

There are big changes to Waipā planning rules

So, what are the important things I need to know?

Plan Change 26



New laws, aimed at building more houses, are forcing changes to Waipā's District Plan.

In Waipā, these changes have the potential to increase housing density in the residential zone of Cambridge, Te Awamutu and Kihikihi.

The law intends that in residential zones, landowners may be able to extend or build up to three houses, up to three storeys high, without needing a resource consent. The changes will also introduce no minimum lot sizes for residential subdivisions (within certain conditions)... meaning more dwellings will be able to go on sections than have been allowed before.

Work to date indicates most parts of our residential zone in Cambridge, Te Awamutu and Kihikihi will simply not have the capacity in the infrastructure (pipes, stormwater etc) to support this kind of housing intensification.

Given the infrastructure challenges, and given rising building costs, it is more likely existing property owners may take the opportunity to build rental units on their properties, without needing resource consent.

Professional developers may look for opportunities to acquire adjoining sections to build multiple townhouses.

Nonetheless, over time these changes have the potential to significantly change our neighbourhoods and the unique character we enjoy in our towns.

Work is still ongoing on this very complex issue.

But, by law, Council is required to advise ratepayers – now - of potential changes to planning rules.

Ratepayers in other growth areas in New Zealand including Hamilton, Auckland, Tauranga, Wellington, Christchurch, Rotorua and some smaller towns in the greater Waikato region are also being advised.

These are big changes for our district which are not supported by Council. Council does not believe a 'one-size-fits-all' approach, which treats smaller towns like Cambridge, Te Awamutu and Kihikihi the same as large cities like Auckland and Hamilton, suits our district. We have made our views clear to Government.

Please read this information, find out more and have your say about what is being proposed.

Submissions close on Friday 30 September 2022.



Some questions and answers

a) Legislation

1 Why are changes to Waipā's planning rules being proposed?

Central Government has reset the rules for how some high-growth areas can develop. Two new pieces of legislation have been introduced - the National Policy Statement on Urban Development (NPS-UD) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. These directives have required some councils, including Waipā District Council, to make changes to their District Plans through plan changes.

2 Why has new legislation been introduced?

New Zealand has a serious housing shortage. These changes, driven by the Government and also supported by the National Party, aim to see more in-fill housing built faster, especially in high-growth areas.

Here is some more information from Central Government:

<https://www.hud.govt.nz/assets/News-and-Resources/News-Articles/Final-fact-sheet-19-10-2021.pdf>

<https://www.beehive.govt.nz/release/bill-boost-housing-supply-passes>

3 Does Waipā District Council support these Government changes?

No, but Council is required to make these changes by law. In November 2021, Waipā District Council publicly expressed its opposition to the Housing Intensification Bill. That opposition was repeated in April 2022 and Council has continued to lobby Government on the community's behalf, including making a submission to the Select Committee.

Here are two media releases about Council's position.

3 November 2021 Major Opposition to government housing: <https://www.waipadc.govt.nz/our-council/news/?item=id:2fy5gurq817q9sd5nfhk>

8 April 2022 Council vows to maintain some control over housing densification: <https://www.waipadc.govt.nz/our-council/news?item=id:2ho6xhjge1cxbyf5p5ap>

4 If some districts in New Zealand don't have to comply with this legislation, why does Waipā?

Waipā District Council is classified by the Government as a Tier 1 territorial authority because we share a boundary with Hamilton City Council, are a high growth Council and are classified as part of the greater Hamilton area. This means it is compulsory for Waipā to implement medium density residential standards to enable intensification. You can find out more information from the Ministry of Housing and urban Development website, www.hud.govt.nz.

Learn more about the Government's Tier 1 and Tier 2 classifications [here](#).

5 Is there a problem with the supply of housing in Waipā?

We need about 212 more houses in Cambridge every year to ensure new people moving to the town have a home. Te Awamutu and Kihikihi combined would need an additional 100 houses every year. There is also a shortage of rental and affordable accommodation in Cambridge, Te Awamutu and Kihikihi.

6 Does Waipā District Council support the government directive to allow three houses, three storeys high in our district?

No. This is what Government wants. But our technical reports indicate our infrastructure (pipes, roads etc) could not cope. For this reason, Waipā is proposing to only permit up to two houses on each site. Any more than that would continue to require resource consent. That is what we are proposing in our Plan Change.

b) Property and infrastructure

7 Will the changes affect the whole of the Waipā district?

No, only residential zones in Cambridge, Te Awamutu and Kihikihi will be affected by the medium density residential standards. However, the plan change includes some supporting changes to district wide provisions relating to heritage and financial contributions.

8 Will any parts of Te Awamutu, Cambridge and Kihikihi be exempt?

Council can only modify the medium density residential standards in limited circumstances where qualifying matters apply. Qualifying matters include matters such as cultural and heritage



Some questions and answers cont...

sites, or matters required to give effect to Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River.

We are also aware that work to date indicates most parts of Cambridge, Te Awamutu or Kihikihi will simply not have the capacity in the infrastructure (pipes, stormwater etc) to support this kind of housing intensification. We have been cautious in drafting this proposed plan change. We want to ensure that infrastructure issues are considered should anyone apply for a land use consent for any medium density housing proposal.

9 What are the practical impacts of the proposed changes?

On some residential sites in Cambridge, Kihikihi and Te Awamutu, where specific criteria are met, property owners will be able to extend or build up to three houses, up to three storeys high, without needing a land use consent.

Council will have less control on issues like site coverage, height, and setbacks and this may impact on sunlight, privacy and views. Some policies which aim to protect the unique heritage and character of our towns may need to be relaxed or removed to allow us to meet legislative requirements imposed by Government.

The changes will also introduce no minimum lot sizes for residential subdivisions (within certain conditions) meaning more dwellings will be able to go on sections than have been allowed before.

In practice, many residential sections will be unable to meet the criteria for full development because of maximum site coverage limits. Council expects this will lead to:

- Developers buying adjoining sections, removing houses then redeveloping multiple sections.
- Landowners taking advantage of the new standards to add smaller second or third units (including tiny houses), without the need for resource consent or subdivision.

10 Does this mean my neighbour can build 3 three-storey houses next door without seeking my permission?

Yes, if certain criteria are met, and no qualifying matters apply to the site (see below).

11 What criteria will have to be met?

This detailed information is available at www.waipadc.govt.nz Or you could search www.legislation.govt.nz.

12 When are these changes to the District Plan likely to come into effect?

The new medium density residential standards have legal effect when Council's plan change is notified on 19 August 2022. From that date, provided all the standards are complied with and no qualifying matter applies to the site, anyone who meets the new standards can build additional houses without needing a land use consent.

13 What impact will increased housing density have on pipes, road and other infrastructure?

We are still assessing that. But Council has significant concerns that some existing infrastructure will not be able to cope with increased housing. We have shared those concerns with the Government.

14 If there has to be new infrastructure to cope with the housing, how will it be paid for?

As part of these proposed changes, we have revamped the way we collect financial contributions from developers. These contributions allow Council to require money, land, or any combination of either, to offset the costs (effects) on infrastructure from new developments. It helps pay for things like pipes, roads, swales etc that are needed to service more houses.

This includes a requirement for money or land for permitted activities that don't need a resource consent. If the required money or land is not paid, the building consent will not be issued, and the developer may be subject to enforcement proceedings.

15 Do we risk sub-standard housing popping up in the residential zones of major towns?

Under the proposed new rules, neighbours will not be able to object to developments happening nearby if all the requirements and standards of the Waipā District Plan are met. Council is not required to inform or advise neighbours of all new buildings, so the first that neighbours might be aware is when construction starts. However, any new construction will still have to meet Building Code requirements.

16 Will the new planning rules apply to everyone - homeowners as well as developers?

Yes.



Some questions and answers cont...

17 How will the proposed changes affect heritage buildings, places important to mana whenua, trees of significance, rivers and lakes, natural hazard areas and special natural environments?

The Government's legislation enables Council to modify the medium density residential standards in limited instances as a result of qualifying matters. Qualifying matters include matters such as heritage buildings, sites of significance to mana whenua, public access to rivers and lakes, natural hazards and significant indigenous vegetation.

18 Do the new planning rules affect rural and large lot residential zones?

No, only residential zones in Cambridge, Te Awamutu and Kihikihi are impacted by the medium density residential standards. However, the plan change includes some supporting changes to district wide provisions relating to heritage and financial contributions.

19 Will off-street parking be required as part of new developments?

No. The Government has already put new regulations in place which mean councils can no longer require developers to provide off-street parking. It will be up to developers to decide whether they provide it or not.

20 How will Council take on board the potential changes while preserving the character of our towns?

Dwellings will still need to meet Building Code standards. Council can only regulate a very limited aspect of the building's design, as set out in the standards (such as height, setback, shading and open space).

21 Where do you expect intensification to occur?

In some parts of our towns, we will not have the infrastructure (pipes, stormwater etc) in place to service more houses. If that is the case, it is likely resource consent will still be required before more housing can be built (just as it is required now).

There may be a few pockets of areas where the new rules will apply immediately. We are still working through these.

22 What does this mean on the ground?

Council staff expect that:

- The 50 per cent maximum site coverage requirement means it is unlikely there will

wholesale intensification across entire residential zones.

- Existing property owners are more likely to take the opportunity to build second (or for larger properties, third) rental units, granny flats or tiny homes, or main home extensions.
- Professional developers may look for opportunities to acquire adjoining sections for comprehensive townhouse developments. Based on the infrastructure assessments we already have, most of these developments are expected to require infrastructure capacity assessments and/or resource consents.

The proposed new rules also strengthen the ability for Council to require financial contributions to offset and fund the adverse effects on infrastructure. These contributions may be money, land, or a combination, and include taking contributions where intensification is a permitted activity.

23 So does this mean we get the third bridge in Cambridge?

The Waipā Transport Strategy, adopted in May 2022, has already confirmed the need for a third bridge in Cambridge. Plan Change 26 won't change that. Money has already been set aside for a business case to Waka Kotahi NZ Transport Agency and work on the business case will begin this year/ has already begun.

c) Consultation and Engagement

24 Can ratepayers have a say about these proposed new District Plan rules?

Yes, submissions can be made on the plan change in the usual way. However, because the medium density residential standards are imposed by Government through the Resource Management Act 1991, there will be parts of the plan change that will be unable to be changed. (See question 25).

25 How do people make a submission?

The opportunity to provide feedback will begin after Council formally advertises changes to the District Plan. This is called 'public notification'.

Proposed Plan Change 26 to the District Plan will be publicly notified on 19 August 2022. Submissions will close on Friday 30 September 2022. Please go to the Waipā District Council website waipadc.govt.nz/planchange26 to submit your views.



Some questions and answers cont...

All submissions will be considered by a panel of independent hearing commissioners, in a public hearing. You will be very welcome to attend. Note that submissions on the matters that Council can't legally change will not be considered by the hearing commissioners.

If you don't have a computer and would like to make your views known, visit Council reception in Cambridge or Te Awamutu and ask for a feedback form.

26 I need help making my submission?

This is a very complex issue. The Ministry for the Environment, independently of Council, has appointed an independent advisor, known as a 'Friend of the Submitter' to help those who wish to make submissions. The 'Friend of Submitter' is on hand to help explain the process, and advise people how to make a submission.

The Ministry for the Environment has appointed Kinetic Environmental to this role. To contact Kinetic Environmental, please email pc26@kineticenvironmental.co.nz.

27 Who will decide on the changes to the District Plan?

The independent hearing panel will make recommendations to Waipā District Council. Council will decide whether to accept or reject those recommendations. If Council rejects a recommendation, the Minister for the Environment will make a final decision.

For information on the hearing commissioners, head to www.waipadc.govt.nz/planchange26.

28 Will the reserves, parks and green spaces near our towns be developed into housing?

Green space is very important in our district. Any open spaces and reserves that Council administers and or owns are likely to be retained for public use. Council will ensure that suitable levels of open space and reserves remain for any increase in housing.

29 My house is listed as a heritage item. What does this mean?

As part of this process we have undertaken a review of heritage in our district. Some additional properties have been identified as containing elements of historic heritage and have been given additional heritage protection. This impacts less than 100 properties across the district. If your property is impacted, you will receive a separate letter from us.

For more information

- 1 Go to waipadc.govt.nz/planchange26 The website contains more detailed information, including links to other agencies.
- 2 Attend an online webinar. Webinars will held at 6pm on Monday 22 August, Monday 29 August and Thursday 1 September 2022. To register for a webinar email districtplan@waipadc.govt.nz and tell us what webinar you wish to attend.
- 3 Email your questions to districtplan@waipadc.govt.nz and put 'Plan Change 26' in the subject line.
- 4 To make an appointment to speak to a planner, please call 0800 924 723.
- 5 For help with a submission, and to find out what can and can't be changed, contact Kinetic Environmental at pc26@kineticenvironmental.co.nz.