

# FAQs

## VARIATION 1: HOUSING INTENSIFICATION (MEDIUM DENSITY RESIDENTIAL STANDARDS)



WAIMAKARIRI  
DISTRICT COUNCIL

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# Key points

- An amendment to the Resource Management Act 1991 in December 2021, requires the Council to adopt Medium Density Residential Standards (MDRS) to enable residential intensification.
- To adopt these standards, Council has produced a variation to the Proposed District Plan called Variation 1: Housing Intensification.
- The MDRS will enable the development of up to three houses of up to 11 metres high (plus 1m for pitched roof) per site as a permitted activity.
- Further standards deal with built form matters such as height, setback from boundaries, recession planes, outlook spaces, site coverage, landscaping, and other matters.
- Developments built to the standards are permitted activities and won't require land use resource consent for the building (other resource consents may be required).
- Where intensification is considered inappropriate, qualifying matters are identified which outline the reasons why the MDRS standards should not apply. Qualifying matter areas include areas in towns exposed to significant flooding risk, areas of cultural and historical significance, near the national grid, airport noise, and other matters identified in the Variation.
- The townships of Rangiora, Kaiapoi, Pegasus and Woodend (including Ravenswood) are required to adopt these standards. In these townships, the General Residential Zone will be rezoned to Medium Density Residential Zone.
- The MDRS applies to all areas zoned Medium Density Residential, as well as the Neighbourhood Centre, Local Centre and Town Centre Zones.
- Variation 1: Housing Intensification was notified on Saturday, 13 August 2022.
- The public can submit on the variation until Friday, 9 September 2022.

## What is the housing intensification variation and how does it affect the Proposed District Plan?

The Council has been reviewing our District Plan for several years to ensure the objectives, policies and rules (provisions) that govern activities in the Waimakariri stay up-to-date. As part of this process, the Proposed District Plan was notified for public submission in September 2021.

In December 2021, the government introduced the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (Amendment Act) to amend aspects of the Resource Management Act 1991 (RMA). The Amendment Act seeks to address the housing supply issues in many parts of New Zealand by enabling higher density housing to be built without the need for a resource consent.

To achieve this, the Amendment Act directs councils to adopt Medium Density Residential Standards (MDRS) and intensification policies from the National Policy Statement on Urban Development 2020. As the Council is in the process of a District Plan Review, the MDRS and intensification policies will be implemented through a variation to the Proposed District Plan called Variation 1: Housing Intensification.

The MDRS apply to all Tier 1 councils: Auckland, Hamilton, Tauranga, Wellington, and Christchurch. As the Waimakariri is part of greater Christchurch, we must also adopt the standards. The standards apply to the residential areas of Rangiora, Kaiapoi, Woodend (including Ravenswood) and Pegasus

To quickly include the MDRS into the Proposed District Plan, a new Intensification Streamlined Planning Process (ISPP) has been created and must be used by Councils. The ISPP removes the right of appeal to the Environment Court.

Variation 1 was notified on 13 August 2022 and Council will notify a decision on the variation by 20 August 2023.

## What are the changes to zoning in Rangiora, Kaiapoi, Woodend (including Ravenswood) and Pegasus?

The affected townships are being rezoned from General Residential Zone to Medium Density Residential Zone. Residential areas close to town centres were already proposed to be zoned Medium Density Residential in the Proposed District Plan. So, the rezoning will only be changed in the outer residential areas of these towns. However, this means all the residential areas in these townships will be subject to the MDRS except where exemptions through qualifying matters apply.

## What are the Medium Density Residential Standards (Schedule 3A of the RMA)?

The Medium Density Residential Standards are outlined in schedule 3A of the RMA and the table below. They permit up to 3 houses up to 3 storeys high (11m plus 1m for pitched roof) per site in relevant residential areas, without land use consent for the building provided the MDRS listed below are met. The standards have immediate legal effect from the date of notification on 13 August 2022 (except where qualifying matters apply). The MDRS have been proposed to simplify the planning process to make it easier and faster to build higher density housing.

MDRS developments must still meet all other relevant provisions in the District Plan, otherwise resource consent may be required. For example, you may need to get a consent for earthworks related to your development. Building consent requirements still apply.

The Amendment Act also requires the density and building height to be amended (where necessary) in Neighbourhood Centre, Local Centre, and Town Centre Zones that are adjacent to residential zones. This is to ensure the density in these commercial areas is compatible with the permitted density of the adjacent residential areas.

Medium Density Residential Standards (Sch 3A of the Amendment Act)		
Number of residential units per site	Maximum	3
Building height	Maximum	11m + 1m for pitched roof
Height in relation to boundary	Maximum	4m + 60° recession plane
Setbacks	Minimum	Front yard: 1.5m Side yard: 1m Rear yard: 1m (excluding corner sites)
Building coverage	Maximum	50% of the net site area
Outdoor living space (one per unit)	Minimum	Ground floor: 20m <sup>2</sup> , 3m dimension Above ground floor: 8m <sup>2</sup> , 1.8m dimension
Outlook space (per unit)	Minimum	Principal living room: 4m depth, 4m width All other habitable rooms: 1m depth, 1m width
Windows to street	Minimum	20% glazing of the street-facing facade
Landscaped area	Minimum	20% of the developed site with grass or plants

## Where do the new Medium Density Residential Standards apply in the Waimakariri District?

The Density Standards apply to residential areas of over 5,000 people (at the 2018 census), which in the Waimakariri District includes Rangiora, Kaiapoi and Woodend (including Ravenswood) and Pegasus.

In these identified areas, the MDRS will apply to all Medium Density Residential Zones, Neighbourhood Centre, Local Centre and Town Centre Zones, except where qualifying matters apply.

## What are 'Qualifying Matters' and where do they apply?

Where the MDRS would be inappropriate, the Council can limit its use by applying a 'qualifying matter.' Qualifying matters can apply where matters of national importance (listed in section 6 of the RMA) are relevant or areas where a higher level of intensification would be inappropriate. Council must justify these matters.

Qualifying matters make the MDRS less enabling, but only to the extent necessary to accommodate the qualifying matter. This means housing is still enabled but not at the density enabled by the MDRS.

The qualifying matters in the Waimakariri District are outlined in the table below and can be viewed on the Proposed District Plan planning maps.

*The qualifying matters have been justified in the section 32 report for Variation 1. You can read the section 32 report 'Variation 1: Housing Intensification' on our website for more information.*

Qualifying Matter	Affected locations	Proposed setbacks/ density
National grid transmission lines	National Grid transmission lines adjacent to the Medium Density Residential Zone in north-west Rangiora.	39m building setback from national grid transmission lines. MDRS development excluded from within the setback.
Railway corridors	Rail designations adjacent to parts of the Town Centre Zone in Rangiora and Kaiapoi.	5m building setback from rail boundary and sight triangles. MDRS development excluded from within the setback.
Natural Hazards (Urban flooding)	Kaiapoi: Area A and Area B around the Town Centre.	Area A: development density of 200m <sup>2</sup> Area B: development density of 500m <sup>2</sup>  MDRS are applicable except for the density standard.
Airport noise - Christchurch International Airport (CIAL)	Kaiapoi: the urban area beneath the operative noise contour and the AAOCB contour proposed by CIAL.	Development within the airport noise qualifying matter will retain the density in the Proposed District Plan.
Strategic Roads and Arterial Roads	Properties immediately adjoining strategic and arterial roads in Rangiora, Kaiapoi and Woodend.	6m building setback from strategic and arterial roads. MDRS development excluded from within the setback.
Historic Heritage	There are 38 properties containing scheduled heritage items in the areas affected by the MDRS.	MDRS development is limited on sites with a listed heritage item.
Notable Trees	There are six listed trees in areas affected by the MDRS.	MDRS development is limited on sites with a listed Notable Tree.
Natural Character - waterbody setbacks	Certain waterbodies in NATC-SCHED1 and NATC-SCHED2 in the Proposed District Plan that flow through parts of Kaiapoi and a small section of the North East Rangiora development area.	Building setback from identified waterbodies is between 10m and 20m. MDRS development is excluded within the setback.
Public Access - esplanade reserves	Waterbodies in the Proposed District Plan requiring 20m esplanade reserves or strips through subdivision in urban area: Cam River, Courtenay Stream, Silverstream, Middle Brook, North Brook, and South Brook.	Esplanade reserves or strips are required along identified waterbodies in the Proposed District Plan and development is excluded within this area.
Open Space Recreation Zone	Identified areas in Rangiora, Kaiapoi, Woodend and Pegasus that are adjacent to Town Centre Zone, Neighbourhood Centre Zone and Local Centre Zone.	MDRS development is prevented in the Open Space and Recreation Zones in the locations specified.

## When do the Medium Density Residential Standards apply?

The MDRS will have immediate legal effect from the date of notification on Saturday, 13 August 2022, except where qualifying matters apply. An independent hearings panel will determine the final decision on the variation in early-to-mid 2023 and Council will notify a decision on the variation by 20 August 2023.

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## How does the Amendment Act affect subdivision?

The Amendment Act also includes rules about subdivision. In the relevant residential areas, there is no minimum lot size, provided it is achievable to construct a residential unit to the MDRS on every allotment within the subdivision. This is a change from the Proposed District Plan that requires a minimum allotment size of 200m<sup>2</sup> in the Medium Density Residential Zone.

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## Why is Variation 1 seeking to rezone Development Areas in Rangiora?

The variation seeks to rezone the North East Development Area (65ha) and the South West Development Area (21ha) in Rangiora to Medium Density Residential Zone. In the Proposed District Plan, these areas are zoned Rural Lifestyle and identified as development areas, meaning they are intended for future residential development. By zoning them as Medium Density Residential and permitting MDRS, there will be additional land available for immediate residential development.

You can view these development areas on the planning maps (<https://waimakariri.isoplan.co.nz/draft/>), and read more information in the section 32 report Variation 1: Housing Intensification (Rezoning land in North East and South West Rangiora), prepared to support the rezoning.

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## Do I still need to apply for resource consent?

Compliance with the MDRS doesn't exempt landowners from complying with all other District Plan provisions. Where rules in the District Plan can't be met, resource consent is required. Building consent requirements also apply.

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## What if I want to build before Variation 1 is operative?

Development proposals that meet the MDRS (and are not in a qualifying matter area) can proceed as a permitted activity from the date of notification on 13 August 2022.

Where proposals don't meet the MDRS, and require a resource consent, applications will be considered against the Operative and Proposed District Plan provisions. However, the MDRS objectives and policies are required to be given full weight, meaning they will be given priority over the Operative and Proposed Plans.

This doesn't apply to sites where qualifying matters are proposed until a decision has been reached. For development proposals on sites where a qualifying matter applies, the applications will be assessed against the Operative and Proposed District Plans, until Variation 1 is operative.

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## What does the Amendment Act say about notifying development proposals?

The Amendment Act includes restrictions on notification when developments don't meet the MDRS and require resource consent.

1. An application for 1, 2, or 3 residential units that don't comply with the MDRS is excluded from public notification. This means the applicant may be required to consult with people directly affected by their proposal but they are not required to consult with the general public. In this scenario, the consenting authority will decide who will be notified.
  2. An application for 4 or more residential units that comply with the MDRS is excluded from public and limited notification. This means the applicant does not need to undertake consultation.
  3. Public and limited notification of an application for a subdivision resource consent is excluded if the subdivision is associated with an application for residential units described in points one and two above.
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## What does this mean for our community?

The Amendment Act will enable greater density in residential areas, which some people and communities may not desire. It will enable a MDRS development on your boundary where you may have previously expected a standard single storey dwelling, or you could subdivide your property and build two new houses. However, it is important to remember that the variation will only enable opportunities for greater housing intensification – it is not a requirement for new developments.

The intensification and types of developments will largely be up to developers, landowners and public housing providers. They have other matters to consider including the financial viability of a development. This is informed by factors such as market demand, land prices, the cost of building materials, construction sector capacity and infrastructure servicing.

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## How does this affect the District Plan Review?

The District Plan Review process has been ongoing for several years. In September 2021 the Proposed District Plan was notified for public submissions and many people in the Waimakariri submitted their views. As Council is required to adopt, notify and consult on Variation 1 by 20 August 2022, Council has decided to take a logical approach by addressing the changes presented in the Amendment Act before calling for further submissions on the Proposed District Plan.

By delaying the further submissions on the Proposed District Plan, Council is able to avoid overlapping submission periods with Variation 1 and align the decision making process. Council expects to call for further submissions on the Proposed District Plan later in 2022.

The hearings on the Proposed District Plan and Variation 1 will occur at the same time in early-to-mid 2023. A decision on the Proposed District Plan is expected to be notified towards the end of 2023.

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## What will happen to my previous submission on the Proposed District Plan?

Many people submitted on the Proposed District Plan in September to November last year. These submissions still stand, however, you may find your submission is addressed by the variation or the plan provisions that you submitted on have been required to be amended. If you believe your submission is no longer applicable in light of the variation, you can choose to remove your submission. You can also submit on Variation 1 to potentially impact how the MDRS will be applied in the Waimakariri District.

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## Will development or financial contributions apply?

Development contributions will not change as a result of Variation 1 and will continue to be required for certain subdivision and land use consents. Development Contributions are set each year through the Council's Annual Plan process.

However, a second variation to the Proposed District Plan called Variation 2: Financial Contributions has been notified with Variation 1. This variation seeks to introduce a financial contributions chapter to include objectives, policies and rules to address the potential effects on existing infrastructure from residential intensification and to offset environmental impacts. If you are proposing a high density development in accordance with the MDRS or a subdivision, you may be required to pay a financial contribution. For more information on Variation 2: Financial Contributions, view the FAQs on the Council website ([waimakariri.govt.nz/planchange](https://www.waimakariri.govt.nz/planchange)).

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## How do I make a submission on Variation 1: Housing Intensification and how does the process work?

Council is required to adopt the density standards, objectives and policies, meaning there is limited scope to influence these standards – both by Council and the community.

However, your submissions on the variation are still important and may influence the way in which they are incorporated into the District Plan. We encourage everyone to participate in the process to let Council know your views.

### You can make a submission on Variation 1: Housing Intensification by the following:

Variation 1 can be viewed from Saturday 13 August on:

- The Council Website ([waimakariri.govt.nz/planchange](https://waimakariri.govt.nz/planchange)),
- The Waimakariri district ePlan (<https://waimakariri.isoplan.co.nz/eplan/>), including at any Waimakariri District Council Service Centre or Library:

Rangiora Library, 139 Percival Street, Rangiora;  
Rangiora Service Centre, 215 High Street, Rangiora;  
Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi;  
Oxford Service Centre/Library, 34 Main Street, Oxford.

Any person may make a submission on Variation 1: Housing Intensification by the following:

- The submission can be made via the Council website: ([waimakariri.govt.nz/planchangesubmission](https://waimakariri.govt.nz/planchangesubmission));
- PDF forms are available on the Council Website for download: ([waimakariri.govt.nz/planchange](https://waimakariri.govt.nz/planchange))

Alternatively, submission forms are available from all Council Offices listed above.

Submissions can be lodged via any of the following methods:

- Online: Using the correct form on Council's website (as above)
- Email: [Developmentplanning@wmk.govt.nz](mailto:Developmentplanning@wmk.govt.nz) - Subject line: Submission Variation 1: Housing Intensification
- Post: Waimakariri District Council, Private Bag 1005, Rangiora 7440
- Hand Deliver: To a Council Service Centre in Rangiora, Kaiapoi or Oxford.

### Submissions close at 5pm Friday, 9 September 2022

Once submissions have closed, the Council will prepare and publicly notify a summary of the submissions. All the submissions will be available to view online. There will be an opportunity for certain people to make a further submission in support of, or in opposition to, any of these submissions.

Hearings on the submissions to the variation will occur in conjunction with the hearings on the Proposed District Plan in early-to-mid 2023. Anyone who has made a submission will have the right to attend the hearings and present their submission should they wish to do so. Council will notify a decision on the variation by 20 August 2023.

*Please note that the Amendment Act does not provide for a right of appeal to the Environment Court for provisions proposed under this Variation, except on points of law.*

## Where can I find more information on the Medium Density Residential Standards?

Read the Section 32 Report 'Variation 1: Housing Intensification', prepared by the Council to support the variation and evaluate the options considered ([waimakariri.govt.nz/planchange](https://waimakariri.govt.nz/planchange)).

- Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 <https://www.legislation.govt.nz/act/public/2021/0059/latest/LMS566049.html> (The Density Standards are in Part 2 of Schedule 1).
- Resource Management Act 1991: <https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html>

### Further information on the MDRS:

- Ministry of Housing and Urban Design Website <https://www.hud.govt.nz/>
- Ministry for the Environment website <https://environment.govt.nz/>
- [https://environment.govt.nz/assets/uploads/standards\\_model\\_factsheet.pdf](https://environment.govt.nz/assets/uploads/standards_model_factsheet.pdf)
- <https://environment.govt.nz/assets/publications/Files/Understanding-the-RMA-EHS-General-overview-July-2022.pdf>
- <https://environment.govt.nz/publications/medium-density-residential-standards-a-guide-for-territorial-authorities/>
- <https://environment.govt.nz/assets/publications/Intensification-streamlined-planning-process-A-guide-for-territorial-authorities-v2.pdf>
- <https://environment.govt.nz/assets/publications/national-medium-density-design-guide-31May2022.pdf>
- <https://environment.govt.nz/assets/publications/understanding-rma-information-for-submitters30May2022.pdf>



# Contact Us

## HAVE QUESTIONS?

If you have further questions about the submission process, please contact us directly for a one-on-one discussion with a Council team member.

### PHONE

0800 965 468  
(0800 WMK GOV)

### EMAIL

[developmentplanning@wmk.govt.nz](mailto:developmentplanning@wmk.govt.nz)

### WEBSITE

[waimakariri.govt.nz](http://waimakariri.govt.nz)

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## SERVICE CENTRES:

### Rangiora service centre

Address: 215 High Street, Rangiora

Email: [office@wmk.govt.nz](mailto:office@wmk.govt.nz)

Opening hours: Monday to Friday 8.30 am to 5 pm

### Kaiapoi service centre

Address: Ruataniwha Kaiapoi Civic Centre, 176

Williams Street, Kaiapoi

Email: [kaiapoi@wmk.govt.nz](mailto:kaiapoi@wmk.govt.nz)

Opening hours: Monday to Friday 9 am to 5 pm

### Oxford service centre

Address: 34 Main Street, Oxford

Email: [oxford@wmk.govt.nz](mailto:oxford@wmk.govt.nz)

Opening hours: Monday to Friday 9 am to 5 pm,  
Saturday 10 am to 12 noon (limited services)