

Citizens Against the Housing Act – Michael Kampkes

speaking notes for the Plan Change Hearing Committee Tuesday 28th March 2023
Firstly thank you for the opportunity to speak

For clarity when I am referring to the Intensification Act I am referring to the **Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and the MDRS provisions it has spawned.**

My name is Michael Kampkes and I am the founder of our group. We formed in November 21 and we have been active since that time advocating for the repeal of this Act. We have 638 members, every one of us is staunchly opposed to it.

We ask the Panel throughout the deliberation process to be mindful of the average Auckland resident who quite possibly have their entire capital wealth tied up in their dream home. Imagine being **that** person to **then be** confronted with the building of 3, 3 story houses 1 metre off your boundary to a full height of 12 metres dramatically reducing your access to sunlight onto your property and into your home,....

any privacy once afforded by your home now lost. No fence or hedge tall enough to stop your 3 new neighbours staring down into your home, forever and a day; The amenity and value of your property disastrously impacted.

I put it you not one person in this room, or any I have spoken to since this draconian legislation was past thinks this is fair and reasonable. I put it to you that not **any** homeowner, that does not have a vested interest, considers this fair and reasonable..... Yet here we are caught up in a bureaucratic machine grinding towards this end result. It has got to stop.

Your incomes could well be 3, 4 or 5 times the Auckland average which means, with all due respect, & and I mean that sincerely, you are **not** representative of the bulk of Aucklanders. You have options to buy your way out of this situation, assuming you are not already living in a zone likely to be protected by the Qualifying Matters process; an unjust process in itself.

So I/we ask you, **always keep sight** of those lives you could be disastrously affecting as you deliberate over PC 78. That **is** unless of course, the panel has the fortitude to recommend to the Auckland Council to reject the Act as the Christchurch City Council has done. We advocate the panel makes this recommendation.

It is sickening to have sunlight rules for public spaces while the right to sunlight into our homes has been removed by this Act and then not have the Council stand up for our legal rights particularly,..... as we have now said countless times, there was no pressing need to do so as the AUP was and is delivering the number of dwellings Auckland needs and is capable of doing so for many years to come.

We ask the Panel to recommend returning to the AUP and support a future process where the community sets the framework for development, not central government, and most certainly not the vested interests of the development industry who it appears you have been listening to for an inordinate amount of time if the pre-hearing conference was anything to go by.

We support, and we recommend the Panel supports, Christine Fletcher's call for a royal commission of inquiry and that its terms of reference include the process by which the Intensification Bill was expedited. There were many shortcomings compromising citizens' rights to natural justice and ultimately resulted in absurd and needless housing legislation.

We ask you to do the right thing, to be courageous in your recommendations, to act favourably on these matters on behalf of our group, and every resident exposed to this abhorrent law across the urban landscape of Auckland.

Thank you for your time.

Speaking Notes to the NBA Select committee 1st March 2023.

Firstly thank you for the opportunity to speak

My name is Michael Kampkes and I am the founder of Citizen Against the Housing Act formed in Nov 21 and have been active since that time advocating for the repeal of the **Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021**

If there is one takeout from my speech today it is please god have this pernicious Act repealed or amended out of existence and begin again.

Our group supports a development process that is free from government legislative recklessness, a process that begins and ends with the will of the residents of our communities & cities, facilitated by their Councils.... in tandem with their local boards, and supported with expert advice along the way. Additionally that,-

a) this process recognises there is just one stakeholder; communities as facilitated by their elected council.

b) that the development industry is not a stakeholder but a beneficiary in the relationship.

c) the community sets the framework for development and the development industry then works within those rules to make the most of it for their business, and to bring those plans to fruition, an important role

d) and if required the government supports the outcomes of this process with fit-for-purpose enabling legislation.....AS IT IS NEEDED

We strongly recommend the NBA be rewritten, however long that takes so that it embraces this approach.

Interestingly, & surprisingly, aspects of our approach recently found support from a member of the development community Mark Todd co-founder of Ockham Residential who said *"A lot of property development is driven by private sector interest, historical expertise and just land development,"*

"It shouldn't be private land owners or developers driving and pushing for where that development occurs."

Instead, communities should come up with an overall plan as to how they want their urban environments to develop, he said

We absolutely concur with this view. To us, it is sickening to watch the exact opposite of our preferred process occurring with for instance the relentless march of Plan change 78, 79 & 80, with the development industry dominating these proceedings. A clear example of this is the allotted times for the pre-hearing conference. A mere 19% of the time is for resident groups or individuals while 36% is allocated to the development industry. The rest being council or government organisations, with the latter in particular, also pressing the government's will to heap intensification upon intensification to the detriment of our communities.

Break

Just imagine a New Zealand where our population is relatively static The advantages of this are enormous

- It takes away pressure on productive land
- It makes time available to bring our infrastructure up to the capability to serve existing, and by virtue of a static population, future generations.
- It reduces demand pressure on resources Of particular note, construction resources, making what homes need building or redeveloped more affordable. This also provides scope to do so with quality in mind, something sadly lacking in our helter-skelter approach to housing;..... being put into overdrive by the Intensification Act.
- It also makes meeting our emission reduction targets more realistically achievable.

All of the above are enormous challenges for New Zealand as it exists now. It is therefore nonsensical to push through legislation, to ease the path to unbridled development. Yet here we have a government doing exactly this, once again with undue haste. This will, beyond a shadow of a doubt, negatively impact the well-being of present generations.... Not support it, as stated in the Bill's purpose. Indeed, it is reasonably apparent its real purpose is to support the prior evisceration of the RMA that came about with the passing of the intensification ACT.

Break

I draw your attention to the select committee submission made by the Association for Resource Management Practitioners (the RMLA) to the Intensification Bill, which was, like the vast majority of sensible advice that was delivered to it. only to be ignored

READ FROM IT

I was told I could not read from it so these points were not made but I have added the text here for reference.

There are two main effects from ubiquitous zoning. One is elimination of differentiation within residential areas of cities . The other is that future development will be driven wholly or primarily by the choices of individual property owners – not by the regional spatial plans to be prepared under the SPA or combined plans to be prepared under the NBEA. This is because once a site's development potential is 'anticipated in the Plan' there is little scope to amend individuals' proposals to better meet community needs. Further, if a large number of medium density developments are now permitted, there is little opportunity for Councils to exercise oversight and facilitate a high-quality residential environment

Your job now is to redress this (ad-libbed words to the effect of "but you wont know what to redress given I cannot read it to you")

Break

And I repeat If there is one takeout from my speech today it is please god have this pernicious Intensification Act repealed or amended out of existence and begin again.

Break

Additionally, I ask you to conduct a thought experiment. Put yourself in the shoes of the average Auckland citizen.

- Imagine one of these medium-density 3x3 12 metre buildings is built 1 metre off the boundary of your family's home.
- It significantly reduces the sunlight into your property and now you have three new neighbours looking down into your property destroying what modicum of privacy your home once enjoyed, both inside and out. No fence, or trees capable of restoring that.
- Your combined income is only keeping up with the mortgage payments. The only significant asset is the equity in your home but the truth is the banks own most of it.
- You consider selling but buyers are scarce due to the significantly reduced amenity value of your home, and its obvious matters will only get worse as there is nothing to stop the same happening next door.
- Properties in the new exclusive zones (protected by the Qualifying Matters facility of the Intensification Act) have skyrocketed in value, as everyone who wants a family home now wants to live in these enclaves. Prices are out of your league. ("if only we were lucky enough to have bought our home in one of these zones before the law changed")
- The only buyers are developers and lowball offers abound. To accept one of these will eat up all your equity; your life savings.
- They don't care. They are quick to tell you the supply of developable suburban land has quadrupled with the implementation of PC78, so prices are through the floor. (Basic supply and demand)
- You reluctantly consider moving out of Auckland. It's a bit late. Prices have equalized as the migration out of Auckland and other big cities is in full swing.
- Imagine the resentment, the hurt, the feelings of helplessness.
- Now Imagine you are both Labour supporters.

Break

We also urge the committee to take time out to visit locations that have managed to preserve the amenity in existing residents homes and yet achieve desirable intensification outcomes. North Sydney makes a good case study we understand.

The following was also not read out as my time had apparently run out (i dispute that as I had a stopwatch running telling me otherwise) but I leave it here for the record, and to be fair it is almost word for word the closing statement to our original submission Orange highlighted text additional to the original closing statement.

8) Closing Statement

The RMA is a keystone piece of New Zealand legislation dating back to 1991. To once again rush legislation to replace it is abhorrent. It breaches the average citizen's right to due process. Most New Zealanders are unaware of the radical changes in governance proposed in the legislation, [sic] let alone the radical weakening of its environmental protections & protection of citizens amenity in their homes

While the government has 100s of contractors working on enacting this massive piece of legislation quickly, New Zealanders remain in the dark. Where is the information on the key aspects of the bill being conveyed to the New Zealand public? The answer, as I see it, is nowhere. That is not right. Tell people what they are in for.

The proponents of this legislation should be ashamed of themselves for pushing through an ideology the government has no mandate for. The supposition the RMA is not fit for purpose is wrong. Given the fast pace at which our climate is changing, we need to double down on environmental protections not water them down to enable erroneous and environmentally irresponsible growth ambitions.

Thank you