

Relationships Between Spatial Layers

The District Plan uses a range of spatial layers with different functions. These are shown on the planning map and include:

Spatial layer name	Function	Location of spatial layer provisions
Zones	A zone spatially identifies and manages an area with common environmental characteristics or where common environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.	Zone chapters
Overlays	An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.	District wide matters chapters
Precincts	A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).	If it applies to only one zone, it is included in the relevant zone chapter If it applies to multiple zones, it will be included in the relevant zone chapters
Specific controls	A specific control spatially identifies where a site or area has provisions that are different from other spatial layers or district wide provisions that apply to that site or area (for example where verandah requirements apply, or where a different maximum height on a particular site applies).	Relevant chapters
Development Areas	A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development	Development area chapters

	areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change.	
Designations	Spatially identifies where a designation is included under section 168 or section 168A or clause 4 of Schedule 1 of the RMA.	Designations chapter
Heritage orders	Spatially identifies heritage orders enabled under section 189 or section 189A of the RMA.	Historic heritage chapter. There are no heritage orders in the District Plan

[Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act](#)

[Qualifying matters and legal effect](#)

[The Resource Management \(Enabling Housing Supply and Other Matters Amendment Act requires Tier 1 Councils including the Waimakariri District Council to amend one of their district plans \(operative or proposed\) to enable intensification in urban areas where people want to live and work. The Amendment Act brings forward the implementation of the NPDUD intensification policies by using the ISPP.](#)

[In addition, the Amendment Act introduced MDRS in all Tier 1 urban environments and must be adopted into the District Plan by 20th August 2022. Because the Waimakariri District Council notified its proposed District Plan on 17 September 2021, under Schedule 12, Part 5 of the RMA, these new provisions have been included into the Proposed District Plan. These will enable medium density housing to be built 'as of right' \(at least 3 dwellings of up to 3 storeys per site\) within the Medium Density Residential Zone located in Rangiora, Kaiapoi, Woodend \(including Ravenswood\) and Pegasus, and will have immediate legal effect from the notification date of variation 1 to the proposed District Plan, except for:](#)

- [More enabling standards under the NPSUD intensification policies than those listed in the MDRS as a permitted activity.](#)
- [Areas where a qualifying matter has been identified.](#)
- [New residential zones \(for example, Greenfield development\).](#)
- [Subdivision rules](#)
- [New financial contribution provisions](#)

[District wide provisions](#)

[District wide provisions such as \(but not limited to\) rules on earthworks, construction noise, access and lighting will continue to apply because these provisions do not influence density requirements.](#)

[Qualifying matters](#)

[There are areas within the Waimakariri District that have specific characteristics that make it inappropriate to apply the MDRS in full. These characteristics are referred to as 'qualifying matters'. A qualifying matter exists where there is a need to balance the densities and /or other standards of the MDRS against the need to manage those specific characteristics](#)

defined in clause 3.32 of the NPSUD and section 77(I) and 77(O) of the RMA. Where a qualifying matter has been identified, the Waimakariri District Council have amended the densities required by the MDRS to the built form standards, were appropriate to accommodate the 'qualifying matter'.

Note that qualifying matters do not have immediate legal effect

Qualifying matter areas within the Medium Density Residential Zone of Rangiora, Kaiapoi, Woodend (including Ravenswood) and Pegasus are listed in the table below:

Table RSL-1 Qualifying matters

<u>Qualifying matter and area</u>	<u>Legislation</u>	<u>Reasoning</u>
<p><u>Sunlight access</u></p> <ul style="list-style-type: none"> Entirety of medium density residential zone Applies a height in relation to boundary of 2.5m and recession plane angles as set out in APP3 	<p>s.3.32(1)(c) of the NPSUD / s.77I(j) of the RMA — any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.</p>	<p>To ensure that 3 or more hours of access to sunlight in winter on eastern, northern, and western aspects of neighbouring buildings at ground or first floor levels is enabled as the medium density zone intensifies.</p>
<p><u>Electricity</u></p> <ul style="list-style-type: none"> National grid transmission lines <i>National Grid transmission lines within Medium Density Residential Zone in north-west Rangiora). As defined and mapped in qualifying matter, National Grid Subdivision Corridor and National Grid Yard¹</i> 	<p>s.3.32(1)(c) of the NPSUD / s.77I(e) of the RMA — Matter required to ensure the safe or efficient operation of nationally significant infrastructure.</p>	<p>Identifies the location of nationally significant Electricity Distribution Lines within the Medium Density Residential Zones, and avoids potential effects of subdivision and development on the ability to safely and efficiently operate, maintain, develop and upgrade the National Grid. by imposing minimum setbacks and reducing minimum allotment size ensures the safe or efficient operation of nationally significant infrastructure.²</p>
<p><u>Transport</u></p> <ul style="list-style-type: none"> Railway corridors <i>Railway designations adjacent to parts of the Town Centre³ within Medium Density</i> 	<p>s.3.32(1)(c) of the NPSUD / s.77I(e) of the RMA — Matter required to ensure the safe or efficient operation of nationally significant infrastructure.</p>	<p>To ensure the safe and efficient operation of the railway network, and main roads within the Council's Rooding Hierarchy.</p>

¹ Para 56, Ms Hayes EIC for Transpower, https://www.waimakariri.govt.nz/__data/assets/pdf_file/0032/166964/STREAM-7B-STATEMENT-OF-EVIDENCE-5-SUBMITTER-V1-42-FS-2-TRANSPower-AINSLEY-MCLEOD-PLANNING.pdf

² Para 56, Ms Hayes EIC for Transpower, https://www.waimakariri.govt.nz/__data/assets/pdf_file/0032/166964/STREAM-7B-STATEMENT-OF-EVIDENCE-5-SUBMITTER-V1-42-FS-2-TRANSPower-AINSLEY-MCLEOD-PLANNING.pdf

³ CI 16(2) minor amendment to better describe the spatial extent of the qualifying matter

<p><u>Residential Zone of Rangiora and Kaiapoi. As mapped in qualifying matter, rail corridors, with a 4m setback from the boundary of the rail corridor</u></p> <ul style="list-style-type: none"> • <u>Strategic Roads & Arterial Roads Properties Within Medium Density Residential Zone immediately adjoining strategic and arterial roads in Rangiora, Kaiapoi and Woodend), with a 6m setback from the boundary of the road corridor⁴.</u> 		
<p><u>Natural Hazards (urban) Properties within Kaiapoi Urban area within the High Hazard flood overlay. As mapped in qualifying matter, natural hazards</u></p>	<p><u>s.3.32(1)(h) of the NPSUD / s.77I(j) of the RMA - any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area.</u></p>	<p><u>The management of significant risks from natural hazards, specifically, flooding.</u></p>
<p><u>Airport noise - Christchurch International Airport Properties within the Medium Density Residential Zone of Kaiapoi and within the Christchurch International Airport noise contour. As mapped in qualifying matter, airport noise</u></p>	<p><u>s.3.32(1)(c) of the NPSUD / s.77I(e) of the RMA — Matter required to ensure the safe or efficient operation of nationally significant infrastructure.</u></p>	<p><u>A spatial overlay within Kaiapoi, reducing development within the Christchurch airport noise contour to reduce reverse sensitivity issues.</u></p>
<p><u>Historic Heritage Properties identified as a Heritage listed item within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend). As mapped in qualifying matter heritage building or item</u></p>	<p><u>s.3.32(1)(a) of the NPSUD / s.77I(a) of the RMA — Matter of national importance that decision makers are required to recognise and provide for under Section 6.</u></p>	<p><u>Identifies the area of a property which contributes to the heritage values of a historical heritage item or items</u></p>

⁴ CI 16(2) minor amendment to better describe the spatial extent of the qualifying matter

<p><u>Notable trees</u> <u>Properties with a notable tree within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend.</u> <u>As mapped in qualifying matter, notable trees</u></p>	<p><u>s.3.32(1)(a) of the NPSUD / s.771(a) of the RMA— Matter of national importance that decision makers are required to recognise and provide for under Section 6</u></p>	<p><u>Identifies a property where a notable tree or trees are located.</u></p>
<p><u>Natural character - Waterbody setbacks</u> <u>Properties adjoining a large waterbody within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend.</u> <u>As mapped in scheduled natural character freshwater bodies schedule 2, and schedule 3</u></p>	<p><u>s.3.32(1)(h) of the NPSUD / s.771(j) of the RMA- any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area.</u></p>	<p><u>Identifies the significant waterbodies within the district and minimum setbacks are imposed to mitigate sediment of earthworks and buildings in close proximity to water bodies to preserve their natural character and to recognise their cultural significance to Ngāi Tahu.</u></p>
<p>Open space — Recreation zone Properties vested as recreation/ or utility reserve and owned by the Waimakariri District Council and located within Rangiora, Kaiapoi, Woodend and Pegasus. As mapped in qualifying matter, open space and recreation zone</p>	<p>s.3.32(1)(d) of the NPSUD / s.771(f) of the RMA— open space provided for public use, but only in relation to land that is open space.</p>	<p>Identifying public space areas, and protecting those areas for public use.⁵</p>
<p>Public Access: esplanade reserves Land adjoining waterways within Medium Density Residential Zone, vested in recreation reserve and owned by the Waimakariri District Council and located within Rangiora,</p>	<p>s.3.32(1)(d) of the NPSUD / s.771(f) of the RMA— open space provided for public use, but only in relation to land that is open space:</p>	<p>The preservation of public access adjoining esplanade reserves⁶⁷</p>

⁵ Hearing 7B, s42A report, https://www.waimakariri.govt.nz/_data/assets/pdf_file/0025/166426/STREAM-7B-S42A-REPORT-VARIATION-1-HOUSING-INTENSIFICATION.PDF, section 6.2

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⁷ Hearing 7B, s42A report, https://www.waimakariri.govt.nz/_data/assets/pdf_file/0025/166426/STREAM-7B-S42A-REPORT-VARIATION-1-HOUSING-INTENSIFICATION.PDF, section 6.2

<p><i>Kaiapoi, Woodend and Pegasus. As mapped in esplanade provisions</i></p>		
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