March 2020

Report for Agenda Item | Rīpoata moto e Rāraki take : 8

Department: Corporate Services

Title | Taitara Submission on the Urban Development Bill

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to present the submission on the Urban Development Bill, and seek the Council's feedback and retrospective approval of its content. This submission was made to the Environment Committee on 14 February 2020.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

1. **Note** the contents of this report; and
2. **Approve** retrospectively the contents of the attached submission.

Prepared by:



Name: Marie Day
Title: Acting Policy and
Performance Manager

27/02/2020

Reviewed and Authorised by:



Name: Tony Avery
Title: General Manager
Planning and Development

27/02/2020

CONTEXT | HOROPAKI

- 1 New government agency Kāinga Ora-Homes and Communities (Kāinga Ora) was established in October 2019. Kāinga Ora brings together the people, capabilities and resources of the KiwiBuild Unit, Housing New Zealand and its development subsidiary HLC. This is designed to enable a more cohesive, joined-up approach to delivering the Government’s priorities for housing and urban development in New Zealand, including addressing housing affordability and homelessness.
- 2 The Urban Development Bill is designed to enable Kāinga Ora to facilitate urban development that contributes to sustainable, inclusive, and thriving communities. The Bill aims to provide the tools, certainty and coordination needed to enable complex, transformational development that will improve the social and economic performance of New Zealand’s urban areas.
- 3 The Urban Development Bill provides Kāinga Ora:
 - the ability to enable, lead or facilitate a special type of complex, transformational development – called specified development projects (SDPs)
 - access to a tool-kit of development powers when undertaking SDPs
 - access to land acquisition powers when undertaking urban development projects (including SDPs).
- 4 The Bill is not designed to address wider issues in the urban development and planning system, for example those issues covered by the review of the resource management system. Separate to the submission on the Urban Development Bill, QLDC has made an initial submission on the issues and options paper “Transforming the resource management system” to the Ministry for the Environment on 5 February 2020.
- 5 Submissions on the Bill were due to the Environment Select Committee (the Environment Committee) by 14 February 2020.
- 6 Due to the timing of the submission response period over the 2019-2020 summer holiday season, there was insufficient time to seek Councillor feedback prior to the submission due date. This submission was approved and submitted by the Chief Executive.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 7 In principle, QLDC supports the intent of this Bill to provide a delivery tool in Kāinga Ora for urban design projects with consolidated infrastructure and funding mechanisms.
- 8 However, officers also ensured the submission highlighted QLDC’s concerns regarding the implementation of the wide suite of powers that have been afforded to Kāinga Ora in the Bill. This includes the potential for local authorities to be all but removed from the process in certain circumstances, which could lead to a host of unintended strategic and financial consequences for the communities involved.

9 The key points made in the submission are:

- **Local Authority Partnership:** QLDC requests that the Bill require Kāinga Ora to firstly seek a partnership with the relevant local authorities (i.e. relevant territorial *and* regional councils, more specifically QLDC and ORC) well in advance of project announcements and throughout the lifecycle of all projects planned and executed by Kāinga Ora.
- **Transparency and community inclusion:** QLDC strongly advocates for transparency throughout the design and development process of projects tabled by Kāinga Ora. This needs to be done in full partnership with the local council and community voices need to be heard during this process and beyond.
- **Integrated strategic and structural plans:** QLDC strongly believes that any structural development plans put forward by Kāinga Ora must be aligned with council long term plans, wider local authority strategies and community outcomes.
- **Rating implications:** QLDC shares the concerns articulated in SOLGM’s submission over the administrative and financial burdens that will be placed on Local Authorities through Kāinga Ora’s proposed rating system.
- **Development Contributions (DC):** QLDC requests clarification of the proposed development contribution calculation and collection mechanisms to be administered by Kāinga Ora. This will be important for projects where Kāinga Ora is acting as developer and also for projects where Kāinga Ora is acting as consenting authority under SDP.
- **Scalable and agile model:** QLDC believes that the Kāinga Ora model should be agile and scalable to better fit smaller-scale housing markets and brownfield developments. This will enable the approach to potentially be used in the district.

10 Option 1: to agree the contents of the attached submission retrospectively.

Advantages

- 11 The submission will remain in the Environment Committee process and QLDC will have partaken in the submissions process.

Disadvantages

- 12 There are no clear disadvantages to this option.

13 Option 2: to request the withdrawal of the attached submission from the Environment Committee process.

Advantages

- 14 The submission will be withdrawn from the Environment Committee process and any inaccurate representations of QLDC’s position will not be considered.

Disadvantages

- 15 QLDC will have no further opportunities to participate in the process, as it will not have submitted on this occasion
- 16 This report recommends Option 1 if the submission is broadly reflective of the Council's position.
- 17 Option 2 is only recommended in the event that the direction taken by the submission is incorrect and fails to capture the position of the Council.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 18 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because the introduction of this proposed legislation is not within the direct control of QLDC. However, this proposed legislation deals with a matter of interest to a range of individuals, organisations, groups and sectors in the community.
- 19 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community, land owners, developers, infrastructure providers and persons involved in planning matters.

> MĀORI CONSULTATION | IWI RŪNANGA

- 20 Iwi has not been consulted during the drafting of the attached submission.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 21 This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK00038 within the QLDC Risk Register: Lack of Alignment - Strategies and policies. This risk has been assessed as having a moderate inherent risk rating.
- 22 The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved by supporting the introduction of new urban development legislation, in particular addressing those issues that directly affect QLDC and the Queenstown Lakes District community.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 23 There are no financial implications.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

- 24 The following Council policies, strategies and bylaws were considered:

- The outcomes and principles of the Vision Beyond 2050, in particular - Thriving people and Opportunities for all.
- Disability Policy
- Stages 1, 2 and 3 of the Proposed District Plan
- 2018-2028 Ten Year Plan
- 2019-2020 Annual Plan
- Master Plans
- Asset Management Plan
- 30 Year Infrastructure Strategy.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

25 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by contributing to the development of a more effective model for urban development.
- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	SUBMISSION: The Urban Development Bill
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