This speech was given by Adrienne Young Cooper on 12 August 2009 to the New Zealand Planning Institute members in Auckland. Other speeches were given by John Carter, Associate Minister of Local Government and Vernon Rive of Chapman Tripp.

AUCKLAND LOCAL GOVERNMENT REFORM 2009 AND PLANNING

Minister, the Honorable John Carter, Vernon Rive, fellow members of the New Zealand Planning Institute, and other professionals and interested parties

Well we never thought it would happen, those of us who have been around Auckland and Auckland local government for decades. “Wellington” would be terrified of a united Auckland we used to say. And a unified Auckland would compete with Wellington for size and significance. It just won’t happen. But “we” the soothsayers were wrong.

OUR PAST INFORMS OUR FUTURE

I always find when considering the future and the challenges ahead of us, there is some merit in looking at the past and our history. So often we have been somewhere along this path before; and we should not be so arrogant as to think “these are only our unique challenges of our time”.

In 1881 Logan Campbell – named in his time as the Father of Auckland and who gifted Cornwall Park to the people of New Zealand – wrote of his early years in Auckland in 1840. He was a young man from Scotland come to “make his fortune” and he squatted in a tent like the other early arrivals near the bottom of what is now Queen Street. Of his first days in Auckland he wrote:

“How vividly rises before me the picture as I used to look upon it when, rising from my fern bed, I folded back my tent-door, and smelt the fresh dew scent in the air, and saw the rippling tide-wave wash the beach. How calm and dreamy and peaceful was the primitive life, waiting in expectancy – all waiting in hopeful expectancy – such a bright future conjured up.”

Now one hundred and seventy years later, there are many young men and women in this room, who too should feel “all waiting in hopeful expectancy – with such a bright future conjured up”. Auckland will be renewed and reinvigorated by the 2009 reform of local government, but we would do well to study those who built Auckland as it is today – ancient and modern.

THE REFORMS OF THE LATE 80’S AND EARLY 90’S

For those under the age of 45 the 1989 reforms will be part of that ancient history. Some of us in this room are over 45, and for us we really did cut our planning and local government teeth
during that time. It was a wonderful and exciting time to be a planner, even though we then were also in the grip of a major recession.

This earlier reform affected all of New Zealand and it had its Auckland face which included:

- Reducing the number of Councils and special purpose bodies from 44 to about 10 – although we have climbing again with additional bodies like ARH and ARTA; and in particular from 27 city, borough, county and regional councils and authorities to the 8 territorial and regional councils we have today

- Port reform which resulted in establishing a port company to focus on commercial outcomes and removing its regulatory functions in the coastal marine area

- Resource management reform which saw seamless and integrated resource management of all of New Zealand’s natural and physical resources under a single statute for the first time – it was a world beater

- Building reform to introduce a single nationally consistent system of building regulation – each of the many councils used to have its own set of building bylaws

- The preparation of a single set of planning documents (RPS, RCP, RP’s and 7 district plans - down from the 27 we had before) to address integrated resource management

- The reform was bold and at least of the scale and significance of the supercity proposal today with structural and regulatory reform

- Following the initial stages of the reform we got into implementation of the new regime – we started annual planning for the first time, we developed effects based district plans with justification for regulation, we created a one stop hearing process for large projects through joint hearings, contracting professional services became standard, we created a cadre of trained commissioners to hear applications, we brought in statutory timelines for the processing of applications, we moved to the development of long term council community plans, we prepared a regional growth strategy and made sector agreements to provide for and manage growth in the region, we set and reset metropolitan urban growth limits in the RPS, we developed capacity and plans for the integration of infrastructure provision, particularly transport and land use planning, we developed and settled developer financial contributions to the costs of growth, several councils established bodies and boards to manage urban renewal and intensification on the waterfront and town centres, the list goes on
Despite all these changes that emanated from the late 80’s and early 90’s reform Auckland needs and is getting further reform. My point in reflecting back on these earlier reforms is to remind ourselves that we have had great success in transforming local government and planning in Auckland and can safely build on those early aspirations and achievements in the intervening years.

PROPOSALS FOR AUCKLAND GOVERNANCE REFORM 2009– THE TRANSITION

Last year I led the Hill Young Cooper team in providing advice and services to the Royal Commission, focusing largely on resource management issues. But because of the way that resource management is practiced in Auckland, this meant we examined the wider spectrum of spatial planning, natural resources and integrated growth management.

Our discussions with many parties in the Royal Commission process identified a common view that this is an opportunity to fundamentally improve the capacity of Auckland local government and to deliver better results through local government reorganization and better law. We are getting both.

I am intimately familiar with the findings of the Royal Commission and enjoyed several lengthy debates and discussions as they tested their ideas and formed the views and findings on resource management matters. While things have moved on – with the election of a new Government, the appointment of new Ministers and the introduction of legislation to establish the Auckland Council from November 2010, there has been little focus or public discussion on what should be achieved in the field of resource management and planning.

The Auckland Transition Agency has little to say publicly yet about how it proposes to approach resource management.

Mark Ford – the Executive Chairman has said that ATA’s role is not policy, but rather to take a project management approach to the transition.

Key people who have been appointed to the ATA team include Rob Fisher, a resource management lawyer and until recently chair of Simpson Grierson, and Craig Shearer and Kerry Connolly who both once held senior positions at the ARC. Heather Harris who was Executive Officer to the Royal Commission now also works for ATA and is involved with the regulatory and environmental services workstream.

I think we can take it that they are working very hard on a transition plan, although detail is yet to emerge.
ATA\(^1\) has identified several workstreams which concern or relate to resource management and planning including:

- Regulatory and environmental services (which one assumes will include resource consents and processing notices of requirements, compliance monitoring and enforcement)

- Planning and policy (which ones assumes will include the regional policy statements and plans, district plans and all related policy development and may include functions as various as the sustainability framework, the One Plan, long term council community plans, the Regional Land Transport Plan and the Auckland Transport Plan)

- Governance ( which one assumes may include what functions and parts of functions are delivered at which level of local government and by whom including resource management)

- Council controlled organizations ( which one assumes will include areas as diverse as the three waters, transport from regional arterials to local roads and all public transport, building consent and resource consent processing to urban renewal agencies).

The scope of the workstreams has also yet to be confirmed including what needs to be achieved, by whom and by when. In general the workstreams will follow a generic path of “discovery” to “design” to “implementation”. A fuller description of the workstreams will be publicly available about the end of this month.

ATA has significant powers with respect to decision making by the Councils in the interim period, related to the reorganization for the Auckland Council but no direct powers under the RMA.

THE CHALLENGES AND OPPORTUNITIES AHEAD FOR RESOURCE MANAGEMENT AND PLANNING

First we should remind ourselves of why the Royal Commission and then the subsequent government proposals and legislation have been enacted.

The Royal Commission’s terms of reference started with:

“The Auckland region will face enormous change over the next 100 years brought about by global economic, environmental and political forces. Local trends including high population growth add to the challenges and opportunities for the region, Auckland has to compete in a

\(^1\) ATA website
global market place to sell its goods and services and to attract the talented people it requires to secure a sustainable and prosperous future”...

In a nutshell the Commission was tasked with reviewing all aspects of local government in Auckland to advise on a suitable structure, functions and boundaries for Auckland for the next stage of its growth and development. In doing this the Commission was building on the most significant of local government sector reforms in the late 1980’s and early 1990’s.

Royal Commission identified a path forward for resource management. In the chapter entitled “practical solutions for pressing problems” the key issues to be addressed by any reform were identified and solutions recommended. The key issues clustered around – and still cluster around:

- Removing unnecessary complexity in the planning system
- Providing for community involvement in planning
- Achieving significant improvements in integrated growth management

The Government proposal for the unitary council supported by subsidiary community councils provides an unprecedented and golden opportunity to remove complexity in the planning system, provide for community engagement with our common future and achieve major improvements in integrated growth management. That opportunity needs to be carefully thought through and realized by the next tranche of legislative change including the RMA changes. It is then an opportunity for the new Auckland Council and not in my view for ATA – which should largely focus on carrying out the essential transitional tasks to the new Council; for example ensuring on day 1 an applicant knows who is processing their subdivision consent and when it will be available, how to arrange for a building inspection and pay a bill.

To give the new Auckland Council all planning tools and a fresh start at planning for the Auckland region I am also of the view that the ARC should take breath (as has Auckland City Council in deciding not to notify its scheduled review of the Isthmus District Plan) and not notify a new RPS prior to November 2010. A law change may be necessary.

Turning to the big picture - integrated growth management starts at the top. The Royal Commission recommended the preparation of a regional spatial plan and infrastructure investment plan to guide growth management and infrastructure investment. In preparing these plans the new Council will have for the first time in Auckland, a comprehensive and very powerful suite of capacities and tools available to it including:
- The ability to build a cadre of the best planners, environmental and urban policy analysts, transport planners, engineers and resource experts in New Zealand as a single high performing team

- The statutory tools of a single set of plans for Auckland such as the LTCCP, RPS, RP, DP and RLTS – all under its direct control

- A single budget for Auckland

- The capacity and scale to be an equal partner with various arms of Government operating in Auckland

These are the dream tools of any visionary planner and this is the most exciting time and place to be a planner in New Zealand since the great national building days of the 1950’s and 60’s. Auckland Council should be of a size and with a mandate to attract the brightest and best planning and environmental professionals from existing Auckland councils and consultancies, the Kiwi Diaspora and other internationals.

PRACTICAL REALITIES

If I can now turn to the practical – employment prospects for planners and similar professionals.

In the initial 2-3 years it is likely there will be a major push to prepare the spatial plan and infrastructure plans, a new regional transport plan and new regional policy statement, perhaps a single regional plan and a single district plan. The work around this will be huge. In conjunction with the existing Councils ATA could agree on the establishment of a small and highly competent professional team to fully scope all of this work, including background research in preparation for the new Council – allowing it to get off to a roaring start. Wouldn’t that be dream job for the young, talented and ambitious!

There are currently around 16,000 resource consents processed a year – and I think we can safely say even if tree consents go under RMA reforms - it will be some years before a single district plan and perhaps a single regional plan establishes a simpler regime that results in fewer consents. There are about 200 resource management professionals in Councils processing these applications. I do not imagine this ratio of 1 profession for every 80 applications will alter much and in fact there may be a reduction in this ratio as fewer consultants are used. We would expect the new Council to bring in major IT and business process advances that improve processing timelines, reporting and customer accessibility. We would expect the new Council to enjoy significantly improved capacity in specialist areas in the
assessment of applications. We would expect the new Council to continue the use of expert hearing commissioners to support high quality decision making.

The work still needs to be done and more. There will be plenty of work for planners with skill, talent and the capacity for hard work.

IN CONCLUSION

In conclusion, I reflect back to the past.

To you many young men and women planners in this room, I hope you feel “all waiting in hopeful expectancy – with such a bright future conjured up”.

Auckland will be renewed and reinvigorated by the 2009 reform of local government. Seek out every opportunity no matter how small to be a part of it. Volunteer for roles, work late, grasp the cutting edge of New Zealand planning. If you do I can guarantee that in 2-3 years times those Aussies will be looking enviously to our model, and beating a path to our Auckland door as they play “catch up Kiwi” in local government management and planning.

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