



## Appendices – Supporting Documents



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## **Appendices-Supporting Documentation-Description**

### **Appendix 1-Location map for Waharoa.**

*This appendix shows the location of Waharoa within the Waikato region and within Matamata-Piako District, the existing district plan maps and the proposed district plan map.*

### **Appendix 2-Issues and Options Paper. (a separate attachment)**

*This appendix contains a link to the draft Issues and Options paper for this plan change. This Issues and Options paper was developed some time ago, so it is not completely aligned to the draft exemption application but does give a background to the development of the plan change and the progress to date with selecting what will be the finalised option.*

### **Appendix 2A-Te Tomokanga-A Housing Strategy for Ngāti Hauā. (a separate attachment)**

*This appendix contains a link to Te Tomokanga-A Housing Strategy for Ngāti Hauā.*

### **Appendix 2B-Waharoa Flightpath-Nga Tumanako Anamata, Hopes for the Future.**

*This appendix contains the Waharoa Flightpath-Nga Tumanako Anamata, Hopes for the Future document, a summary of the aspirations of Ngāti Hauā for this community.*

### **Appendix 3-The terms of reference for the PC49 Governance Group.**

*PC 49 is a joint plan change with MPDC and Ngāti Hauā: two members of Ngāti Hauā, and two MPDC elected members form the Governance Group and the agreed terms of reference guide their actions within the group.*

### **Appendix 4-Letters of Support-Governance Group Chair /CEO on behalf of Ngāti Hauā.**

*The Ngāti Hauā CEO on behalf of Ngāti Hauā has reviewed the draft exemption application and provided a letter of support.*

### **Appendix 5-MPDP Medium Density Residential Zone provisions.**

*The existing Matamata Piako District Plan (MPDP) Medium Density Residential Zone provisions are included in this Appendix.*

### **Appendix 5A-MPDP Infill housing provisions, and Waharoa**

*This Appendix shows the existing Infill housing rules and how other Infill housing areas are mapped, compared to Waharoa.*

### **Appendix 6-Comparison table between MPDP Residential zone and Medium Density Residential zone.**

*This comparison table has been included in this appendix to show a comparison between the two types of residential zones with the Medium Density Residential zone preferred for this plan change.*

### **Appendix 7-Proposed zone change (Residential zone to Medium Density Residential zone) shown on MPDP Zoning Map.**

*This set of maps shows the location within Waharoa of the area of Residential zone that is proposed to be amended to Medium Density Residential Zone.*

### **Appendix 8-MPDP Activity Table Business zone and Kaitiaki (Conservation) zone.**

*This shows the Business Zone and Kaitiaki (Conservation) Zone Activity Table.*

### **Appendix 9-2 Cadman Street-Proposed zone change (Rural zone to Business zone with DCP) shown on MPDP zoning map.**

*This includes the proposed changes on the MPDP zoning maps for the Hauora site.*

### **Appendix 10-Comparison Table Business zone /Rural zone.**

*This comparison table has been included in this appendix to show a comparison between the two types of zones with the Business zone preferred for this plan change for the 2 Cadman Street Site.*



**Appendix 11-Draft Waharoa Precinct for 2 Cadman Street.**

*The draft Waharoa Precinct for 2 Cadman Street will be an overlay over the proposed Business zoning. The precinct will provide for the following: Kaumatua Housing and an extension to the existing Hauora building to provide for the future combining of Ngāti Ngāti Hauā services.*

**Appendix 12-Letter of Support - Chair Ngāti Hauā Hauora.**

*The exemption application has been reviewed by Ngāti Hauā Hauora Chair who has provided a letter of support.*

**Appendix 13-Photo set capturing the current business frontages in Seddon Street.**

*These photos show the current business frontages in Seddon Street, showing a mixture of sites, some with verandahs. This is the location where Shop Frontage Area Rule is proposed to be applied, which is from the corner of Walker and Seddon Street through to corner of SH27 and Mowbray Street.*

**Appendix 14-MPDP Shop Frontage areas rule.**

*This appendix contains the MPDP Development Controls-Business zone, including Rule 3.4.5 Shop Frontage Areas.*

**Appendix 15-Proposed addition of MPDP Shop Frontage area control to part of Seddon Street Business zone on MPDP zoning map.**

*This map shows the proposed location of the new Shop Frontage area control.*

**Appendix 16-Proposed expansion of Kaitiaki (Conservation) Zone shown on MPDP zoning map.**

*Maps showing the location of both the existing, and proposed expansion of Kaitiaki (Conservation) zone on the MPDP zoning maps.*

**Appendix 17-Copy of the Mowatt Street consent decision and conditions and subsequent amendments and 23 Dunlop Road, Waharoa Consents. (a separate attachment)**

*Copy of the original Mowatt Street subdivision and landuse consent decisions and conditions and subsequent consent application amendments, and original consents for coolstore and other works at 23 Dunlop Road.*

**Appendix 18-Copies of the owner's correspondence on need for Industrial zoning for the Mowatt Street Subdivision.**

*Copies of emails and a letter relating to concerns over the nature of the zoning in the Mowatt Street area.*

**Appendix 19-Proposed zone change (Rural zone to Industrial Zone-Mowatt Street shown on MPDP zoning map.**

*Maps showing the existing, and proposed expansion of the Industrial zone within Waharoa.*

**Appendix 20-Existing provisions of Industrial Zone and possible Waharoa specific amendments.**

*This Appendix shows the existing Industrial provisions for the Industrial zone and some possible amendments proposed to recognise servicing constraints in Waharoa. Further research is required before the full suite of provisions can be developed.*

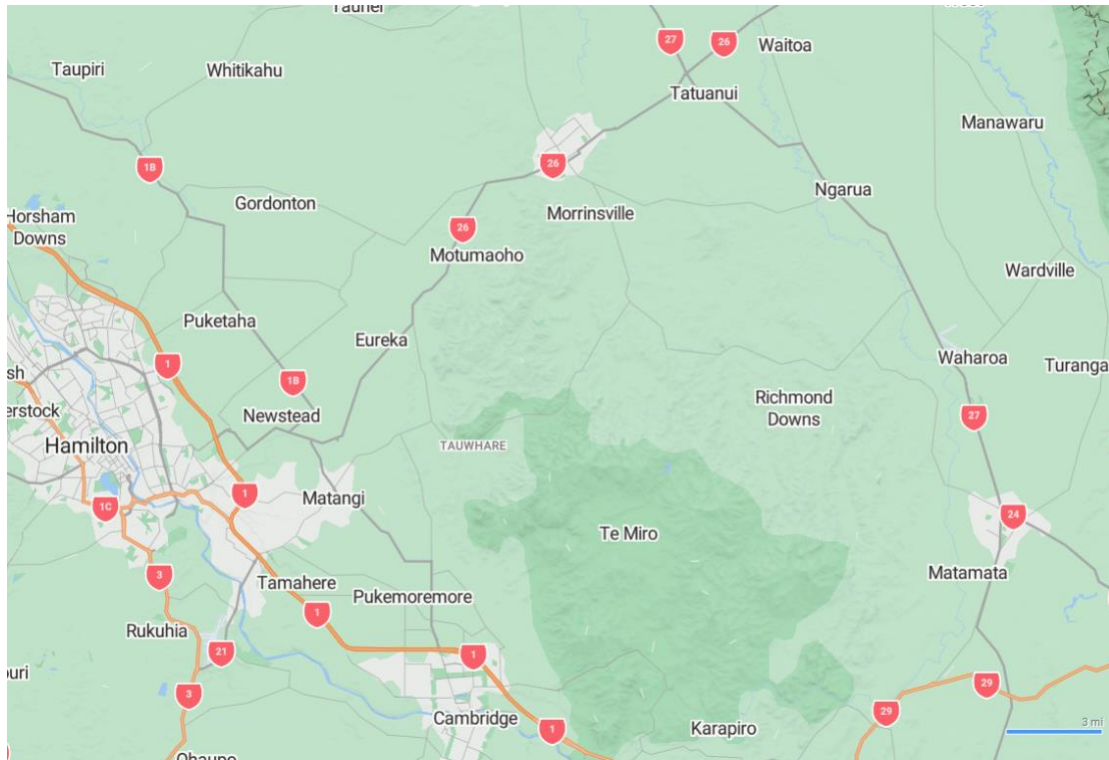
**Appendix 21-National Policy Statement for Highly Productive Land (NPS-HPL) commentary.**

*This Appendix contains staff commentary in relation to the requirements of the NPS-HPL. Staff consider that due to the reliance on existing consents for Industrial uses that this area has been operating as a defacto Industrial zone and is therefore not subject to the provisions of the NPS-HPL.*

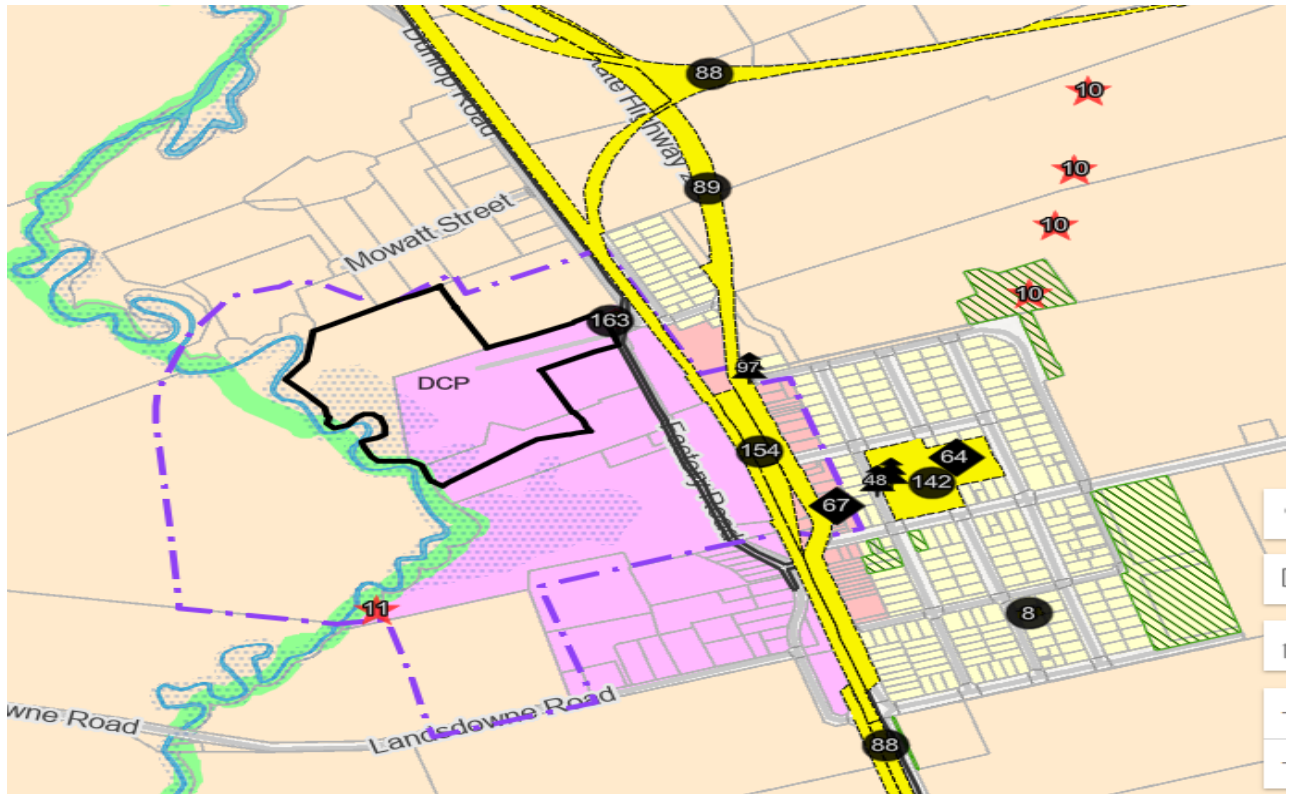


# Appendix 1: Waharoa Location Map, and existing and proposed District Plan maps for Plan Change area

## Waharoa - Regional and District Context



## Existing District Plan Map



**Proposed District Plan map for Plan Change area (DCP area and other notations such as designations and heritage sites remain)**



## **Appendix 2: Issues and Options Paper**

The Issues and Options paper is a discussion paper based on the former full version of Plan Change 49, that was originally developed in the National Planning Standards format. To create improved alignment with the current exemption application, most of the zoning references have been amended to those of the Operative Matamata-Piako District Plan. The paper will be modified if the exemption application is approved.

Attached as a separate document.

# Appendix 2A: Te Tomokanga-A Housing Strategy for Ngāti Hauā

Attached as a separate document.



# Appendix 3: The terms of reference for the PC49 Governance Group

## 6.1.2 Governance Group for Plan Change 49 – Waharoa

Chair	Chair to be appointed by the Governance Group Current Chair is Lisa Gardiner
Deputy Chair	A Deputy Chairperson has not been appointed
Membership	<u>Two Ngāti Hauā representatives.</u> Current appointments: <ul style="list-style-type: none"><li>• Lisa Gardiner (Chair)</li><li>• Muna Wharawhara</li></ul> <u>Two Council representatives.</u> Current appointments: <ul style="list-style-type: none"><li>• Councillor Vincent Andersen</li><li>• Councillor Sue Whiting</li></ul> <u>Technical staff</u> RMA policy team and experts as required
Quorum	No quorum
Meeting cycle	As required
Reports to	Council

### Vision

To meet Council's statutory requirements under the Resource Management Act by developing an enabling planning framework for the sustainable development of the Town of Waharoa to give expression to the "Ngā Tumanako Anamata – Hopes for the Future" and the Community's aspirations.

### Purpose

To establish a Working Group that provides tangata whenua the opportunity to partner with Council to successfully develop Plan Change 49 –Waharoa of the Matamata-Piako District Plan.

### Functions

To provide advice to Council and to take responsibility for the governance of the project.

## Terms of Reference

The working party will:

### Governance

- Actively engage in Plan Change 49 –Waharoa plan development.
- Provide advice, and recommendations to Council
- Attend hui and review documents
- Make recommendations based on the legislative requirements

### Technical plan development

- Conduct investigations, provide reports, advice and recommendations
- Documentation and support for the governance arm of the Working Party
- Presentation to hui and Working party
- Prepare plan change for notification
- Complete statutory plan-making process

### **Statutory Context and Decision Making**

The Working Party is expected to make recommendations regarding the drafting of the plan provisions. The final provisions will be confirmed by Council.

### **Administration/ Secretarial Support**

Council will provide all of the administration and management support services for all the meetings, venue, catering costs and expenses.

### **Meeting Fees**

Cost share to be confirmed

# Appendix 4: Letter of Support - Governance Group Chair & CEO on behalf of Ngāti Hauā

21 April 2026

Tēnā koutou

## Letter of Support – Plan Change 49 Waharoa Exemption Application

Ngāti Hauā Iwi Trust (NHIT) writes to formally express its strong support for Matamata-Piako District Council's application to the Minister for the Environment seeking an exemption to enable Plan Change 49 – Waharoa (PC49) to proceed.

NHIT has been an active partner in the development of this plan change, including through representation on the joint Governance Group established to guide the process. The proposed plan change reflects the aspirations of Ngāti Hauā and the wider Waharoa community, which have been consistently articulated through engagement processes since 2021, including the visioning hui held at Raungaiti Marae.

PC49 is intrinsically linked to Ngāti Hauā's broader kaupapa for the revitalisation of Waharoa, including the Waharoa Flightpath – Ngā Tūmanako Anamata. The plan change provides the necessary statutory framework to enable this long-held vision, particularly in relation to:

- Increasing the supply and diversity of housing, including papakāinga-style and kaumātua housing
- Supporting the delivery and expansion of health, social and whānau services through the Te Hauora o Ngāti Hauā site
- Strengthening the local economy through enabling industrial and business activity
- Enhancing and protecting the mauri of the Waitoa River as a taonga of Ngāti Hauā

Ngāti Hauā strongly supports the application of Medium Density Residential zoning in Waharoa, which will better enable housing outcomes aligned with Te Tomokanga – the Ngāti Hauā Housing Strategy. The current regulatory framework presents unnecessary barriers to development and does not adequately respond to the significant housing need within our rohe.

We also strongly support the rezoning of the Te Hauora o Ngāti Hauā site to enable integrated delivery of health, social, and housing services, including provision for kaumātua housing. This is a critical component of our aspiration to support whānau to live, age, and thrive within their own community.

The proposed extension of the Kaitiaki (Conservation) Zone around the Waitoa River aligns with our role as kaitiaki and our commitment to restoring and protecting the mauri of this significant waterway.

Importantly, Ngāti Hauā emphasises the urgency of this plan change. The Waharoa community has experienced prolonged delays in progressing this work, and there is strong community expectation that momentum will be maintained. Further delay risks undermining community confidence and delaying critical housing, economic and social development opportunities.



PO BOX 276 Morrinsville 3340

Tel. 07 889 5049

admin@ngatihauaiwi.co.nz

www.ngatihauaiwi.co.nz

In our view, Plan Change 49 clearly meets the criteria under section 80W(2)(h) of the Resource Management Act, as it enables work to progress that is essential to achieving locally led solutions, improving housing outcomes, and supporting a thriving and resilient community.

Accordingly, Ngāti Hauā Iwi Trust fully supports the granting of this exemption and strongly encourages the Minister to approve the application to enable PC49 to proceed without delay.

Nāku noa, nā



Lisa Gardiner  
Chief Executive  
Ngāti Hauā Iwi Trust



# Appendix 5: MPDP Medium Density Residential Zone Provisions

This existing section from the MPDP will apply to the proposed Medium Density Residential Zone in Waharoa.

## Part B: Rules

### 17 Medium Density Residential Zone

#### 17.1 Medium Density Residential Zone Issues

The purpose of the Medium Density Residential Zone is to provide areas for medium density residential development with a mixture of detached, semi-detached housing and terraced housing options.

Some greenfield areas are provided for promoting a higher residential density providing for a range of housing types, to offer a choice of living environments. Development in these areas achieves higher density in conjunction with high quality amenity through a master planned approach that informs a Development Area Plan.

It is intended that by enabling increased densities in these areas, the zone will play a key role in minimising urban sprawl and increasing housing supply with more affordable options in the district.

Good urban design outcomes are anticipated through the standards and where applicable through the assessment criteria.

#### 17.2 Medium Density Residential Zone Objectives

MRZ-O1	To provide for residential activities and medium density housing, in comprehensively designed greenfield areas, to provide a variety of lot sizes and housing typologies.
MRZ-O2	To ensure residential development produces good on-site amenity and good quality urban design that enhances our communities.
MRZ-O3	A range of housing types and densities are available to meet the needs of the community.
MRZ-O4	To ensure that the design and appearance of <i>buildings</i> and <i>sites</i> provides good urban design, certainty for residents and integrates with the surrounding townscape.
MRZ-O5	All activities are compatible with residential amenity.
MRZ-O6	Land-use, subdivision and infrastructure are planned in an integrated manner that does not compromise the supply and capacity of public services.
MRZ-O7	Residential <i>buildings</i> make efficient use of water and energy resources through access to sunlight and daylight.

### 17.3 Medium Density Residential Zone Policies

MRZ-P1	To ensure greenfield medium residential density areas are comprehensively designed to provide a range of housing types and densities and development to be in accordance with a Development Area Plan.
MRZ-P2	To encourage a high standard of on-site amenity and ensure that development achieves adequate levels of daylight admission, privacy and open space for residential <i>sites</i> and adjacent properties.
MRZ-P3	Ensure residential <i>sites</i> adjacent to public space achieve visual and physical connectivity to these areas.
MRZ-P4	To provide for development within the district in a manner that encourages flexibility and innovation in design and variety in the built form.
MRZ-P5	To ensure the adverse effects on the amenity values of the locality are minimised including the effects of noise, glare, odour, dust, smoke, fumes and other nuisances, and the effects on traffic, parking, and transport.
MRZ-P6	To maintain appropriate standards of amenity and design through setting standards for the bulk and location of <i>buildings</i> .
MRZ-P7	To ensure infrastructure is developed efficiently by ensuring that the development of greenfield areas complies with the Development Area Plan including the staging and sequencing of development.

## 17.4 Activity Status Rules

### MRZ - Medium Density Residential Zone

#### MRZ-R1(1) PER Activities

All permitted activities must comply with the general and relevant activity specific standards. The general standards are listed in MRZ-R2(1) – MRZ-R2(6). Any activity specific standards are identified in the following activity rules.

#### (a) One Residential Unit

##### General Standards

MRZ-R2(1) – MRZ-R2(6).

##### Activity Specific Standards

###### Net site area

Every residential unit shall have a net site area of 325m<sup>2</sup>.

###### Outdoor Living Space

Every residential unit shall have an area of outdoor living space which shall:

- (i) Have a minimum area of 50m<sup>2</sup> and contain no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, with no dimension less than 1.8m;
- (ii) Be located to the north, east or west of the unit. Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the outdoor living space;
- (iii) Be unobstructed by vehicle access, parking spaces and buildings; and:
- (iv) Be directly accessible from the main living area.

###### Service Area

Every residential unit shall have a service area which shall:

- (i) Have a minimum area of 20m<sup>2</sup>, with a minimum dimension of 3m;
- (ii) Be readily accessible from each residential unit;
- (iii) Be screened from a public road or other public place; and:
- (iv) Be setback a minimum of 2m from the primary building frontage.

#### (b) Alterations and additions to existing buildings

##### General Standards

MRZ-R2(1) – MRZ-R2(6).

**(c) Home Business**

**General Standards**

MRZ-R2(1) – MRZ-R2(6).

**Activity Specific Standards**

A *Home Business* shall comply with the following standards:

- (i) A maximum of two full time equivalent positions may be employed in the *home business* and it must include at least one permanent resident of the *site*;
- (ii) The *home business* shall not involve the parking of heavy vehicles (Gross Vehicle Weight of 3,500kg or more) on-site;
- (iii) The sale of goods directly to customers from the *site* is limited to those produced on-site and/or which are ancillary to a service undertaken on-site;
- (iv) The total area dedicated to a *home business* shall be limited to 60m<sup>2</sup> floor area. This may include up to 20m<sup>2</sup> outdoor areas for the activity including storage subject to this area being screened by fencing and/or landscaping to a minimum height of 1.8m;
- (v) A maximum outdoor area of 6m<sup>2</sup> for the display of goods for sale in addition to (iv);
- (vi) Includes non-self-contained B&B for up to six people;
- (vii) All on-site activities must individually and collectively comply with all permitted standards;
- (viii) Any private day care activity shall be limited to four children (excluding children that permanently reside at the *site* of the *home business*);
- (ix) Shall not involve any pet day care or grooming services, and:
- (x) The hours for delivery and collection of goods as well as on-site customer visits shall be between 7.30am to 5.30 pm – Monday to Sunday.

**(d) Show Homes**

**General Standards**

MRZ-R2(1) to MRZ-R2(6).

**(e) Accessory Building for any permitted activity**

**General Standards**

MRZ-R2(1) – MRZ-R2(6).

**(f) Demolition of buildings and structures except those outlined in Schedules 1, 2, and 3.**

**General Standards**

There are no standards for this activity.

**(g) Activities (including *buildings*) on *land* gazetted as reserve as provided by a Management Plan under the Reserves Act 1977**

**General Standards**

MRZ-R2(1) to MRZ-R2(6).

**(h) Outdoor informal recreation and incidental structures**

**General Standards**

MRZ-R2(1) – MRZ-R2(6).

**(i) *Earthworks***

**Activity Specific Standards**

Earthworks shall comply with the following standards:

- (i) Max cut or fill height -
  - 0.5m within the yard requirement.
  - 1.5m outside the yard requirement.
- (ii) All site works to be reinstated within 6 months of works commencing.
- (iii) Maximum volume of earthworks 100m<sup>3</sup> within any 12 month period.
- (iv) Works must not affect or be located within a scheduled item (Schedules 1 – 3).
- (v) Works cannot involve the excavation or disposal of contaminated land/materials.
- (vi) Works shall be set back 5m from any overland flow path and 10m from any water body.
- (vii) Exclusions: Any earthworks which;

Have been approved as part of a land use or subdivision consent, or:

Are for the removal of topsoil for *building* foundations and/or driveways-associated with an approved *building* consent, or:

Any *earthworks* associated with utility installation, maintenance, upgrading and / or removal where the ground surface is fully reinstated within one month from when the work started.

### **MRZ-R1(2) RDIS Activities**

All restricted discretionary activities must comply with the general and relevant activity specific standards. The general standards are listed in MRZ-R2(1) to MRZ-R2(6). The activity specific standards are identified in the following activity rules.

#### **(a) Any permitted activity which does not comply with one or two standards unless otherwise stated in the standards rules**

##### **Matters of Discretion**

MRZ-R3(1).

MRZ-R3(2).

MRZ-R3(4).

#### **(b) Duplex Dwelling**

##### **General-Standards**

MRZ-R2(1) – MRZ-R2(6).

##### **Activity Specific Standards**

A *Duplex Dwelling* shall comply with the following standards:

- (i) The *site* on which the duplex is to be located must be a front *site*;
- (ii) The minimum *net site area* shall be 400m<sup>2</sup> (200m<sup>2</sup> per unit);
- (iii) Each unit shall have an exclusive *outdoor living space* of 36m<sup>2</sup> which contains no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, with no dimension less than 1.8m. The *outdoor living space* must:
  - Be unobstructed by vehicle access, parking spaces and *buildings*; and:
  - Be directly accessible from the main living area.Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the *outdoor living space*;
- (iv) Each unit shall have an exclusive service area of 10m<sup>2</sup> that contains a minimum dimension of 3m; is screened from a public road or other public place and is setback a minimum of 2m from the primary *building* frontage;
- (v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a change in materials;
- (vi) No yard or *height in relation to boundary* rules shall apply at common (shared) walls;
- (viii) Both units shall have frontage to a public road;

##### **Matters of Discretion**

MRZ-R3(1).

MRZ-R3(2).

### **MRZ-R1(3) DIS Activities**

The matters of discretion MRZ-R3(1); MRZ-R3(2) and MRZ-R3(4) may be used to inform and guide the assessment of a discretionary activity. However, there is no limit or restriction on the matters or effects that may be assessed.

#### **(a) Any:**

**(i) permitted activity which does not comply with three or more standards unless otherwise stated in the standards rules; and:**

**(ii) any restricted discretionary activity that cannot comply with one or more standards unless otherwise stated in the standards rules.**

#### **General Standards**

MRZ-R2(1) – MRZ-R2(6).

#### **(b) One Residential Unit on lots less than 325m<sup>2</sup>**

#### **General Standards**

MRZ-R2(1) – MRZ-R2(6).

#### **Activity Specific Standards**

A *Residential Unit* on a lot less than 325m<sup>2</sup> shall comply with the following performance standards:

##### Net site area

The minimum lot size shall not be less than 273m<sup>2</sup> *net site area*.

##### Outdoor Living Space

Every *residential unit* shall have an area of *outdoor living space* which shall:

(i) Have a minimum area of 50m<sup>2</sup> and contain no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, with no dimension less than 1.8m;

(ii) Be located to the north, east or west of the unit. Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the *outdoor living space*;

(iii) Be unobstructed by vehicle access, parking spaces and *buildings*; and

(iv) Be directly accessible from the main living area.

##### Service Area

Every *residential unit* shall have a service area which shall:

(i) Have a minimum area of 20m<sup>2</sup>, with a minimum dimension of 3m;

(ii) Be readily accessible from each *residential unit*;

(iii) Be screened from a public road or other public place; and:

(iv) Be setback a minimum of 2m from the primary *building* frontage.

**(c) Retirement Village**

**General Standards**

MRZ-R2(2), MRZ-R2(3), MRZ-R2(4)(e) and MRZ-R2(6).

**(d) Places of Assembly**

**General Standards**

MRZ-R2(1) to MRZ-R2(6).

**(e) Activities (including *buildings*) on *land* gazetted as reserve and not provided for by a Management Plan approved under the Reserves Act 1977**

**General Standards**

MRZ-R2(1) to MRZ-R2(6).

**(f) Educational facilities**

**General Standards**

MRZ-R2(1) to MRZ-R2(6).

**MRZ-R1(4) NC Activities**

The matters of discretion in Rule MRZ-R3(1) to MRZ-R3(4) may be used to inform and guide the assessment of a non-complying activity. However, there is no limit or restriction on the matters or effects that may be assessed.

**(a) Accommodation facilities**

**(b) Terrace Housing**

**(c) Depots, light industry, industry, packhouses and cool stores, storage and warehousing**

**(d) Commercial services and offices**

**(e) Service stations**

**(f) Veterinary clinics and medical facilities**

**(g) Any activity not specifically listed within the Medium Density Residential Zone**

**(h) Any discretionary activity that does not comply with one or more standards**

**(i) Development not in accordance with the Lockerbie Development Area Plan**

## 17.5 Standards for Medium Density Residential Zone

### MRZ-R2 Standards for Medium Density Residential Zone

#### (1) General

All activities shall be required to comply with the following standards. MRZ-R2(1) to MRZ-R2(6) are general standards for all activities including linkage rules to other sections of the District Plan.

#### (2) *Building Envelope*

Unless otherwise stated, the following standards apply to all *buildings* in the Medium Density Residential Zone.

##### (a) Maximum *height*

The maximum *building height* is 9m.

The maximum *height* rule does not apply to a single *design feature* or *building component*, which does not exceed the maximum permitted *height* by more than 2 metres and/or an external dimension of 2 metres in any other direction (excluding diagonal measurements).

Refer Section 8 for rules for antenna and dishes.

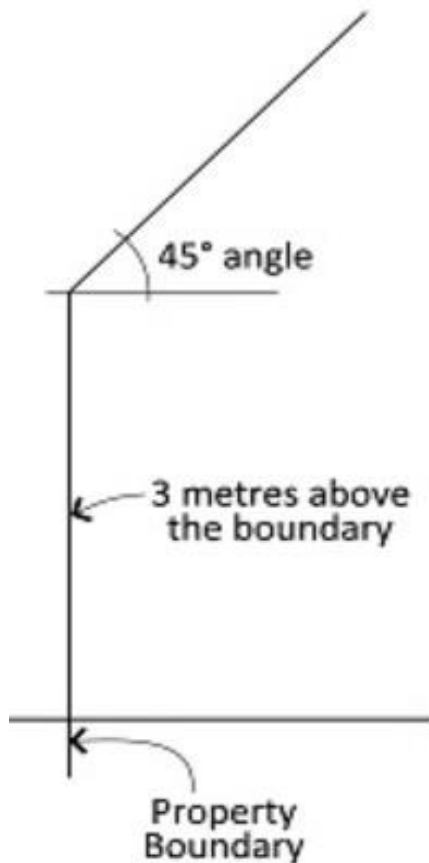
##### (b) *Height in relation to boundary*

No part of any *building* shall penetrate a recession plane at right angles to the boundary inclined inwards at 45 degrees from 3m above ground level and the nearest *site* boundary, provided that this shall not apply:

(i) To a *design feature* or *building component* that does not exceed an external measurement of 2 metres in any direction (excluding diagonal measurements);

(ii) For common walls of *duplex dwellings*;

(iii) Where written consent from the owners and occupiers of the adjoining property is obtained.



(c) Yards

Front	3m, or: 5m for garages to the front boundary or for <i>residential units</i> that do not incorporate a garage.
Side and Rear	1.5m (except on a common wall between a <i>duplex dwelling</i> where a zero-lot boundary is provided for).
Rear access lot	1m or 5m for garages from the edge of a private way/right of way.
River protection	20m.

**Provided that:**

*Accessory buildings* may be erected within any rear and/or side yard so long as:

- (i) The written consent of all owners of property/ies contiguous to any building is obtained and Rule MRZ-R2(2)(b) is not compromised or:

(ii) It is proposed to locate the accessory building within the rear and/or side yard and:

The *building* is less than 10m<sup>2</sup> in area;

The *building* is less than 2.5m in *height*;

The *building* will not be connected to an electricity supply;

There is no discharge of stormwater onto neighbouring *land* from the *building*; and:

No more than one *accessory building* is established on a *site* in accordance with this rule.

All structures on, or adjacent to *site* boundaries must also comply with the provisions of the Building Act.

**(3) Maximum Building Coverage and Permeable Surface Area unless otherwise provided for**

(a) Maximum building coverage shall be 55% of the *net site area*.

(b) Minimum permeable surface area shall be 20% of the *net site area*.

**(4) Interface between public and private**

(a) On a *site* with a frontage less than 15m wide, the front façade of a *building* shall comprise a minimum non-garage width of 4.5m.

(b) All walls facing the street, except the wall containing the garage door must contain clear-glazed windows for at least 20% of the area of these walls.

(c) For front *sites*, the primary entrance on the ground floor shall face the street and provide pedestrian access separated from the driveway.

(d) At least one habitable room shall have a clear-glazed window facing the street. For corner *sites* with two street frontages, and/or where there is one street frontage and a reserve on the other frontage this is required on both frontages.

(e) Maximum fence and wall heights:

<p>Front and side boundary fences and/or retaining walls located forward of the front wall of the <i>residential unit</i></p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable, except where the outdoor living area is adjacent to the fence the maximum fence height is 1.5m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.5m.</p>
<p>For boundaries of <i>sites</i> adjoining an Open Space Area that sits lower than the adjacent private lots as shown on a Development Area Plan</p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 1.5m, whereby retaining walls over 1.2m in height</p>

	<p>shall be stepped by at least 500mm to visually break up the expanse of the wall and allow for planting.</p> <p>Provided that no combination of fence and retaining wall shall exceed 2.5m.</p> <p>The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.</p>
For boundaries of <i>sites</i> adjoining an Open Space Area that sits higher than the adjacent private lots as shown on a Development Area Plan	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.8m.</p> <p>The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.</p>
All other boundary fences or walls	<p>Maximum height of a fence is 1.8m.</p> <p>Maximum height of a retaining wall is 1.5m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 3m.</p>

(f) Outlook space

(i) An outlook space must be provided from the face of a *building* containing windows to a habitable room, at the following minimum dimensions:

Main living room	6m in depth and 4m in width
Main bedroom	3m in depth and 3m in width
All other habitable rooms	1m in depth and 1m in width

(ii) Where the room has two or more external faces with windows the outlook space must be provided from the face with the larger or largest area of glazing.

(iii) The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.

(iv) The outlook space cannot extend over adjacent *sites*, except where that space is a public road or other public place.

### **(5) Water Conservation Within the Lockerbie Development Area Plan**

All new or relocated residential *buildings* where potable public water supply is available to a residential *building* must be fitted with one of the following:

- (a) rainwater storage tanks with a minimum capacity of 5,000 litres for the supply of non-potable water for outdoor use for lots that have a standalone residential unit; or
- (b) rainwater storage tanks with a minimum capacity of 2,000 litres for the supply of non-potable water for outdoor use for each residential unit attached to a duplex (i.e. 4,000 litres per duplex).

(Refer to section 6.14 of the Development Manual)

### **(6) District Plan Linkage Rules – Standards**

All activities shall comply with the relevant standards identified in the following sections of the District Plan.

- Rule 1.2 - Development Suitability
- Rule 2.2.9.1 and 2.2.9.2 - Clean fill activities
- Rule 3.5 - Activities adjacent to the National Grid
- Rule 3.6 - Development adjacent to sub-transmission lines
- Rule 3.7 - Approach and restart sight triangles at railway level crossings
- Rule 3.8 - Activities adjacent to Flood Control Assets
- Rule 3.9 - Signage
- Rule 5.2 - Noise
- Rule 5.3 - Vibration
- Rule 5.4 - Lighting and Glare
- Rule 5.5 - Air Emissions
- Rule 5.6 - Management of Disposal of wastes
- Rule 5.7 - Use and Storage of Hazardous Substances
- Rule 5.9 - Infrastructure and servicing
- Section 7 - Development Contributions
- Section 9 -Transportation

## 17.6 - Activity Status Rules - Lockerbie Precinct

### PREC1-R1 - Lockerbie Precinct

#### PREC1-R1(1) PER Activities

All permitted activities must comply with the general and relevant activity specific standards. The general standards are listed in PREC1-R2(1) – PREC1-R2(6). Any activity specific standards are identified in the following activity rules.

#### (a) One Residential Unit

##### General Standards

PREC1-R2(1) – PREC1-R2(6).

##### Activity Specific Standards

###### Net site area

Every residential unit shall have a net site area of 325m<sup>2</sup>.

###### Outdoor Living Space

Every residential unit shall have an area of outdoor living space which shall:

- (i) Have a minimum area of 50m<sup>2</sup> and contain no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, with no dimension less than 1.8m;
- (ii) Be located to the north, east or west of the unit. Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the outdoor living space;
- (iii) Be unobstructed by vehicle access, parking spaces and buildings; and:
- (iv) Be directly accessible from the main living area.

###### Service Area

Every residential unit shall have a service area which shall:

- (v) Have a minimum area of 20m<sup>2</sup>, with a minimum dimension of 3m;
- (vi) Be readily accessible from each residential unit;
- (vii) Be screened from a public road or other public place; and:
- (viii) Be setback a minimum of 2m from the primary building frontage.

#### (b) Alterations and additions to existing buildings

##### General Standards

PREC1-R2(1) – PREC1-R2(6).

**(c) Home Business**

**General Standards**

PREC1-R2(1) – PREC1-R2(6).

**Activity Specific Standards**

A *Home Business* shall comply with the following standards:

- (i) A maximum of two full time equivalent positions may be employed in the *home business* and it must include at least one permanent resident of the *site*;
- (ii) The *home business* shall not involve the parking of heavy vehicles (Gross Vehicle Weight of 3,500kg or more) on-site;
- (iii) The sale of goods directly to customers from the *site* is limited to those produced on-site and/or which are ancillary to a service undertaken on-site;
- (iv) The total area dedicated to a *home business* shall be limited to 60m<sup>2</sup> floor area. This may include up to 20m<sup>2</sup> outdoor areas for the activity including storage subject to this area being screened by fencing and/or landscaping to a minimum height of 1.8m;
- (v) A maximum outdoor area of 6m<sup>2</sup> for the display of goods for sale in addition to (iv);
- (vi) Includes non-self-contained B&B for up to six people;
- (vii) All on-site activities must individually and collectively comply with all permitted standards;
- (viii) Any private day care activity shall be limited to four children (excluding children that permanently reside at the *site* of the *home business*);
- (ix) Shall not involve any pet day care or grooming services, and:
- (x) The hours for delivery and collection of goods as well as on-site customer visits shall be between 7.30am to 5.30 pm – Monday to Sunday.

**(d) Show Homes**

**General Standards**

PREC1-R2(1) to PREC1-R2(6).

**(e) Accessory Building for any permitted activity**

**General Standards**

PREC1-R2(1) – PREC1-R2(6).

**(f) Demolition of buildings and structures except those outlined in Schedules 1, 2, and 3.**

**General Standards**

There are no standards for this activity.

**(g) Activities (including *buildings*) on *land* gazetted as reserve as provided by a Management Plan under the Reserves Act 1977**

**General Standards**

PREC1-R2(1) to PREC1-R2(6).

**(h) Outdoor informal recreation and incidental structures**

**General Standards**

PREC1-R2(1) – PREC1-R2(6).

**(i) *Earthworks***

**Activity Specific Standards**

Earthworks shall comply with the following standards:

- (i) Max cut or fill height -
  - 0.5m within the yard requirement.
  - 1.5m outside the yard requirement.
- (ii) All site works to be reinstated within 6 months of works commencing.
- (iii) Max volume of earthworks 100m<sup>3</sup> within any 12 month period.
- (iv) Works must not affect or be located within a scheduled item (Schedules 1 – 3).
- (v) Works cannot involve the excavation or disposal of contaminated land/materials.
- (vi) Works shall be set back 5m from any overland flow path and 10m from any water body.
- (vii) Exclusions: Any *earthworks* which:
  - Have been approved as part of a land use or subdivision consent; or
  - Are for the removal of topsoil for *building* foundations and/or driveways-associated with an approved *building* consent; or
  - Any *earthworks* associated with utility installation, maintenance, upgrading and / or removal where the ground surface is fully reinstated within one month from when the work started.

**PREC1-R1(2) RDIS Activities**

All restricted discretionary activities must comply with the general and relevant activity specific standards. The general standards are listed in PREC1-R2(1) to PREC1-R2(6). The activity specific standards are identified in the following activity rules.

**(a) Any permitted activity which does not comply with one or two standards unless otherwise stated in the standards rules**

**General Standards**

PREC1-R2(1) – PREC1-R2(6).

**Matters of Discretion**

PREC1-R3(1).

**(b) One Residential Unit on lots less than 325m<sup>2</sup>**

**General Standards**

PREC1-R2(1) – PREC1-R2(6).

**Activity Specific Standards**

A *Residential Unit* on a lot less than 325m<sup>2</sup> shall comply with the following standards:

Net site area

The minimum lot size shall not be less than 273m<sup>2</sup> *net site area*.

Outdoor Living Space

Every *residential unit* shall have an area of *outdoor living space* which shall:

- (i) Have a minimum area of 50m<sup>2</sup> and contain no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, with no dimension less than 1.8m;
- (ii) Be located to the north, east or west of the unit. Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the *outdoor living space*;
- (iii) Be unobstructed by vehicle access, parking spaces and *buildings*; and
- (iv) Be directly accessible from the main living area.

Service Area

Every *residential unit* shall have a service area which shall:

- (i) Have a minimum area of 20m<sup>2</sup>, with a minimum dimension of 3m;
- (ii) Be readily accessible from each *residential unit*;
- (iii) Be screened from a public road or other public place; and:

Be setback a minimum of 2m from the primary *building* frontage.

**Matters of Discretion**

PREC1-R3(1).

**(c) Duplex Dwellings**

**General Standards**

PREC1-R2(1) to PREC1-R2(6) .

### Activity Specific Standards

A *Duplex Dwelling* shall comply with the following standards:

- (i) The *site* on which the duplex is to be located must be a front *site*;
- (ii) The minimum *net site area* shall be 400m<sup>2</sup> (200m<sup>2</sup> per unit);
- (iii) Each unit shall have an exclusive *outdoor living space* of 36m<sup>2</sup> which contains no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, with no dimension less than 1.8m. The *outdoor living space* must:  
Be unobstructed by vehicle access, parking spaces and *buildings*; and:  
Be directly accessible from the main living area.  
Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the *outdoor living space*;
- (iv) Each unit shall have an exclusive service area of 10m<sup>2</sup> that contains a minimum dimension of 3m; is screened from a public road or other public place; and is setback a minimum of 2m from the primary *building* frontage;
- (v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a change in materials;
- (vi) No yard or *height in relation to boundary* rules shall apply at common (shared) walls; and:
- (vii) Both units shall have frontage to a public road.

### Matters of Discretion

PREC1-R3(1).

PREC1-R3(2).

### (d) Terraced Housing

#### General Standards

PREC1-R2(1) to PREC1-R2(6).

#### Activity Specific Standards

*Terraced Housing* shall comply with the following standards:

- (i) The *site* on which the *terraced housing* is to be located must be a front *site*;
- (ii) The average *net site area* shall be 150m<sup>2</sup> per *residential unit*;
- (iii) Each unit shall have an exclusive *outdoor living space* of 20m<sup>2</sup> which contains no dimension less than 4m, or a 9m<sup>2</sup> balcony with a minimum dimension of no less than 1.8m. This shall be unobstructed by vehicle access, parking spaces, and *buildings* and shall be directly accessible from the main living area;
- (iv) The average *building coverage* shall not exceed 55% except where adjoining a reserve with a width of more than 20m whereby *building coverage* shall not exceed 60%;

(v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a change in materials;

(vi) No yard or *height in relation to boundary* rules shall apply at common (shared) walls; and:

(vii) Windows are located and designed (including by glazing) to avoid views between rooms on separate *sites*.

**Matters of Discretion**

PREC1-R3(1).

PREC1-R3(3).

**PREC1-R1(3) DIS Activities**

The matters of discretion Rule PREC1-R3(1) to PREC1-R3(4) may be used to inform and guide the assessment of a discretionary activity. However, there is no limit or restriction on the matters or effects that may be assessed.

**(a) Any:**

**(i) permitted activity which does not comply with three or more standards unless otherwise stated in the standards rules; and:**

**(ii) any restricted discretionary activity that cannot comply with one or more standards unless otherwise stated in the standards rules.**

**General Standards**

PREC1-R2(1) to PREC1-R2(6).

**(b) Retirement Village**

**General Standards**

PREC1-R2(2), PREC1-R2(3), PREC1-R2(4)(e) and PREC1-R2(6).

**(c) Educational facilities**

**General Standards**

PREC1-R2(2), PREC1-R2(3), PREC1-R2(4)(e) and PREC1-R2(6).

**PREC1-R1(4) NC Activities**

The matters of discretion in PREC1-R3(1) to PREC1-R3(4) may be used to inform and guide the assessment of a non-complying activity. However, there is no limit or restriction on the matters or effects that may be assessed.

(a) Accommodation facilities

(b) Depots, light industry, industry, packhouses and cool stores, storage and warehousing.

(c) Commercial services and offices.

(d) Service stations.

(e) Veterinary clinics and medical facilities.

(f) Any discretionary activity that does not comply with one or more standards.

(g) Any activity not specifically listed within PREC1.

(h) Development not in accordance with the Lockerbie Development Area Plan.

## 17.7 Standards for Lockerbie Precinct

### PREC1-R2 Standards for PREC1 - Lockerbie Precinct

#### (1) General

All activities shall be required to comply with the following standards. PREC1-R2(1) to PREC1-R2(6) are general standards for all activities including linkage rules to other sections of the District Plan.

#### (2) Building Envelope

Unless otherwise stated, the following standards apply to all *buildings* in PREC1.

##### (a) Maximum *height*

The maximum *building height* is 9m

The maximum *height* rule does not apply to a single *design feature* or *building component*, which does not exceed the maximum permitted *height* by more than 2 metres and/or an external dimension of 2 metres in any other direction (excluding diagonal measurements).

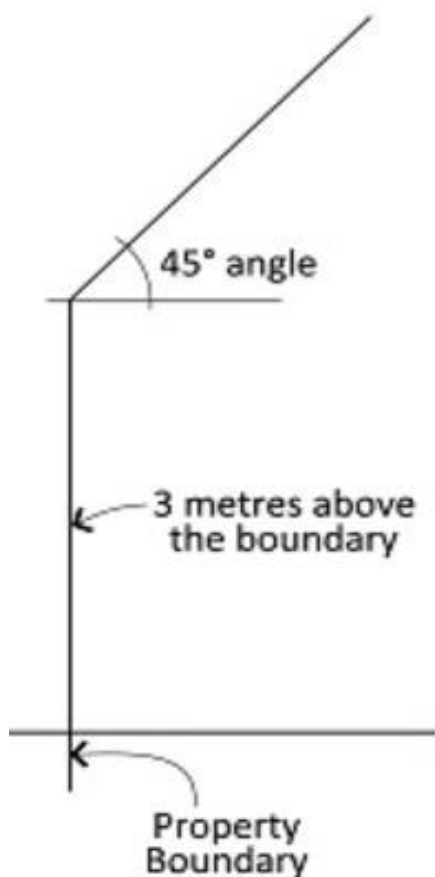
Refer Section 8 for rules for antenna and dishes.

##### (b) *Height* in relation to boundary

No part of any *building* shall penetrate a recession plane at right angles to the boundary inclined inwards at 45 degrees from 3m above ground level and the nearest *site* boundary, provided that this shall not apply:

(i) To a *design feature* or *building component* that does not exceed an external measurement of 2 metres in any direction (excluding diagonal measurements);

- (ii) For common walls of *duplex dwellings* or *terraced housing*;
- (iii) Where written consent from the owners and occupiers of the adjoining property is obtained.



(c) Yards

Front	3m, or 5m for garages to the front boundary or for <i>residential units</i> that do not incorporate a garage.
Side and Rear	1.5m (except on a common wall between a <i>duplex dwelling</i> and <i>terraced housing</i> where a zero lot boundary is provided for).
Rear access lot	1m or 5m for garages from the edge of a private way/right of way.
River protection	20m

**Provided that:**

*Accessory buildings* may be erected within any rear and/or side yard so long as;

- (i) the written consent of all owners of property/ies contiguous to any *building* is obtained and Rule PREC1-R2(2)(b) is not compromised; or:

(ii) It is proposed to locate the *accessory building* within the rear and/or side yard and:

The *building* is less than 10m<sup>2</sup> in area;

The *building* is less than 2.5m in *height*;

The *building* will not be connected to an electricity supply;

There is no discharge of stormwater onto neighbouring *land* from the *building*; and:

No more than one *accessory building* is established on a *site* in accordance with this rule.

All structures on or adjacent to *site* boundaries must also comply with the provisions of the Building Act.

### **(3) Maximum Building Coverage and Permeable Surface Area unless otherwise provided for**

(a) Maximum *building coverage* shall be 55% of the *net site area*.

(b) Minimum permeable surface area shall be 20% of the *net site area*.

### **(4) Interface between public and private**

(a) On a *site* with a frontage less than 15m wide, the front façade of a *building* shall comprise a minimum non-garage width of 4.5m.

(b) All walls facing the street, except the wall containing the garage door must contain clear-glazed windows for at least 20% of the area of these walls.

(c) For front *sites*, the primary entrance on the ground floor shall face the street and provide pedestrian access separated from the driveway.

(d) At least one habitable room shall have a clear-glazed window facing the street. For corner *sites* with two street frontages, and/or where there is one street frontage and a reserve on the other frontage this is required on both frontages.

(e) Maximum fence and wall heights:

<p>Front and side boundary fences and/or retaining walls located forward of the front wall of the <i>residential unit</i></p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable, except where the outdoor living area is adjacent to the fence the maximum fence height is 1.5m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.5m.</p>
<p>For boundaries of <i>sites</i> adjoining an Open Space Area that sits lower than</p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p>

the adjacent private lots as shown on a Development Area Plan	<p>Maximum height of a retaining wall is 1.5m, whereby retaining walls over 1.2m in height shall be stepped by at least 500mm to visually break up the expanse of the wall and allow for planting. Provided that no combination of fence and retaining wall shall exceed 2.5m.</p> <p>The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.</p>
For boundaries of <i>sites</i> adjoining an Open Space Area that sits higher than the adjacent private lots as shown on a Development Area Plan	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.8m.</p> <p>The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.</p>
All other boundary fences or walls	<p>Maximum height of a fence is 1.8m.</p> <p>Maximum height of a retaining wall is 1.5m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 3m.</p>

(f) Outlook space

(i) An outlook space must be provided from the face of a *building* containing windows to a habitable room, at the following minimum dimensions:

Main living room	6m in depth and 4m in width
Main bedroom	3m in depth and 3m in width
All other habitable rooms	1m in depth and 1m in width

(ii) Where the room has two or more external faces with windows the outlook space must be provided from the face with the larger or largest area of glazing.

(iii) The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.

(iv) The outlook space cannot extend over adjacent *sites*, except where that space is a public road or other public place.

### **(5) Water Conservation Within the Lockerbie Development Area Plan**

All new or relocated residential *buildings* where potable public water supply is available to a residential *building* must be fitted with one of the following:

(a) rainwater storage tanks with a minimum capacity of 5,000 litres for the supply of non-potable water for outdoor use for lots that have a standalone residential unit; or:

(b) rainwater storage tanks with a minimum capacity of 2,000 litres for the supply of non-potable water for outdoor use for each *residential unit* attached to a duplex (i.e 4,000 litres per duplex) or terrace housing (10,000 litres for 5 *residential units*).

(Refer to section 6.14 of the Development Manual)

### **(6) District Plan Linkage Rules – Standards**

All activities shall comply with the relevant standards identified in the following sections of the District Plan.

- Rule 1.2 - Development Suitability
- Rule 2.2.9.1 and 2.2.9.2 - Clean fill activities
- Rule 3.5 - Activities adjacent to the National Grid
- Rule 3.6 - Development adjacent to sub-transmission lines
- Rule 3.7 - Approach and restart sight triangles at railway level crossings
- Rule 3.8 - Activities adjacent to Flood Control Assets
- Rule 3.9 - Signage
- Rule 5.2 - Noise
- Rule 5.3 - Vibration
- Rule 5.4 - Lighting and Glare
- Rule 5.5 - Air Emissions
- Rule 5.6 - Management of Disposal of wastes
- Rule 5.7 - Use and Storage of Hazardous Substances
- Rule 5.9 - Infrastructure and servicing
- Section 7: Development Contributions
- Section 9: Transportation

## 17.8 Matters of Discretion - Medium Density Residential Zone and Lockerbie Precinct

### MRZ-R3 Matters of Discretion for Medium Density Residential Zone

### PREC1-R3 Matters of Discretion for PREC1- Lockerbie

#### (1) Matters of Discretion

The following matters of discretion shall apply to all Restricted Discretionary activities:

- (a) The extent of non-compliance with any standards or activity specific standards and the degree to which this adversely affects the amenity and character of the *site* and surrounding area;
- (b) The degree to which on-site amenity is retained for residents and the appropriate level of separation, space and amenity between *sites*;
- (c) The degree to which the built form achieves coherence and consistency whilst avoiding monotony;
- (d) The extent to which the scale and nature of the proposal including any specific *site* features or design mitigates the adverse effects of the activity;
- (e) The degree to which subtle variation in the *building* mass, cladding materials and colours is applied to ensure that no more than 2 *residential units*, in a row are identical in terms of both form, exterior materials and colours;
- (f) Traffic, parking and access effects, including the safety and efficiency of the roading network and any effects of not providing carparking. This shall, as required, include how the development is providing for/enabling public transport;
- (g) The extent to which landscaping and screening is used to mitigate adverse visual effects;
- (h) Whether adequate capacity exists to maintain acceptable levels of service within available public reticulated three waters services; and
- (i) The Matters of Discretion for subdivision and development in Rule 6.3.14(v).

#### (2) RDIS Matters of Discretion – Duplex Dwelling

In addition to the criteria set out in Rule MRZ-R3(1) & PREC1-R3(1), the following matters of discretion shall apply to any Restricted Discretionary Activity for a *duplex dwelling*:

- (a) The nature and design of *buildings* and outdoor spaces to ensure that a high level of residential amenity and high-quality character is provided for residents;
- (b) The scale, density and design of *buildings* and the degree to which this maintains the residential amenity and values of other surrounding *sites*; and:
- (c) The extent to which the *building* design provides for informal surveillance of public spaces by locating doors, windows and other openings associated with living areas so

they overlook and interact with public spaces and have entrances facing the transport corridor.

### **(3) RDIS Matters of Discretion – *Terraced Housing***

In addition to PREC1-R3(1), the following matters of discretion shall apply to *Terraced housing* in PREC-1 Lockerbie:

- (a) The nature and design of *buildings* and outdoor spaces to ensure that a high level of residential amenity is provided for residents;
- (b) The extent to which the *building* design and fencing provides for informal surveillance of public spaces by locating doors, windows and other openings associated with living areas so they overlook and interact with public spaces, having entrances facing the transport corridor and ensuring that an active visual relationship is maintained;
- (c) The extent to which *building* design and proposed landscaping will add visual interest and vitality to the streetscape and avoids large, featureless facades and front gardens;
- (d) The design and location of parking, manoeuvring areas and driveways; and:
- (e) The scale, density and design of *buildings* and the degree that this maintains the residential amenity and values of other surrounding *sites*, including maintaining privacy between the *residential units* and *buildings* on adjoining *sites*.

## 17.9 Other Plan Provisions - Medium Density Residential Zone and Lockerbie Precinct

### MRZ-R4 & PREC1-R4: OTHER PLAN PROVISIONS

#### (1) Other Plan Provisions

Any activity within the Medium Density Residential Zone and PREC1 will also need to be reviewed and assessed against the following rules and sections of the District Plan:

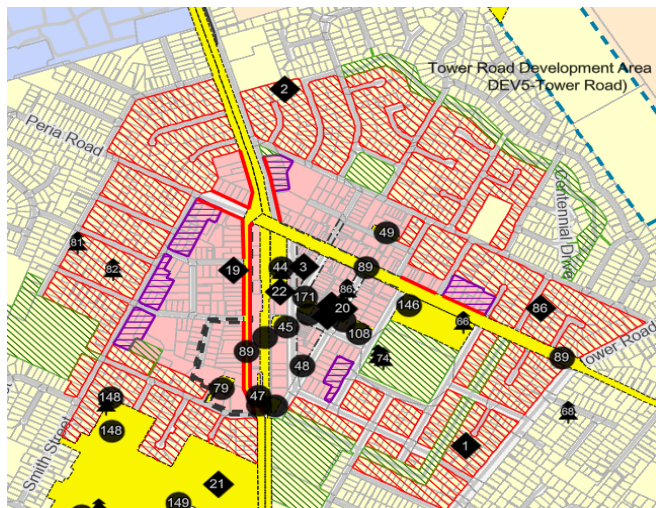
- Rule 1.1 - Information requirements for resource consent applications
- Rule 1.5 - Notified and non-notified consents
- Section 5 - Performance Standards
- Section 6 - Subdivision
- Section 8 - Works and network utilities
- Section 10 - Natural Environments and heritage
- Section 11 - Natural Hazards
- Section 12 - Surface of Water
- Section 13 - Other Methods
- Section 14: Monitoring
- Section 15: Definitions

# Appendix 5A: MPDP Infill housing provisions, and Waharoa

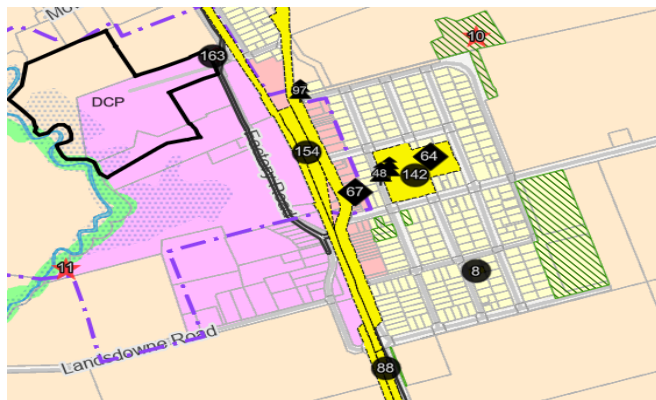
The MPDP does provide for infill housing in Waharoa. This rule is contained in Rule 4.13.1, included below. Rule 4.13.1 states that the rule pertains to Waharoa, and states the area to which the rule applies, as opposed to the mapping approach for the larger town centres, with an example of the mapping shown below.

## Mapping Matamata & Waharoa

Mapping Matamata -Infill area, shown in red hatching.



## Mapping Waharoa



## Rule

### Part B: Rules

#### 4 Activity related performance standards

##### 4.13 Residential Infill Development

##### 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 Business Zone boundary for Waharoa and Waihou.

#### **4.13.2 Discretionary Activities - Residential Infill**

1. Residential Infill development and subdivision within an identified area that does not comply with the standards of Rule 4.13.4.
2. Residential Infill development and subdivision complying with the standards of Rule 4.13.4 not within an identified area.

#### **4.13.3 Non-Complying Activities - Residential Infill**

1. Residential Infill development and subdivision not within an identified area and not complying with the standards of Rule 4.13.4.
2. Any subdivision for Residential Infill which does not give effect to approved land use consent.

#### **4.13.4 Development Standards - Residential Infill**

- i. Overall Site Standards (parent lot)
  1. One dwelling per 325m<sup>2</sup> site area.
- ii. Building Envelope

Unless amended by the following specific rule standards the standards of 3.1 shall apply.

- iii. Urban Design Standards
  1. Each dwelling shall have a household recreational space which:
    - Is not less than 60m<sup>2</sup> in area
    - Contains no dimension less than 3 metres
    - Contains a circle of 6m in diameter located to the north, east or west of the dwelling which is accessed directly from the main living areas.
    - A least 30m<sup>2</sup> of this area must be located to the north, east of west of the dwelling.
    - Shall be located clear of parking and manoeuvring space.

The house hold recreational space may contain a first floor balcony/deck between 10m and 15m with no dimensions less than 1.8m.

2. The design of all dwelling shall only provide for two levels (ground floor and first floor).
3. Any building exterior wall shall not exceed 15m in length without provision for a 2m by 2m step.
4. Each dwelling shall have an exclusive net site area where the total building coverage shall not exceed 45%.
5. Each dwelling shall have an exclusive net site area which has no less than 20% permeable surface comprising gardens or lawn area.
6. No yard or height relative to boundary rules shall apply to new internal boundaries established as part of any concurrent subdivision application.

iv. Development Suitability

All Residential Infill development and subdivision shall comply with the performance standards listed in Rule 5.9.

**4.13.5 Restricted Discretionary Assessment Criteria**

Council has restricted discretion and may impose conditions in respect of the following matters;

1. The performance standards listed in Section 6.2.
2. Urban Design
3. Residential character and amenity

**4.13.6 Notification Rule**

An application for a Restricted Discretionary activity in accordance with Rule 4.13.1 shall be assessed and determined on a non-notified basis and no affected parties shall be identified.

<sup>1</sup> Amended on 11 December 2025

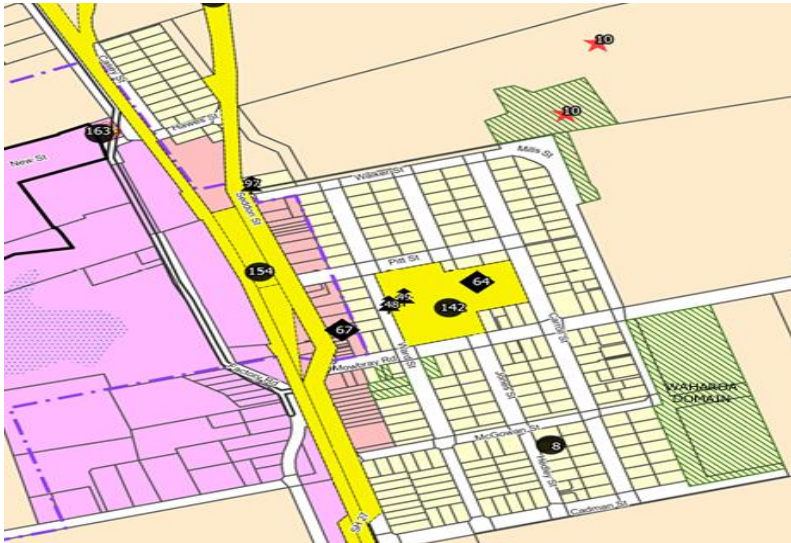
## Appendix 6: Comparison table: Existing MPDP Residential zone & proposed MPDP Medium Density Residential zone

Aside from actual density, the key difference is the starting point, where the residential zone won't allow more than two dwellings on an existing site as a permitted activity, whereas MRZ works on the net site provided.

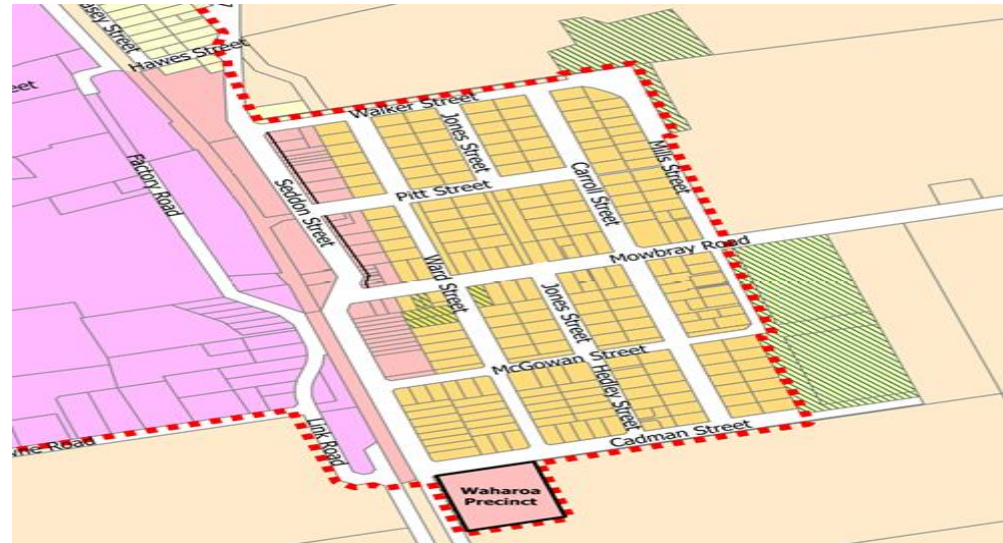
	<b>MPDP Residential zone rule requirement &amp; Consent status</b>	<b>MPDP Medium Density Residential zone rule requirement &amp; consent status</b>
Provision type (Subject to standards)		
Density per 1 stand-alone residential unit	PA 450m <sup>2</sup> net site area	PA 325m <sup>2</sup> Net site area
	PA One or two units per site (subject to above)	DISC One Residential Unit on lots less than 325m <sup>2</sup>
More than two dwellings per site	DISC	
Duplex dwelling	P on a net 450m <sup>2</sup> site	RDIS The minimum <i>net site area</i> shall be 400m <sup>2</sup> (200m <sup>2</sup> per unit);
Terrace Housing	Assuming more than 2, DISC	DISC
Home Business	PA	PA

## Appendix 7: Proposed zone change (Residential zone to Medium Density Residential zone) shown on MPDP Zoning Map

Existing residential zoning – Pale yellow



Proposed Medium Density Residential zone – Dark yellow



# Appendix 8: MPDP Activity Table Business zone & Kaitiaki (Conservation) zone Rules

## Part B: Rules

### 2 Activity Table

#### 2.2 Activity Table

Key						
P Permitted activity	C Controlled activity					
D Discretionary activity	RD Restricted Discretionary activity					
N/C Non Complying activity	PRHB Prohibited activity					
<i>All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.</i>						
<i>* Unless otherwise specified (in 4.1 and 4.2 of the table) the activity status in the Industrial zone refers to non-scheduled sites only.</i>						
Activity	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
<b>1. General</b>						
1.1 Accessory buildings for any permitted or controlled activities.	P	P	P	P	P	N/C
1.2 Activities listed in the Table that are permitted or controlled not complying with the Developmental Controls and Performance Standards, unless otherwise provided.	RD	RD	RD	RD	RD	RD
1.3 Second-hand or pre-used buildings relocated from off-site.	D	D	D	D	D	N/C
1.4 Demolition of buildings and structures except those outlined in Schedules 1, 2 and 3.	P	P	P	P	P	D
1.5 Activities undertaken on known contaminated sites.	D	D	D	D	D	N/C
1.6 Temporary Activities Listed in Rule 4.11.1.	P	P	P	P	P	N/C
1.7 Temporary Activities Listed in Rule 4.11.2.	C	C	C	C	C	N/C

1.8 Temporary Activities Listed in Rule 4.11.3.	D	D	D	D	D	N/C
<b>2. Community related activities</b>						
2.1 Educational facilities to maximum of 10 pupils.	P	P	P	P	P	N/C
2.2 Educational facilities for greater than 10 pupils.	D	D	D	D	D	N/C
2.3 Places of Assembly.	D	D	D	D	P	N/C
2.4 Fire Stations.	N/C		D	P	P	N/C
<b>3. Dwellings and dwelling based activities (rules 3.1 to 3.8 and 3.10 do not apply where the dwelling is part of a papakāinga in Rural and Rural-Residential Zones, refer to rules 6.1 and 6.2. For the avoidance of doubt, rule 3.9 is still applicable for papakāinga.)</b>						
3.1 One or two dwellings per urban site.	N/C	P	P	N/C	N/C	N/C
3.2 More than two dwellings per urban site.	N/C	D	D	N/C	N/C	N/C
3.3 One dwelling per property except as identified in 3.4 and 3.7 below.	P	C	C	N/C	N/C	N/C
3.4 One dwelling accessory to an approved dwelling directly associated with farming or production forestry.	C	C	C	N/C	N/C	N/C
3.5 Two or more dwellings accessory to an approved dwelling directly associated with farming or production forestry.	D	D	N/C	N/C	N/C	N/C
3.6 One dwelling for dependent person(s). See 4.7.	P	P	P	N/C	N/C	N/C
3.7 One dwelling per property ancillary to a business or industrial activity within the business or Industrial zone.	N/C	N/C	N/C	P	P	N/C
3.8 New dwellings. • Within 500 metres of an existing intensive farm as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within 250 metres of an existing litter	RD	RD	RD	N/C	N/C	N/C

poultry farm as at 1 September 2003.						
<ul style="list-style-type: none"> <li>Within 300 metres of existing Council effluent treatment plants at Morrinsville, Matamata, Te Aroha, Waihou as at 1 September 2003.</li> </ul>	RD	RD	RD	N/C	N/C	N/C
<ul style="list-style-type: none"> <li>Within the Reverse Sensitivity Areas for the Motumaoho Quarry as shown in Appendix 8 as at 13 May 2005.</li> <li>Measurement of the separation of Intensive Farming/Litter Poultry Farming is to be from the perimeter of the existing sheds/facilities exclusive of spray irrigation areas.</li> <li>See Rule 1.4.28 for Assessment Criteria</li> </ul>	RD	RD	RD	N/C	N/C	N/C
3.9 Home occupation. See 4.3	P	P	P	N/C	N/C	N/C
3.10 Accommodation Facilities.	D	D	D	N/C	D	N/C
<b>4. Scheduled sites only. See Schedule 5.</b>						
4.1 Activities complying with a Development Concept Plan unless shown as P, C, D or N/C on the DCP. Scheduled sites only, see Schedule 5.	See DCP	N/C	N/C	C	N/C	See DCP
4.2 Buildings/Activities defined for future development on the DCP unless shown as P, C, D or N/C on the DCP. Defined Scheduled sites only, see Schedule 5 and Rule 3.3.1.	See DCP	N/C	N/C	D	N/C	N/C
<b>5. Industrial based activities</b>						

5.1 Depots.	D	N/C	N/C	P	D	N/C
5.2 Light Industry.	N/C	N/C	N/C	P	P	N/C
5.3 Industry.	N/C	N/C	N/C	P	N/C	N/C
5.4 Industry including activities involving the extraction, processing and packaging of meat, milk, poultry, fish, seafood, animal by-products, beverages, produce, and pulped paper.	N/C	N/C	N/C	D	N/C	N/C
5.5 Mining, Quarrying and Mineral Processing.	D	N/C	N/C	D	N/C	PRHB
5.6 Packhouses, coolstores less than or equal to 150m <sup>2</sup> .	P	N/C	N/C	P	P	N/C
5.7 Packhouses, coolstores greater than 150m <sup>2</sup> .	D	N/C	N/C	P	P	N/C
5.8 Peat processing.	N/C	N/C	N/C	N/C	N/C	PRHB
5.9 Minerals "Prospecting". For permitted activities see Rule 4.9.2.	P	D	D	D	D	P
5.10 Minerals "Exploration". For permitted activities see Rule 4.9.2.	P	D	D	D	D	N/C
5.11 Storage and warehousing.	N/C	N/C	N/C	P	P	N/C
5.12 Offices, canteens, dining rooms, ablution facilities, daycare facilities and recreation facilities ancillary to other activities provided for in the Industrial zone. (Scheduled and non-scheduled sites).	N/C	N/C	N/C	P	D	N/C
<b>6. Papakāinga (refer to activity related performance standards in Rule 4.4 and the development controls in Rule 3.2)</b>						
<b>6.1 Papakāinga on land that was Māori Freehold Land at or before 21 December 2022</b>						
6.1.1 One kāinga per hectare, up to a maximum of five kāinga (residential units) per site where: (i) the title was issued prior to 21 December 2022; and	P	P	See residential rules	N/C	N/C	N/C

(ii) For the purposes of calculating maximum density, one duplex building, up to 120m <sup>2</sup> total floor area comprised of two kaumatua units is equivalent to one kāinga.						
6.1.2 More than five kāinga (residential units), or up to five kāinga (residential units) that exceeds the density limits specified in rule 6.1.1	D	D	See residential rules	N/C	N/C	N/C
6.1.3 Marae	P	P	RD	N/C	N/C	N/C
6.1.4 Ahumahi-ā-kāinga (home businesses)	P	P	See residential rules	N/C	N/C	N/C
6.1.5 Communal living arrangement	D	D	D	N/C	N/C	N/C
<b>6.2 Papakāinga on General Land owned by Māori, Treaty Settlement Land, or land converted to Māori Freehold Land after 21 December 2022</b>						
6.2.1 Two or more kāinga (residential units) per site	D	D	See residential rules	N/C	N/C	N/C
6.2.2 Ahumahi-ā-kāinga (home businesses)	P	P	See residential rules	N/C	N/C	N/C
6.2.3 Communal living arrangement	D	D	D	N/C	N/C	N/C
<b>7. Reserve and Kaitiaki (Conservation) Zones</b>						
7.1 Activities (excluding buildings) on public reserves as provided by a Management Plan under the Reserves Act 1977 or by a Conservation Management Strategy under the Conservation Act 1987.	P	P	P	P	P	D
7.2 Activities (excluding buildings) on public reserves not provided by a Management Plan approved under the Reserves Act 1977, or by a Conservation Management Strategy under the Conservation Act 1987, or where there is no Management Plan.	D	D	D	D	D	N/C

7.3 Any buildings on all public reserves.	D	D	D	D	D	N/C
7.4 Wetland and wildlife habitats conservation.	P	P	P	P	P	P
7.5 Wildlife management activities carried out by the Department of Conservation and Fish & Game Council.	P	P	P	P	P	P
7.6 Outdoor informal recreation excluding all water craft in the Kaitiaki (Conservation) zone. Provided that this rule does not apply to activities under 9.9.	P	P	P	P	P	P
<b>Kaitiaki (Conservation) zone only - All other zones the Performance Standards (Section 5) apply.</b> 7.7 Any alteration to landform, trees or other vegetation or any other physical feature which involves: - The diversion or modification of natural watercourses, rivers or ponding areas; or - The clearing of trees or other vegetation, or - Earthworks, excavation, including the depositing of spoil, soil, or other materials.						D
7.8 The construction of any permanent building or structure not otherwise referred to in this table or any other table.						D
<b>8. Retailing and office based activities</b>						
8.1 Commercial Services.	N/C	N/C	N/C	N/C	P	N/C
8.2 Medical facilities	N/C	N/C	D	N/C	P	N/C
8.3 Offices.	N/C	N/C	N/C	D	P	N/C
8.4 Retailing.	N/C	N/C	D	D	P	N/C
8.5 Service stations. See 4.10.	N/C	N/C	N/C	P	P	N/C
8.6 Veterinary clinics.	D	D	N/C	N/C	P	N/C

8.7 Activities within Business/Residential Interface Areas					Refer Rule 4.14	
<b>9. Rural based activities</b>						
9.1 Clean fill activities involving the depositing of less than 1000m <sup>3</sup> material (as measured compacted in place) (including scheduled sites in the Industrial zone, see Schedule 5 except for those areas covered by the Lockerbie Development Area Plan (see Rule MRZ-R1(1)(i) and PREC1-R1(1)(i)).	P	P	P	P	P	N/C
9.2 Clean fill activities involving the deposit of 1000m <sup>3</sup> or more of material (as measured compacted in place). See 4.12. Except for those areas covered by the Lockerbie Development Area Plan (see Rule MRZ-R1(1)(i) and PREC1-R1(1)(i)).	D	D	D	D	D	N/C
9.3 Commercial stockyards, saleyards and holding paddocks.	D	N/C	N/C	N/C	N/C	N/C
9.4 Conservation forestry.	P	P	P	P	P	P
9.5 Establishment for the boarding/breeding of domestic pets.	D	D	N/C	N/C	D	N/C
9.6 (a) Intensive Farming.	D	N/C	N/C	N/C	N/C	N/C
*Where an Intensive Farming operation cannot provide 500m separation to site boundaries and 500m separation to a Residential zone and written consent to the potential effects has not been voluntarily offered by an adjacent landowner.	N/C*	N/C	N/C	N/C	N/C	N/C

9.6 (b) Litter Poultry Farming.	D	N/C	N/C	N/C	N/C	N/C
*Where a Litter Poultry Farming operation cannot provide 250m separation to site boundaries and 500m separation to a Residential zone and written consent to the potential effects has not been voluntarily offered by an adjacent landowner.	N/C*	N/C	N/C	N/C	N/C	N/C
9.7 Farming.	P	P	N/C	N/C	N/C	N/C
9.8 Establishing new areas of Plantation Forestry.	P	P	N/C	N/C	N/C	N/C
9.9 Harvesting of Plantation Forests.	C	C	N/C	N/C	N/C	C
9.10 Replanting of Plantation Forests	P	P	N/C	N/C	N/C	P - Subject to rule 4.1.2.
9.11 Use of land for effluent disposal of non-human waste from agricultural activities except as otherwise stated on a DCP.	P	N/C	N/C	N/C	N/C	N/C
9.12 Use of land for effluent disposal of non-human waste from industrial activities except as otherwise stated on a DCP.	C	N/C	N/C	P	N/C	N/C
9.13 Stock movement within road reserves. See 8.7.						
9.14 Aggregation of rural land (refer to 8.7 for the requirements relating to stock crossings and stock underpasses).	P	P	N/C	N/C	N/C	N/C
9.15 Livestock farming in areas of indigenous vegetation over 1 ha.	D	D	N/C	N/C	N/C	N/C
<b>10. Other sections of the District Plan to be considered in conjunction with the Activity Table.</b>						
10.1 Access, Parking and Loading				Section 9: Transportation		
10.2 Activities involving the use, storage or production of hazardous substances				Section 5: Performance Standards		
10.3 Activities on the surface of water				Section 12: Surface of Water		

10.4 Activities on sites having natural environment or heritage values including sites within the Te Aroha heritage character area	Section 10: Natural Environment	
10.5 Activities on sites subject to natural hazards	Section 11: Natural Hazards	
10.6 Signs	Section 3: Development Controls	
10.7 Subdivision	Section 6: Subdivision	
10.8 Works and network utility services	Section 8: Works and Network Utilities	
10.9 Activity related standards and temporary activities	Section 4: Activity Related Standards	
10.10 Development Contributions	Section 7: Development Contributions	
<b>Objectives/Policies</b>		
2.4.1	O1	P1
2.4.2	O1	P1
2.4.3	O1	P1
2.4.4	O1, O2	P1, P2
2.4.5	O1	P1
3.1.2.1	O1	P1
3.1.2.2	O1	P1, P2, P3, P4
3.4.2	O6	P5

## Appendix 9: 2 Cadman Street, Waharoa Proposed zone change (Rural zone to Business zone with Waharoa Precinct) shown on MPDP zoning map

Existing rural zoning



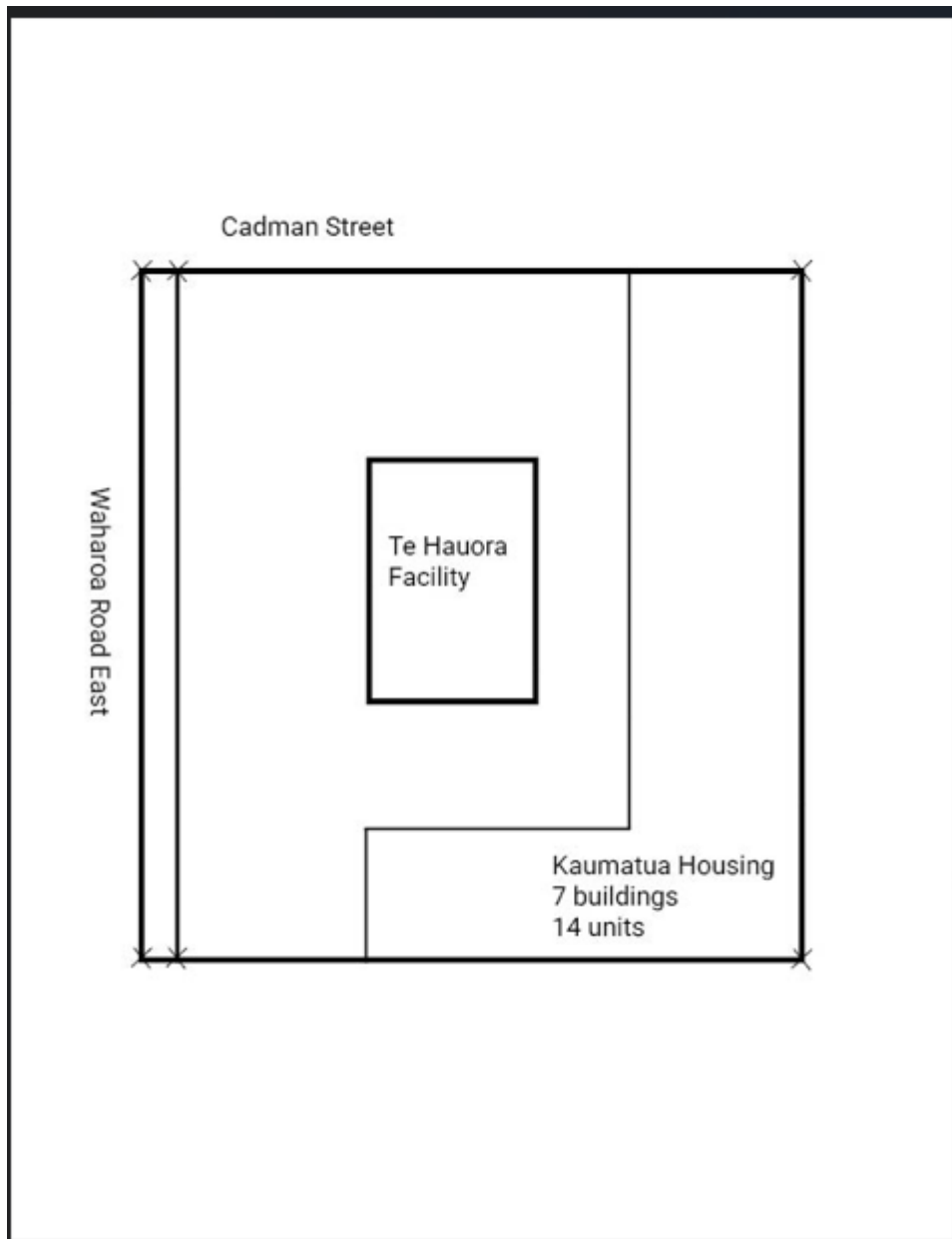
Proposed Business zone, with Waharoa Precinct



## Appendix 10: Comparison Table Rural zone & Rural zone

	MPDP Rural zone Activity Status	MPDP Business zone Activity Status	Additional Development Concept plan controls and activity status
<b>Activity</b>			
1 dwelling	P	NC	
More than 1 dwelling	NC	NC	P (up to 14 units with Waharoa Precinct)
Commercial services	NC	P	
Medical Facilities	NC	P	
Offices	NC	P	

## Appendix 11: Draft Waharoa Precinct for 2 Cadman Street, Waharoa



## **Appendix 12: Letter of Support - Chair Ngāti Hauā Hauora**



Ref: 023 / 04 / 2026





23 April 2026

## Letter of Support – Plan Change 49 Waharoa Exemption Application

This letter is formal notification that Te Hauora o Ngāti Hauā Trust fully supports and endorses Matamata Piako District Council’s application to the Minister for the Environment, seeking an exemption to enable Plan Change 49 – Waharoa (PC49) to proceed.

Te Hauora o Ngāti Hauā Trust is a Health & Social Service Provider, based in Waharoa, who have been actively engaging with the joint Governance Group, established to guide the process. The proposed Plan change reflects the aspirations of Ngāti Hauā and the Waharoa Community, which have been consistently voiced since 2021.

The Plan Change directly links to the revitalisation of Waharoa, by providing the statutory framework to enable those aspirations to be realised, with particular reference to –

-  *Increasing the supply and diversity of housing including Papakāinga style and Kaumātua Housing;*
-  *Supporting the delivery and expansion of Health, Social and Whānau Services through Te Hauora o Ngāti Hauā;*
-  *Strengthening the local economy through enabling industrial and business activities;*
-  *Protecting the Mauri of the Waitoa River as a taonga of Ngāti Hauā.*

We support the application of Medium Density Residential Zoning in Waharoa, which will enable better housing outcomes aligned to the Ngāti Hauā Housing Strategy.

As the mandated Health & Social Service Provider for Ngāti Hauā, we strongly support the re-zoning of our site which enables a more integrated approach to the delivery of Health, Social and Housing Services. This is critical to the aspirations of whānau, supporting whānau to live, age and thrive within their community.

The proposed extension of the Conservation Zone around the Waitoa River aligns with our role as Kaitiaki and our commitment to restoring and protecting the mauri of the waterway.

As discussed with Representatives on the Joint Governance Group, there has been prolonged delays in progressing this work – any further delays will undermine community confidence and delay critical housing, economic and social development.

It is our view that Plan Change 49 meets the criteria under Section 80W(2)(h) of the Resource Management Act, as it enables work to progress that is essential to achieving locally led solutions, improve housing outcomes and supports a thriving, resilient community.

In conclusion, Te Hauora o Ngāti Hauā fully supports the granting of this exemption and strongly encourages the Minister to approve the application to enable PC49 to proceed without delay.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Josie N Rapana', written in a cursive style.

Josie N Rapana  
CHIEF EXECUTIVE  
**Te Hauora o Ngāti Hauā Trust**

## Appendix 13: Location of area where Shop Frontage Area rule is proposed to be applied –From Corner of Walker and Seddon Street (Photo 2) through to corner of SH27 and Mowbray Street (Photos 9/10)

Overview of Seddon Street – Shops on one side, and Council Reserve and primary parking area on the other. (Photo 1)



Gaps in verandahs

Vacant Business zoned land at the northern edge of the Waharoa township-Cnr of Walker and Seddon Streets (Photo 2)



In vicinity of 62 Seddon Street-North end of Waharoa-first buildings after the vacant Business Zoned land (Photo 3)



(Photo 4) Seddon Street to Pitt Street



Cnr of Pitt and Seddon Street (Photo 5)



In vicinity of 52 Seddon Street, (Photo 5)

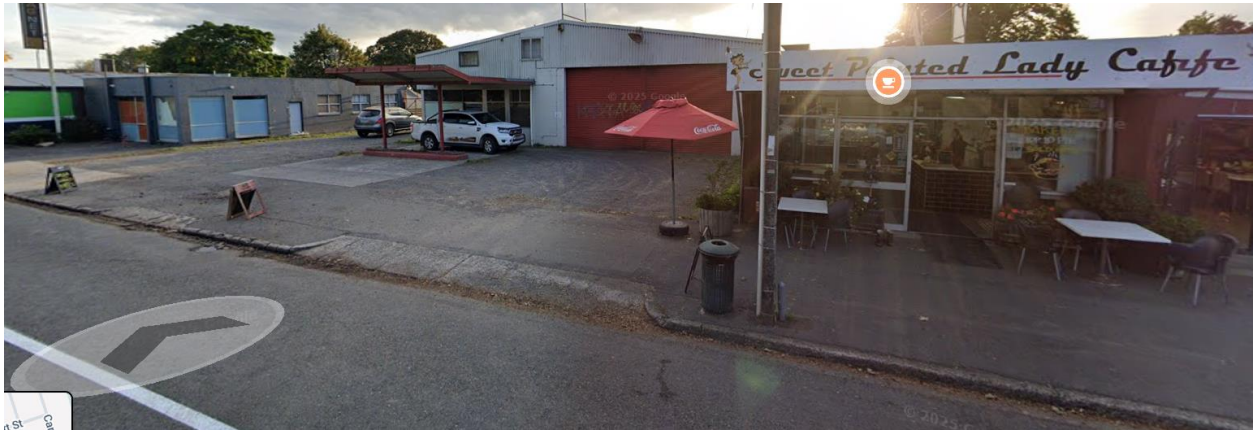


Photo 6 Seddon street



Photo 7 Seddon Street looking south



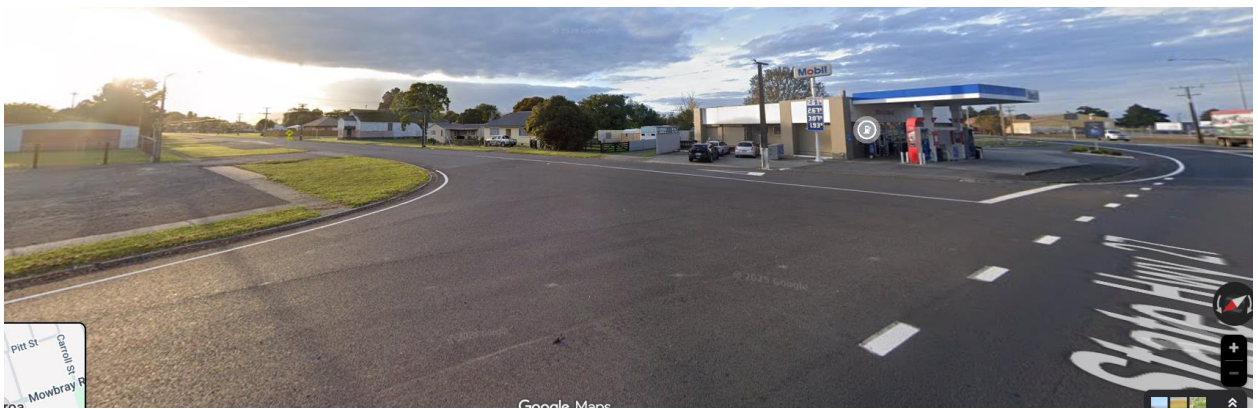
Photo 8 Seddon Street coming up to Mowbray intersection



Photo 9-Seddon Street to cnr with Mowbray-shop frontage control to this intersection

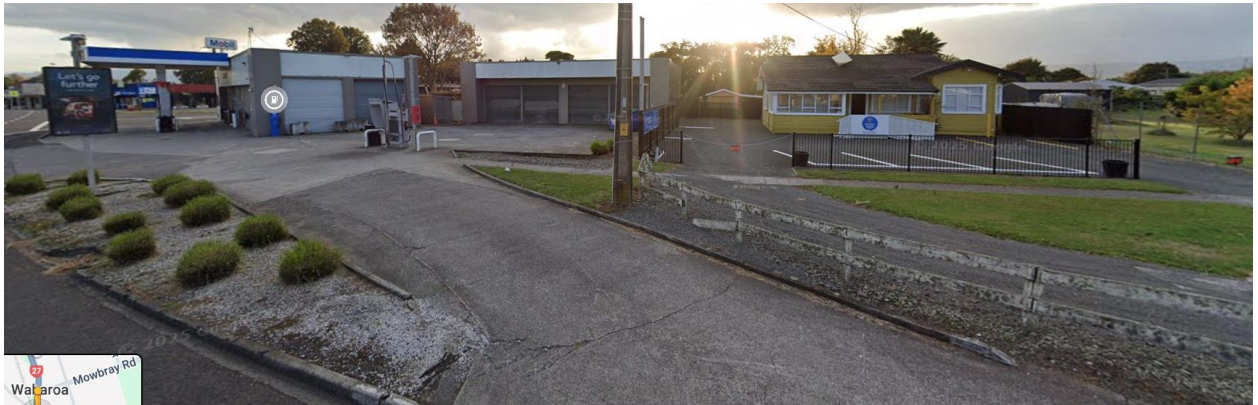


Photo 10 –Intersection of Seddon Street and Mowbray



Below-In vicinity of 30 State Highway 27-Heading south towards Matamata-shop frontage control is not proposed in this location.

Petrol stations are exempt from shop frontage control



# Appendix 14: MPDP Development Controls- Business zone, including 3.4.5 Shop Frontage Areas

## Part B: Rules

### 3 Development controls

#### 3.4 Business zone

##### 3.4.1 Building envelope

- i. Maximum height - 12m
- ii. Yards

##### Front yard

5m except in the specified shopping areas where no front yard is required. The 5m front yard may be reduced to 2m through a non-notified restricted discretionary activity with consideration of the height, design of the building and provision of landscaping, whereby the encroachment within the 5m front yard shall not exceed 4m in height. Appendix 5 provides a design guideline for these reductions.

- a. Side and rear yards adjoining a Residential zone - 5m
- iii. Height (h) relative to site boundaries adjoining a residential, rural or Rural-Residential zone shall not exceed 2m plus the horizontal distance (d) to the nearest Residential zone boundary  $(h) = 2 + d$  metres

Objectives/Policies		
3.5.2.1	O1, O2	P2, P4, P5

##### 3.4.2 Maximum coverage

Maximum coverage on any site shall be determined by the need to comply with the building envelope, landscaping/screening, access, parking and loading requirements.

Objectives/Policies		
3.5.2.1	O1, O2	P2, P4, P5

##### 3.4.3 Landscaping/screening

- i. All sites shall be screened from any residential or rural site adjoining by the provision of continuous landscaping or screen fencing to a minimum height of 2.0 metres.
- ii. Landscaping shall be required on sites that are located within the identified Principal Road Landscaping Areas subject to the following criteria:
  - a. A redevelopment of the site is proposed which includes any new or replacement building footprint of 50m<sup>2</sup> or more,

- b. A minimum of 15% of the front yard requirement shall be landscaped and maintained with a mixture of shrubs, specimen trees and ground cover. The landscaping area shall have a minimum dimension of 1m and shall be located in front of the primary building.
- iii. All waste materials, rubbish or other unsightly material stored outside shall be screened from public view.

**Advice note: This control is not a means to comply with other performance standards in this Plan. All performance standards relating to visual and noise intrusion must be met irrespective of the effectiveness of the landscaping or screening provided as a control mechanism.**

Objectives/Policies		
3.5.2.1	O1	P1
3.5.2.2	O1	P1

### 3.4.4 Access, parking, loading and manoeuvring

See Section 9: Transportation and the Development Manual.

### 3.4.5 Shop frontage Areas

- i. Verandahs shall be provided at the time of development or redevelopment of all sites within the areas defined on the Planning Maps as “Shop Frontage.”
- ii. Verandahs shall be constructed in accordance with the provisions and requirements of the Development Manual.
- iii. This rule does not apply to service stations.

Objectives/Policies		
3.5.2.2	O1, O2	P1, P2, P3, P4, P5

### 3.4.6 Development Contributions

Prior to the issue of a building consent where the development has an impact on the provision of services, contributions shall be based on the actual costs incurred to avoid, remedy or mitigate the impact of the development in accordance with Section 7.

**Advice Note: See also Sections 3.5 to 3.10 for additional District-wide development controls.**

Objectives/Policies		
3.9.2	O1	P1

## Explanation

The Business zone incorporates a number of different activities that may vary in their effect on adjoining non-business activities. These effects are generally controlled by the performance standards listed in Section 5, but they may also be visually intrusive even at times when they are not in operation.

The landscaping/screening requirements are intended as a means of reducing the visual intrusion and enhancing the appearance of buildings in the Business zone when viewed from residential and Rural zones adjoining or facing.

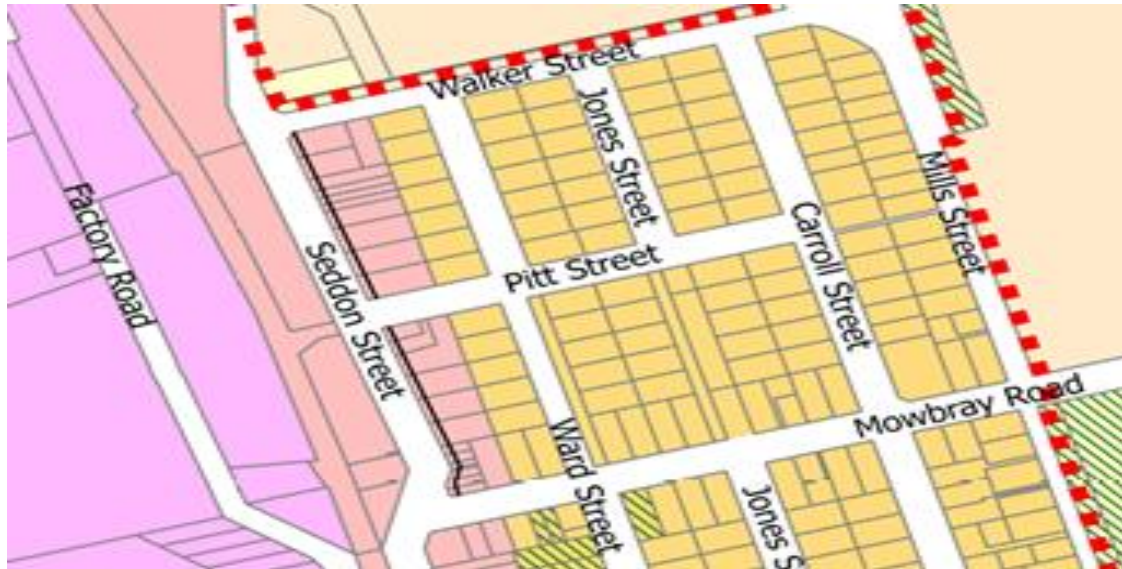
The National Policy Statement on Urban Development requires Council to remove the effect of the minimum number of car parks for urban areas but allows for minimum parking dimensions and manoeuvring where a developer chooses to supply car parks or where accessible car parks are required. All minimum car parking standards have been removed from the Towns of Matamata, Morrinsville and Te Aroha urban areas which include all landuse within the Business Zone.

The front yard requirement is intended to provide flexibility while encouraging businesses to “fit in” with the overall urban environment. In particular businesses are encouraged to complement and enhance the “garden” character of Matamata.

Significant issues for the district relate to the preservation of the special character of Te Aroha as a Victorian/Edwardian heritage site and of Matamata as a garden heritage urban area. The special character areas identify particular areas that should be retained and enhanced in these areas through the implementation of the associated rules.

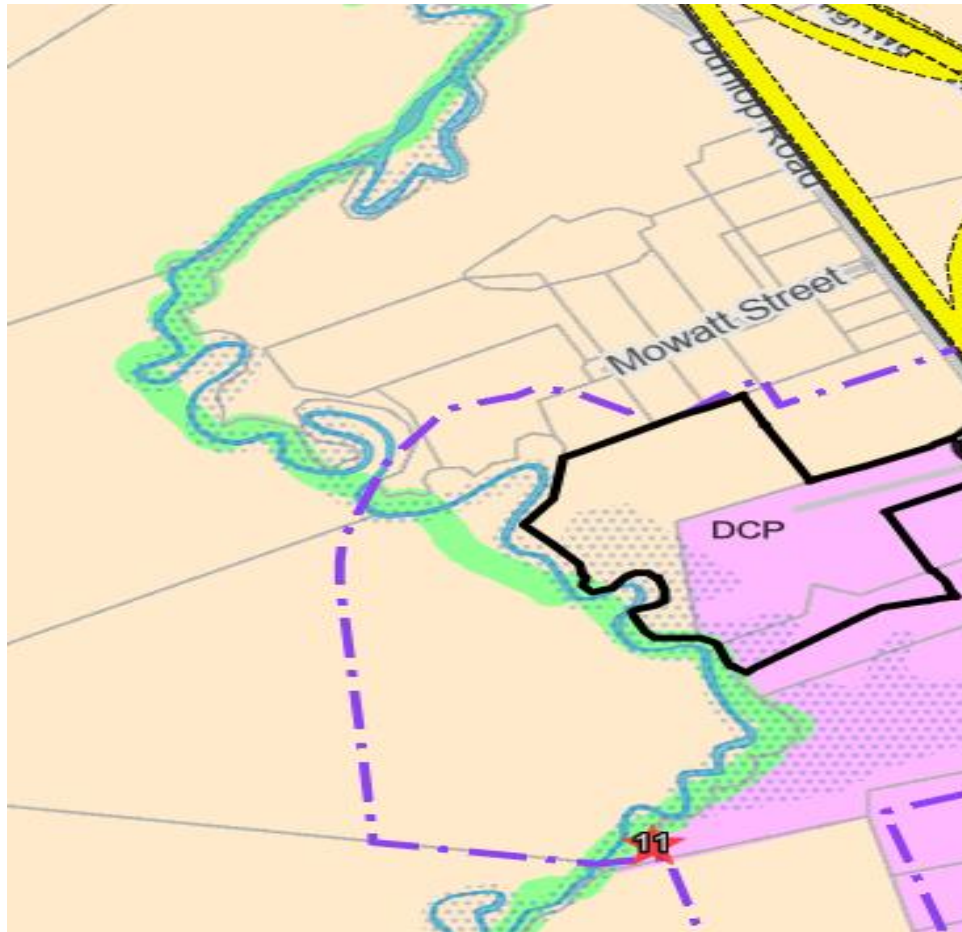
## Appendix 15: Proposed addition of MPDP Shop Frontage area control to part of Seddon Street Business zone on MPDP zoning map

Proposed shop frontage area control (thin black line) between Walker and Mowbray streets



## Appendix 16: Maps showing existing, and proposed expansion of Kaitiaki (Conservation) zone on the MPDP zoning map.

Current Kaitiaki (Conservation) zone – pale green



Pale green showing combined existing, and proposed extension of Kaitiaki (Conservation) zoning



**Appendix 17: Copy of the Mowatt Street consent decision and conditions and subsequent consent application amendments and 23 Dunlop Road, Waharoa Consents.**

Copy Attached

## Appendix 18: Copies of the owner's correspondence on need for Industrial zoning for the Mowatt Street Subdivision.

**From:** [Redacted]  
**Sent:** Tuesday, 23 April 2024 11:20  
**To:** Ally van Kuijk <[AvanKuijk@mpdc.govt.nz](mailto:AvanKuijk@mpdc.govt.nz)>  
**Cc:** Adrienne Wilcock <[awilcock@mpdc.govt.nz](mailto:awilcock@mpdc.govt.nz)>; Carolyn McAlley <[cmcalley@mpdc.govt.nz](mailto:cmcalley@mpdc.govt.nz)>; Patricia Kaumoana <[PKaumoana@mpdc.govt.nz](mailto:PKaumoana@mpdc.govt.nz)>; [Redacted]  
**Subject:** FW: Waharoa Industrial Plan Change

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Ally

Further to the email correspondence below with [Redacted] on behalf of Waharoa Park Ltd, please see attached letter on behalf of the Waharoa Park Ltd Directors.

[Redacted]  
[Redacted]  
[Redacted]

**From:** [Redacted]  
**Sent:** Monday, April 22, 2024 9:59 AM  
**To:** 'Ally van Kuijk' <[AvanKuijk@mpdc.govt.nz](mailto:AvanKuijk@mpdc.govt.nz)>  
**Cc:** Adrienne Wilcock <[awilcock@mpdc.govt.nz](mailto:awilcock@mpdc.govt.nz)>; Carolyn McAlley <[cmcalley@mpdc.govt.nz](mailto:cmcalley@mpdc.govt.nz)>; Patricia Kaumoana <[PKaumoana@mpdc.govt.nz](mailto:PKaumoana@mpdc.govt.nz)>  
**Subject:** RE: Waharoa Industrial Plan Change

Hi Ally

Thank you for your response.

We acknowledge there are challenges. Many of these we are all facing and have to navigate to provide the level of service required.

Looking back at records there has been a commitment from MPDC at 2016 with some similar comms in 2017 and 2018 at a very quick glance, this is well before any HPL hurdles in 2022.

While Waharoa Park has been very patient they are now in a very unreasonable position. The Morrinsville and now Matamata Industrial lands is currently being marketed and sold from plans as Industrial Zoned land yet Waharoa Park are left with property that the market is not responding to as the current zoning and consenting pathway is seen as very untidy. This has been well documented in 2018 correspondence.

I think it causes further distress in that Waharoa Park (Mowatt St) has been considered as "Industrial land" in the HBA assessment revision, yet this is not the reality. The land use consent doesn't provide enough confidence now this other fully zoned land is available.

WPL appreciate you have re-engaged Marius and plan to refocus on this PC, and you acknowledge it's taken a back seat, thank you.

With this in mind and given the history do you think it would be reasonable to provide a respectful date for first response from Marius. Without a timeframe the first update could be months away?

We have seen councils' ability to move quickly to achieve something that is time critical, how can we and Waharoa gain this level of priority?

Regards

**From:** Ally van Kuijk <[AvanKuijk@mpdc.govt.nz](mailto:AvanKuijk@mpdc.govt.nz)>  
**Sent:** Wednesday, April 17, 2024 9:58 AM  
**To:** [Redacted]  
**Cc:** Adrienne Wilcock <[awilcock@mpdc.govt.nz](mailto:awilcock@mpdc.govt.nz)>; Carolyn McAlley <[cmcalley@mpdc.govt.nz](mailto:cmcalley@mpdc.govt.nz)>; Patricia Kaumoana <[PKaumoana@mpdc.govt.nz](mailto:PKaumoana@mpdc.govt.nz)>  
**Subject:** RE: Waharoa Industrial Plan Change

Morning [Redacted],

Thank you for your query.

I acknowledge that the Waharoa Plan change has taken a bit of a back seat since its introduction. The original focus and community desire was to increase Waharoa's residential and industrial zoning however the introduction of the NPS-HPL had a huge impact on this. As you know any additional zoning needs to be required in the short or medium term to justify rezoning. Late last year Council adopted an amended HBA and this concluded that no additional residential or industrial land was required however there was a small shortage of business zoned land in Waharoa. Late last year there was also a government change and to date this has meant a likely new direction in regards to development, some of which is still being developed and could impact the NPS-HPL.

This change in direction specifically the repeal of the Natural and Built Environment Act and Spatial Act has also had impacts on the planning direction and flow on effects on resources.

In addition to the above, I note that we have had a number of private plan changes and staff vacancies which have added to this picture. On this note we have been lucky enough to recently employ an additional resource (senior planner) which will contribute to us moving forward.

I appreciated that above does not solve the issue that you are facing and the impact that the delay in the plan change is having on you and your family. However, we have recently met with Marius Rademeyer who is the external consultant who is undertaking this plan change to establish new timeframes to move this plan change forward. This timeframe has not yet been finalised but once it has I am happy to give you a further update.

So please be assured we are refocusing on the Waharoa Plan change and will be in touch to update you as we go.

Regards

**Ally van Kuijk** | District Planner  
**Matamata-Piako District Council** 35 Kenrick Street, PO Box 266, Te Aroha 3342  
p 07 884 0060 | ext 7070 | w [www.mpdc.govt.nz](http://www.mpdc.govt.nz)

**From:** [Redacted]  
**Sent:** Monday, 15 April 2024 7:50  
**To:** Adrienne Wilcock <[awilcock@mpdc.govt.nz](mailto:awilcock@mpdc.govt.nz)>; Ally van Kuijk <[AvanKuijk@mpdc.govt.nz](mailto:AvanKuijk@mpdc.govt.nz)>  
**Subject:** Waharoa Industrial Plan Change

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Morning Adrienne and Ally,

Can you please advise what and when the next steps are with the Waharoa Industrial Zone Plan change.

We have lost two sales in the last ten days, both citing the preference for Industrial Zoned land.

One of the sites were under contract but failed the finance condition with the bank also raising the zoning as a concern.

While I appreciate Council may not be so concerned about the commercial sales but both purchasers would have provided jobs and economic development for Waharoa which should bear some weight to the process, I hope.

My understanding, correct me if wrong, was that council had committed to this plan change some time ago?

How can we assist or get this process back up the priority list?

Request is on behalf of Waharoa Park owners ([Redacted])

Regards

[Redacted]  
[Redacted]  
[Redacted]

**From:** [Redacted]  
**Sent:** Thursday, 16 June 2022 9:51  
**To:** Ally van Kuijk <AvanKuijk@mpdc.govt.nz>  
**Cc:** Planners Only <PlannersOnly@mpdc.govt.nz>; Samantha Vautier <svautier@mpdc.govt.nz>  
**Subject:** RE: Enquiry - Sites within Mowatt Street, Waharoa

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Morning Ally,

Thanks for the quick reply – really appreciated.

Cheers,  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

**From:** Ally van Kuijk <[AvanKuijk@mpdc.govt.nz](mailto:AvanKuijk@mpdc.govt.nz)>  
**Sent:** Thursday, 16 June 2022 9:49 AM  
**To:** [Redacted]  
**Cc:** Planners Only <[PlannersOnly@mpdc.govt.nz](mailto:PlannersOnly@mpdc.govt.nz)>; Samantha Vautier <[svautier@mpdc.govt.nz](mailto:svautier@mpdc.govt.nz)>  
**Subject:** RE: Enquiry - Sites within Mowatt Street, Waharoa

Morning [Redacted],

Thank you for your query.

Council's interpretation is that the landuse consent has been given effect to by the completion of the subdivision including the consent notice that provides for light industrial activities and the activities that have happened.

Hope that answers your query

Regards

**Ally van Kuijk** | District Planner  
**Matamata-Piako District Council** 35 Kenrick Street, PO Box 266, Te Aroha 3342  
p 07 884 0060 | ext 7070 | w [www.mpdc.govt.nz](http://www.mpdc.govt.nz)

**From:** [Redacted]  
**Sent:** Wednesday, 15 June 2022 2:44  
**To:** Ally van Kuijk <[AvanKuijk@mpdc.govt.nz](mailto:AvanKuijk@mpdc.govt.nz)>  
**Subject:** Enquiry - Sites within Mowatt Street, Waharoa

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Good afternoon Ally,

I'm looking into a few of the lots within this development as part of due diligence report - Lots 6, 9-12.

May I please confirm my understanding that the land use consent that authorises light industrial activities within the sites remains valid given that it is registered on the Titles as a Consent Notice and that it was given effect to at the time of the first buildings being built within the first stages?

Kind regards,  
[Redacted]  
[Redacted]  
[Redacted]

**From:** Ally van Kuijk  
**Sent:** Tuesday, 23 May 2023 5:53  
**To:** [Redacted]  
**Subject:** RE: Waharoa Park

Hi [Redacted],  
I have just sent an invite for Friday  
Cheers

**Ally van Kuijk** | District Planner  
**Matamata-Piako District Council** 35 Kenrick Street, PO Box 266, Te Aroha 3342  
p 07 884 0060 | ext 7070 | w [www.mpdc.govt.nz](http://www.mpdc.govt.nz)  
Please consider the environment before printing this email

**From:** [Redacted]  
**Sent:** Tuesday, 23 May 2023 1:33  
**To:** Ally van Kuijk <[AvanKuijk@mpdc.govt.nz](mailto:AvanKuijk@mpdc.govt.nz)>  
**Subject:** Waharoa Park

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Hi Ally  
Thanks for catchup today  
Could get you for 15mins on call sometime for an update on Waharoa PC

Regards  
[Redacted]  
[Redacted]  
[Redacted]

2 February 2026

Carolyn McAlley  
Matamata Piako District Council

Dear Carolyn

**Re: Waharoa Plan Change – Waharoa Park**

I understand that Matamata Piako District Council are in the process of seeking an exemption from central government to allow the continuation of Plan Change 49.

Plan Change 49 was, in part, intended to upzone Waharoa Park, Mowatt Street, Waharoa to a bespoke Industrial zoning, reflective of the underlying consent notices on the titles.

The current rural zoning of the Mowatt Street subdivision, despite the existing consent notice enabling industrial activities, continues to have an impact on land sales. Multiple sales have fallen through due to “finance”, and feedback has been uncertainty regarding the underlying zoning, with a preference of Industrial Land. This unfortunately has been a common theme.

This demonstrates that the current planning framework does not align with the consented and intended use of the land. The existing zoning creates uncertainty for purchasers and financiers, which is limiting saleability of the lots. The proposed plan change would address these issues by aligning zoning with the established and intended industrial use of the land by removing an unnecessary barrier to development.

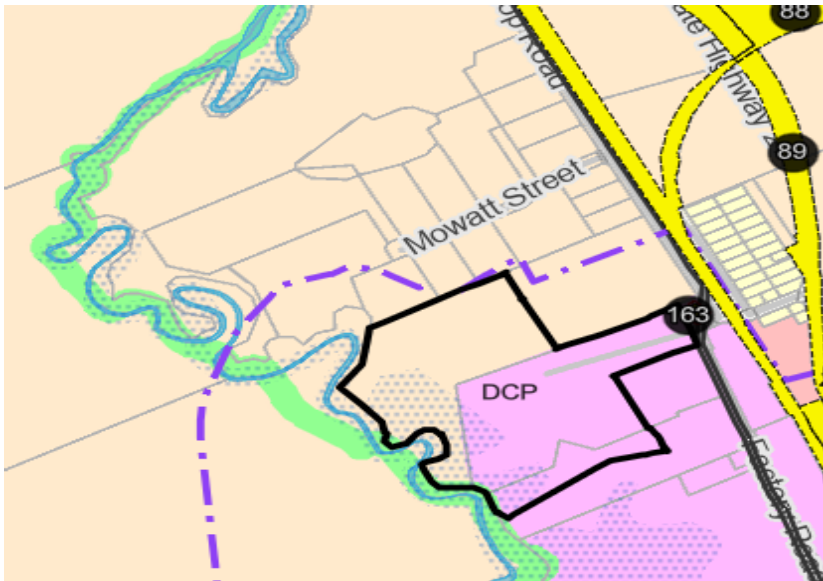
We are still very supportive of this plan change proceeding.

Yours faithfully,

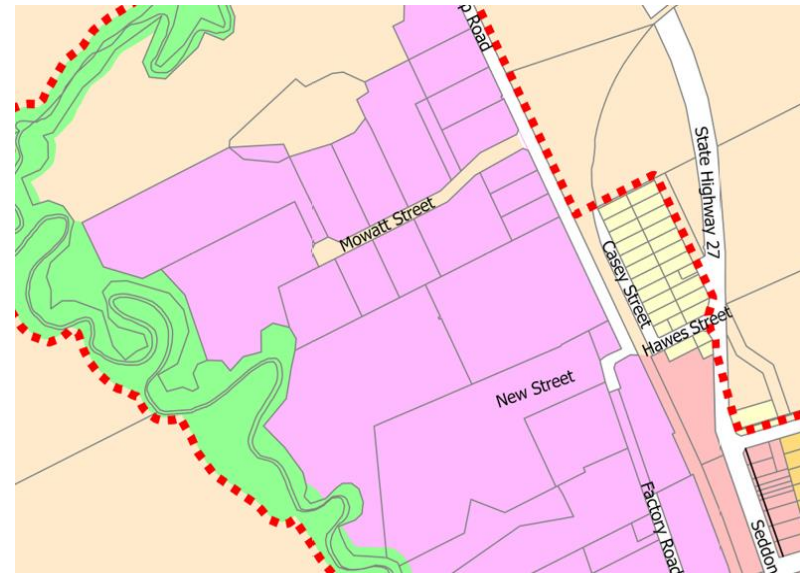
[Redacted]  
Waharoa Park Limited

# Appendix 19: Proposed zone change (Rural zone to Industrial zone) to be shown on MPDP zoning map.

Existing MPDP zoning map



Proposed MPDP zoning map (DCP will be retained)



## Appendix 20: Existing provisions of Industrial zone and possible Waharoa specific amendments

This appendix includes the existing MPDP Industrial zone objectives, policies and rules, and possible proposed draft objectives/policies and rules that may be used to address the matter of servicing constraints in the Industrial area of this plan change. The proposed objectives, policies and rules would be subject to refinement based on engineering work that is currently being undertaken with regard the nature of the constraints to servicing.

### Existing Industrial Provisions

#### Sustainable Management strategy

There is a community desire to ensure that adverse environmental effects of industries are managed in the future. The future location and performance of industries is a significant issue to both industry and the community. There is a greater expectation of internalisation of effects by newly established activities than of older existing activities. This is because new activities are not encumbered by existing plant and processes and have easier access to contemporary technology. Precise and workable rules are required to ensure that adverse effects of all industry are appropriately avoided, remedied or mitigated.

#### Objective 2.4.5 (01) (existing)

- To enable the orderly and coherent development of processing and extractive industry in a manner that promotes the sustainable management of natural and physical resources in the rural areas.

#### Possible Objectives (proposed)

- *Industrial development and subdivision recognise the constraints on Waharoa's public infrastructure reticulation.*
- *The amenity values of the surrounding Waharoa area are maintained and enhanced.*
- *Industrial development and subdivision minimise adverse effects on the Rural Zone, Residential Zone and Kaitiaki (Conservation zone) Zone.*

#### Policy 2.4.5 (P1) (existing)

- The adverse effects of processing and extractive industries should be avoided, remedied or mitigated in accordance with the amenity values of the adjacent community.

#### Possible Policies (proposed)

- *Potentially odorous and/or noxious industry and activities that require a regional-level discharge consent shall not locate in the Waharoa.*
- *Development and subdivision in Waharoa shall:*
  - *have low water demand;*
  - *provide for on-site stormwater management with limited discharge of stormwater to the public system; and;*
  - *provide for on-site treatment and disposal of all wastewater generated.*
- *The amenity of the Waharoa Industrial Area shall be maintained and enhanced through:*
  - *preservation of existing significant vegetation;*

- *requiring on-site mitigation planting; and:*
  - *minimising the visual impact of buildings and structures and avoiding reflective materials or unpainted surfaces that could cause glare.*
- *Development in the Waharoa Industrial area should:*
    - *Maintain adequate setbacks from road frontages and non-industrial zones; and:*
    - *Comply with the District Plan performance standards for noise, vibration, lighting and glare, air emissions, disposal of wastes, and use/ storage of hazardous substances.*

### **Explanation**

- The objective and policy implement the strategy of protecting the District's high quality soils and allowing diversification in the economy.
- The reduction, avoidance or mitigation of effects is a prerequisite of all industrial development and specified zones limits the degree of potential adverse effects on the community.
- The existing serviced industrial sites have separation from residential areas and the opportunity for buffer areas. Zones facilitate centralisation of activity and offers economies of scale in the provision of infrastructure services and facilities.

### **Anticipated environmental results**

1. Contiguous, orderly expansion of residential zoning.
2. A reduction in the number of complaints from the public concerning the adverse effects of activities.
3. The management of the district through the principles of partnership.
4. The establishment of industry within zones and the allowance on a case-by-case basis of extractive industries with minimal industrial development out of zone.
5. Significant natural and physical resources will not be unreasonably compromised by the introduction of new incompatible activities in the vicinity.
6. Land use and infrastructure are planned, and occur, in an integrated manner.
7. Land use change does not result in adverse effects on the functioning of infrastructure networks.
8. Planning decisions take into account the interdependence between land use and infrastructure.
9. Development and subdivision are serviced by infrastructure in a cost-effective manner.
10. Investment in existing and planned infrastructure networks is used efficiently.
11. The national, regional and local benefits of significant infrastructure networks are recognised and protected.
12. The operation, maintenance, upgrading and development of significant infrastructure networks are enabled while ensuring that the associated adverse effects on the environment are managed appropriately.
13. The adverse effects of other activities on infrastructure networks are avoided.
14. The national significance of electricity transmission and renewable electricity generation activities is recognised.
15. Investigation into, operation, maintenance, upgrading, and development of renewable electricity generation activities are enabled.
16. Practical constraints associated with the operation, maintenance, upgrading, and development of electricity transmission and renewable electricity generation activities are recognised.

Existing rules

Discretionary activity

5.4 Industry including activities involving the extraction, processing and packaging of meat, milk, poultry, fish, seafood, animal by-products, beverages, produce, and pulped paper.

*Proposed additional rule*

*Industry including activities involving the extraction, processing and packaging of meat, milk, poultry, fish, seafood, animal by-products, beverages, produce, and pulped paper.*

*Wet activities – non-complying activity (same as the existing MPDP Avenue Business Park Industrial Zone AVBP)*

*Wet activities Definition for the Industrial Zone means any industrial, trade or commercial activity that:*

- a. requires water supply exceeding 10,000 litres per day from a municipal supply as part of any industrial, trade, commercial or mechanical plant process (excluding water for staff amenities and offices); and/or*
- b. involves discharge of in excess of 10,000 litres of wastewater per day from any industrial, trade, commercial or mechanical plant process (excluding wastewater from staff amenities and offices).*

**Existing industrial zone activity table-proposed rules still to be developed and based on further research - will contain proposed amendments consistent with the proposed objectives and policies above.**

## 2.2 Activity Table

### Key

P Permitted activity	C Controlled activity
D Discretionary activity	RD Restricted Discretionary activity
N/C Non Complying activity	PRHB Prohibited activity

*All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.*

*\* Unless otherwise specified (in 4.1 and 4.2 of the table) the activity status in the Industrial zone refers to non-scheduled sites only .*

Activity	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
<b>1. General</b>						
1.1 Accessory buildings for any permitted or controlled activities.	P	P	P	P	P	N/C
1.2 Activities listed in the Table that are permitted or controlled not complying with the Developmental Controls and	RD	RD	RD	RD	RD	RD

Performance Standards, unless otherwise provided.						
1.3 Second-hand or pre-used buildings relocated from off-site.	D	D	D	D	D	N/C
1.4 Demolition of buildings and structures except those outlined in Schedules 1, 2 and 3.	P	P	P	P	P	D
1.5 Activities undertaken on known contaminated sites.	D	D	D	D	D	N/C
1.6 Temporary Activities Listed in Rule 4.11.1.	P	P	P	P	P	N/C
1.7 Temporary Activities Listed in Rule 4.11.2.	C	C	C	C	C	N/C
1.8 Temporary Activities Listed in Rule 4.11.3.	D	D	D	D	D	N/C
<b>2. Community related activities</b>						
2.1 Educational facilities to maximum of 10 pupils.	P	P	P	P	P	N/C
2.2 Educational facilities for greater than 10 pupils.	D	D	D	D	D	N/C
2.3 Places of Assembly.	D	D	D	D	P	N/C
2.4 Fire Stations.	N/C		D	P	P	N/C
<b>3. Dwellings and dwelling based activities (rules 3.1 to 3.8 and 3.10 do not apply where the dwelling is part of a papakāinga in Rural and Rural-Residential Zones, refer to rules 6.1 and 6.2. For the avoidance of doubt, rule 3.9 is still applicable for papakāinga.)</b>						
3.1 One or two dwellings per urban site.	N/C	P	P	N/C	N/C	N/C
3.2 More than two dwellings per urban site.	N/C	D	D	N/C	N/C	N/C
3.3 One dwelling per property except as identified in 3.4 and 3.7 below.	P	C	C	N/C	N/C	N/C

3.4 One dwelling accessory to an approved dwelling directly associated with farming or production forestry.	C	C	C	N/C	N/C	N/C
3.5 Two or more dwellings accessory to an approved dwelling directly associated with farming or production forestry.	D	D	N/C	N/C	N/C	N/C
3.6 One dwelling for dependent person(s). See 4.7.	P	P	P	N/C	N/C	N/C
3.7 One dwelling per property ancillary to a business or industrial activity within the business or Industrial zone.	N/C	N/C	N/C	P	P	N/C
3.8 New dwellings. <ul style="list-style-type: none"> <li>• Within 500 metres of an existing intensive farm as at 1 September 2003.</li> </ul>	RD	RD	RD	N/C	N/C	N/C
<ul style="list-style-type: none"> <li>• Within 250 metres of an existing litter poultry farm as at 1 September 2003.</li> </ul>	RD	RD	RD	N/C	N/C	N/C
<ul style="list-style-type: none"> <li>• Within 300 metres of existing Council effluent treatment plants at Morrinsville, Matamata, Te Aroha, Waihou as at 1 September 2003.</li> </ul>	RD	RD	RD	N/C	N/C	N/C

<ul style="list-style-type: none"> <li>• Within the Reverse Sensitivity Areas for the Motumaoho Quarry as shown in Appendix 8 as at 13 May 2005.</li> <li>• Measurement of the separation of Intensive Farming/Litter Poultry Farming is to be from the perimeter of the existing sheds/facilities exclusive of spray irrigation areas.</li> <li>• See Rule 1.4.28 for Assessment Criteria</li> </ul>	RD	RD	RD	N/C	N/C	N/C
3.9 Home occupation. See 4.3	P	P	P	N/C	N/C	N/C
3.10 Accommodation Facilities.	D	D	D	N/C	D	N/C
<b>4. Scheduled sites only. See Schedule 5.</b>						
4.1 Activities complying with a Development Concept Plan unless shown as P, C, D or N/C on the DCP. Scheduled sites only, see Schedule 5.	See DCP	N/C	N/C	C	N/C	See DCP
4.2 Buildings/Activities	See DCP	N/C	N/C	D	N/C	N/C

defined for future development on the DCP unless shown as P, C, D or N/C on the DCP. Defined Scheduled sites only, see Schedule 5 and Rule 3.3.1.						
<b>5. Industrial based activities</b>						
5.1 Depots.	D	N/C	N/C	P	D	N/C
5.2 Light Industry.	N/C	N/C	N/C	P	P	N/C
5.3 Industry.	N/C	N/C	N/C	P	N/C	N/C
5.4 Industry including activities involving the extraction, processing and packaging of meat, milk, poultry, fish, seafood, animal by-products, beverages, produce, and pulped paper.	N/C	N/C	N/C	D	N/C	N/C
5.5 Mining, Quarrying and Mineral Processing.	D	N/C	N/C	D	N/C	PRHB
5.6 Packhouses, coolstores less than or equal to 150m <sup>2</sup> .	P	N/C	N/C	P	P	N/C
5.7 Packhouses, coolstores greater than 150m <sup>2</sup> .	D	N/C	N/C	P	P	N/C
5.8 Peat processing.	N/C	N/C	N/C	N/C	N/C	PRHB
5.9 Minerals "Prospecting". For permitted activities see Rule 4.9.2.	P	D	D	D	D	P
5.10 Minerals "Exploration". For permitted activities see Rule 4.9.2.	P	D	D	D	D	N/C
5.11 Storage and warehousing.	N/C	N/C	N/C	P	P	N/C
5.12 Offices, canteens, dining rooms, ablution facilities, daycare	N/C	N/C	N/C	P	D	N/C

facilities and recreation facilities ancillary to other activities provided for in the Industrial zone. (Scheduled and non-scheduled sites).						
<b>8. Retailing and office based activities</b>						
8.1 Commercial Services.	N/C	N/C	N/C	N/C	P	N/C
8.2 Medical facilities	N/C	N/C	D	N/C	P	N/C
8.3 Offices.	N/C	N/C	N/C	D	P	N/C
8.4 Retailing.	N/C	N/C	D	D	P	N/C
8.5 Service stations. See 4.10.	N/C	N/C	N/C	P	P	N/C
8.6 Veterinary clinics.	D	D	N/C	N/C	P	N/C
8.7 Activities within Business/Residential Interface Areas					Refer Rule 4.14	
<b>9. Rural based activities</b>						
9.1 Clean fill activities involving the depositing of less than 1000m <sup>3</sup> material (as measured compacted in place) (including scheduled sites in the Industrial zone, see Schedule 5 except for those areas covered by the Lockerbie Development Area Plan (see Rule MRZ-R1(1)(i) and PREC1-R1(1)(ii)).	P	P	P	P	P	N/C
9.2 Clean fill activities involving the deposit of 1000m <sup>3</sup> or more of material (as measured	D	D	D	D	D	N/C

compacted in place). See 4.12. Except for those areas covered by the Lockerbie Development Area Plan (see Rule MRZ-R1(1)(i) and PREC1-R1(1)(ii)).						
9.3 Commercial stockyards, saleyards and holding paddocks.	D	N/C	N/C	N/C	N/C	N/C
9.4 Conservation forestry.	P	P	P	P	P	P
9.5 Establishment for the boarding/breeding of domestic pets.	D	D	N/C	N/C	D	N/C
9.6 (a) Intensive Farming.	D	N/C	N/C	N/C	N/C	N/C
*Where an Intensive Farming operation cannot provide 500m separation to site boundaries and 500m separation to a Residential zone and written consent to the potential effects has not been voluntarily offered by an adjacent landowner.	N/C*	N/C	N/C	N/C	N/C	N/C
9.6 (b) Litter Poultry Farming.	D	N/C	N/C	N/C	N/C	N/C
*Where a Litter Poultry Farming operation cannot provide 250m separation to site boundaries and 500m separation to a Residential zone and written consent to the potential effects has not been voluntarily offered by an adjacent landowner.	N/C*	N/C	N/C	N/C	N/C	N/C
9.7 Farming.	P	P	N/C	N/C	N/C	N/C
9.8 Establishing new areas of Plantation Forestry.	P	P	N/C	N/C	N/C	N/C
9.9 Harvesting of Plantation Forests.	C	C	N/C	N/C	N/C	C

9.10 Replanting of Plantation Forests	P	P	N/C	N/C	N/C	P - Subject to rule 4.1.2.
9.11 Use of land for effluent disposal of non-human waste from agricultural activities except as otherwise stated on a DCP.	P	N/C	N/C	N/C	N/C	N/C
9.12 Use of land for effluent disposal of non-human waste from industrial activities except as otherwise stated on a DCP.	C	N/C	N/C	P	N/C	N/C
9.13 Stock movement within road reserves. See 8.7.						
9.14 Aggregation of rural land (refer to 8.7 for the requirements relating to stock crossings and stock underpasses).	P	P	N/C	N/C	N/C	N/C
9.15 Livestock farming in areas of indigenous vegetation over 1 ha.	D	D	N/C	N/C	N/C	N/C

# Appendix 21: National Policy Statement - Highly Productive Land (NPS-HPL) 2025 & the three areas proposed to be amended from Rural zone to Industrial zone

## Summary

MPDC considers that the NPS-HPL does not prevent the conversion of these three rural zoned areas to industrial zone as the collective area has been a defacto industrial zone for some considerable time, with industrial activities occurring on rural zone land via way of land use consents and a Development Concept Plan. MPDC considers all the “areas” that are recommended to be amended fit the description of zone, as contained in s 1.3 Interpretation of the NPS-HPL, and MPDC also notes that the proposal to recognise the industrial nature of the site that was enabled through a resource consents is very similar to the process proposed as part of the RMA reform in the Planning bill at : cl 97- [Applying for planning consent that authorises change to plan provisions](#), and cl 98 - [Territorial authority may change plan provisions if authorised by planning consent](#).

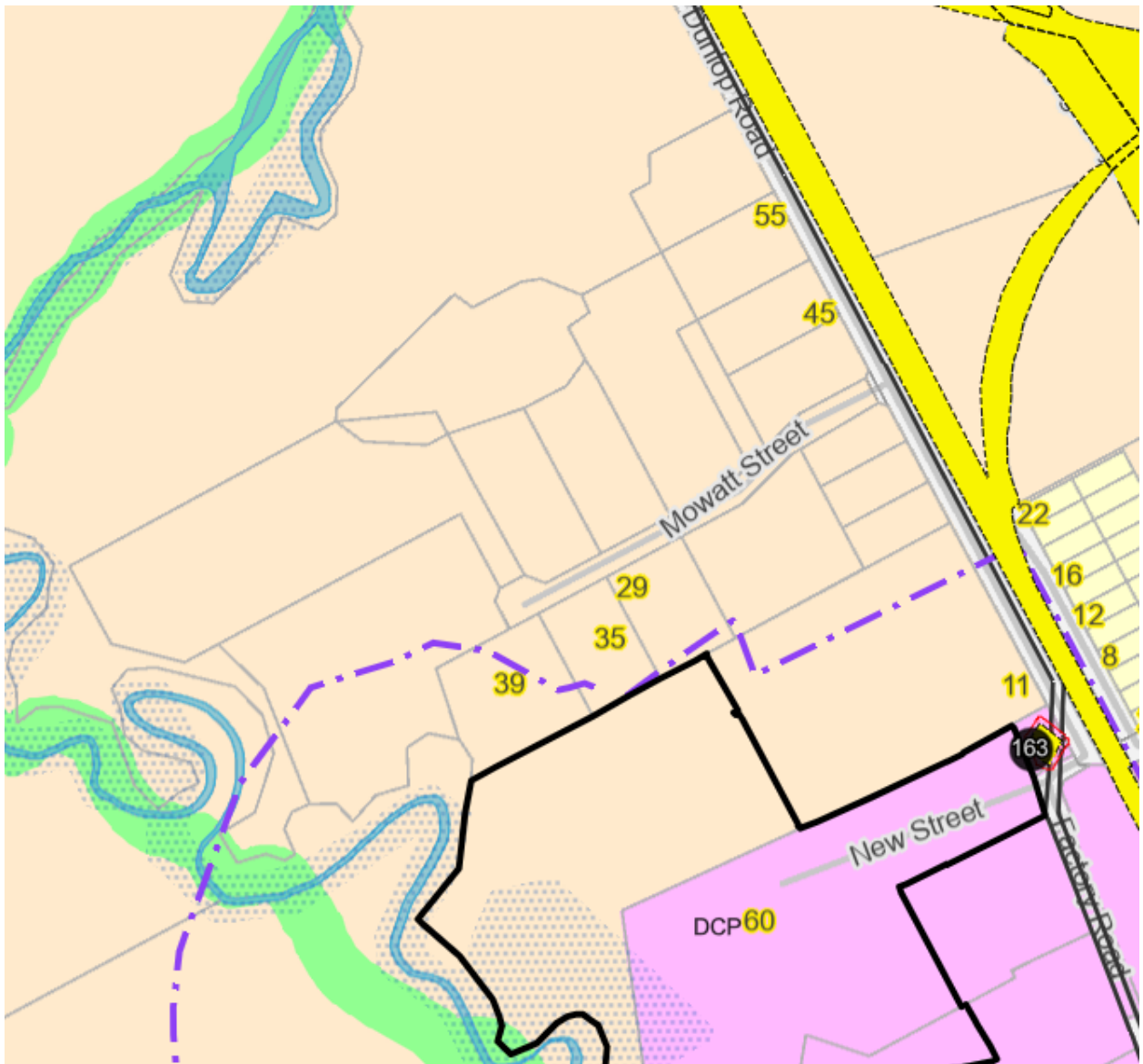
### 1. Mowatt Street area

1. The Mowatt street area is located in Class 1 soils. The proposal to turn this rural zoned area to industrial zone creates the need to consider the proposal against the provisions of the NPS-HPL.
2. **In summary** MPDC believes that the proposal is not offensive to the NPS-HPL as MPDC believes that the subject area fits the description of zone, as contained in s 1.3 Interpretation of the NPS-HPL, as follows;

A reference in this National Policy Statement to a **zone** is:

- (a) a reference to a zone as described in Standard 8 (Zone Framework Standard) of the National Planning Standards; or
- (b) for local authorities that have not yet implemented the Zone Framework Standard of the National Planning Standards, a reference to the nearest equivalent zone.

3. The area was functioning as an industrial zone prior to the implementation of the introduction of the National Policy Statement for Highly Productive Land which took effect on 17th October 2022.



MPDP Location Map-Mowatt Street-showing current Rural Zoning of entire subdivision

**Background** - Consenting history and Consideration of High-Quality soils

1. The 2007 decision for the combined LU and subdivision, and 2008 variation to the subdivision into stages, (there are also 3 variations to the land use for building height and signage) all predate the introduction of the National Policy Statement for Highly Productive Land which took effect on 17th October 2022.

2. However, the consent processes did consider the matter of high-quality soils at the time as follows:

Decision report (approval) on the original **notified** application on the 2007 combined landuse/subdivision. (it was later varied into 2 stages)

### 6.8 Integrity of the Plan

Mr Carey, in his evidence, told the Commission that the proposal was not anticipated in the District Plan and that there was sufficient zoned industrial land in the District. He viewed the proposal as an example of undesirable “industrial creep” with a consequent loss of quality rural land, and was concerned that approval of the application would set a precedent and undermine the integrity of the Plan.

Mr Carey did not present any evidence to substantiate his views on the supply of already zoned industrial land in the District, and consequently the Commission is unable to give this statement weighting. That the application will withdraw quality agricultural land from production is a fact, but the Commission takes some comfort that the area of the proposal site is minute in relation to the total supply of quality rural land.

Mr Rademeyer reminded the Commission in his evidence, that at least some of the activities likely to establish on the site (such as depots, packhouses and coolstores) were discretionary in the Rural Zone.

He also explained in his evidence that the proposal site has physical buffers which will prevent further industrial “creep” into the northern rural hinterland.

The Commission finds that approval of the application is unlikely to set a precedent or undermine the integrity of the Plan, because:

- Further expansion is limited by physical barriers (the Waitoa River and the railway line),
- Some components of the proposed activity are discretionary, rather than non-complying activities in the Rural Zone.

3. The 2014 variation, (approved) where the applicant sought to split the 2nd stage of the subdivision into 2 stages. The application included the consideration of high-quality soils and concluded as the land had been withdrawn from rural use due to the earlier light industrial land use consent, that consideration of the impact of that subdivision variation on high class soils was redundant. The application was approved.

Objectives	Policies
<b>3.3.2.1 Land and development – Sustainable activities</b>	
<p><b>Objective 2</b> To manage all activities in a manner that maintains and enhances the District's high quality soils and to ensure that the productive capability of rural land is not compromised.</p> <p><b>Objective 3</b> To safeguard the life-supporting capacity of the District's high quality soils by preventing inappropriate further fragmentation of rural land titles.</p>	<p><b>Policy 1</b> Subdivision, use or development must minimise the coverage of good quality soils.</p>

- 5.2 The objectives and policies for the Rural Zone seek to ensure that the District's high quality soils are protected, and that the productive capability of rural land is not compromised. In this instance, the area concerned has an existing land-use and subdivision consent for light industrial use and has already been withdrawn from productive rural use. Therefore, I consider that the application is not contrary to the objectives and policies relating to protection of the District's high quality soils.
- 5.3 The objectives and policies relating to subdivision and amenity seek to ensure that subdivision creates allotments that are suitable for their intended use, and compatible with the character of the adjoining area. In this instance, the subdivision creates lots for light industrial use, contiguous with the well-established Waharoa Industrial Area. Therefore, I consider that the proposed development is compatible with the character of the environment, as intended by the policy-framework.

## Discussion

1. MPDC believe, based on these earlier consenting processes, that the Mowatt Street area is effectively an existing industrial zone in all but name, so it is appropriate to propose it as industrial zone being the closest equivalent to the existing activities on site. The land has not been considered rural for a considerable time with a large number of parties operating light industrial businesses in the location with a distinct industrial character and function. The extent of industrialization could now have the potential to preclude a rural use from locating in the area.

## Conclusion

1. MPDC believes that the proposal fits the description of zone, as contained in s 1.3 Interpretation of the NPS-HPL, as follows

A reference in this National Policy Statement to a **zone** is:

- (a) a reference to a zone as described in Standard 8 (Zone Framework Standard) of the National Planning Standards; or
  - (b) for local authorities that have not yet implemented the Zone Framework Standard of the National Planning Standards, a reference to the nearest equivalent zone.
2. MPDC also notes that the proposal to recognise the industrial nature of the site that was enabled through a resource consent, is very similar to the process proposed as part of the RMA reform in the Planning bill at : cl 97- [Applying for planning consent that authorises change to plan provisions](#), and cl 98 - [Territorial authority may change plan provisions if authorised by planning consent](#).

## 2. Open Country Dairy area

The second area that is proposed to turn from rural zone to industrial zone is part of the Open Country Dairy (OCD) area. The rural zoned area is part a larger site that contains the OCD factory and its supporting infrastructure. There has been dairy manufacturing, on this site, by this company, albeit initially a smaller site, since 2004.

Under the MPDP, milk processing was not a Permitted Activity in the Industrial and Rural zones. Therefore, the existing facility operated under a suite of land-use consents granted by MPDC over the years as the plant expanded. For OCD, applying for new resource consents for every stage of the site's development didn't provide sufficient

confidence to justify the multi-million-dollar investment and long-term commitment to staff and local milk suppliers that would be required to expand the site to its full potential. To provide more regulatory certainty and efficiency for the future development of the site to allow for additional growth and development of the milk processing facility, OCD applied for a private Plan Change. This Plan Change would overlay the site's current zoning with a customised DCP. The underlying mixed zoning would remain in place. Plan Change 51 became operative on 5th June 2019. The documentation for this plan change is publicly available on the MPDC website at the following link: [District Plan Review \(Plan Your Town\)](#)

For the same reasons cited for the Mowatt street area MPDCD believes that the amendment of the rural zoned portion of the OOC site from rural zone to industrial zone will not offend the NPS-HPL and can proceed.

### 3. 23 Dunlop Road

The third area that is proposed to turn from rural zone to industrial zone is the site at 23 Dunlop Road. This rural zoned site is part of a once larger site, with the back of the site subdivided off to the OCD factory site via a subdivision consent in 2026. There has been coolstores operating on this site from 2009.

A 2009 land use consent, (102.2009.10025) sought to expand the existing coolstore activity on the rural site by relocating an existing business to the site. The existing coolstore on the site had historically been used by Fonterra for their activities within the Matamata-Piako district. The consent application was also for intrusion into a rural front year setback. At the time of this application high quality soils were considered, with regard the objectives and policies of the MPDP at that time. The application was granted for an expansion of the existing activity on the site. The consent contained a discussion regarding good quality soils.

#### Effects on good quality soils and the productive capability of the land

- 6.19 The site is in the Rural Zone and is situated on Class I and III soils (based on the New Zealand Land Resource Inventory). Therefore, it is subject to the Plan objectives and policies for the preservation of good quality soils. In this case, the property is already established as an industrial site, thus the proposed alterations will not lead to any additional effects on the soil resource.

A further consent (102.2013.10715) sought to relocate a second hand cool store and canopy to the same site, however these two earlier consents were later surrendered and a further consent (102.2014.10850) to erect a new container plant room and construct a new vehicle access and also provide a new comprehensive consent to replace the existing consents (excluding discharge consents) on site so long as the activities do not change. At the time of this consent the site was owned by a company called Icepack, who were renting some of the coolstore space to Inghams, a local chicken processing company.

A further consent (102.2015.11051) for a relocation of a second-hand building and storage and warehousing was approved in November 2015. In 2016 the rear of the site was subject to a boundary adjacent application (102.2016.1127) where the rear of the 23 Dunlop Road site, to be known as Lot 2 at 5.58ha was boundary adjusted to amalgamate with the adjacent Open Country Dairy site. The remainder site, the location of the coolstores would be 4.5ha. A discussion of RMA Part 2 matters in this application stated the following regarding high class soils on Part Lot 17 DP 850 (23 Dunlop Road site) prior to this boundary adjustment);

### Section 7(g) Finite Characteristics of Resources

The only resource with finite characteristics relevant to this application is the soils on which the land is located. The proposed boundary adjustment does not create any additional development rights. A land use capability report was submitted with the application that identifies approximately 35% of Pt Lot 17 DP 850 as high class soils. The proposal is not considered to compromise the ability of soils to be put to productive use given the limited scale of the site available for productive purposes. This is further evident as 40% of the property is developed as the cool store building, and can be characterised as a predominantly industrial activity.

For the same reasons cited for the Mowatt street area MPDCD believes that the amendment of the rural zoned 23 Dunlop Road from rural zone to industrial zone will not offend the NPS-HPL and can proceed.