



## Briefing

Further briefing on bringing forward and strengthening the NPS-UD			
<b>Date:</b>	1 September 2021	<b>Security level:</b>	In Confidence
<b>Priority:</b>	High	<b>Report number:</b>	BRF21/22081085 (HUD) BRF-576 (MfE)

Action sought		
	Action sought	Deadline
Hon Dr Megan Woods Minister of Housing	Agree to the recommendations.	2 September 2021
Hon David Parker Minister for the Environment	Agree to the recommendations.	2 September 2021

Contact for discussion			
Name	Position	Telephone	1 <sup>st</sup> contact
Lesley Baddon	Director, Ministry for the Environment	021 738 357	
Rebecca Lloyd	Manager, Ministry for the Environment	022 013 6139	✓
Brad Ward	Deputy Chief Executive, Ministry of Housing and Urban Development	s 9(2)(a)	
Jessica Ranger	Manager, Ministry of Housing and Urban Development	s 9(2)(a)	✓

Other agencies consulted

### Minister's office to complete

- Noted
- Seen
- Approved
- Needs change
- Not seen by Minister
- Overtaken by events
- Declined
- Referred to (specify)

### Comments

Date returned to HUD:

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## Briefing

### Further briefing on bringing forward and strengthening the NPS-UD

**For:** Hon Dr Megan Woods, Minister of Housing  
Hon David Parker, Minister for the Environment

**Date:** 1 September 2021

**Security level:** In Confidence

**Priority:** High

**Report number:** BRF21/22081085 (HUD)  
BRF-576 (MfE)

#### Purpose

1. This briefing seeks direction on whether to enable private plan changes for greenfield development to use the streamlined planning process (SPP) if they meet certain criteria. We have previously provided advice on this proposal (AMI20/21080608; BRF-446 refers) but require your direction to finalise the Resource Management (Upzoning for Housing Supply and Other Matters) Amendment Bill (the Bill).

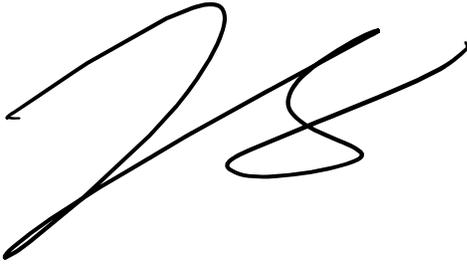
#### Recommended actions

2. It is recommended that you:

1. **Note** that the current policy proposals for bringing forward and strengthening the National Policy Statement on Urban Development (NPS-UD) enable councils to rezone areas to residential as part of their intensification plan change. *Noted*
2. **Note** that the current policy proposals enable councils to progress rezoning proposed in private plan changes in greenfield areas by adopting that private plan change and progressing it through the Intensification Streamlined Planning Process (ISPP). *Noted*
3. **Note** that we have previously provided you advice on an additional option that would enable private plan changes to be progressed through the Streamlined Planning Process (SPP) under the Resource Management Act 1991 (RMA). *Noted*
4. **Note** that introduction of the Bill would need to be delayed to incorporate this change. *Noted*

5. **Indicate** whether you wish to add a further proposal to the Bill which would permit private plan changes to go through a streamlined planning process if the plan change meets certain criteria

Yes / No



Jessica Ranger  
**Manager, Te Tūāpapa Kura Kāinga –  
Ministry of Housing and Urban  
Development**  
1 / 9 / 21

Hon Dr Megan Woods  
**Minister of Housing**  
..... / ..... / .....



Rebecca Lloyd  
**Manager, Ministry for the Environment**  
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Hon David Parker  
**Minister for the Environment**  
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## Current policy proposals enable some greenfield development to progress quickly

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1. We previously outlined the benefit in allowing councils to adopt and incorporate private plan changes in their intensification plan changes and progress them through the ISPP. This approach would enable councils to bring forward development capacity from greenfield developments sooner, ensure greater plan consistency, and create process efficiencies for both councils and developers.
2. As we have advanced the drafting of the Bill, we have identified that the current policy proposals relating to the ISPP already allow councils to do this. This is because:
  - a. Currently councils can partner with developers or adopt a private plan change, and progress these through existing processes including the SPP. The ISPP is designed on the SPP with modifications.
  - b. The medium density residential standards (MDRS) will apply to areas not currently zoned residential but are able to be rezoned by a council as part of their intensification plan change.
  - c. Similarly, if rezoning has been proposed through a private plan change before the council has notified its plan change, the council can choose to adopt that request and the rezoning can be progressed through the ISPP.
3. One limitation with this approach is flexibility around timing for developers. This means it primarily beneficial for developers who have private plan changes ready to proceed by August 2022 (the ISPP does allow for variations to the proposed plan change at later date but there would only be a narrow window for this to occur).

## Enabling additional greenfield development through an SPP

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4. In recent advice (AMI20/21080608; BRF-446 refers), we outlined an additional proposal that could be added to the Bill, if you wanted to provide a way to further enable private plan changes for greenfield development.
5. This proposal would involve amending the Resource Management Act 1991 (RMA) so that private plan changes in greenfield areas can apply for the streamlined planning process (SPP) if the plan change meets certain criteria. These criteria could include: the land is zoned for future urban growth or is an identified growth area; rezoning would contribute to a significant increase in development capacity; and the area would be well connected along existing or planned transport routes.
6. Greenfield developments can face planning challenges, even where these opportunities are in planned growth areas. Officials consider that this change could be beneficial if properly targeted. However, it would be difficult to design in a way that both speeds up good proposals and avoids duplicating existing processes. There would be process design considerations that need to be worked through, including the role of the council, the decision-making role of the Minister for the Environment, and ensuring appropriate Iwi participation.
7. The Ministry for the Environment notes there would be resourcing implications for councils, the Ministry, and the Minister for the Environment arising from any additional use of the SPP for private plan changes.
8. We previously advised you that this option could be included without a significant impact on the timeframes for the developing the Bill. The further policy work and drafting required to adopt this proposal at this stage would likely have an impact on legislative timeframes by delaying introduction by around a month. This timeframe would make it challenging to pass the Bill by the end of 2021.
9. Cabinet decisions on this could be made when the Bill is considered at LEG committee prior to introduction.

Description	Amend the RMA so private plan changes can go through an SPP if the plan change meets certain criteria
Main impacts	<ul style="list-style-type: none"> <li>• Could allow private plan changes that enable high-quality greenfields developments to be progressed faster than under standard RMA processes.</li> <li>• Could mean more private plan changes processed through an SPP.</li> </ul>
Considerations	<ul style="list-style-type: none"> <li>• Quality greenfields development requires master planning and managing a wide range of impacts including on infrastructure, climate change, and the natural environment. This could undermine councils' roles in managing the complex trade-offs.</li> <li>• Could have an impact on the ability to limit climate emissions, particularly if it results in poorly serviced greenfields development.</li> <li>• Would provide a faster plan-making pathway but would not necessarily deliver housing if other issues such as infrastructure provision are not addressed.</li> <li>• Would increase councils' workloads due to responding to applications and being involved in the process.</li> <li>• May affect councils' critical role in engaging with Māori regarding plan changes.</li> </ul>
Likely impact on process	<ul style="list-style-type: none"> <li>• Could be incorporated into the Bill but would have an impact on legislative timeframes, delaying introduction by around a month.</li> <li>• Necessary Cabinet decisions could be made when the Bill is considered at LEG committee.</li> </ul>

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