

14/05/2026

Hon Chris Bishop  
Minister Responsible for Resource Management Reform

By email

Tēnā Koe,

**Matamata-Piako District Council Plan Change 49-Waharoa Exemption  
Application to Minister of RMA Reform, Chris Bishop, under exemption criteria  
80W(2)(b) & 80W(2)(h).**

Thank you for the opportunity to apply for an exemption for Plan Change 49-Waharoa. This plan change is being developed in a partnership with Ngāti Hauā and seeks to enable the provision of healthy and safe housing and additional social services and employment opportunities for the Waharoa community. On 8 October 2025, Council resolved to endorse the preparation and lodgement of this exemption application. The exemption application is included with this letter and includes an Appendix which is attached as a separate file via a link.

The contribution that the plan change can potentially make is specifically identified as follows:

- Increasing housing diversity by amending the town's central Residential Zone area from Residential Zone to Medium Density Residential Zone.
- Creating improved clarity in the Operative Matamata-Piako District Plan (MPDP) by removing an existing rule that constrains infill development to certain locations and creates additional costs for those outside those locations.
- Provide for increased opportunities for a wider range of additional social, medical and support services at the existing Te Hauora o Ngāti Hauā Trust site at Cadman Street by amending the zoning from Rural Zone to Business Zone. Also to include a Waharoa Precinct at the same site to provide for 14 Kaumatua accommodation units, and an additional level on the existing main building to provide for additional Ngāti Hauā offices at a later date (bringing Ngāti Hauā together).
- To encourage greater use of the main street of Waharoa for residents and visitors alike by applying the street frontage overlay control on a portion of the Business zoned sites on the eastern side of Seddon Street (SH 27). This control applies at the time of redevelopment and requires the installation of a verandah.

- Provide for enhanced protection of a local taonga by expanding the Kaitiaki (Conservation) Zone around the Waitoa river.
- Provide increased certainty and uniformity to an existing industrial area by rezoning three areas of Rural zoned land around Mowatt Street/Dunlop Road and Factory Road to Industrial Zone.

Overall, this plan change will rectify issues with the MPDP that have led to inefficiencies, or unintended consequences as outlined in exemption criteria 80W(2)(b). These changes will improve the effectiveness of the MPDP. They will also reduce the regulatory burden in Waharoa by improved provision for residential intensification and a range of living options, a wider range of support services, encouraging the use of land located in an existing industrial area and providing for additional protection of a local taonga. These proposed changes will support achieving a local, well-functioning, well-planned environment as outlined under criteria 80W(2)(h).

As partners in this plan change Ngāti Hauā, together with Te Hauora o Ngāti Hauā Trust has provided strong support for this exemption application and for the plan change to proceed.

We look forward to receiving your feedback on this exemption application.

In the meantime, should you have any queries regarding this application, please contact Fiona Hill, Team Leader - RMA Policy in the first instance, at [fhill@mpdc.govt.nz](mailto:fhill@mpdc.govt.nz).

Ngā mihi



Manaia Te Wiata  
Chief Executive Officer Matamata-Piako District Council





# Plan (and Policy Statement) Stop Exemption Application Template

The Resource Management (Consenting and Other System Changes) Amendment Act 2025 halts new and in-progress council plan changes. This applies to all plan changes except for those automatically exempted or granted an exemption through an application to the Minister for the Environment.

This application form is for councils that wish to continue with their plan-making and do not meet the auto-exemption criteria, but do meet the application exemption criteria (s80W). The application will be provided to the minister to determine whether an extension should be granted.

## **In-progress plan or policy statement changes**

Within 90 working days of the law coming into effect, councils must withdraw any notified plan or policy statement changes that have not yet commenced hearings, or do not have a hearing date scheduled within five days of enactment. The only exception to this is where a plan is automatically exempted or is granted an exemption.

The application must be submitted within 90 working days of the law coming into effect.

## **New plan or policy statement changes**

Any council that is seeking to make a new plan or policy statement changes must first seek an exemption using this form. An exemption must be granted before the council notifies a new plan or policy statement change.

This form is not required for plan or policy statement changes which are automatically exempt as per section 80U (Automatic exemptions) of the Resource Management Act 1991.

## 1. Council information

Council name	Matamata-Piako District Council (MPDC)
Contact person	Ally van Kuijk
Position	Group Manager Growth and Regulation
Email / phone	<a href="mailto:AvanKuijk@mpdc.govt.nz">AvanKuijk@mpdc.govt.nz</a>

## 2. Details of proposed planning instrument

Title of proposed plan or policy statement change	PC 49 -Waharoa
Title of relevant planning instrument (plan or policy statement being amended)	Operative Matamata-Piako District Plan
Link to relevant planning instrument (or attach a copy to the application form)	<a href="#">Operative Matamata-Piako District Plan</a>
Link to proposed plan or policy statement change (or attach a copy to the application form), if applicable	
Stage of process (e.g., council approved, pre-notification, notified, submissions received, etc.)	Pre-notification-
Date of notification, if applicable	N/A

### 3. Brief description of the proposed plan or policy statement change and its scope

Plan Change 49-Waharoa (PC49) is a council-initiated plan change that is being developed in response to the Waharoa community's and Ngāti Hauā's long held interest to have a township that provides for the needs of this mainly socially deprived community and better reflects their aspirations and identity.

Community consultation on this joint Ngāti Hauā/ Matamata-Piako District Council (MPDC) planning process commenced with a visioning hui held at Raungaiti Marae on 8 July 2021. The hui challenged the community to share its vision and aspirations for the future of Waharoa. The Waharoa Flightpath-Nga Tumanako Anamata, Hopes for the Future-Appendix 2B) captures Ngāti Hauā aspirations and wider initiatives from that hui, and MPDC considered district plan initiatives that could contribute to the outcomes desired by the community. The initiatives include a variety of affordable, warm dry housing, improved amenity and cultural recognition and better access to social services and jobs.

The contribution that the plan change can potentially make is identified as follows:

- Amending the towns centrally located residential zone area bounded by Cadman Street, Mills Street and Walker Street from Residential Zone to Medium Density Residential zoning (MRZ) from the MPDC Operative Plan (MPDP).
- Deleting Waharoa from a part of an existing rule (4.13.1) that limits infill housing in the residential zone to only within 200m of the business zone, in Waharoa. Aside from the centrally located area of area of the residential zone, the deletion of this rule will also impact on the area of residential zone land located between Casey and Hawes Street. In this location MRZ is not proposed due to the area's proximity to the Industrial Zone.
- Amending the zoning of the existing Te Hauora o Ngāti Hauā Trust site (2 Cadman Street) from Rural Zone to MPDP Business zone and include a Waharoa Precinct. The precinct is to provide for 14 Kaumatua accommodation units on the same site, and an additional level on the existing main building to provide for additional Ngāti Hauā offices at a later date (bringing Ngāti Hauā together).
- Applying the street frontage overlay control as per the MPDP on a portion of the Business zoned sites on the eastern side of Seddon Street (SH 27). This control applies at the time of redevelopment and requires the installation of a verandah.
- Expanding the Kaitiaki (Conservation) Zone (KCZ) around the Waitoa river. This would require rezoning of identified rural zoned and industrial zoned areas to KCZ.
- Rezoning three areas of Rural zoned land around Mowatt Street/Dunlop Road and Factory Road to a MPDP Industrial zone, with amendments recognise specific servicing constraints in this location.

MPDC is seeking approval to continue with the development of PC49 under both s80W(2)(b) and s80W(2)(h). At its meeting of 8 October 2025, the MPDC resolved to endorse the exemption application.

## Introduction

The township of Waharoa is located between Matamata to the south and Morrinsville and Te Aroha to the north, (see Appendix 1 for Waharoa location map). The township, bisected by State Highway 26 (Seddon Street) and the Kinleith Branch Railway Line, is home to approximately 218 households, and has an estimated population of approximately 690 people, evenly split between males and females. Approximately 70% of the population is of Māori descent, predominantly affiliated to Ngāti Hauā.<sup>1</sup>

Waharoa has a rich history “from pre-European settlement with Te Waharoa’s thriving pa on the banks of the Waitoa River, through to European settlement when Māori and Pakeha exchanged knowledge, culture, and resources and mutually benefited from the economic growth brought by the dairy industry. Then there followed a time when war, loss of land and loss of opportunity changed Waharoa, leading to degradation on all levels, social, cultural, environmental, and economic, to the extent that Waharoa is now classed as socio-economically deprived, with a score of 10 on the New Zealand Index of Deprivation (NZDep). Unemployment in the town is high, estimated to exceed 30% of those that are of working age”.<sup>2</sup>

The Issues and Options paper at Appendix 2, section 3 refers to the rich history of the area and the changes that have beset this community over time, to the point that it is now categorised as a deprived community. Specifically with regard housing, while there is no Waharoa specific data available, Te Tomokanga-A Housing Strategy for Ngāti Hauā (Appendix 2A) states “23.4% of our people own their own home compared with 30.9% of Māori nationally, 23.4% of our people own their own home compared with 64.5% of New Zealanders nationally, and 42.3 percent of people aged 50–59 years owned or partly owned their own home, compared with 5.4 percent of those aged 20–29 years”.<sup>3</sup>

The strategy identifies the current state of housing for Ngāti Hauā whanau as follows:

*“Housing shortage and affordability is an issue for Ngāti Hauā, the Waikato and Aotearoa. As an iwi, we see ourselves as having a key role in addressing these issues for our people. We know our people; we know their day-to-day situations and struggles and we are best placed to work with them on solutions. And in addition to the housing shortfall problem, the existing housing stock is generally of low quality, damp and cold which impacts heavily on the health of our Whānau and creates a range of flow-on effects such as increased heating costs, poor nutrition due to reduced funds available for kai, poor health, multiple stressors, increased absences from school leading to poor educational outcomes etc. As we are all aware, sadly there is a direct correlation between poor housing and family harm/violence and crime. The majority of the homes contained within our Ngāti Hauā marae papakainga/settlements are in urgent need of repair and renovation.”<sup>4</sup>*

Parallel to the MPDC initiated plan change process, Ngāti Hauā is working on a wider initiative (Appendix 2B for the Waharoa Flightpath-Nga Tumanako Anamata, Hopes for the Future) which aims to secure funding and resources for the growth and revitalisation of Waharoa. This work will support the implementation of the plan change. An example of this work is a landuse consent undertaken by Ngāti Hauā in Cadman Street, Waharoa, for multi-unit housing. Ngāti Hauā has confirmed that for the Cadman Street project (Paretapu), that it has been supported through Crown investment, including multi-year funding from the Ministry of Housing and Urban

<sup>1</sup> See [https://www.citypopulation.de/en/newzealand/northisland/waikato/1178\\_\\_waharoa/](https://www.citypopulation.de/en/newzealand/northisland/waikato/1178__waharoa/)

<sup>2</sup> Issues and Option Report, PG.6. Appendix 2

<sup>3</sup> Te Tomokanga-A Housing Strategy for Ngāti Hauā, PG 5, Appendix 2A

<sup>4</sup> Te Tomokanga-A Housing Strategy for Ngāti Hauā, PG 5, Appendix 2A

Development delivered via staged development tranches.

MPDC's plan change process and Ngāti Hauā's wider initiatives are intrinsically linked in that the Plan Change will enable growth to occur, whereas the Ngāti Hauā initiative will aim to implement the growth and revitalisation enabled by the plan change.

The Council has been in consultation with the Waharoa community for some time on this proposed plan change. The community have clearly expressed their interest in moving the plan change work forward and the Council is committed to ensuring this occurs. The urgency to have the exemption application approved is discussed later in this application. It is hoped the exemption application can be accepted to keep the momentum of the revitalisation project going.

MPDC considers the elements that are being investigated to make up this plan change, that in turn make up this exemption application can be considered under either s80W(2)(b) & (h), and these elements are:

- providing a wider range of housing options through the application of the Medium Density Housing zone and providing for staged Kaumatua housing at 2 Cadman Street,
- providing for a Business zone on 2 Cadman Street will enable a health and wellness activities, and an associated Waharoa Precinct to provide for kaumatua housing and the consolidation of Ngāti Hauā's administration offices, and
- introducing a shop frontage control (verandah control) in the Business zone to provide continuous shelter in the shopping precinct, creates a more attractive environment and encourages those passing through (it's a busy route from Auckland to Rotorua and Tauranga) to stop and have a break and coffee/something to eat, and
- protecting a local taonga of the Ngāti Hauā community by increasing the protected area around the Waitoa River by extending the Kaitiaki zone, and
- providing increased certainty in the Waharoa industrial area by applying MPDP industrial zoning to three adjacent rural zoned areas, with some amendments to recognise local servicing constraints, rather than relying on the existing consent frameworks for industrial activities on rural zoned sites. This improved certainty will encourage parties to locate there and increase the local employment opportunities.

PC 49 will meet Government policy direction (Going for Housing Growth) through the provision of increased opportunities for housing and more flexible living arrangements, particularly the provision of housing in locations of importance to Māori (MAIHI Ka Ora – the National Māori Housing Strategy). A wider discussion on alignment with national policy direction is included further in the application. The enhanced ability proposed by PC 49 to enable more health and social services and employment opportunities in proximity to additional housing opportunities will assist to provide ongoing support to this community, as will improving protection to the local taonga, the Waitoa River. For the industrial area, the application of the MPDP Industrial zone, with some amendments to recognise existing servicing constraints, rather than reliance on the existing consent framework, will result in a continuous industrial zone within Waharoa. This will provide clarity for potential users and encourage parties to purchase the remaining industrial sites, which will provide additional employment opportunities for the nearby local community. This will support the local community and potentially attract additional people to the township and other industries to locate in the area.

MPDC also considers the uncertainty caused by the industrial landuse consents on rural zoned land for some sites in the industrial area (Mowatt Street area) can also be considered under

*s80W(2)(b)*. PC 49 seeks to resolve an unintended consequence as MPDC understands some parties have walked away from purchasing land as they are unsure of its industrial status leaving several sites in the subject subdivision unsold.

For the three areas where MPDC proposes to change the zoning from rural to industrial, MPDC considers this will not be contrary to the National Policy Statement-Highly Productive Land (NPS-HPL). For the Mowatt Street area, the 2007/8 land use/ subdivision is complete and industrial uses aligning with the landuse consent occupy at least half the sites, it is considered industrial is the equivalent zone (see consents at Appendix 17). Whilst slightly different circumstances apply, the same argument applies for the coolstore site (see consents at Appendix 17) and the Open Country Dairy site (see plan change history at [District Plan Review \(Plan Your Town\)](#)). A separate discussion on the NPS-HPL is at Appendix 21.

MPDC also considers the matter of recognising the main residential zoned area as medium density can also be considered under *s80W(2)(b)* as PC 49 will replace a little known and potentially inefficient provision in the plan, that only provides for infill housing within the first 200m of the town business zone, which equates to about 2/3 of the small township. This rule has only been used a couple of times in the last few years. The infill housing rule also applies to a smaller portion of residential zoned land bounded by Hawes and Casey Streets, in proximity to the industrial area. While uniformity of zoning is desirable, MPDC considers that housing intensification (application of the MRZ) in this location is not appropriate given likely reverse sensitivity effects. Due to the removal of the infill rule in this location, this area would be included as part of the plan change to give owners the opportunity to submit on this rule change.

The content of the exemption application/ proposed plan change has been reviewed by the Governance Group established to guide this plan change process. The Governance Group consists of two (2) members from Ngāti Hauā (the Chair and CEO of Ngāti Hauā), and two (2) MPDC elected members. The terms of reference for the Governance Group are attached in Appendix 3. A letter of support from Ngāti Hauā is in Appendix 4. A small group of local champions will be involved offering local advice and information by attending workshops, sites visit and reviewing plans proposals as they are developed. This group was set up at the request of the Governance Group and will provide advice and feedback at specified times within the development processes of the plan change. This group consists of local iwi and industrial zoned site representatives.

Other consultation has occurred as part of the development process of the exemption application/plan change process to date and is identified where relevant.

**Exemption for these elements of the plan change is sought under s80W(2)(b) and 80W(2)(h)**

**To upzone the towns centrally located Residential Zone area bounded by Cadman Street, Mills Street and Walker Street by applying Medium Density Residential zoning (MRZ) from the MPDP and amending an existing infill housing rule to not apply to Waharoa. Removing the infill rule would also affect a smaller portion of residential zoned land bounded by Hawes and Casey Street, in proximity to the industrial area. It is proposed not to apply the MRZ in this location due to likely reverse sensitivity issues.**

Feedback from earlier community consultation sought a greater range of housing options. Due to the proximity of Class 1 soils to the centrally located residential zone, the option of expanding the residential zone to provide additional housing options was not feasible. The proposed upzoning from the existing Residential Zone to MRZ will provide uniformity across the area, as the density requirements for one residential unit will drop from 450m<sup>2</sup> per net lot area to 325m<sup>2</sup> per lot. Currently this option is only provided for in the portion of the residential zone that lies within 200m of the Business zone, as part of an infill overlay in a little recognised rule 4.13.1. While some other infill areas in the district are shown on the MPDP planning maps, this infill opportunity is only included in the text of the MPDP (Appendix 5A). With the inclusion of the new medium

density zoning, it is proposed to delete the part of Rule 4.13.1 that references Waharoa. This will provide consistency across the area as currently parties outside the 200m setback need to undertake a non-complying activity consent. This is the circumstance that Ngāti Hauā found themselves in for a recent development at 23 Cadman Street for a mixed housing typology development.

(While reviewing this infill rule it became apparent that an additional amendment was needed to the rule in relation to the reference to the Waihou township. This township has been subject to an earlier plan change which changed the residential and business zoning to Settlement zoning, making the references between Business zone and the infill housing redundant. The reference to Waihou should have been deleted at the time of the settlements plan change and it is considered that it can now be deleted as an RMA Schedule 1, cl 16 deletion as this would correct a minor error. There would be no effects from this change.)

The proposed rezoning in Waharoa from Residential Zone to MRZ will enable more housing and providing the potential for a range of housing typologies across this main housing area as sought by the local community. The MRZ also provides an option for duplex dwellings as a restricted discretionary activity which is not provided for in the Residential Zone. The MPDP MRZ provisions are in Appendix 5 and a comparison table between the zones at Appendix 6, and the proposed zone change map is shown in Appendix 7. The recently approved National Environmental Standards for Detached Minor Residential Units (NES-DMRU) will also add to the range of housing options provided to assist with the need for flexible housing options in this community. Te Hauora o Ngāti Hauā has identified a need for Kaumatua housing which are smaller residential units as defined in the MPDP. No recent individual landowner consultation has taken place specifically on the intensification proposal.

**Exemption for this element of the plan change is sought under 80W(2)(h)**

**To upzone the existing 1.6 ha Te Hauora o Ngāti Hauā Trust site (2 Cadman Street) from MPDP Rural zone to MPDP Business zone and include a Waharoa Precinct<sup>5</sup> to provide for Kaumatua accommodation units on the same site. 14 units have been suggested, with the number of units to be agreed at the time of notification, and an additional level on the existing main building to provide for additional Ngāti Hauā offices at a later date (bringing the arms of Ngāti Hauā together).**

The Business zone rules to which this site is proposed to be subject are shown in Appendix 8 and Zoning Map change in Appendix 9, will better recognise and accommodate the existing medical and social services on site, listed in the bullets points below. (also see comparison Table - Appendix 10). Te Hauora o Ngāti Hauā Trust has held the title for the site since 2004. The previous activity on the site was a tavern, resulting in approximately 50 years of non-rural activities occurring on the site. The zone change would also enable similar services to readily locate onto the site to improve the range of services offered to this community.

The medical and social services provided in an existing building on site include;

- Strengthening Families - improving outcomes for children and young people,
- Toiora - a youth support and mentoring service,
- Family Centred Service - related to domestic violence,
- Whānau Ora Navigator Service - assists whanau to identify services that could assist them,

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<sup>5</sup> A precinct is a method utilised in the MPDP that uses the precinct to enable a specific site and specific activities that will occur on the site over time.

- Mobile Nursing and Healthy Lifestyles Service,
- Kia ora, Kia rite, Kia tōnui - an employment ready service, and
- Whaanau Support Service - information and support services

The Hauora has indicated that additional services that could locate at the site include:

- Ka Puawai Mental Health & Addictions Service
- Whānau Immunisation Service
- E Tu Whānau (Zero Tolerance to Violence)
- Integrated Safety Response (ISR - Police Programme)
- Te Whare Toiora GP Clinic (Low-cost GP Service, facilitated by Matamata Medical Centre)

While this aspect of the proposal is specific to Ngāti Hauā, the plan change process will provide opportunities for all people in Waharoa to participate in the planning process. It is also anticipated that external parties such as NZTA/Waka Kotahi and Kiwirail would be included in the notification of the plan change as a minimum.

For this site the plan change would provide for offices, medical facilities and commercial facilities as permitted activities under the proposed Business zone and for kaumatua units as a permitted activity in the Waharoa Precinct (Appendix 11) for this site. For consistency with the MPDP Kaumatua units will be the same as the existing defined term "*Kaumātua unit*" means a self-contained one- or two-bedroom unit that is primarily occupied by a kaumātua couple or an individual *kuia* or *koroua*. This will provide for a small number of kaumatua units in a specified location. The Hauora has identified this housing type will best meet the current most urgent housing demand for this community. The Hauora has also requested that the precinct allows for the provision of an additional level on the existing building to accommodate the various arms of Ngāti Hauā onto one site. A letter of support from the Te Hauora o Ngāti Hauā Trust is in Appendix 12.

**Exemption for this element of the plan change is sought under 80W(2)(h)**

**To include the street frontage area overlay rule from the MPDP onto a portion of the Business zoned sites on the eastern side of Seddon Street (SH 27), between Walker Street and Mowbray streets. This control provides, at the time of redevelopment of a site, for the installation of a verandah.**

In addition to providing for additional population through flexible living arrangements the community also aspires to enhance the business area of the township, encourage business to locate in the area, and provide a positive experience for visitors and tourists. Many elements of this enhancement are beyond the scope of this plan change, for example painting programmes, placement of history boards in the central reserve area, placement of Pou at the edge of the township, improved parking facilities, and additional traffic calming measures.

In response to these aspirations, using the MPDP, it is proposed to support this outcome, by applying the existing shop frontage rule from the MPDP. The shop frontage area provision requires the installation of a verandah at the shop frontage at the time of development or redevelopment. It is considered this will improve the functionality of the town centre by providing improved pedestrian shelter for the retail area, which currently provides only intermittent shelter in this important location (see photos in Appendix 13). A functional business environment will encourage business and services to locate in the area, provide shelter for locals to use the services on offer

including commercial services, food services, and laundromat. It will also encourage those passing through to stay on and use some of the services, which in turn will have the potential to attract other business and grow the town centre.

The proposal for the street frontage area overlay affects 11 landowners (including 1 MPDC owned lot) within the identified portion of the business zone, some of whom own multiple sites. No consultation has been undertaken with landowners or the occupiers of these sites at the time of writing. The Shop Frontage areas rule is contained in Appendix 14, and the proposed changes to the zoning map are shown in Appendix 15.

**Exemption for this element of the plan change is sought under 80W(2)(h)**

**Expanding the Kaitiaki (Conservation) Zone around the Waitoa River. This would require rezoning of rural and industrial zoned areas to Kaitiaki zone.**

The Waitoa River is a local taonga for the Waharoa community. The Ngāti Hauā Environmental Management Plan<sup>6</sup> (NHEMP) identifies the significance of the Waitoa River through its traditional use of providing sustenance and recreation for the community. The NHEMP also recognises its degradation advising the wetlands and margins surrounding the river require restoration and ongoing maintenance to replenish not only the mauri of them but also for traditional uses.

The Kaitiaki (Conservation) zone is applied to significant natural landscapes and habitats where the geographical spread of areas or features is sufficient to justify zoning rather than individual schedule of areas. This zone applies to areas to protect or enhance their natural, intrinsic, or other recognised values of an area. In Waharoa the Kaitiaki (Conservation) Zone (KCZ) currently applies in locations adjacent to the Waitoa river edge. Despite the buffer the KCZ has provided in this location, the river has suffered degradation over recent times as identified in the NHEMP and technical reports from the Waikato Regional Council.<sup>7</sup> It's intended the proposed extension of the KCZ, (Appendix 16) on the western Waharoa side of the river would assist in the river's restoration, as it will increase the area of protective zoning on the side of the river where there is urban development, which currently constitutes rural zoned land used for industrial uses. (see Appendix 8-MPDP Activity table for Business Zone and Kaitiaki Conservation Zone rules). The extension of the KCZ will also include the old realignment of the river within the Zone which contains some native vegetation. This extension will amend a total of 6.99ha to KCZ, with 598.4 m<sup>2</sup> currently Industrial, and the remainder Rural (6.9262 m<sup>2</sup>). The land proposed to be converted appears to be in rural use at this time. It also provides the potential to achieve access along the river at a future time. This was an outcome sought by the local community.

Informal consultation on this aspect of the plan change occurred in Jan 2025 when MPDC was working on this plan change in the National Planning Standards (NPS) format. A consultation letter to affected landowners of the rural and industrial zoned sites adjacent to the river sought comment on portions of their land being zoned Natural Open Space, the NPS equivalent of the KCZ. As a result of that feedback process the zone change proposed on the western side of the river has been withdrawn due to strong landowner reaction and the proposed extension retained on the eastern side. This approach has been endorsed by the project Governance Group.

No Crown land/DOC consultation has been undertaken on this aspect of the plan change.

**Exemption for these elements of the plan change is sought under s80W(2)(b) and 80W(2)(h)**

**To rezone three areas of Rural zoned land to MPDP Industrial zone, in recognition of earlier consents for industrial uses on two of the areas and a Development Concept Plan (DCP) on the third site. (This zoning is attached at Appendix 19)**

<sup>6</sup> Ngāti Hauā Environmental Management Plan,

<sup>7</sup> Waikato Regional Council Technical Report 2016/17

By way of background, for some considerable time, parties have been making applications for industrial activities on the rural zoned land immediately adjacent to the existing industrial zoned land in Waharoa. This has created a large area of defacto industrial zoning. MPDC considers it is timely as part of the proposed plan change, that this area is turned over to industrial zoning, to provide a more transparent and consistent consenting regime. MPDC seeks to apply the MPDP Industrial zone (Appendix 19, Maps) together with some (draft) Waharoa specific amendments (Appendix 20 text), to three selected Rural zoned areas within the Waharoa area that currently operate as light industrial sites, through either consents or a DCP). The amendments to the zoning recognise the servicing constraints in this location.

The existing Industrial zone in MPDP provides for certain wet activities as a discretionary activity, which allows for a commensurate level of assessment regarding the servicing constraints. However, as servicing constraints have become a more significant issue in recent times, in Waharoa, MPDC seeks as part of this exemption application to add specific objectives and policies, and a definition related to the level of servicing that could be provided. This approach is preferred over the existing situation for these sites where the constraints are contained in conditions of consent and consent notices. The proposed approach is more transparent and is like that used in a recent private plan change in Morrinsville, a location also subject to servicing constraints. At the time of writing MPDC staff are undertaking water and wastewater demand assessments to potentially enable an area specific servicing constraint rule to be developed, as has been provided in Morrinsville.

The three adjacent areas are described as:

**Mowatt Street Area Waharoa** -This rural zoned area, was subject to a landuse/subdivision consent in 2007/8 for light industrial activities in recognition of the servicing constraints in this location. In the event of the land being turned to Industrial zoning, the land would remain subject to the constraints of the existing resource consent (see Appendix 17), unless the landowner chose to revoke the consent, when it will then become subject to the new Industrial zoning. The original owner of the Mowatt street subdivision, who still retains 4 sites from the original subdivision had approached the Council advising of issues related to selling the sites and wanting more certainty regarding industrial uses. The correspondence relating to these concerns is attached at Appendix 18. While some of the sites have on sold, most of the sites are yet to be developed, with only 7 of the 17 lots currently developed or partially developed. One of the developed lots is an accessway to a new parking lot on the adjacent rural zoned portion of the Open Country Dairy site. A recent report covering the industrial capacity of the district has included the vacant lots as part of the industrial capacity of Waharoa, albeit as light industrial.<sup>8</sup> Recognising this land as Industrial zone will also go some way to assisting in meeting an identified need for industrial land in the medium-term within the district however it is acknowledged that due to servicing constraints it does only provide for some industrial uses.<sup>9</sup> MPDC considers the proposal does not require an assessment under the NPS-HPL for the reasons outlined in Appendix 21.

**23 Dunlop Road, Waharoa**-This rural zoned site is subject to a land use consent for cool store activities. The site is currently occupied by a cool storage facility tenanted by Inghams and Icepack NZ Ltd. The land would remain subject to the constraints of the existing resource consent (see Appendix 17), unless the landowner chose to revoke the consent, when it will then become subject to the industrial zoning. Unlike Mowatt Street discussed above, this site appears to be fully utilised by the coolstore type activities so may only be subject a small level of works unless redevelopment is proposed, however there are benefits in continuity of zoning in terms of the consistent application of the same rules across the area for example noise. Otherwise, there would

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<sup>8</sup> Business Development Capacity and demand Assessment 2023: Update, for Matamata-Piako pg. 43

<sup>9</sup> Business Development Capacity and demand Assessment 2023: Update, for Matamata-Piako pg. 76

be different standards that would apply because of the rural zone / industrial zone boundary. MPDC considers the proposal does not require an assessment under the NPS-HPL for the reasons outlined in Appendix 21.

**Open Country Dairy (ODC) site, Factory Road.** This large site is in the industrial area off Factory Road and has been processing milk and whey powders, cheese and other specialist dairy products under OCD's ownership since 2004 through resource consents. Over time, OCD has expanded this Waharoa land holdings to comprise approximately 14 ha of land located partly in the Industrial and partly in the Rural zone.

This large site is subject to a DCP overlay, which was developed through Plan Change 51-DCP for Milk Processing Factory Site, Waharoa, which can be seen at the following link: [District Plan Review \(Plan Your Town\)](#). The purpose of the DCP was to recognise existing consents and allow the site to intensify over time without having to go through continuous consents. It is proposed to amend the underlying rural zoned portion of the site to MPDP Industrial zone to provide consistency across this site and with adjacent sites. While there will not be a significant difference for ODC as the site user given the dominance of the DCP, the provision of the underlying industrial zoning provides a cohesion to this industrial location and has the potential to attract parties to the location because of this. There are benefits in continuity of zoning in terms of the application of rules, assessment of effects and any anticipated reverse sensitivity. MPDC considers the proposal does not require an assessment under the NPS-HPL for the reasons outlined in Appendix 21. MPDC has consulted with this landowner over this proposed change. They were generally agreeable to the proposal, however they did request that the Industrial zone was amended to provide for grazing as a permitted activity. Staff advised that they couldn't support this approach, suggesting that grazing could instead be recognised as an existing use subject to the requirements of s10 of the RMA.

In summary the proposal to apply the MPDP Industrial zoning to these three areas provides for continuity of uses through the area and provides improved certainty for landowners/users. However, there are known servicing constraints for this location in Waharoa, and this has been recognised in the earlier consents. MPDC considers this matter must be recognised as part of the Industrial zone through the imposition of relevant objectives and policies and a rule that applies to "wet activities" to recognise the servicing constraints. This approach is like an existing approach already used as part of an existing, newly established General Industrial zone in Morrinsville.

## 4. Grounds for exemption request

Section 80W lists the criteria the minister may consider for granting an exemption. The criteria are:

- better enable the local authority to provide, operate or maintain municipal drinking water, stormwater or wastewater in accordance with the Water Services Act 2021
- rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes
- respond to changes made to the RMA
- better enable climate change to be managed
- support the transition of high-risk land to better manage the risk of erosion
- better enable any relevant Treaty of Waitangi settlement Act, or deed of settlement and the Crown's obligations under that settlement, to be upheld

- enable a response to be made to a recommendation from the Environment Court
- enable work to be progressed that, for any other reason, the minister considers appropriate.

Please clearly identify each of the components within the plan change (objectives, policies, rules or standards) and how they align with one or more of the criteria by plan provision reference number i.e., MRZ-O1, MRZ-P1, rule 15.5.3. It may be appropriate for you to aggregate the plan reference numbers where the reasons to support the exemption request align.

Please clearly articulate if there are any plan change components which are closely linked and contingent to the extent that they would make the plan change unworkable if separated.

Provision reference number(s)	Criteria that apply	How planning instrument provisions meet criteria
<p>To upzone the towns centrally located residential zone area bound by Cadman Street, Mills Street and Walker Street by applying Medium Density Residential zoning (MRZ) from the MPDP to enable more housing development and provide the potential for a range of housing typologies.</p>	<p>s80W(2)(h)/ 80W(2)(b) in part,</p>	<p><u>Proposal Description</u></p> <p>The Medium Density Residential zone (MRZ) is an existing zone framework in the MPDP (Appendix 5). It provides for smaller lot sizes, than the current Residential zone, as a permitted activity. This enables greater density to be achieved. A comparison between the two zones is in Appendix 6.</p> <p>MPDC considers the MRZ-Objectives policies and rules that align with Going for Housing Growth (GFHG) are:</p> <p><u>Objectives &amp; Policies</u></p> <p>MRZ-O1, MRZ-O3, MRZ-O6, MRZ-P1, MRZ-P3, MRZ-P4, MRZ-P7.</p> <p>The objectives seek to provide for a range of lot and housing typologies, to meet the needs of the community, while not compromising the supply and capacity of public services. The policies seek comprehensive design in a greenfield situation, connectivity with green spaces for adjacent sites if applicable, flexibility, innovation and variation in typologies, and efficient infrastructure development.</p> <p>For the most efficient and</p>

		<p>effective approach MPDC intends to apply the whole MRZ to the existing Residential zone.</p> <p><u>Meeting the criteria - aligning with Government policy direction</u></p> <p>MPDC understands that to meet the criteria of <i>“s80W(2)(h)-for work to be progressed that, for any other reason, the minister considers appropriate,”</i> that the proposed work must meet government policy aspirations.</p> <p><u>Going for Housing Growth Programme (GFHG)</u></p> <p>MPDC believes this aspect of the plan change meets the aspirations of the GFHG through enabling further housing opportunities, and an enabling and flexible rule framework, particularly in a format that is known within the district and which the local development community is familiar. The use of the MRZ provisions is preferable in this location, as the NPS-HPL provisions would make it difficult to expand the existing residential zone in this location, due to the surrounding Class 1 soils. The preliminary Issues and Options report, at pg. 42 analyses the available capacity, with 19 vacant lots in Waharoa, and several of half sites, with overall capacity for 135 additional sites using the existing residential zoning. The use of the MRZ will increase this capacity further. The site suitability rules in the MPDP will enable effects from hazards like flooding to be</p>
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		<p>managed.</p> <p><u>MAIHI Ka Ora – the National Māori Housing Strategy</u></p> <p>MPDC also believe this aspect of the proposal meets the aspirations and intention of the MAIHI Ka Ora – the National Māori Housing Strategy - Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, by better enabling Māori to reside in a place of importance to them. This aspect contributes to meeting Priority 2: Māori-led Local Solutions and Priority 3: Māori Housing Supply of the strategy.</p> <p>There is existing demand in Waharoa to provide differing housing types. Recently a resource consent lodged by Ngāti Hauā was approved to establish a multi-unit housing complex (initially 45 units, later reduced to 35 units due to geotechnical constraints). This proposal includes duplex and terrace housing in a large, landscaped setting with large buffers. The proposed zone change will reduce regulatory barriers for similar developments in the future.</p> <p>MPDC considers the MRZ-Objectives policies and rules that align with MAIHI Ka Ora – the National Māori Housing Strategy are:</p> <p>MRZ-O3, and MRZ-P4</p> <p>The objective seeks to provide a variety of lot sizes and housing typologies with the policy seeking encouraging flexibility and innovation in design and variety in the built form.</p> <p>The imposition of the MRZ in</p>
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		<p>Waharoa will require an amendment to existing Rule 4.13.4 that provides for infill housing in identified townships within the district, including an area Waharoa.</p> <p>This amendment will ensure clarity for plan users regarding which plan provisions apply in the event of intensification. (see discussion below)</p>
<p>To delete a part of an existing rule (4.13.1) that allows for infill housing within 200m of the business zone, in Waharoa.</p>	<p>80W(2)(b)/ s80W(2)(h)</p>	<p><u>Proposal Description</u></p> <p>The MPDP contains rules and overlay mapping that relate to infill housing. The rules provide for infill housing in Matamata, Morrinsville, Te Aroha, Waharoa and Waihou. Overlay mapping in the MPDP planning maps shows the proposed locations for infill for Te Aroha, Morrinsville and Matamata but not for Waharoa and Waihou. (Appendix 5A).</p> <p>As part of this plan change for Waharoa MPDC proposes to amend the centrally located area of Residential zone in Waharoa to Medium Density Residential zone, which will provide as a minimum the same opportunities as the Infill rule, albeit over a greater area.</p> <p>Due to reverse sensitivity issues related to the adjacent industrial area, the smaller area of residential zoned land bounded by Casey and Hawes streets is not proposed to be rezoned to Medium Density Residential zone.</p> <p>To provide clarity in the MPDP, Rule 4.13.1 is proposed to be amended as follows:</p> <p><b>4.13.1 Restricted Discretionary Activities - Residential Infill</b></p> <p><i>Residential Infill development</i></p>

*and subdivision within identified areas complying with the standards of Rule 4.13.4. For the purpose of this rule, identified areas are defined as the Residential infill areas shown on the planning maps for Matamata, Morrinsville and Te Aroha, and within 200m of the Residential Business Zone boundary for ~~Waharoa~~ and Waihou.*

The proposed amendment to this rule would provide clarity in the MPDP regarding the rules that are applicable to the intensification of housing in specified locations. As the centrally located residential zone is proposed to be converted to Medium Density Residential zone and will be identified as such on the planning maps, this will provide clarity to MPDP users regarding locations within the district available for intensification purposes.

As noted earlier in this application the reference to Waihou will also be removed due to the reference being redundant. This will be undertaken as a Schedule 1, Clause 16 change. Therefore, the final version of the rule is proposed to read as follows:

***4.13.1 Restricted Discretionary Activities - Residential Infill***

*Residential Infill development and subdivision within identified areas complying with the standards of Rule 4.13.4. For the purpose of this rule, identified areas are defined as the Residential infill areas shown on the planning maps for Matamata, Morrinsville and Te Aroha. , and within 200m of the Residential*

		<i><u>Business Zone boundary for Waharoa and Waihou.</u></i>
<p>To upzone the existing Te Hauora o Ngāti Hauā Trust site (2 Cadman Street) from MPDP Rural zone to MPDP Business zone and include a Waharoa Precinct to provide for 14 Kaumatua accommodation units on the same site, and an additional level on the existing main building to provide for additional Ngāti Hauā offices at a later date (bringing Ngāti Hauā together)</p>	<p>s80W(2)(h)</p>	<p><u>Proposal Description</u></p> <p>The proposed rezoning of 2 Cadman Street from Rural zone to Business zone will better provide for the existing use and future development of the site a comparison table is shown at Appendix 10.</p> <p><u>Meeting the criteria -aligning with Government policy direction</u></p> <p><u>MAIHA Ka Ora-the National Māori Housing Strategy</u></p> <p>MPDC considers the use of the Waharoa Precinct to provide kaumatua housing, in an area of identified demand, will enable ageing in place in a supportive environment, and this assists to meet the outcomes of this strategy. This aspect contributes to meeting Priority 2: Māori-led Local Solutions and Priority 3: Māori Housing Supply of the Strategy.</p> <p>MPDC considers the proposed business zoning will assist the Hauora to expand/supply further services. This will meet Priority 2: Māori-led Local Solutions and Priority 4: Māori Housing Support. This will support the local community and may also provide further employment opportunities. The business zoning and enabling the Hauora will support the health and safety of Ngāti Hauā - consistent with the purpose of RMA.</p> <p>The Business zone will also assist with the provision of an additional storey to the existing building. This will provide Ngāti Hauā the ability to consolidate its various arms</p>

		<p>in the one place and will be consistent with the purpose of the zone.</p> <p><u>Going for Housing Growth Programme</u></p> <p>MPDC considers the use of the Waharoa Precinct to provide kaumatua housing, an identified demand, which will enable aging in place in a supportive environment assists to meet the outcomes of the Going for Housing Growth Programme. Providing for the additional storey on the existing building will also assist in providing for a well-functioning urban environment in Waharoa, in that all the functions will be in one location making it easier for parties to access information for their projects.</p>
<p>To include the street frontage overlay control as per the MPDP on a portion of the business zoned sites on the eastern side of Seddon Street (SH 27). This control applies at the time of redevelopment and requires the installation of a verandah.</p>	<p><i>s80W(2)(h)</i></p>	<p><u>Proposal Description</u></p> <p>The proposed shop frontage rule is an existing MPDP provision. It's proposed to apply the rule to a portion of the township to encourage the use of the town centre by residents and those passing through.</p> <p><u>National Policy Statement for Urban Development (NPS-UD).</u></p> <p>MPDC believes the proposal meets the intent of the National Policy Statement for Urban Development (NPS-UD). Under the NPS-UD MPDC is a Tier 3 authority and is strongly encouraged to apply the same direction as Tier 1 and 2 authorities. MPDC considers the change supports a well-functioning urban environment. MPDC is a member of the Waikato Future Proof group that is committed</p>

		to well - functioning urban environments.
<p>Expanding the Kaitiaki (Conservation) Zone (KCZ) around the Waitoa River. This would require rezoning of existing MPDP Rural zoned and Industrial zoned land to MPDP KCZ.</p>	<p><i>s80W(2)(h)</i></p>	<p><u>Proposal Description</u></p> <p>Extend the existing KCZ to create a larger protected area adjacent to the Waitoa river.</p> <p>Most of the land proposed to transition to KCZ is Rural zoned land, with a small portion of Industrial zoned land. Of the 6.99ha of land proposed to be additional KCZ, only 600m<sup>2</sup> is currently Industrial zone, with the rest currently Rural zone.</p> <p>The Industrial zoned land, approximately 600m<sup>2</sup>, proposed to transition to KCZ contains a scheduled item from Schedule 3 of the MPDP- Outstanding or Significant Natural Features &amp; Other Protected Items-Item 11- Kahikatea Bush. The proposed application of the KCZ is considered a more accurate reflection of the site conditions than the current Industrial zoning. Given its current vegetated state and its recognition in the Outstanding or Significant Natural Features Schedule, it is unlikely that it could have been utilised for an industrial use so will benefit from the proposed change.</p> <p>The land that will transition from Rural zone to KCZ will have existing use rights for the current farming activities that occur on this land under s10 of the RMA. If the owner wishes to undertake the planting of indigenous forestry this will be a controlled activity consent.</p> <p><u>Meeting the criteria-aligning with Government policy direction</u></p>

		<p>MAIHA Ka Ora-the National Māori Housing Strategy</p> <p>MPDC believes this proposal supports this strategy as it has the potential to enhance a local taonga over the long term. It encourages opportunities for additional planting.</p>
<p>Mowatt Street Area - To rezone an area of Rural zoned land to MPDP Industrial zone, including amendments to recognise existing specific servicing constraints in this location.</p>	<p><i>80W(2)(b) &amp; s80W(2)(h)</i></p>	<p><u>Proposal Description</u></p> <p>Amend the zoning of the Rural zoned land (where currently activities operate subject to the conditions and consent notices of the combined land use/subdivision consent for light industrial purposes), to MPDP Industrial Zone, with amendments to recognise Waharoa specific servicing constraints. The amendments could include objectives and policies and a rule that applies to “wet activities” to recognise the servicing constraints.</p> <p>This will provide for continuity of uses through the three adjacent areas and improved certainty for landowners/users.</p> <p><u>Meeting the criteria - 80W(2)(b)</u></p> <p>MPDC believes this aspect of the exemption application meets the criteria of <i>80W(2)(b)</i> as there has been an unintended consequence as a result of Plan administration at the time of the original consent approvals for light industrial uses, where a resource consent, rather than a plan change process, was utilised. This resulted, in recognition of the servicing constraints of the location, in all the rural zoned lots being subject to the conditions of</p>

		<p>consent and various consent notices. MPDC understand this has resulted in prospective purchasers and their agents unable to achieve sufficient clarity regarding the industrial nature and scope of activities that are permitted on the site, which has resulted in lost sales. At the time of writing there are still 4 lots that have not been sold, from the original subdivision approved in 2009.</p> <p>It is proposed to amend the rural zoning to industrial zoning with additional objectives, policies and a rule/s to reflect the servicing constraints. (Appendix 20)</p> <p>This approach provides clarity to existing and future landowners.</p> <p><u>Meeting the criteria - s80W(2)(h)</u></p> <p>MPDC believes that the proposed change assists to support the government intention of well-functioning urban environments (NPS-UD). The clarity around the intention of the zone will encourage parties to purchase land and in turn provide more future employment opportunities in proximity of the township, which is important in an area of social deprivation.</p>
<p>23 Dunlop Road-To rezone an area of Rural zoned land to MPDP Industrial zone, including amendments to recognise existing specific servicing constraints in this location.</p>	<p><i>s80W(2)(h)</i></p>	<p><u>Proposal Description</u></p> <p>This rural zoned site sits between Mowatt Street (discussed above) and the Industrial zoned portion of the Open Country Dairy site of the DCP (discussed below). The site is currently occupied by a cool store facility enabled</p>

		<p>through a resource consent.</p> <p>It is proposed to amend the Rural zoned land, (where the light industrial activity operates under a resource consent with conditions), to MPDP Industrial zone with amendments to recognise Waharoa specific servicing constraints. The amendments could include objectives and policies and a rule that applies to “<i>wet activities</i>” to recognise the servicing constraints.</p> <p>This will provide for the continuity of uses through the areas and improved certainty for landowners/uses.</p> <p><u>Meeting the criteria - s80W(2)(h)</u></p> <p>MPDC believes the proposed change assists to support the government intention of well-functioning urban environments (NPS-UD). The clarity around the intention of the zone will encourage parties to purchase land and in turn provide more future employment opportunities in proximity of the township, which is important in an area of social deprivation.</p>
<p>Rural zoned portion of Open Country Dairy DCP, Factory Road-To rezone an area of Rural zoned land to MPDP Industrial zone including amendments, to recognise existing specific servicing constraints in this location.</p>	<p><i>s80W(2)(h)</i></p>	<p><u>Proposal Description</u></p> <p>This rural zoned portion of the Open Country Dairy site sits adjacent to the Mowatt Street area and 23 Dunlop Road (both discussed above). This portion of the Open Country Dairy site is currently utilised by a carpark through a resource consent and there is grazing on the remainder of this portion.</p> <p>It is proposed to amend the rural zoned land to MPDP Industrial Zone, with</p>

		<p>amendments to recognise Waharoa specific servicing constraints. This matter can be recognised as part of the Industrial zone through the imposition of objectives and policies and a rule that applies to “<i>wet activities</i>” to recognise the servicing constraints.</p> <p>This will provide for the continuity of uses through the areas and improved certainty for landowners/users.</p> <p><u>Meeting the criteria - s80W(2)(h)</u></p> <p>MPDC believes the proposed change assists to support the government intention of well-functioning urban environments (NPS-UD). The clarity around the intention of the zone will encourage parties to purchase land and in turn provide more future employment opportunities in proximity of the township, which is important in an area of social deprivation.</p>
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Note that this level of detail may not be necessary for low complexity plan changes (e.g., minor corrections plan changes that are correcting unworkable provisions). Please check in with [plan.exemptions@mfe.govt.nz](mailto:plan.exemptions@mfe.govt.nz) if you are completing an application form for a low complexity plan change that meets a single criterion in full.

## 5. Timing and urgency

Explain any time-critical need to proceed with the plan change before the transition under the RMA reform process.

- The Waharoa community, including the business community have been hopeful for a revitalisation process for the community for some time and council have committed to supporting the outcomes that are being sought by Ngāti Hauā and the community. Some of the aspirations related to projects that sought funding, albeit with no success, from the now defunct Provincial Growth Fund, while other aspirations were related to this plan change process (started 2021). The plan change project has been delayed several times, for reasons outside the community control, however there is strong desire from the community to continue.
- The plan change project was previously a bigger project, a plan change plus Council implementation measures. The implementation measures were to be funded through Council,

however funding is now not available. Ngāti Hauā does have a range initiatives in this location that includes housing and social initiatives.

- The process was stalled by Covid and has only just regained momentum.
- Some specialist work (planner/traffic engineers/urban design) has been undertaken in part and paid for. This work would become redundant if the project could not continue or was pushed out to a future time, when most likely the work would have to be redone to bring it up to date-checking traffic counts and so on.
- MPDC seeks that the formal statutory processes of the plan change can be initiated as soon as possible, to allow the community to start being able to take advantage of the more enabling provisions contained in the plan change as sought under section s80W(2)(h). For the changes sought under s80W(2)(b), these changes would provide clarity for both potential purchasers of the Mowatt street area sites and enable additional employment opportunities, and for those residential zones a variety of housing options through the imposition of the same residential zoning over all the residential zones.
- MPDC acknowledges the shift to the new planning framework under the Planning Act will take some time, so Council district plans are likely to remain in effect for a while after the new system is introduced. In the meantime, it is still important to ensure the MPDP is workable, practical and fit for purpose. To wait an additional 2-3 years to enable a plan change process to start, with a statutory process and approval processes after that, would be a continuation of the existing uncertainty which seems unreasonable for a community who supports and is actively seeking such a statutory process to take place to improve both their community and their personal position. Importantly we want to ensure the MPDP does not impose unnecessary consent requirements on sites where there could be an alternative option. The plan change will help to reduce the cost and time associated with consent applications for applicants.

## 6. Alignment with Government priorities

Explain how the proposed plan supports national direction, legislative intent or critical local needs.

### Critical local needs

#### Te Tomokanga-A Housing Strategy for Ngāti Hauā

This housing strategy identifies a critical need for housing for Ngāti Hauā, across their rohe which includes Waharoa, with low home ownership levels and the poor condition of much of the housing. Working on the housing issue in Waharoa will assist to contribute to the goals of the Flight Path document, which is seeking an improvement in a range of outcomes including employment and well-being.

#### Waharoa Flightpath-Nga Tumanako Anamata, Hopes for the Future

Ngāti Hauā is working on a wider initiative (Appendix 2B for the Waharoa Flightpath-Nga Tumanako Anamata, Hopes for the Future) which aims to secure funding and resources for the growth and revitalisation of Waharoa. The Ngāti Hauā flightpath document captures the ideas that arose from the visioning hui held in 2021 that outlines strategies to implement the growth and revitalisation that the Plan Change would enable. It seeks to accelerate Waharoa into the future in a holistic manner through improvements in housing, employment and creating a much-improved sense of place. The intent is that these improvements are not only for those already living there that the improvements in turn attract new people and business to the community and encourage visitors.

#### Kaitiaki (Conservation) zone of the MPDP

The Kaitiaki (Conservation) zone is applied to significant natural landscapes and habitats where the geographical spread of areas or features is sufficient to justify zoning rather than individual schedule of areas. This zone has been applied to areas in the district to protect or enhance their natural, intrinsic, or other recognised values of an area. The KCZ assists to give effect to several provisions of RMA - Section 6-Matters of National Importance, including sections a, c, and e. The zone also supports the aspirations of Ngāti Hauā with regard their focus on the importance and improvement of the river and gives effect to RMA s6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga

### Regional Studies and aspirations

#### **Hamilton to Tauranga Corridor Spatial Study | Future Proof**

**Future Proof, in partnership with SmartGrowth, has completed a year-long study that identifies the potential growth impacts of transport improvements in the Hamilton to Tauranga Corridor, an important leg of the Upper North Island's Golden Triangle.**

This area spans over multiple territorial boundaries including Hamilton City Council, Matamata-Piako District, Waipā District and South Waikato District.

The study provides a clear understanding of the growth area's unique needs and potential and will help ensure that future growth and the necessary transport, water and utility infrastructure is coordinated and aligned. It aimed to determine how development can be managed in the best way possible – supporting economic outcomes, as well as protecting the environment and our communities.

#### **Quick facts Within the Corridor:**

- The population has increased from just over 250,000 in 1996 to more than 450,000 in 2024.

- Employment has doubled from 139,650 in 2000 to over 258,000 in 2024.
- There are over 300 planned developments.
- Around 900-1,000 additional dwellings are expected from the transport improvements in the next 30 years.
- An additional 26ha of industrial land and 11ha of commercial land is expected over the next 30 years.
- The economic activity arising from this extra development could generate an additional \$200m of GDP (Gross Domestic Product) in the Waikato region and \$130m of GDP in the Bay of Plenty Region.

### Findings of the study

The study found that, in addition to the high growth already predicted in the Corridor, planned transport improvements are expected to generate more development throughout the Corridor.

This additional growth is expected to continue to occur mostly at either end of the corridor – in the metro cities of Hamilton and Tauranga.

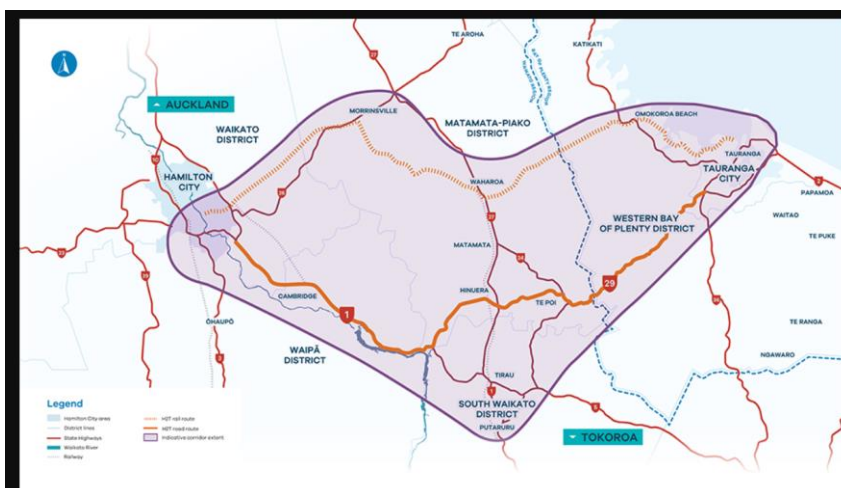
In the medium-long term, there is also expected to be significant potential growth in the central towns of Matamata, Tirau and Putāruru, and the proportion of growth occurring in this central area could gradually increase over time.

The growth created by the transport investment is not projected to require the creation of new stand-alone urban areas within the Corridor.

Both regions are well placed to accommodate the expected additional growth because of the existing spatial planning work already completed and underway by Future Proof and SmartGrowth. The study confirms both regions are on the right track and our growth strategies are continuing to guide the right type of growth, in the right way, in the right place.

The study area spans over multiple territorial boundaries including Hamilton City Council, Matamata Piako District, Waipā District and South Waikato District, as per the diagram below

Waharoa is in the centre of the study area, situated on the key transport route of State Highway 27 and it is also located at the junction of the Kinleith Branch and the East Coast Main Trunk Railway. Many of the industries locating in this area already draw benefits from these key transport routes and this study has the potential to make further improvements which will boost the potential of Waharoa as an industrial location.



A link to the study can be found here: <https://www.futureproof.org.nz/hot-topics/hamilton-to-auranga-corridor-spatial-study>

### National Policy

#### Government Policy Statement on Housing and Urban Development (GPS-HUD)

The Government Policy Statement on Housing and Urban Development (GPS-HUD) sets a direction for housing and urban development in Aotearoa New Zealand. The GPS-HUD's vision is that everyone in New Zealand lives in a home and a community that meets their needs and aspirations.

MPDC believes the proposed plan change will contribute to the four main outcomes of this policy:

- An adaptive and responsive system: the community has expressed a need for flexible housing options and an interest to attract others to the community, and the proposed medium density housing will help facilitate this, and
- Stable, affordable, healthy homes: the community has expressed an interest to be able to live within their community and this proposal supports this proposal for all ages and stages, and
- Māori-led housing: This plan change is being developed in conjunction with Ngāti Hauā. It's of importance to this application that there are multiple sites in Māori ownership in Waharoa. It's also significant that 70% of the population in Waharoa identify as Māori. Ngāti Haua is a community housing provider and has already undertaken a medium density housing development proposal in this location. The Māori led housing will be further supported by changing the Rural zone of the Hauora site to Business zone with the Waharoa Precinct to enable other activities to be easily offered on the site to continue to support Māori and wider community.
- Thriving and resilient communities: The plan change will help contribute to an abundant housing supply by reducing regulatory barriers. The community has an interest to drive economic growth and support businesses to grow. The recently approved resource consent in Cadman Street is an example of this.

### RMA Reform-The Planning Bill

This proposal aligns with the RMA reform, and particularly the proposed goals of the Planning Bill, for example:

- to support and enable economic growth and change by enabling the use and development of land:

The proposal to apply MRZ to the Town's main residential area meets this goal by increasing housing density, thereby improving affordability and choice to fulfil the needs and aspirations of the community. The proposal to apply industrial zoning to some existing rural locations where industrial activities are currently enabled by resource consents, will provide improved clarity for users and potential purchasers and encourage ongoing development of the land.

### Going for Housing Growth Programme

As part of the reform, the Government has introduced the Going for Housing Growth Programme. This programme intends to support and enable housing growth by freeing up more land for urban development. MPDC believes the plan change meets the intended outcomes of this programme by:

- Upzoning the centrally located residential zone in Waharoa from Residential zone to MRZ to meet community interest to have flexible housing options, and

- Introducing the Waharoa Precinct (with a proposed Business zone) where the existing Hauora centre is located to enable kaumatua housing, and
- Supporting an increased population by increasing the potential for more support services through the rezoning of the Hauora site from Rural to Business and rezoning the three rural zoned sites to Industrial zone to potentially provide more employment opportunities, and
- Introducing the Shop Frontage areas rule to a portion of the existing Business zone to increase the functionality of the centre of town and encourage passing traffic to stop and have a coffee/lunch.

#### MAIHA Ka Ora-the National Māori Housing Strategy

MPDC believes the proposed plan change will better enable opportunities to arise to assist with meeting the priorities of this strategy in particular Priority 2: Māori-led Local Solutions, Priority 3: Māori Housing Supply and Priority 4: Māori Housing Support. The enablement of more housing opportunities close to support services, places of cultural importance, and employment opportunities will increase the chances of locally led solutions being successful.

#### NES- Papakāinga

The NES-Papakāinga is focused on providing housing opportunities for Māori. This plan change provides additional opportunities for land that does not fall into the definition of Māori land that could be developed for the Waharoa township through both the use of the medium density housing provisions and the use of the Waharoa Precinct to allow kaumatua housing.

## 7. Consequences of not proceeding

Describe the risks or impacts if the exemption is not granted (such as housing shortfalls, hazard exposure or legal obligations).

The Council has undertaken to work with the Waharoa community some time ago to assist the community to realise the aspirations for their township. At that time this was in conjunction with Government grants, that would implement the physical works associated with any plan change. The project halted over Covid, also low levels of staffing in the Policy section have also delayed the project progressing. In the interim Government funding was not forthcoming.

The project had recently been reactivated due to improved staffing levels. The Governance Group involving Ngāti Hauā and local Councillors has been reestablished, and Local Champions (community representatives) have been identified and involved and include kaumatua and industrial representatives. While not involved in governance decisions the local champions have been invaluable at the time of site visits (2025) offering local knowledge and commentary.

There has been Council investment in the project with some specialist work (planner/traffic engineers/urban design) has been undertaken and paid for and this would become redundant if they project could not continue.

The following consequences have been identified if proposed PC49-Waharoa is not granted approval to proceed:

- The retention of the existing rule framework with residential infill provisions limited to 200m of a Business Zone. This approach is not consistent or transparent for plan users.
- With regard the existing Residential zone and the Rural zoned Hauora site, there would be retention of planning rules and standards on sites that generate consent requirements for

housing, when a more appropriate and enabling option is available. Retaining the present rules will also potentially discourage new proposals from taking place, which could provide for Ngāti Hauā and community needs. The provision of new and compliant homes will provide enhanced health and wellbeing outcomes for this community.

- The potential loss of opportunities to provide safe and healthy new homes.
- Lost opportunity to more readily provide for intergenerational housing projects. Local people including kaumatua are unable to be housed and supported in their local community close to support services.
- Businesses are discouraged from locating in the main street area due to its low level of functionality.
- With regard the Waitoa river, continuing degradation of the river.
- Businesses continue to be discouraged from locating in the rural zoned areas that currently function as light industrial areas in Waharoa around Mowatt St/Dunlop Rd and Factory Street, resulting in reduced employment opportunities.
- With regard all the elements of the proposal not proceeding this would continue the current uncertainty in the community over which intended revitalisation outcomes are able to be achieved for the community and further loss of community goodwill.

## 8. Benefits of proceeding

Describe the benefits (if any) of proceeding with the exemption.

The following benefits have been identified:

- The inclusion of the medium density housing provisions for the existing residential zone would more readily provide for intergenerational housing projects, and
- New housing will provide health and social benefits to the people of Waharoa, and
- The proposed change of the Hauora site would provide for the expansion of medical and social services to the community, and
- The rezoning of the rural zone land with light industrial uses/consents to industrial zone will provide increased confidence for the development of the site and may result in further local employment opportunities, and
- The enhanced protection provided through additional Kaitiaki (Conservation) zone around the Waitoa River will assist to improve its degraded state.

Proceeding with the plan change would contribute to enhanced certainty in the community that the revitalisation outcomes that are being sought are continuing to be supported by the Council. This has the potential to encourage people, business and funding into the area.

With regard the outcomes sought under *80W(2)(b)* this should enable certainty regarding industrial activities and potentially create new employment opportunities.

## 9. Supporting documents

Include any relevant maps, reports, legal advice or community engagement summaries. It would be helpful to understand if any stakeholder consultation, including tangata whenua engagement, has occurred on the proposal. If available, you may wish to supply a s32 report.

If you are seeking to publicly notify a draft planning instrument, a detailed summary of the draft planning instrument is required.

### Summary of draft planning instrument

The draft planning instrument contains 6 proposed changes to the Operative Matamata-Piako District Plan (MPDP).

- To amend the towns centrally located residential zone area bounded by Cadman Street, Mills Street and Walker Street from Residential zone to Medium Density Residential zoning (MRZ) from the MPDC Operative Plan (MPDP).
- To delete a part of an existing rule (4.13.1) that limits infill housing to only within 200m of the business zone, in Waharoa.
- To amend the existing Te Hauora o Ngāti Hauā Trust site (2 Cadman Street) from MPDP Rural zone to MPDP Business zone and Waharoa Precinct to provide for 14 Kaumatua accommodation units on the same site, and an additional level on the existing main building to provide for additional Ngāti Hāua offices at a later date (bringing Ngāti Hāua together).
- To apply the street frontage overlay control as per the MPDP on a portion of the business zoned sites on the eastern side of Seddon Street (SH 27). This control applies at the time of redevelopment and requires the installation of a verandah.
- Expanding the Kaitiaki (Conservation) zone (KCZ) around the Waitoa River. This would require rezoning of identified rural zoned and industrial zoned areas to KCZ.
- Rural zoned area around Mowatt Street/Dunlop Road and Factory Road- to rezone three areas of Rural zoned land to a MPDP Industrial zone, with amendments recognise specific servicing constraints in this location.

### Summary of community & tangata whenua engagement (from Issues and Options paper attached at Appendix 2)

Community engagement for Plan Change 49 began through a joint Ngāti Hauā and MPDC visioning hui on 8 July 2021. The hui encouraged the community to share their vision and aspirations for the future of Waharoa. Some of the aspirations that emerged from the hui included providing for a range of quality housing options, restoration of the Waitoa River and ensuring land-use and infrastructure are well integrated. Additionally, another community event was held on 30 November 2022 to advance consultation and collate community views on the future development of the town.

The outcomes of community consultation were used to develop and feed into high-level spatial plan for Waharoa which shows how growth can be enabled by a plan change, this was presented to Council on 13 Oct 2021 by representatives of Ngati Hauā and MPDC staff.

As the development work was further refined early consultation took place with landowners adjacent to the Waitoa River regarding an extension of the Kaitiaki Zone. A strong adverse reaction to the proposal has led to the extension of the Kaitiaki zoning to be proposed on the industrial side

only of the Waitoa river.


Except for one landowner at Mowatt Street who owns multiple lots, and the Open Country Dairy site, engagement with the remainder of the “rural zoning to industrial zoning” landowners have not yet occurred.

## 10. Outcome requested

- Full exemption to continue or notify the proposed plan or policy statement change
- Partial exemption (specify portions, sections or purposes excluded from the national moratorium)
- Other (for example, some local authorities may need permission to vary the plan change as it progresses)

## 10. Declaration

I declare that the information provided in this application is accurate and complete.

Name	Ally van Kuijk
Position	Hautū Tipu me te Whakamatua   Group Manager Growth and Regulation
Local authority	Matamata-Piako District Council
Signature	
Date	19/05/2026