



Aide memoire on hyperlocalism

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Security Level	Unclassified	MfE Priority:	Non-Urgent

	Action sought:	Response by:
To Hon Dr Megan Woods, Minister for Housing	Read this aide memoire	12/04/2021
To Hon David Parker, Minister for the Environment		
To Hon Phil Twyford, Associate Minister for the Environment		

Actions for Minister's Office Staff	Return the signed report to MfE. Minister Parker's office please forward to Minister Mahuta's office.
Number of appendices and attachments 1	1. Resource Legislation Amendments 2017 – Fact Sheet 8: New consent exemption and fast-track processes

Ministry for the Environment contacts

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Ministry for Housing and Urban Development contacts

Position	Name	Cell phone	1 st contact
Responsible Manager	Jessica Ranger	§ 9(2)(a)	✓

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Aide memoire on hyperlocalism

Purpose

1. Hon David Parker, Minister for the Environment, has requested further information on:
 - how a form of hyperlocalism is provided for in the Resource Management Act 1991 (RMA)
 - the benefits of amending the RMA to allow for reciprocal development rights
2. This request relates to the package of interim initiatives for accelerating upzoning of land for housing that Ministers Woods, Parker, Mahuta and Twyford agreed to on 17 March (Ministry of Housing and Urban Development BRF20/21030895 refers, Ministry for the Environment 2021-B-07699 refers).

Advice

Hyperlocalism means enabling neighbours to negotiate development rights

3. One of the proposed initiatives in the package of interim initiatives relates to hyperlocalism. Ministers asked officials to look at ways to enable neighbours to negotiate reciprocal development rights above what district plans allow for.

The RMA provides for a form of hyperlocalism

4. The 2017 amendments to the RMA introduced a form of hyperlocalism. A resource consent exemption process was introduced, meaning that if neighbours agreed to a district plan rule breach along their property boundary, a resource consent was no longer required. A fact sheet on the 2017 amendments, with more technical information is attached as Appendix 1.
5. The intent of the 2017 amendments was to reduce the administrative burden and costs of applying for and processing resource consents, so benefitting both applicants and councils. This, in turn, helps landowners increase the development potential of their sites.

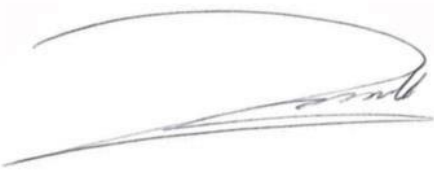
Enabling reciprocal development rights would take provision for hyperlocalism further

6. There are limitations with the form of hyperlocalism currently enabled by the RMA. If one neighbour has received written approval from their other neighbour to their development and qualifies for a resource consent exemption, there is no requirement for a comparable reciprocal approval in the future.
7. The current form of hyperlocalism also only applies to specific rule breaches where the effects are localised to neighbours. Common examples include rules about building heights and setbacks in relation to boundaries.
8. Allowing for reciprocal development rights could incentivise written approvals for activities that infringe district plan boundary rules and may increase the development potential of both neighbours' sites.
9. However, officials do not anticipate that allowing for reciprocal development rights would increase housing supply. As noted, the resource consent exemption process has limited application to specific district plan rules. Additionally, it would take time for landowners to understand the benefits of the reciprocal approach and negotiate with neighbours.
10. Officials also note that allowing reciprocal development rights would add complexity to the current RMA system. It is likely to come with additional cost for applicants/homeowners

and create an administrative burden for consenting authorities as they will need to record and approve a reciprocal development right.

11. Officials will also need to work through the nature of the development rights that would be reciprocated, and what happens if either neighbour sells their house.
12. Hyperlocalism on a larger scale may have benefits for housing supply. We consider this would be best considered as part of resource management reform.

Signature



PP

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Ministry for the Environment**



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Regulatory Tools, Te Tūāpapa Kura
Kāinga – Ministry of Housing and Urban
Development**

Hon Dr Megan Woods
Minister of Housing

Date

Hon David Parker
Minister for the Environment

Date

Hon Phil Twyford
Associate Minister for the Environment

Date