

Māori Purpose Zone (MPZ) | Wāhi Kaupapa Māori

Overview

The Māori population in the Matamata-Piako District is growing and is expected to continue to grow. Many areas of multiple-owned Māori land in the District are underutilised, meaning that the potential of this land to support and enhance the social, cultural and economic wellbeing of tangata whenua is yet to be unlocked.

The intent of the Māori Purpose Zone is to recognise existing developments on ancestral lands, as well as to enable the establishment of residential activities and ancillary social, cultural, economic, conservation and recreation activities. The provisions seek to enable settlement patterns, activities and development in accordance with kaupapa Māori and tikanga. They recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

Sites within the District identified as Māori Purpose Zone (Precinct 1) have Māori Freehold status under Te Ture Whenua Maori Act 1993. They include existing marae, as well as directly adjoining land that has the potential to be developed for papakāinga. These sites are generally located within rural areas, where infrastructure and services are limited. Any new papakāinga development will need to ensure that adequate provision for servicing can be accommodated on site.

Sites within the District identified as Māori Purpose Zone (Precinct 2) have existing papakāinga. These sites are connected to Council services and therefore have the ability to provide for further housing, subject to maintaining the amenity of adjoining properties.

Objectives

MPZ O1	Enable Māori to maintain and enhance their traditional and cultural relationship with their ancestral land and to enhance their social, economic and cultural wellbeing.
MPZ O2	Enable settlement patterns, activities and development in accordance with kaupapa Māori and tikanga.
MPZ O3	Manage adverse effects of buildings, structures and activities on the amenity values, character and quality of the surrounding environment.

Policies

MPZ P1	To provide for marae and papakāinga on ancestral land, including residential activities, and ancillary social, cultural, economic, conservation and recreation activities.
MPZ P2	To recognise existing papakāinga in the district and to enable further development of housing on these sites, only where: a) The land is and will continue to be Maori Freehold land in perpetuity; or b) A legal mechanism is in place to ensure the land will be maintained in whanau ownership in perpetuity.
MPZ P3	To maintain rural character and the amenity of adjoining properties by controlling the bulk and location of buildings and structures.
MPZ P4	Non-residential activities shall be of a scale, and location that does not adversely affect: a) Adjoining properties; b) The character of the surrounding area; and

	c) The safe and efficient operation and functioning of the surrounding transport network.
MPZ P5	To ensure sites have provision for the treatment and disposal of stormwater and wastewater, and the provision of water, electricity and telecommunications.
MPZ P6	To promote on-site amenity through setbacks, landscaping, open space and communal areas.
MPZ P7	To ensure an integrated and sustainable management approach to development by requiring the preparation of Papakāinga Development Plans.
MPZ P8	Subdivision of papakāinga shall only occur where: <ul style="list-style-type: none"> a) It can be demonstrated that the papakāinga will remain in whanau ownership in perpetuity; and b) The subdivision will not compromise the functionality of the papakāinga; and c) Infrastructure services are provided for each lot. Some of these services may be communal (for example: a shared wastewater system).

PRECINCT 1 (PREC1) – Activity Status Rules

PREC1(1) PER activities	
<i>All permitted activities must comply with the general and relevant activity specific performance standards. The general performance standards are listed in PREC1(5)(a) to PREC1(5)(e). Activity specific standards are identified under the following activity rules.</i>	
(a)	Demolition and alteration of buildings and structures except those outlined in Schedules 1 and 2
(b)	Relocatable buildings
(c)	Marae-related activities
(d)	Marae
(e)	Up to 10 kāinga (residential units) per site
	<p>A Māhere Ahu Papakāinga (Papakāinga Development Plan) must be submitted to Council prior to (or with) any application for building consent for two or more kāinga (residential units). The Plan shall show the entire papakāinga development and must include:</p> <ul style="list-style-type: none"> i. A site plan demonstrating compliance with the relevant performance standards of the Māori Purpose Zone and other relevant rules of the District Plan; ii. The bulk, scale and location of existing, proposed and future buildings and structures; iii. The location of any archaeological site, heritage site or waahi tapu site; iv. How the development will be serviced with three waters infrastructure, electricity and telecommunications; v. Compliance with the transportation provisions, including location and formation of vehicle crossings and access arrangements; and vi. Confirmation that the land is Māori Freehold Land. <p><i>Note: The Papakāinga Development Plan is required to demonstrate compliance with the District Plan provisions, as well as ensuring an integrated approach to development (including future development) is achieved. This is only required where two or more dwellings on a site are proposed.</i></p>

	<i>Applicants are encouraged to consider matters in addition to what is required by the District Plan performance standards and development controls, including landscaping, communal areas, areas of open space and proposed staging. It is also encouraged to consider the potential for subdivision in the initial development phases to ensure the site is comprehensively designed, with the required infrastructure in place.</i>
(f)	Ahumahi -ā- kāinga (Home business) A maximum of one home business per residential unit is permitted on the site, subject to compliance with the following standards: <ul style="list-style-type: none"> 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 residential unit; 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 occupation shall be limited to 60m² floor area. This may include up to 20m² 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 10m² for the display of goods for sale in addition to (iv). This rule is a maximum total area for all home businesses on site combined; vi. Includes non-self-contained visitor accommodation for up to six people. Only one visitor accommodation per site is permitted; vii. All on site activities must individually and collectively comply with all permitted activity performance standards; viii. Shall not involve any pet day care or grooming services; and ix. The hours for delivery and collection of goods as well as onsite customer visits shall be between 7.30am to 5.30pm, Monday to Sunday.
(g)	Whare Hapori (Community facilities), Whare Akomanga (Education facilities), Whare Hauora (Healthcare facilities)
	<ul style="list-style-type: none"> i. The total gross floor area of the community facility, education facility and/or healthcare facility combined shall not exceed 150m², or 10% of the net site area (whichever is the lesser). ii. The facilities shall be established only where: <ul style="list-style-type: none"> a) The site is adjoining a marae; or b) The site is part of a papakāinga with 5 or more kāinga (residential units).
(h)	Earthworks
	<ul style="list-style-type: none"> i. Shall not exceed a volume of more than 1000m³ and an area of more than 2000m² over any single consecutive 12-month period; ii. All site works shall be reinstated within 6 months of works commencing; iii. Works must not affect or be located within a scheduled item (Schedule 1 – 3); iv. Works must not involve the excavation or disposal of contaminated land/materials; v. Works shall be set back 5m from any overland flow path and 10m from any water body. <p><u>Exclusion:</u> Any earthworks which:</p> <ul style="list-style-type: none"> - Have been approved as part of a land use or subdivision consent, - Are for the removal of topsoil for building foundations and/or driveways, 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.
(i)	Any other activity that is permitted within the Rural Zone.

	(a) Compliance with the relevant performance standards of the Rural Zone.
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PREC1(2) RDIS Activities	
(a)	<p>Any permitted activity which does not comply with one or two general performance standards listed in PREC1(5)(a) to PREC1(5)(e).</p> <p><u>Matters of discretion:</u></p> <p>In assessing any application for a restricted discretionary activity, Council shall have discretion over the following matters:</p> <ol style="list-style-type: none"> i. The extent of non-compliance with any performance standards and the degree to which this adversely affects the amenity and character of the site and surrounding area; ii. The degree to which on site amenity and character is retained for residents, and adjacent properties; iii. 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; iv. Whether the activity will adversely affect or interfere with the legitimate land use and activities on surrounding sites; v. Traffic, parking and access effects, including the safety and efficiency of the roading network and any effects of not providing carparking; and vi. The provision of three waters servicing and any capacity issues where public reticulation is proposed to service the site.

PREC1(3) DIS Activities	
<i>In considering any application for a discretionary activity, Council shall have regard to the matters outlined in Section 1.4 of the District Plan.</i>	
(a)	Any permitted activity which does not comply with three or more general performance standards listed in PREC1(5)(a) to PREC1(5)(e).
(b)	Activities that do not comply with an activity specific condition in PREC1(1)(f) – (k).
(c)	More than 10 kāinga (residential units) per site

PREC1(4) NC activities	
<i>In considering any application for a non-complying activity, Council shall have regard to the matters outlined in Section 1.4 of the District Plan.</i>	
(a)	Any activity not provided for

PREC1 - Standards

PREC1(5) Standards	
<i>PREC1(5)(a) to PREC1(5)(e) are general performance standards for all permitted activities in PREC1. The table MPZ(1) outlines additional performance standards that need to be complied with in other sections of the District Plan (where relevant).</i>	
(a)	<p>Maximum height</p> <p>The maximum height of buildings shall not exceed 10m.</p>

	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).
(b)	Height in relation to site boundaries
	<p>No part of any building shall exceed a height of 3m plus the shortest horizontal distance between that part of the building and the nearest site boundary, provided that this shall not apply:</p> <ul style="list-style-type: none"> i. to the apex of the gable ends of a roof, being no more than 1m² in area (See Appendix 2), or ii. a design feature or building component that does not exceed an external measurement of 2 metres in any direction (excluding diagonal measurements); and iii. subject to no more than a total of two design features or building components (including the apex of a gable end) encroaching through the height relative to boundary plane of all boundaries. <p><u>Unless:</u> Written consent of all property owners contiguous to the building/structure is obtained, subject to compliance with the Building Act 2004.</p>
(c)	Yards
	<ul style="list-style-type: none"> i. Front yard: 25m ii. Side and rear yard: 10m iii. River protection yard: 20m <p><u>Provided that:</u> Buildings and structures may be erected on any rear and/or side yard so long as the written consent of all property owners contiguous to any building/structure is obtained, subject to compliance with the Building Act 2004.</p>
(d)	Fences and walls
	No fences or walls or a combination of these (whether separate or joined together) shall exceed 2m in height within the yard setback.
(e)	Maximum building coverage
	The maximum building coverage shall not exceed 35% of the net site area.

PRECINCT 2 (PREC2) – Activity Status Rules

PREC2(1) PER activities	
<i>All permitted activities must comply with the general and relevant activity specific performance standards. The general performance standards are listed in PREC2(4)(a) to PREC2(4)(e). Activity specific standards are identified under the following activity rules.</i>	
(a)	One kāinga (residential unit) per Record of Title

(b)	<p>One kāinga (residential unit) per 500m² site area</p> <p>This rule only applies for sites in PREC2 that either:</p> <ul style="list-style-type: none"> i. Have Māori Freehold land status; or ii. Have a legal mechanism in place to ensure the land will be maintained in whanau ownership in perpetuity. <p><i>Note: A legal mechanism may include a management structure under Te Ture Whenua Maori Act 1993 (for example an ahu whenua trust or whanau trust). Independent legal advice is recommended.</i></p>
(c)	<p>Relocatable buildings</p>
(d)	<p>Earthworks</p> <ul style="list-style-type: none"> i. Maximum cut or fill height: <ul style="list-style-type: none"> - 0.5m within minimum building setback. - 1.5m outside minimum building setback. ii. All site works shall be reinstated within 6 months of works commencing. iii. Maximum volume of earthworks is 100m³ within any 12 month period. iv. Works must not affect or be located within a scheduled item (Schedule 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. <p><u>Exclusion:</u></p> <p>Any earthworks which:</p> <ul style="list-style-type: none"> - Have been approved as part of a land use or subdivision consent; - Are for the removal of topsoil for building foundations and/or driveways; 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.

PREC2(2) RDIS Activities	
(a)	<p>Any permitted activity which does not comply with one or more general performance standard listed in PREC2(4)(a) to PREC2(4)(e).</p> <p><u>Matters of discretion:</u></p> <p>In assessing any application for a restricted discretionary activity, Council shall have discretion over the following matters:</p> <ul style="list-style-type: none"> i. The extent of non-compliance with any performance standards and the degree to which this adversely affects the amenity and character of the site and surrounding area; ii. The degree to which on site amenity and character is retained for residents, and adjacent properties; iii. 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;

	<ul style="list-style-type: none"> iv. Whether the activity will adversely affect or interfere with the legitimate land use and activities on surrounding sites; v. Traffic, parking and access effects, including the safety and efficiency of the roading network and any effects of not providing carparking; and vi. The provision of three waters servicing and any capacity issues where public reticulation is proposed to service the site.
(b)	Earthworks that do not comply with an activity specific condition in PREC2(1)(d).

PREC2(3) NC activities	
<i>In considering any application for a non-complying activity, Council shall have regard to the matters outlined in Section 1.4.</i>	
(a)	Any activity not provided for.

PREC2 - Standards

PREC2(4) Standards	
<i>PREC2(4)(a) to PREC2(4)(e) are general performance standards for all permitted activities in PREC2. The table MPZ(1) outlines additional performance standards that need to be complied with in other sections of the District Plan (where relevant).</i>	
(a)	<p>Maximum height</p> <p>The maximum height of buildings shall not exceed 10m.</p> <p>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).</p>
(b)	<p>Height in relation to site boundaries</p> <p>No part of any building shall exceed a height of 3m plus the shortest horizontal distance between that part of the building and the nearest site boundary, provided that this shall not apply:</p> <ul style="list-style-type: none"> i. To the apex of the gable ends of a roof, being no more than 1m² in area (see Appendix 2), or ii. A design feature or building component that does not exceed an external measurement of 2 metres in any direction (excluding diagonal measurements); and iii. Subject to no more than a total of two design features or building components (including the apex of a gable end) encroaching through the height relative to boundary plane of all boundaries. <p><u>Unless:</u> Written consent of all property owners contiguous to the building/structure is obtained, subject to compliance with the Building Act 2004.</p>
(c)	<p>Yards</p> <ul style="list-style-type: none"> i. Front yard (for sites adjoining a State Highway or Morrinsville-Walton Road): 15m ii. Front yard (for all other sites): 5m iii. Side and rear yard: 3m

	<p><u>Provided that:</u> Buildings and structures may be erected on any rear and/or side yard so long as the written consent of all property owners contiguous to any building/structure is obtained, subject to compliance with the Building Act 2004.</p> <p><i>Note: For sites located along a state highway or railway line corridor, internal noise levels for buildings shall comply with the acoustic insulation standards in Rule 5.2.9.</i></p>
(d)	<p>Fences and walls</p> <p>No fences or walls or a combination of these (whether separate or joined together) shall exceed 2m in height within the yard setback.</p>
(e)	<p>Maximum building coverage</p> <p>The maximum building coverage shall not exceed 35% of the net site area.</p>

MPZ(1)

Other Plan Provisions
<p>All activities shall comply with the relevant performance standards identified in the following sections of the District Plan.</p> <ul style="list-style-type: none"> • Rule 1.2: Development Suitability • 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 and railway 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 8.5: Water, wastewater and stormwater • Section 9: Transportation • Section 10: Natural environment and heritage • Section 11: Natural hazards