

Proposed Private Plan Change 50 – Hobbiton Development Concept Plan, 487, 501 and 502 Buckland Road, Matamata

Topic 1: Lack of benefits/ demand – Staff recommendations on submissions and further submissions received

| Topic 1: Lack of benefits/ demand | | | | | | | |
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| Submitter | Point # | Specific provisions of the plan change that the submission relates to | Position (Oppose/ Support/ Neutral) | Details of submission/ further submission | Decision that the Submitter wants Council to make | Staff recommendation | Reasons |
| <p>1. Opal Hot Springs and Holiday Park c/- Brian and Carryline Anderson 257 Okauia Springs Road, RD1, Matamata info@opalhotsprings.co.nz</p> <p>Note: The submission appears to be invalid on the grounds of trade competition.</p> | 1.1.1 | Camping facilities as Permitted Activity. | Oppose overnight camping facilities as a Permitted Activity. | <ul style="list-style-type: none"> There is adequate supply of camping facilities for both campervans and tents at Opal Springs. Camping facilities at Hobbiton will detract from the revenue that Opal Springs gains from its camp sites and will make running the historic Opal Springs site more difficult as it relies on a percentage of the income to subsidise running costs. Campers at nearby Tower Museum abuse the honesty box system and often use the kitchen and shower facilities at Opal Springs for free, putting further strain on resources. Several phone apps rent out peoples driveways for overnight campervan stay, which further erodes the market for registered campgrounds. There is no demand for additional camping facilities. At Opal Springs, the supply of available facilities has been adequate, even during peak times such as Christmas, Easter, and during the Lions Tour and Rugby World Cup. While there may be a shortage of motel accommodation on isolated days during peak times, there is no shortage of camping facilities. This will be corroborated by other sites such as the Te Aroha Holiday Park and Okoroire Hotel. Opal Springs provides a unique kiwi camping experience that is appreciated by both local and overseas visitors. | Decline overnight camping facilities as a Permitted Activity at Hobbiton | That the submission be struck out. | The submission is invalid under Schedule 1 RMA, Clause 6(4), because the Submitter could gain an advantage in trade competition through the submission and the Submitter is not directly affected by an effect of the plan change that adversely affects the environment. |
| <p>3. David Reichmuth, 21 Buckland Road, RD2, Matamata dreich@gmail.com</p> | 3.1.2 | The whole of the Plan Change. | Oppose the whole of the Plan Change. | <ul style="list-style-type: none"> In regard to overnight stay and camping facility, there are no local treatment facilities to deal with the effluent. This is unsustainable. | Decline the Plan Change in its entirety for the reasons outlined in the submission. | Reject submission | The overnight stay and camping facilities will be served by onsite wastewater disposal systems. The systems will require resource consent under the Waikato Regional Plan. If the Waikato Regional Council (WRC) decides to grant consent for the discharge, then conditions will be imposed to ensure that the discharge is sustainable. If consent for the discharge is refused by WRC, then the overnight stay and camping facilities will not be able to be developed. |
| <p>3. David Reichmuth, 21 Buckland Road, RD2, Matamata dreich@gmail.com</p> | 3.1.3 | The whole of the Plan Change. | Oppose the whole of the Plan Change. | <ul style="list-style-type: none"> There is no need for more visitors – the operators already earn up to a quarter of a million NZ dollars per day during peak times – more than enough to ensure the site's financial sustainability. Most Hobbiton tourists are short stay visitors. | Decline the Plan Change in its entirety for the reasons outlined in the submission. | Accept in part and make no changes to the DCP. | It is accepted that most Hobbiton tourists are short-stay visitors, however, the economic analysis shows that Hobbiton tourists contribute approximately \$78 million per annum to the local economy. In addition, Hobbiton has created 393 Full Time Equivalent (FTE) jobs, adding total wages and salaries |

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| | | | | | | | within the District of \$16.5 million per annum. |
| 3. David Reichmuth, 21 Buckland Road, RD2, Matamata dreich@gmail.com | 3.1.4 | The whole of the Plan Change. | Oppose the whole of the Plan Change. | <ul style="list-style-type: none"> There are existing movie facilities in Cambridge. | Decline the Plan Change in its entirety for the reasons outlined in the submission. | Accept in part and change the DCP as shown in Appendix B to provide for screenings of Hobbiton-themed movies only | The regulatory framework for the site must balance its tourist potential with its location in a rural environment. Such a balance can best be achieved by limiting onsite activities to those that relate closely to the Hobbiton theme, being the aspect of the site that has tourism significance. As stated by the Submitter, there is no justification from a resource management perspective, to enable the site to be used generally as a movie theatre for genres that have no reference to the site's tourism significance. |
| 4. Nelson McCosh, 632 Buckland Road, RD2, Matamata nelsonmccosh@gmail.com | 4.1.5 | Change from Rural Zoning requirements. Provisions for amplified concerts and outdoor movie events. | Oppose | <ul style="list-style-type: none"> Hosting movies and concerts in Matamata or another developed urban environment where the infrastructure already exists, will be a far better option compared to pushing hundreds of vehicles at once onto a country road with potentially drug and alcohol affected drivers where there are already instances of poor driving, near misses, and accidents. | Decline the Plan Change for the reasons stated in the submission, including: <ul style="list-style-type: none"> Effects on the rural environment, particularly horses and livestock have not been considered at all. | Reject the request to decline the Plan Change, but make changes to the DCP as shown in Appendix B, and outlined in the next column. | It is agreed that the site, given its rural setting, is not an appropriate venue for general movie screenings and concerts. The proposed amendments as shown in Appendix B seek to balance the limitations created by the site's rural location and its tourism potential, by limiting activities to Hobbiton-themed events only. |

Proposed Private Plan Change 50 – Hobbiton Development Concept Plan, 487, 501 and 502 Buckland Road, Matamata

Topic 2: Lack of confidence in consultation, assessment, clarity/ transparency and compliance/ enforcement/ roading hierarchy

Staff recommendations on submissions and further submissions received

| Topic 2: Lack of confidence in consultation, assessment, clarity/ transparency and compliance/ enforcement | | | | | | | |
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| Submitter | Point # | Specific provisions of the plan change that the submission relates to | Position (Oppose/ Support/ Neutral) | Details of submission/ further submission | Decision that the Submitter wants Council to make | Staff recommendation | Reasons |
| 4. Nelson McCosh, 632 Buckland Road, RD2, Matamata nelsonmccosh@gmail.com | 4.2.1 | Change from Rural Zoning requirements. Provisions for amplified concerts and outdoor movie events. | Oppose | <ul style="list-style-type: none"> The Development Concept Plan has omitted the inclusion of two of the closest dwellings (located at 632 Buckland Road) to the Hobbiton site. The omission of the two closest and most affected dwellings shows a lack of diligence in the development of the plan change and brings into question all other evidence being used to support the application. The acoustic modelling has only considered one of the dwellings at 632 Buckland Road. The dwelling omitted is the closest to the site and from the acoustic modelling maps it is evident that noise at the dwelling omitted would be outside of acceptable limits. Hosting movies and concerts in Matamata or another developed urban environment where the infrastructure already exists, will be a far better option compared to pushing hundreds of vehicles at once onto a country road with potentially drug and alcohol affected drivers where there are already instances of poor driving, near misses, and accidents. The Plan Change states that consultation was carried out in 2016 and that no feedback was received. The Submitter has not been consulted and was unaware of the proposed changes until the receipt of the public notice in April 2018. While other neighbours have been consulted, the Submitter who is the closest neighbour has been left out of the consultation. This shows a lack of care for due process or impact on neighbouring properties. | <p>Decline the Plan Change for the reasons stated in the submission, including:</p> <ul style="list-style-type: none"> Inaccurate modelling; Lack of due diligence; Effects on the rural environment, particularly horses and livestock have not been considered at all. | <p>Reject the request to decline the Plan Change, but make changes to the DCP as shown in Appendix B, and outlined in the next column.</p> | <ul style="list-style-type: none"> The omission of the dwellings from the DCP can be remedied by making amendments to the DCP as shown in Appendix B. While the omission of the dwellings is regretted, noise effects on both the Submitter's dwellings can be inferred from the noise modelling in the acoustic report, attached to the plan change request as notified. The information submitted in support of the plan change request is considered to be robust and, where considered necessary, has been independently reviewed by MPDC. The amended noise levels recommended by MPDC's acoustic expert (see Appendix B) will ensure that the noise from events, at both the Submitter's dwellings, will be within acceptable limits. It is agreed that the site, given its rural setting, is not an appropriate venue for general movie screenings and concerts. The proposed amendments as shown in Appendix B seek to balance the limitations created by the site's rural location and its tourism potential, by limiting activities to Hobbiton-themed events only. MPDC staff has encouraged the applicant to consult with all neighbours. However, MPDC has no authority to require consultation. |
| 10. Gregan Family Trust, 774 Buckland Road, RD 2, Matamata Att: Denis Gregan dennisgregan@hotmail.co.nz | 10.2.2 | Transport and Noise pollution. | Accept Plan Change with amendments as outlined in the submission. | <ul style="list-style-type: none"> Regular meetings, at least annually with residents of Buckland Road should be held to address matters of concern, effects on residents and their properties, and full disclosure in regard to compliance. | That community meetings be held at least annually in the interests of transparency and community involvement. | Accept submission and make changes to the DCP, as shown in Appendix B, that require neighbour liaison meetings and reporting on compliance. | <ul style="list-style-type: none"> Community engagement is a valuable method to ensure issues are identified in a timely manner and resolved before they escalate. The benefits of community engagement are widely accepted, including by the Environment Court which frequently requires community liaison as a method to avoid, remedy, or mitigate adverse effects. |
| Matamata-Piako District Council | FS13.2.2 | | MPDC supports the | In principle, the Council is supportive of regular community meetings between Rings Scenic Tours and | The Council encourages | Accept submission in support of | See above. |

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| | | | <i>Gregan submission in principle.</i> | <i>local residents to discuss the direct and indirect consequences and effects of Hobbiton operations on those who may be affected by them.</i> | <i>discussions, with a view to creating an appropriate mechanism to require such meetings.</i> | <i>community liaison provisions and make changes to DCP, as shown in Appendix B, that require neighbour liaison meetings and reporting on compliance, to take place.</i> | |
| 12. Glenda O'Sullivan, 127 Buckland Road, RD 2, Matamata greenanne@xtra.co.nz | 12.2.3 | Proposed changes to road hierarchy (Rule 9.1.1). | Decline, and require more consultation. | <ul style="list-style-type: none"> The Submitter seeks further consultation regarding the proposed changes in the status of the roading and what long-term implications this has on the land owners and residents of Buckland Road. Also, further consultation is needed around the encouragement of using Puketutu/ Buckland Road as the main entry point for tourists to the Hobbiton Site and what measures will be put in place to manage the intersections leading to this entry point. Hobbiton is great for the community economically but more open consultation is needed to make sure that the safety and interests of other landowners on route to Hobbiton is given more consideration. | Decline the Plan Change as it will be premature to accept the Plan Change without careful consideration being given to road status changes and what this fully entails for all. More time is needed to fully investigate this matter. | Reject the request to decline the Plan Change until further consultation has taken place. | <ul style="list-style-type: none"> While further consultation is supported, MPDC does not have authority to require consultation. There is no authority to decline the plan change solely on the basis that further opportunity for consultation should be provided. |
| <i>J. Swap Contractors Limited</i> | <i>FS14.2.3</i> | | <i>Swaps opposes the O'Sullivan submission</i> | <i>J Swaps opposes the relief sought; however, the submitter's comments regarding the impact on the roading hierarchy was identified in the J Swaps submission. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism.</i> | <i>Oppose relief sought, but support further investigation into changes in road hierarchy, upgrading of affected roads, and determining the methods whereby the works will be funded.</i> | <i>Accept in part. Further investigations have been undertaken and additional safety measures to be funded by the applicant (see addendum to the MoU) are proposed to be implemented along Buckland Road.</i> | <ul style="list-style-type: none"> <i>Further investigations have identified the need for additional mitigation measures to be implemented along Buckland Road.</i> <i>The upgrades proposed are required to avoid, remedy, or mitigate the traffic safety and efficiency effects of the proposed development and are proposed to be funded by the applicant.</i> <i>To provide for funding by the applicant, the additional measures are proposed to be included in an addendum to the MoU.</i> <i>MPDC has the ability, through a separate process under the LGA, to consider whether it is justified to require development contributions to be paid by tourist operators, such as the applicant, for contributing a portion of the costs of capital expenditure to service the growth in tourism.</i> |
| 4. Nelson McCosh, 632 Buckland Road, RD2, Matamata nelsonmccosh@gmail.com | 4.2.4 | Change from Rural Zoning requirements. Provisions for amplified concerts and outdoor movie events. | Oppose | <ul style="list-style-type: none"> The applicants have admitted to grossly exceeding the limits of their existing resource consent. This shows a high level of contempt for the terms of their resource consent which has gone un-punished by the Council. There is therefore no confidence that the proponents will adhere to the limits set in the proposed Plan Change. | Decline the Plan Change for the reasons stated in the submission, including: <ul style="list-style-type: none"> Inaccurate modelling; Lack of due diligence; Effects on the rural environment, particularly horses and livestock have not been considered at all. | Reject the request to decline the Plan Change, but make amendments (see Appendix B) to enable robust monitoring in order to provide confidence that compliance can readily be monitored and enforced. | <ul style="list-style-type: none"> Case law indicates that a past record of non-compliance, on its own, is not ground for declining planning approval. Case law indicates that the past conduct of an applicant is a matter of enforcement and does not provide legitimate grounds for refusing to grant a planning application. Past conduct may, however, be relevant to deciding the adequacy of conditions if there is evidence that earlier conditions have proved to be unsatisfactory. The proposed provisions requiring a site management and monitoring plan to be prepared and implemented (see Appendix B) will enable robust monitoring in order to provide confidence that compliance can readily be monitored and enforced. |

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| 3. David Reichmuth, 21 Buckland Road, RD2, Matamata dreich@gmail.com | 3.2.5 | The whole of the Plan Change. | Oppose the whole of the Plan Change. | <ul style="list-style-type: none"> Lack of specific rules, policies and detail of ongoing operations. Deliberate attempt to hide the specifics, in order to gain the acceptance of unknowing people based on vague information. | Decline the Plan Change in its entirety for the reasons outlined in the submission. | Reject the request to decline Plan Change, but make amendments to DCP, as shown in Appendix B, to improve the clarity of the plan change provisions. | <ul style="list-style-type: none"> The proposed amendments to the DCP (see Appendix B) will ensure that the provisions are clear and enforceable. The DCP, subject to the amendments proposed (see Appendix B), provides an appropriate regulatory framework that is clear and enforceable, yet flexible enough to provide for future changes in circumstances. |
| 10. Gregan Family Trust, 774 Buckland Road, RD 2, Matamata Att: Denis Gregan dennisgregan@hotmail.co.nz | 10.2.6 | Transport and Noise pollution. | Accept Plan Change with amendments as outlined in the submission. | The Plan Change provisions for proposed functions and relevant noise generation are vague. Full disclosure is required. It is of concern that the site has not been operating in accordance with its current consented visitor numbers. There is concern that the same non-compliance may occur in regard to noise limits | That Hobbiton make full disclosure of its intentions for public functions that may cause nuisance; | Accept in part and make changes to the DCP (see Appendix B) to improve the clarity, monitoring, and enforcement of the noise provisions. | <ul style="list-style-type: none"> The proposed amendments to the DCP provisions (see Appendix B), provide an appropriate regulatory framework that will ensure that noise standards are clear and that noise generation is monitored and readily enforceable by MPDC. |
| 14. J Swap Contractors Ltd, c/- AECOM, PO Box 13161, Tauranga, 3141 Att: Richard Harkness richard.harkness@aecom.com | 14.2.7 | <ul style="list-style-type: none"> Section 2.3 'Significant Resource Management Issues' AND Section 2.4: 9.01 "Tourism Outcome sought" Section 2.4:9 Policy 2 Rule 9.1.1 'Roading hierarchy' clause (i)(c) 'Collector roads' | Support in part subject to changes outlined in the submission. | <ul style="list-style-type: none"> Section 2.3 'Significant Resource Management Issues' AND Section 2.4:9 - 01 "Tourism Outcome sought": Tourist attractions generate additional impacts not only in relation to a particular site but also on the wider roading network. It is unclear how these effects will be mitigated or how they will be funded. The Submitter acknowledges that on-site effects will be addressed through either the proposed provisions in the plan change or through a resource consent. However the increase in tourists to the Matamata-Piako District will also place greater strain on the infrastructure network within the town centre and surrounds. This includes effects on parking, traffic flows, public toilets and other community facilities. These effects should be recognised through the plan change and adequate funding provided to require increased, and or, upgraded facilities, either through the direct addition of new facilities by the applicant, Council's Development Contributions Policy or the addition of a specific rate for tourist attractions. Section 2.4:9 - Policy 2: As it currently stands Policy 2 allows consideration of the importance of major tourist attractions to the District and consideration of the effects of the Development Concept Plan. It is unclear whether this provides for a more holistic view to be considered of the effects that these attractions may have on the wider community and the infrastructure within areas such as the town centre. | <ul style="list-style-type: none"> Section 2.3 'Significant Resource Management Issues' AND Section 2.4:9.01 "Tourism Outcome sought": Enabling the growth of the tourism industry is supported. However it is unclear what measures have been considered to "avoid, remedy and mitigate the localised environmental effects of tourist attractions." The Submitter would support the addition of wording that clearly articulates the types of measures that would be considered. For example physical improvements to the roading network and provisions within the Council's Development Contributions Policy. | Accept and make changes to the relevant sections of the Plan Change, as shown in Appendix B. | <ul style="list-style-type: none"> It is acknowledged that Hobbiton, like other tourist attractions in the District, impacts on the wider road network, and facilities such as the public toilets in Matamata. MPDC staff's view is that Hobbiton should be treated no differently to other tourist attractions in the District (i.e. Wairere Falls that is gaining increasing popularity). The economic analysis prepared by the applicant in support of the Plan Change shows that, while there is an impact on road capacity and community facilities utilised by tourists, the growth in tourism brought about by Hobbiton has resulted in substantial economic benefits for local businesses and has created significant additional employment within the District. If, after taking into account the economic benefits of tourist attractions, MPDC wants the operators of tourist facilities to contribute towards the growth impact on the road network and public facilities, then it is more appropriate that the wider impact of all tourist facilities be considered holistically through the development contributions provisions in the Local Government Act 2002 (LGA). Using the LGA provisions, rather than financial contributions under the District Plan, also seems to align better with the changes in the Resource Management Act 1991 (RMA) that will preclude the use of financial contributions under the RMA from April 2022. |

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| | | | | | <ul style="list-style-type: none"> • Section 2.4:9 - Policy 2: This policy is supported in part. The Submitter proposes that an additional policy is included in the proposed plan change which recognises the impact of major tourist attractions on the wider community and the specific matters to be considered. This would include consideration of increased traffic movements throughout the District; particularly the town centre, and impacts on other infrastructure that may be utilised by tourists. | | |
| <p>14. J Swap Contractors Ltd, c/- AECOM, PO Box 13161, Tauranga, 3141 Att: Richard Harkness richard.harkness@aecom.co m</p> | 14.2.8 | <ul style="list-style-type: none"> • Rule 9.1.1 'Roading hierarchy' clause (i)(c) 'Collector roads' | Support in part subject to changes outlined in the submission. | <ul style="list-style-type: none"> • Rule 9.1.1 'Roading hierarchy' - Clause (i)(c) 'Collector roads' Increased traffic movements are one of the main effects that will be created by the inclusion of Hobbiton as a Development Concept Plan. The site has seen a significant increase in visitor numbers and this is set to increase (based on the numbers proposed as a permitted activity). | <ul style="list-style-type: none"> • Rule 9.1.1 'Roading hierarchy' - Clause (i)(c) 'Collector roads' The proposed plan change has identified several physical improvements for the eastern end of Buckland Road. We would support the addition of physical road carriageway (for example road straightening) improvements within both the eastern and western end of Buckland Road. | <p>Accept in part and amend MoU as shown in Appendix B, to provide for:</p> <ul style="list-style-type: none"> • additional traffic safety and efficiency mitigation measures along the eastern section of Buckland Road; and • additional road marking and signage to improve traffic safety at the western end of Buckland Road. | <ul style="list-style-type: none"> • Following a review of submissions and upon further assessment by MPDC's transport engineer, further improvements to the eastern end of Buckland Road are required in order to avoid, remedy, or mitigate adverse traffic safety and amenity effects. • Route management as provided for in the DCP will require the applicant to take such measures as practical to minimise the use of the western end of Buckland Road by tourists. This is necessary as the western end of Buckland Road and its intersection with State Highway 1 is unsuitable to accommodate tourist traffic. Staff do not support additional physical works to improve the western end of Buckland Road, because that will result in more tourist traffic using the unsuitable section of road. However, staff support the implementation of additional road markings and signage along the western end of Buckland Road in order to improve the safety of users. |

Proposed Private Plan Change 50 – Hobbiton Development Concept Plan, 487, 501 and 502 Buckland Road, Matamata

Topic 3: Rural environment, landscape and amenity effects

Staff recommendations on submissions and further submissions received

| Topic 3: Rural environment, landscape and amenity effects | | | | | | | |
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| Submitter | Point # | Specific provisions of the plan change that the submission relates to | Position (Oppose/ Support/ Neutral) | Details of submission/ further submission | Decision that the Submitter wants Council to make | Staff recommendation | Reasons |
| 3. David Reichmuth, 21 Buckland Road, RD2, Matamata dreich@gmail.com | 3.3.1 | The whole of the Plan Change. | Oppose the whole of the Plan Change. | <ul style="list-style-type: none"> Noise pollution from cars and buses racing up Buckland Road. | Decline the Plan Change in its entirety for the reasons outlined in the submission. | Reject request to decline Plan Change, but make amendments to the DCP, (as shown in Appendix B), aimed at reducing Hobbiton-related traffic movements associated with proposed permitted activities on Buckland Road, past the submitter's property. | <ul style="list-style-type: none"> The Hobbiton site is located in a rural area characterised by low traffic volumes and little traffic noise. The Hobbiton site generates substantially more traffic than is typical of rural activities. The regulatory framework must balance the need to preserve the amenity values of the rural locality with the use of the site as a tourist destination, (with the associated benefits of being able to promote the economic wellbeing of the community who benefits in terms of increased spending by tourists and additional employment opportunities). Therefore, it is not appropriate to decline the Plan Change, but it is appropriate that trip generation associated with Hobbiton be limited so as to mitigate adverse amenity effects. |
| J Swaps Contractors Limited | FS14.3.1 | | Support in part. | <p><i>J Swaps do not support declining the plan change, however, the following point is supported:</i></p> <ul style="list-style-type: none"> Noise pollution from cars and buses racing up Buckland Road | Oppose declining the Plan Change but support concerns regarding noise pollution from traffic on Buckland Road. | Accept further submission and make amendments to the DCP, as shown in Appendix B, aimed at reducing Hobbiton-related traffic movements associated with proposed permitted activities on Buckland Road. | See above |
| 4. Nelson McCosh, 632 Buckland Road, RD2, Matamata nelsonmccoch@gmail.com | 4.3.2 | Change from Rural Zoning requirements. Provisions for amplified concerts and outdoor movie events. | Oppose | <ul style="list-style-type: none"> The proposal will detract from the rural setting and rural landscape identified in the application as a "major drawcard and point of interest for international tourists". The Submitter has experienced a number of incidents of tourists trespassing on his farm to get closer to the Hobbit set. This creates an unacceptable health and safety risk that is beyond the Submitter's control. | Decline the Plan Change for the reasons stated in the submission, including: <ul style="list-style-type: none"> Inaccurate modelling; Lack of due diligence; Effects on the rural | Reject request to decline Plan Change, but make amendments to the DCP (i.e. additional limits on permitted activities, reduction in noise limits, changes in activity status of events and movie screenings), as shown in Appendix B, aimed at reducing the adverse amenity effects of the Hobbiton tourist activity on | <ul style="list-style-type: none"> The Hobbiton site is located in a rural area characterised by low levels of activity. The Hobbiton site generates substantially more activity than is typical of other rural activities. The regulatory framework must balance the need to preserve the amenity values of the rural locality with the use of the site as |

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| | | | | | environment, particularly horses and livestock have not been considered at all. | the surrounding rural environment. | a tourist destination (and thereby to promote the economic wellbeing of the community who benefits in terms of increased spending by tourists and additional employment opportunities). • Therefore, it is not appropriate to decline the Plan Change, but it is appropriate that tourist activities associated with Hobbiton be limited so as to mitigate adverse amenity effects. |
| 10. Gregan Family Trust, 774 Buckland Road, RD 2, Matamata Att: Denis Gregan dennisgregan@hotmail.co.nz | 10.3.3 | Transport and Noise pollution. | Accept Plan Change with amendments as outlined in the submission. | The Submitter, the residents of Buckland Road and the surrounding area have a reasonable expectation to the quiet enjoyment of their land. Hobbiton needs to ensure that this expectation is preserved. | That Hobbiton make full disclosure of its intentions for public functions that may cause nuisance; | Accept and make amendments to the DCP (i.e. additional limits on permitted activities, reduction in noise limits, changes in activity status of events and movie screenings), as shown in Appendix B, aimed at reducing the adverse amenity effects of the Hobbiton tourist activity on the surrounding rural environment. | • Staff agree that the regulatory framework must balance the need to preserve the amenity values of the rural locality with the use of the site as a tourist destination (and thereby to promote the economic wellbeing of the community who benefits in terms of increased spending by tourists and additional employment opportunities). |
| 15. Derrys Farm Ltd, 496A Puketutu Road, RD 2, Matamata, 3472 Att: Nola Broomhall nolabroomhall@hotmail.co.nz Note: Late submission | 15.3.4 | 1. Introduction of planning framework. 2. Increase in visitor numbers. 3. Movie screenings & amplified music events. 4. On-site visitor accommodation . | Support introduction of planning framework in part; oppose increase in visitor numbers, movie screenings and amplified music events and on-site visitor accommodation. | 1. Introduction of planning framework: Support introduction of planning framework with consideration of the affected local community (eg Buckland Road residences) in the decision making process regarding the objectives, policies and rules. 2. Increase in visitor numbers, movie screenings, amplified music events and on-site visitor accommodation: Oppose the increase in visitor numbers to 3,500 per day, 12 movie screening and 6 amplified music events and on-site visitor accommodation and overnight camping facilities. Buckland Road and surrounding areas are in a rural environment and of natural scenic beauty. With the increase in visitors, events, and traffic, the Submitter has major concerns that this will impact the natural environment, create major traffic safety concerns (many traffic or near traffic accidents go unreported) and will have adverse impacts on environmental pollution e.g. increase in roadside rubbish, damage to native vegetation due to cars stopping to take photos. As a land owner in the affected area, the Submitter is concerned the land value will be negatively impacted, due to reduced desirability to live in the area; in addition rates are likely to increase to manage infrastructure improvements. | Decline the increase in tourist numbers and introduction of new events. | Reject request to decline the increase in tourist numbers and introduction of new events, but make amendments to the Plan Change, as shown in Appendix B, aimed at introducing due consideration of amenity values, ensuring robust monitoring and enforceable limits on visitor numbers, and changing the activity status of events and movie screenings. | • Staff agree that the regulatory framework must balance the need to preserve the amenity values of the rural locality with the use of the site as a tourist destination (and thereby to promote the economic wellbeing of the community who benefits in terms of increased spending by tourists and additional employment opportunities). |
| J Swaps Contractors Limited | FS 14.3.4 | J Swaps Contractors Limited supports the Derrys Farm submission | | <i>J Swaps supports the submitter's comments regarding traffic safety concerns. The impact on the roading hierarchy was identified in the J Swaps submission.</i> <i>Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development</i> | <i>Support submission in so far as traffic safety is concerned.</i> | <i>Accept in part and make amendments to Memorandum of Understanding, as shown in Appendix B, to require additional traffic mitigation.</i> | See the reasons noted in Topics 4 and 5. |

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| | | | | <i>Contribution Policy, a targeted rate or some other funding mechanism.</i> | | | |
| 4. Nelson McCosh, 632 Buckland Road, RD2, Matamata nelsonmccoch@gmail.com | 4.3.5 | Change from Rural Zoning requirements. Provisions for amplified concerts and outdoor movie events. | Oppose | <ul style="list-style-type: none"> The application considers only the impact on people near the site. As the site is in a rural area the impact on livestock far outweighs the effect on people. Cattle and horses would be endangered by the noise generated by the events proposed. The only way to protect the animals would be to keep them in yards. This is not practical, given the number of stock affected. Previous events at the site have resulted in injury to stock and horses. The proposed events will cause undue distress to a large number of animals, injury and death to livestock and horses, and damage to fencing and farm infrastructure. The potential financial impact could exceed \$100,000 for some horses and tens of thousands of dollars for cattle. | <p>Decline the Plan Change for the reasons stated in the submission, including:</p> <ul style="list-style-type: none"> Effects on the rural environment, as horses and livestock, in particular, have not been considered at all. | Reject request to decline the Plan Change, but make amendments to the DCP (i.e. lowering of noise limits and restrictions on use of fireworks), as shown in Appendix B, aimed at mitigating the impact on livestock. | <ul style="list-style-type: none"> The regulatory framework must balance the need to preserve the character of the rural locality with the use of the site as a tourist destination (and thereby to promote the economic wellbeing of the community who benefits in terms of increased spending by tourists and additional employment opportunities). |

Proposed Private Plan Change 50 – Hobbiton Development Concept Plan, 487, 501 and 502 Buckland Road, Matamata

Topic 4: Impact on Matamata township and wider road network

Staff recommendations on submissions and further submissions received

| Topic 4: Impact on Matamata township and wider road network | | | | | | | |
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| Submitter | Point # | Specific provisions of the plan change that the submission relates to | Position (Oppose/ Support/ Neutral) | Details of submission/ further submission | Decision that the Submitter wants Council to make | Staff recommendation | Reasons |
| 3. David Reichmuth, 21 Buckland Road, RD2, Matamata dreich@gmail.com | 3.4.1 | The whole of the Plan Change. | Oppose the whole of the Plan Change. | <ul style="list-style-type: none"> The roads cannot handle the traffic and are shocking as is. The town is ill equipped to handle the extra visitors. There is barely enough parking in town (even for a bicycle). Foreign drivers are a danger to other motorists. | Decline the Plan Change in its entirety for the reasons outlined in the submission. | Reject the request to decline the Plan Change but make amendments to the DCP, as shown in Appendix B, to “cap” traffic movements. | <ul style="list-style-type: none"> Rejecting the Plan Change is not an appropriate resource management approach as it will prevent the economic benefits of the plan change to be realised. Traffic effects can be mitigated by means of the controls proposed in the amended DCP. The risks posed by foreign drivers can be mitigated by means of the controls proposed in the amended DCP. The availability of parking and visitor activity in Matamata cannot be attributed solely to Hobbiton as there are a range of reasons why tourists visit the town. The availability of parking in Matamata cannot be solved by this Plan Change and is a matter that MPDC should address through a separate planning process. |
| J Swap Contractors Limited | FS14.4.1 | | Support Reichmuth submission in part | <p><i>J Swap do not support declining the plan change, however, the following points are supported:</i></p> <ul style="list-style-type: none"> <i>The poor condition of the roads and their inability to handle the traffic.</i> <i>Matamata is ill-equipped to handle the extra visitors.</i> <i>Matamata has insufficient parking.</i> <i>Foreign drivers are a threat to other motorists.</i> <p><i>The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy, including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism.</i></p> | Support in part. | <i>J Swap's partial support for the Reichmuth submission is noted. It is considered that the amended DCP provisions (see Appendix B) addresses the issues raised by Swaps.</i> | See above. |
| 7. Carolyn and John Evans 8. John Evans 156 Buckland Road, RD 2, Matamata silvermistmatamata@gmail.com | 7.4.2 | Traffic effects and traffic management | Accept Plan Change subject to amendment s as outlined in the submission. | <ul style="list-style-type: none"> The corner of Hopkins Road and SH 29 is a ticking time bomb. There have been numerous accidents there and countless near misses, flashing signs are at best a temporary answer, someone will be killed here and a roundabout is the only answer to slow traffic at this point. It is the tourist driver that we, "as locals" encounter on a daily basis that has to be catered for. | Accept the plan change with the following amendments: <ul style="list-style-type: none"> Roundabout at the corner of Hopkins Road and SH 29. | Reject the request to require a roundabout at the corner of Hopkins Road and SH 29. | <ul style="list-style-type: none"> Management of the state highway network is the responsibility of the NZ Transport Agency (NZTA). MPDC cannot direct the NZTA to undertake work on the state highway network. MPDC cannot direct the applicant to undertake work on the state highway network, unless approved by NZTA. |

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| | | | | | | | <ul style="list-style-type: none"> NZTA is currently implementing a variable speed control at the intersection as a method to address traffic safety risks. NZTA will continue to monitor traffic safety, and the appropriate method to address traffic safety risk, as part of its long-term route network planning. |
| NZ Transport Agency | FS9.4.2 | | Oppose Evans submission | A roundabout at the intersection of Hopkins Road with SH 29 is not supported. Improvements such as this on a state highway require further assessment and approval from NZTA. | | Accept NZTA's further submission opposing the requirement for a roundabout at the corner of Hopkins Road and SH 29 | See above. |
| J Swap Contractors Limited | FS14.4.2 | | J Swap supports the Evans submission | The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy, including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism. | | J Swaps' support of the Evans submission is noted. Physical road improvements and funding are addressed in the amended DCP provisions (see Appendix B). Requirement for a roundabout at the SH 29/Hopkins Road intersection is not supported. | See above |
| Powerco Limited | FS6.4.2 | | Neutral to Evans submission | The submitter is neutral to the change sought but seeks protection of its assets. Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets. | | Powerco's neutral stance to the submission requiring a roundabout at the SH 29/ Hopkins Road intersection is noted and amendments to the DCP (see Appendix B) are proposed to ensure that Powerco's assets are protected. | <ul style="list-style-type: none"> Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. |
| 9. New Zealand Transport Agency, PO Box 973, Waikato Mail Centre, Hamilton, 3240 Att: Claudia Jones hamiltonplanning@nzta.govt.nz | 9.4.3 | Traffic safety and efficiency effects on the State Highway network. | Accept with changes as outlined in the submission. | <ul style="list-style-type: none"> Mitigation measures outlined in the ITA have been adequately incorporated into the Plan Change provisions. However, the Agency is concerned that if the visitor cap exceeds the expected maximum of 650,000 visitors per year / 387,000 vehicle movements per year, that the safety at the State Highway 29/ Hopkins Road intersection and State Highway 27/ Firth Street intersection will be compromised. Proposed Performance Standard 1.1.8 states that visitor numbers (excluding visitors attending events as defined in the DCP) shall not exceed 3,500 visitors per day which equates to 1,227,500 visitors per year, thus exceeding the 650,000 cap. To ensure that the safety on the above mentioned intersections is not compromised, the Agency seeks that a 387,000 cap is placed on vehicle movements to ensure that the 650,000 visitors per year as assessed in the ITA is not exceeded. Given that effects on the transport network are related to the number of vehicles, not the number of visitors, a limit on vehicle numbers is a more appropriate measure. | <ol style="list-style-type: none"> Retain Plan Change 50 as notified with the exception of the specific changes below: Include a new Performance Standard under Table 1.1 that states the following: <ul style="list-style-type: none"> Vehicle movements shall not exceed 387,000 per year. If vehicle movements exceed the 387,000 cap, the activity becomes a Restricted- | Accept NZTA's submission and make changes to the DCP as shown in Appendix B. | <ul style="list-style-type: none"> The applicant's Independent Transportation Assessment and the mitigation measures proposed are based on trip generation of 387,000 vehicles per year. Therefore, it is appropriate that the actual trip generation be monitored and that provision be made, through a consent process, to re-assess the traffic impact and mitigation measures in the event that the predicted trip generation of 387,000 vehicles per year is exceeded. |

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| | | | | <ul style="list-style-type: none"> The Agency is concerned about additional signage on the State Highways that is neither necessary nor relevant to the immediate environment. This concern will be addressed through proposed Performance Standard 1.1.12.e. which requires the written approval of the Agency for signs on the State Highway network and MPDC for signs on Local Roads. This approach is supported by the Agency. | Discretionary Activity under Performance Standard 1.2.2. Discretion is restricted to the assessment of an ITA that addresses the non-compliance. 3. The Agency would accept alternative wording to achieve the same relief. | | |
| Matamata-Piako District Council | FS13.4.3 | | MPDC supports NZTA's submission | <i>An annual cap of 387,000 vehicle movements would ensure that the transport network would not be subject to effects beyond what has been assessed in the ITA.</i> | | Accept MPDC's further submission in support of a "cap" on annual trip generation as a Permitted Activity Standard. | See above. |
| J Swap Contractors Limited | FS14.4.3 | | Swaps supports the NZTA submission in part | <i>The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism. J Swaps supports the principle of a cap on vehicle movements. It is unclear how this would be monitored and therefore when the standard would be triggered.</i> | | Accept J Swaps' further submission in support of a "cap" on annual trip generation as a Permitted Activity Standard and make amendments to the DCP, as shown in Appendix B, to require trip generation to be monitored. | See above. |
| 11. Gasquoine Holdings Ltd, 696 Buckland Road, RD 2, Matamata, 3472 Att: David Gasquoine tekereru.farm@xtra.co.nz | 11.4.4 | Road marking, road signage and general infrastructure on Buckland Road, west of Hobbiton. | Accept the plan Change with the amendments outlined in the submission. | The public toilet facilities in Matamata are inadequate. A modern "user pays" ablution block should be developed. | | Reject the request to require upgrading of the public toilets in Matamata as part of the Plan Change. | <ul style="list-style-type: none"> The use of the public toilets in Matamata cannot be attributed solely to Hobbiton as there are a range of reasons why tourists visit the town. The adequacy of public toilet facilities and the funding thereof cannot be solved by this Plan Change and is a matter that MPDC should address through a separate process (such as the LGA process). |
| J Swap Contractors Limited | FS14.4.4 | | J Swap support the Gasquoine submission | <i>It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism. J Swap notes that the impact on the District's infrastructure, notably that within the Matamata town centre, was also identified in its submission.</i> | | Reject the further submission requiring the public toilets in Matamata to be upgraded as part of the Plan Change. | See above. |
| 14. J Swap Contractors Ltd, c/- AECOM, PO Box 13161, Tauranga, 3141 Att: Richard Harkness richard.harkness@aecom.com | 14.4.5 | <ul style="list-style-type: none"> Section 2.3 'Significant Resource Management Issues' AND Section 2.4: 9.01 "Tourism Outcome sought" Section 2.4:9 | Support in part subject to changes outlined in the submission. | <ul style="list-style-type: none"> Lack of physical mitigation proposed for roads and intersections that will be affected by the proposed plan change. The impact on the infrastructure currently in place, particularly in the Matamata town centre and surrounds, and how improvements will be provided for and/ or funded. Overall the Hobbiton Movie Set is positive for the town. However capacity in certain parts of the town and wider | Further consideration should be given to the impact of the increased traffic movements on surrounding roads and the intersections with the State Highway network (both within the | Accept in part and make changes to the DCP, as shown in Appendix B, for further upgrading of Buckland Road. | <ul style="list-style-type: none"> The applicant's ITA and MPDC's peer review thereof have adequately assessed the traffic effects. Traffic effects can be mitigated by means of the controls proposed in the amended DCP. The risks posed by foreign drivers can be mitigated by means of the controls proposed in the amended DCP. Funding for further mitigation of the effects of Hobbiton-related traffic on the wider road network, and the District's community facilities |

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| | | Policy 2 Rule 9.1.1 'Rooding hierarchy' clause (i)(c) 'Collector roads' | | <p>roading network is being strained or pushed towards its maximum reasonable, safe or enjoyable use.</p> <ul style="list-style-type: none"> The impact of this increase should result in improvements to other parts of the roading network within the vicinity of Hobbiton. This is particularly prevalent with foreign tourist drivers using rural roads that are poor in nature and not previously designed for the traffic volumes and type of use anticipated. Where these tourist drivers interact with heavy vehicles, such as road trucks, road safety for both parties can be compromised. Examples include the western end of Buckland Road and the intersections with State Highway 29 at Puketutu Road and Taotaoroa Road and Karapiro Road with State Highway 1. Adequate funding for these improvements should be included in the consideration of the Development Concept Plan or through another mechanism to ensure that the costs are predominantly borne by the proposed plan change applicant (internalised) and not the wider community (externalised). | Matamata-Piako and Waipa Districts). | | can be considered more holistically under a separate process such as through the LGA provisions. |
| Powerco | FS6.4.5 | | <i>Powerco is neutral to the Swap submission</i> | <p><i>The submitter is neutral to the change sought but seeks protection of its assets.</i></p> <p><i>Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets.</i></p> | | <i>Powerco's neutral stance to the J Swap submission is noted and amendments to the DCP (see Appendix B) are proposed to ensure that Powerco's assets are protected.</i> | <ul style="list-style-type: none"> Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. |
| 5. Kaye Ring, 330 Rangitanuku Road kaye.spence@sealedair.com | 5.4.6 | Use of Rangitanuku Road as a through route for traffic going to and from Hobbiton to Rotorua. | Amend the Plan Change by the inclusion of Rangitanuku Road as a Collector Road in order to accommodate the additional traffic. | | Require the addition of a turning bay on State Highway 29 (southbound) into Rangitanuku Road, and double-laning of Rangitanuku Road in order to prevent accidents caused by drivers unused to NZ road rules and single lane roads. | Reject the request to upgrade Rangitanuku Road and its intersection with SH 29 with the status of Collector Road to serve as alternative access route to Hobbiton, but make amendments to the DCP provisions to require methods to be taken to discourage Hobbiton visitors to use Rangitanuku Road. | <ul style="list-style-type: none"> The upgrading of Rangitanuku Road and its intersection with SH 29 to Collector Road standard will be too costly; and There are alternative methods available whereby the use of Rangitanuku Road by Hobbiton visitors can be monitored and additional measures taken to discourage the use of the road by Hobbiton visitors. |
| J Swap Contractors Limited | FS14.4.6 | | | <i>The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism</i> | | <i>Reject the further submission by J Swap to upgrade Rangitanuku Road and its intersection with SH 29 with the status of Collector Road to serve as alternative access route to Hobbiton, but make amendments to the DCP provisions to</i> | See above. |

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| | | | | | | <i>require methods to be taken to discourage Hobbiton visitors to use Rangitanuku Road.</i> | |
| Powerco Limited | <i>FS6.4.6</i> | | <i>Powerco is neutral to the Kaye Ring's submission</i> | <i>Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets.</i> | | <i>Powerco's neutral stance to the above submission is noted, and amendments (as shown in Appendix B) are proposed to ensure that Powerco's assets are protected.</i> | <i>Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan.</i> |

Proposed Private Plan Change 50 – Hobbiton Development Concept Plan, 487, 501 and 502 Buckland Road, Matamata

Topic 5: Buckland and Puketutu Roads

Staff recommendations on submissions and further submissions received

| Topic 5: Buckland and Puketutu Roads | | | | | | | |
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| Submitter | Point # | Specific provisions of the plan change that the submission relates to | Position (Oppose/ Support/ Neutral) | Details of submission/ further submission | Decision that the Submitter wants Council to make | Staff recommendation | Reasons |
| 2. Monique Moore 719 Buckland Road RD2, Matamata rmmoore@farmside.co.nz | 2.5.1 | Road use and traffic. | Support, subject to road hazards and safety concerns being addressed. | With current and increasing tourist numbers there are significant road hazards that need to be addressed for the safety of all road users. | Accept the Plan Change with the following amendments: <ul style="list-style-type: none"> • 70 km/hr speed limit along all of Buckland Road. • 50 km/hr speed limit through the Hobbiton Area. • Improve visibility at the exit from Hobbiton (remove hill/straighten road). • Provide judder bars at both ends of the Hobbiton Area. • Provide a pedestrian crossing at the Buckland Road frontage of the Hobbiton Area. • Provide painted arrows on all road corners to direct traffic (including Cambridge end). • Provide white lines along all of Buckland Road. | Accept in part and make amendments as shown in Appendix B to the DCP provisions to require further mitigation measures to be implemented along Buckland Road. Note the support for a 70km/h/ 50km/h speed limit to be imposed, but reject the request to be made part of the Plan Change on the basis that a change in speed limit is not able to be addressed under the RMA. | <ul style="list-style-type: none"> • Speed limits can only be reviewed and changed through the provisions and process set out in the Land Transport Act 1998. The Plan Change, which is a RMA process, cannot require speed limits to be changed. However, it is understood that MPDC staff intends to commission a review of the speed limit on Buckland Road. If the review is successful, then speed limit will be able to be changed. • MPDC's independent review of the Applicant's ITA has identified additional measures that should be implemented by the Applicant to avoid, remedy, or mitigate remaining traffic safety effects. The DCP is proposed to be amended (as shown in Appendix B) to require the Applicant to implement the additional traffic safety measures identified in the peer review. |
| J Swap Contractors Limited | FS14.5.1 | | Support | <i>The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy, including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism.</i> | Allow submission | Accept in part and make changes, as shown in Appendix B to the DCP provisions, to require further mitigation measures to be implemented along Buckland Road. | See above. |

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| Powerco Limited (Neutral to Moore) | FS6.5.1 | | <i>Neutral</i> | <i>Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets.</i> | <i>The submitter is neutral to the change sought but seeks protection of its assets.</i> | <i>Powerco's neutral stance to the submission requiring additional traffic mitigation measures to be implemented is noted, and amendments to the DCP (see Appendix B) are proposed to ensure that Powerco's assets are protected.</i> | <ul style="list-style-type: none"> Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. |
| 7. Carolyn and John Evans 8. John Evans 156 Buckland Road, RD 2, Matamata silvermistmatamata@gmail.com | 7.5.2 | Traffic effects and traffic management | Accept Plan Change subject to amendments as outlined in the submission. | <ul style="list-style-type: none"> It is generally accepted that Puketutu and Buckland Roads are 60-80km/hr speed roads. They should be changed to 80km/hr to reflect the change in road use and traffic volume. This sends another message to drivers to drive accordingly. Rapid #399 and 385 Buckland Road have been identified as hazard spots. Convex mirrors as suggested seem to be a cheap measure to try and fix the problem. Road modification is required to provide clear views for the safety of all road users. | Accept the plan change with the following amendments 1. An 80km/hr speed limit for Buckland and Puketutu Roads. 2. Road modifications at 399 and 385 Buckland Road for clear view and access. 3. Monitoring and checks on the effects of traffic volumes due to the addition of accommodation at Shires Rest, especially at night. | Accept in part and make amendments as shown, in Appendix B to the DCP provisions, to require further mitigation measures to be implemented along Buckland Road and traffic effects to be monitored. Note the support for an 80km/hr speed limit for Buckland and Puketutu Roads to be imposed, but reject the request to be made part of the Plan Change on the basis that change in speed limit is not able to be addressed under the RMA. | <ul style="list-style-type: none"> Speed limits can only be reviewed and changed through the provisions and process set out in the Land Transport Act 1998. The Plan Change, which is a RMA process, cannot require speed limits to be changed. However, it is understood that MPDC staff intend to commission a review of the speed limit on Buckland Road. If the review is successful, then speed limit will be able to be changed. MPDC's independent review of the Applicant's ITA has identified additional measures that should be implemented by the Applicant to avoid, remedy, or mitigate remaining traffic safety effects. The DCP is proposed to be amended (as shown in Appendix B) to require the Applicant to implement the additional traffic safety measures identified in the peer review. |
| Powerco Limited | FS6.5.2 | | <i>Neutral to Evans submission</i> | <i>The submitter is neutral to the change sought but seeks protection of its assets. Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets.</i> | | <i>Powerco's neutral stance to the submission requiring additional traffic mitigation measures to be implemented is noted and amendments to the DCP (see Appendix B) are proposed to ensure that Powerco's assets are protected.</i> | <ul style="list-style-type: none"> Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. |
| J Swap Contractors Limited | FS14.5.2 | | <i>J Swap supports Evans submission</i> | <i>The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy, including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism.</i> | | <i>Accept in part and make changes, as shown in Appendix B to the DCP provisions, to require further mitigation measures to be implemented along Buckland Road.</i> | See above. |
| 10. Gregan Family Trust, 774 Buckland Road, RD 2, Matamata Att: Denis Gregan dennisgregan@hotmail.co.nz | 10.5.3 | Transport and Noise pollution. | Accept Plan Change with amendments as outlined in the submission. | <ul style="list-style-type: none"> The submitter's Family Trust is the owner of the farm at 385 Buckland Road to the west of Hobbiton and 774 Buckland Road to the east of Hobbiton. Traffic on Buckland Road has increased significantly since the opening of the Hobbiton tourist venture. The increase in traffic has diminished safety when driving on Buckland Road. It is now not unusual to encounter vehicles traveling on the wrong side of Buckland Road, or stationery on Buckland Road, while occupants take photographs or admire the view. The Plan Change application has under estimated | Accept the Plan Change with the following conditions: a. That the section of road adjacent to 385 Buckland Road have designed parking bays constructed and that the entranceway be reconfigured in the | Accept in part and make amendments, as shown in Appendix B to the DCP provisions, to require further mitigation measures to be implemented along Buckland Road. Note the support for an 80km/hr speed limit for Buckland Road, but reject the request to be made part of the Plan Change on the basis that change in | <ul style="list-style-type: none"> Speed limits can only be reviewed and changed through the provisions and process set out in the Land Transport Act 1998. The Plan Change, which is a RMA process cannot require speed limits to be changed. However, it is understood that MPDC staff intend to commission a review of the speed limit on Buckland Road. If the review is successful, then speed limit will be able to be changed. |

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| | | | | <p>traffic safety issues on Buckland Road, and has failed to take into account traffic issues on the wider network, beyond Buckland Road.</p> <ul style="list-style-type: none"> • There are increasing numbers of pedestrians on Buckland Road which has no designated pedestrian walkway and is not adequately formed to provide an acceptable level of safety for both pedestrians and drivers of vehicles. • The Plan Change which proposes to increase vehicular traffic on Buckland Road imposes an unreasonable safety risk for residents and all road users. • The NZ Transport Agency, by its correspondence, does not accept that the road safety proposals are adequate. • The entrance to 385 Buckland Road is often blocked by tourist vehicles. The section of road has no provision for vehicles to stop, yet is often used as a stopping area to take photographs. The absence of proper parking bays creates a risk to farm staff and the general public. • The proposed implementation of signage and mirrors at the entrance to 385 Buckland Road will have limited beneficial effects on the safety of road users. Rather, the road should be widened, parking bays created, and the vehicle entrance re-aligned. • Ingress and egress to/from the Hobbiton site and the crossing of traffic between the Shire's Rest and the Movie Set Site are along a 400m section of Buckland Road between two blind corners. It is estimated that busses could cross Buckland road up to 140 times per day, at a frequency of up to one crossing every 4.8 minutes. This together with the increased volume of traffic has implications on wear and tear to the road, and road safety. • It is not unusual for drivers to be required to take evasive action on this section of road due to tourists stationery on the carriageway, pedestrians loitering on the road or within the berm, or busses crossing over/turning into or egressing from the Hobbiton Site. The construction of a vehicle underpass between the Shire's Rest and the Movie Set Site will be an appropriate long-term solution for the above safety issues. Given the Hobbiton revenue streams, the cost of the underpass will be proportionately less than in the case of a dairy farming business where an underpass is used to move stock. • The speed limit on Buckland Road, particularly from the start of the hill section up to the Karapiro Road/ Taotaoroa Road intersection would be made safer by imposing a speed limit less than 80km/hr. Vehicles operating at 100km/hr on Buckland Road pose an unnecessary safety risk to other users. | <p>interests of safety;</p> <p>b. That consideration be given to pedestrian safety on Buckland Road;</p> <p>c. That consideration be given to the construction of a vehicle underpass at the Hobbiton entrances;</p> <p>d. That the speed limit on Buckland Road be reduced to 80km/hr or less.</p> | <p>speed limit is not able to be addressed under the RMA.</p> | <ul style="list-style-type: none"> • MPDC's independent review of the Applicant's ITA has identified additional measures that should be implemented by the Applicant to avoid, remedy, or mitigate remaining traffic safety effects. The DCP is proposed to be amended (as shown in Appendix B) to require the Applicant to implement the additional traffic safety measures identified in the peer review. • MPDC's traffic consultant has given consideration to the construction of a vehicle underpass at the Hobbiton site. However, this does not appear to be a viable proposition. Instead, it is suggested that the DCP provisions be amended (as shown in Appendix B) to discourage Hobbiton visitors to wander onto Buckland Road. |
| J Swap Contractors Limited | FS14.5.3 | | Supports Gregan submission in part | <p><i>The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's</i></p> | | <p><i>Accept in part and make changes, as shown in Appendix B to the DCP provisions, to require further mitigation measures to be implemented along Buckland Road.</i></p> | <p><i>See above.</i></p> |

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| | | | | <i>Development Contribution Policy, a targeted rate or some other funding mechanism.</i> | | | |
| Powerco Limited | FS6.5.3 | | <i>Neutral</i> | <i>Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets.</i> | <i>The submitter is neutral to the change sought but seeks protection of its assets.</i> | <i>Powerco's neutral stance to the submission requiring additional traffic mitigation measures to be implemented is noted and amendments to the DCP (see Appendix B) are proposed to ensure that Powerco's assets are protected.</i> | <ul style="list-style-type: none"> Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. |
| 11. Gasquoine Holdings Ltd, 696 Buckland Road, RD 2, Matamata, 3472 Att: David Gasquoine tekereru.farm@xtra.co.nz | 11.5.4 | Road marking, road signage and general infrastructure on Buckland Road, west of Hobbiton. | Accept the plan Change with the amendments outlined in the submission. | <ul style="list-style-type: none"> The Submitter is a resident of Buckland Road and the owner of 686B, 696, and 835 Buckland Road located west of Hobbiton. Hobbiton has had a positive effect on the wider Matamata economy and community. However, the impact has not been positive for Buckland Road residents. Questions exist over MPDC's intentions regarding providing a user-friendly and safe road user environment. The tour operators and MPDC must take responsibility to ensure that the effect on existing ratepayers and residents is managed to have minimal impact on their ability to carry out day-to-day activities in what should be a user-friendly and safe environment. Improvements on Buckland Road East are applauded and in general manage traffic as well as possible under the circumstances. However tourists still stop unexpectedly and some sealed off-road areas at strategic points would make road use safer. The section of road at Buckland Road West is inadequate for the volume and type of tourist traffic that it carries. There are minimal road markings/ signage until the road enters the Waipa District adjacent to the Taotaoroa Quarry. Buckland Road West is frequently used by tourist buses. The section of road is barely adequate for farm-related traffic, let alone tourist buses with drivers unfamiliar with the road. The section of road already serves two chicken growing farms, dairy farms, dry stock farms and many lifestyle blocks all of which contribute to the ever-increasing traffic flow. The excuse that Buckland Road is "not wide enough" to justify a centreline or more road markings/ signage is not reasonable. The road section needs at least a centreline. Speed is not an issue, but it is the lack of directional arrows that causes many near misses. MPDC should provide the same level of road signage and markings as are already provided on the section of Buckland Road West within the Waipa District. The ITA's reliance on no "fatal and injury crashes" is not an appropriate road engineering model to apply to an existing rural road that has become a busy service | That MPDC take into account the concerns as stated in the submission and take note of the inadequate infrastructure that MPDC is responsible for and have been made well aware of, by a number of concerned residents over a period of time. | Accept submission and make amendments to the DCP provisions, as set out in Appendix B, to require sealed pull-off areas along Buckland Road East, and additional road marking and signage along Buckland Road West. | <ul style="list-style-type: none"> MPDC's independent review of the Applicant's ITA has identified additional measures that should be implemented by the Applicant to avoid, remedy, or mitigate remaining traffic safety effects. The DCP is proposed to be amended (as shown in Appendix B) to require the Applicant to implement the additional traffic safety measures identified in the peer review and as requested by the Submitter. |

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| | | | | <p>industry and tourist route. The “near misses” are too numerous to report as they occur on most days.</p> <ul style="list-style-type: none"> • Tourists frequently park overnight on farm tracks, gateways, and front verges. “No Camping” signs need to be erected at all off-road areas. | | | |
| J Swap Contractors Limited | FS14.5.4 | | <i>J Swap support the Gascoigne submission in part.</i> | <p><i>The impact of the roading hierarchy was identified in the J Swap submission and the need for physical improvements to be undertaken. Further investigations should be undertaken to determine the most appropriate physical changes to the roading hierarchy including an investigation of double lanes. It is also necessary to determine how these should be funded e.g. via Council's Development Contribution Policy, a targeted rate or some other funding mechanism.</i></p> <p><i>J Swaps note that the impact on the District's infrastructure, notably that within the Matamata town centre, was also identified in its submission.</i></p> | | <i>J Swap's support of the Gasquoine submission is noted. Physical road improvements and funding are addressed in the amended DCP provisions (see Appendix B).</i> | <i>See above.</i> |
| Powerco Limited | FS6.5.4 | | <i>Powerco Ltd is neutral to the Gasquoine submission</i> | <i>Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets.</i> | <i>The submitter is neutral to the change sought but seeks protection of its assets.</i> | <i>Powerco's neutral stance to the submission requiring additional traffic mitigation measures to be implemented is noted and amendments to the DCP (see Appendix B) are proposed to ensure that Powerco's assets are protected.</i> | <ul style="list-style-type: none"> • Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. |
| <p>14. J Swap Contractors Ltd, c/- AECOM, PO Box 13161, Tauranga, 3141 Att: Richard Harkness richard.harkness@aecom.com</p> | 14.5.5 | <ul style="list-style-type: none"> • Section 2.3 'Significant Resource Management Issues' AND Section 2.4: 9.01 "Tourism Outcome sought" • Section 2.4:9 Policy 2 Rule 9.1.1 'Roading hierarchy' clause (i)(c) 'Collector roads' | Support in part subject to changes outlined in the submission. | <ul style="list-style-type: none"> • Lack of physical mitigation proposed for roads and intersections that will be affected by the proposed plan change. | Accept the Plan Change subject to the addition of physical road carriageway (for example road straightening) improvements within both the eastern and western end of Buckland Road. | <ul style="list-style-type: none"> • Accept in part and make amendments to the DCP provisions as set out in Appendix B, to require additional improvements to Buckland Road East, noting that a number of improvements have already been implemented by the applicant and MPDC. • Reject the request for physical improvements to the carriageway of Buckland Road West but amend the DCP provisions, as set out in Appendix B, to require additional road marking and road safety signage along Buckland Road West. | <ul style="list-style-type: none"> • MPDC's independent review of the Applicant's ITA has identified additional measures that should be implemented by the Applicant to avoid, remedy, or mitigate remaining traffic safety effects. • The DCP is proposed to be amended (as shown in Appendix B) to require the applicant to implement the additional traffic safety measures identified in the peer review. • The independent traffic peer review considers that it is not viable to upgrade the carriageway of Buckland Road west of the site. Furthermore, it states that traffic safety effects on Buckland Road West can be managed by taking the measures outlined in the amended DCP (see Appendix B) aimed at discouraging Hobbiton visitors from using this stretch of road. |
| New Zealand Transport Agency | FS9.5.5 | <i>NZTA opposes upgrades to the western end of Buckland Road.</i> | | <i>The NZTA does not support improvements to the western end of Buckland Road to incentivise its increased use by tourists. Significant efforts have been made to ensure that the eastern end of Buckland Road is considered as the primary and preferred route to Hobbiton to avoid SH1 and Karapiro Road.</i> | | <i>Accept NZTA's submission opposing improvements to the western end of Buckland Road to incentivise its increased use by tourists.</i> | <i>Significant efforts have been made to ensure that the eastern end of Buckland Road is considered as the primary and preferred route to Hobbiton in order to avoid the traffic safety risks associated with the intersection of SH1 and Karapiro Road.</i> |

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| Powerco | FS6.5.5 | Powerco is neutral to the J Swap submission | | Powerco is neutral to the change sought but seeks protection of its assets. Any proposed alterations in the street may affect Powerco assets. The submitter wants to ensure it is consulted prior to any alterations to roading layout around its assets. | | Powerco's neutral stance to the submission requiring additional traffic mitigation measures to be implemented is noted and amendments to the DCP (see Appendix B) are proposed to ensure that Powerco's assets are protected. | <ul style="list-style-type: none"> Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. |
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Proposed Private Plan Change 50 – Hobbiton Development Concept Plan, 487, 501 and 502 Buckland Road, Matamata

Topic 6: Specific changes to DCP requested by Submitters

Staff recommendations on submissions and further submissions received

| Topic 6: Specific changes to DCP requested by Submitters | | | | | | | |
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| Submitter | Point # | Specific provisions of the plan change that the submission relates to | Position (Oppose/ Support/ Neutral) | Details of submission/ further submission | Decision that the Submitter wants Council to make | Staff recommendation | Reasons |
| 13. Matamata-Piako District Council PO Box 266, Te Aroha, 3342 Att: Mark Hamilton MHamilton@mpdc.govt.nz | 13.6.1 | Purpose | Oppose | 1. Delete the “Purpose” description from Sheet 1 of the DCP. <u>Reasons:</u> Development Concept Plans (DCP) are intended to provide a complete planning framework that includes relevant rules, performance standards and matters of discretion to govern the activities undertaken on identified sites. No other DCP’s within the Matamata-Piako District Plan include a “purpose”, so it is suggested that this is removed for reasons of consistency and as it is unclear what weighting should be afforded to the “purpose”. | PURPOSE Tourism activities at ‘Hobbiton’ are well established and are recognised as an important and significant contributor to the economic growth and employment in the Matamata-Piako District. The purpose of this Development Concept Plan (DCP) is thus to provide for the ongoing management, operation and growth of tourism activities at ‘Hobbiton’ within an appropriate planning framework. | Reject the submission and make no changes to the “Purpose” description on Page 1 of the DCP. | <ul style="list-style-type: none"> • The “Purpose” description assists in providing context to the DCP. • Given that the “Purpose” description has no legal implications as far as the implementation of the DCP is concerned (i.e. it is not an objective, policy or rule), there is no reason why it should be deleted. • The DCPs are site specific and while they have a similar structure there are variations. Therefore, the inclusion of a “Purpose” statement in the Hobbiton DCP not considered to be problematic as the rest of the format is similar to other DCPs |
| | 13.6.2 | Activity Schedule: General | Accept Plan Change with amendments as outlined in the submission | 2. Include provision for effluent systems within the DCP <u>Reason:</u> It has come to MPDC’s attention that the existing and proposed effluent systems are located outside the precinct boundaries. As a result, these should be provided for within the DCP. | Include provision for effluent systems within the DCP. | Accept submission and make changes to the Activity Schedule, as shown in Appendix B, to provide for domestic wastewater treatment systems and land disposal areas in the relevant areas located within the Precincts and Rural Buffer Area. | <ul style="list-style-type: none"> • The management of the effects of the discharge of domestic effluent, including that the systems must not discharge objectionable odour, is primarily a function of the regional council. • Consequently, there is no reason why the DCP should not permit the activity in the areas indicated on the DCP. |
| | 13.6.3 | Activity Schedule: General (d) | Accept Plan Change with amendments as outlined in the submission | 3. Amend the “General” provision (d) on Sheet 1 of the DCP. | d) For restricted discretionary and discretionary activities the matters of discretion within DCP Rule 1.2 shall be used as a guide apply. | Accept submission and make changes to the Activity Schedule as shown in Appendix B.. | <ul style="list-style-type: none"> • The current wording is contrary to the requirements in s77 RMA because it suggests that the matters of discretion identified in the DCP are the only matters that the Council is able to consider when evaluating applications for Discretionary Activity resource consents. |

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| | 13.6.4 | Total DCP Permitted Activities c) | Accept Plan Change with amendments as outlined in the submission | 4. Amend Permitted Activity Clause 3(c) "Administrative offices for Hobbiton activities" on Sheet 1 of the DCP. <u>Reason:</u> Clarity of the type of use expected for the administration offices is required. | c) Administration offices for Hobbiton activities <u>permitted under the DCP.</u> | Accept submission and make changes to the Activity Schedule, as shown in Appendix B. | • The amendment requested by the Submitter improves the clarity of the DCP provisions. |
| | 13.6.5 | Total DCP Permitted Activities d) | Accept Plan Change with amendments as outlined in the submission | 5. Amend Permitted Activity Clause 3(d) "Buildings associated and ancillary to a permitted activity" on Sheet 1 of the DCP. <u>Reason:</u> Corrects a grammatical error | Buildings associated <u>with,</u> and ancillary to, a permitted activity. | Accept submission and make changes to the Activity Schedule as shown in Appendix B. | • The amendment requested by the Submitter corrects a grammatical error. |
| | 13.6.6 | Total DCP Permitted Activities h); | Support in part subject to changes outlined in the submission. | 6. Amend Permitted Activity Clause 3 h) relating to earthworks on Sheet 1 of the DCP. <u>Reason:</u> The rule as drafted allows unlimited volume of material to be deposited, while volumes less than 2,000m ³ would not have been permitted. | Earthworks <u>including other than clean fill activities, involving the depositing of up to 2,000m³ or more of material clean fill obtained from onsite</u> (as measured compacted in place). | Accept submissions in part and make changes and consequential changes to the Activity Schedule, as shown in Appendix B, to clarify that: • The DCP earthworks provisions apply to Precincts 1 and 2 while the Rural Zone provisions apply to the Buffer Area (see "General Clause a"). • Earthworks are permitted when outside the yards. • Depositing of cleanfill <2,000m ³ obtained from off-site is permitted. • Earthworks and cleanfill that do not comply with the permitted standards are Restricted-Discretionary Activities. | • The amendment requested by the Submitter and the consequential changes recommended improve the clarity of the DCP provisions. • The proposed changes are considered to provide an appropriate framework to manage the effects of earthworks/cleanfill that are within the District Council's functions, noting that earthworks within high risk areas will require resource consent under the Waikato Regional Plan. |
| | 13.6.7 | Total DCP Permitted Activities i); new permitted activity | | 7. Include new Permitted Activity Clause 3 i) for importing cleanfill up to 1,000m ³ on Sheet 1 of the DCP. | <u>Earthworks involving the importing of up to 1,000m³ of cleanfill material (as measured compacted in place).</u> | | |
| | 13.6.8 | Total DCP Restricted Discretionary Activities b); | | 8. Amend Restricted-Discretionary Activity Clause 3 b) on Sheet 1 of the DCP. <u>Reason:</u> The proposed performance standard is less prescriptive and allows for greater scope of earth moving activities than just clean fill. | Clean fill activities <u>Earthworks</u> involving the depositing of <u>more than 2,000m³ or more of material (as measured compacted in place) and/or the importation of more than 1000m³ of material from offsite.</u> | | |
| | 13.6.9 | Performance Standards: 1) Building Envelope for all buildings associated and ancillary to a permitted activity listed in this DCP 1.1.1 | Accept Plan Change with amendments as outlined in the submission | 9. Amend Title of Performance Standard 1.1.1 on Sheet 4 of the DCP. <u>Reason:</u> The amendment corrects a grammatical error in title. | Building Envelope for all buildings associated <u>with,</u> and ancillary to, a permitted activity listed in this DCP. | Accept the submission and make changes to the DCP provisions as requested and as shown in Appendix B. | The amendment corrects a grammatical error. |

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| | 13.6.10 | Performance Standards: - Building Envelope for all buildings associated and ancillary to a permitted activity listed in this DCP 1.1.1 a) | Accept Plan Change with amendments as outlined in the submission | 10. Amend Performance Standard 1.1.1(a) "Maximum height" on Sheet 4 of the DCP. <u>Reason:</u> To ensure that a maximum building height exists for the entire DCP, not just Precinct 1. | a) Maximum Height in Precinct 1 and 2: 10m | Accept the submission and make changes to the DCP provisions as requested and as shown in Appendix B. | The amendment provides clarity in that the current wording does not stipulate a height limit for buildings in Precinct 2. |
| | 13.6.11 | Performance Standards: - Building Envelope for all buildings associated and ancillary to a permitted activity listed in this DCP 1.1.1 d) | Accept Plan Change with amendments as outlined in the submission | 11. Amend Performance Standard 1.1.1(d) relating to side and rear yards, on Sheet 4 of the DCP. <u>Reason:</u> To ensure that performance standard d), which details yard setback requirements refers to the appropriate, earlier, performance standard relating to height relative to boundary. | d) Side yards and rear yards in Precincts 1 and 2: 10m to precinct boundary, provided that – (i) Buildings may be erected on any rear or side yard so long as the written consent of any affected property owner(s) is obtained and compliance with DCP Performance Standard 1.1.1 ab) above is achieved. | Accept the submission and amend the wording of Performance Standard 1(b) and 1(d)(i) (as shown in Appendix B): • To enable buildings to be erected within the side and rear yards, provided the written approval of the affected property owner is obtained; and • Make a consequential change to provide for buildings to be erected where they encroach the height relative to Precinct boundaries where the written approval of the affected property owners is obtained. | The amendments proposed are consistent with: • The comparable rules in the Operative District Plan; and • The provisions for boundary activities and activities with less than minor effects in s87BA and 87BB of the RMA. |
| | 13.6.12 | Landscaping for New Buildings 1.1.4 a), b) c); | Accept Plan Change with amendments as outlined in the submission | 12. Amend Performance Standard 1.1.4 (a), (b) and (c) relating to landscaping of new buildings (Sheet 4 of the DCP). <u>Reason:</u> The wording of the proposed performance standard is not sufficiently specific. | The performance standard needs to be redrafted so that compliance can be determined without any degree of discretion. | Accept the submission and amend the wording of Performance Standard 1.1.4 (as shown in Appendix B). | The amendments will improve clarity and will ensure that the provision can be readily enforced without there being any discretion as to the interpretation of the landscaping requirements for new buildings. |
| | FS6.6.12 | Powerco Limited | <i>Powerco is neutral to the above MPDC submission point but seeks the addition of a new clause d).</i> | <i>The submitter is neutral to the proposed change, but seeks the addition of a new point d) to include reference to electrical safe distances: d) All planting and landscaping shall be in keeping with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 (NZECP 34:2001) and the Electricity (Hazards from Trees) Regulations 2003 (the Tree Regulations).</i> | | <i>Powerco's neutral stance to the submission point is noted and inclusion of an advice note that refers to NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 is proposed (see Appendix B).</i> | <ul style="list-style-type: none"> • Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. • The use of an advice note rather than a rule is recommended to ensure consistency with the approach taken in the Operative Matamata-Piako District Plan (see Rule 5.9.1). |

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| 13.6.13 | Earthworks 1.1.X (new performance standard); | Accept Plan Change with amendments as outlined in the submission | 13. Include new Performance Standard 1.1.X relating to earthworks (Sheet 4 of the DCP). <u>Reason:</u> To address the adverse effects of earthworks, including material being tracked from the DCP site onto any road. | <u>i) All earthworks to be managed in accordance with the Waikato Regional Plan and the Waikato Regional Council's "Erosion and Sediment control: guidelines for soil disturbing activities".</u> <u>(ii) That all vehicle movements associated with construction and/or development must not track dirt and loose material onto the road carriageway. Any material which may inadvertently deposit on the road must be immediately washed or swept clear of the road carriageway so that there is no hazard to the travelling public.</u> | Accept submission and include new Performance Standard 1.1.15 (see Appendix B) to address the issues raised in the submission. | <ul style="list-style-type: none"> • The inclusion of the new Performance Standard will ensure that the adverse effects of earthworks are appropriately managed. • The use of advice notes (rather than rules) to reference the WRC's guidelines and WRP rules are recommended because the documents manage effects of discharges, being functions of predominantly regional councils. |
| FS9.6.13 | New Zealand Transport Agency | The above MPDC submission point is supported by NZTA. | The submitter considers the addition, especially ii), necessary to ensure that the safety and efficiency of the transport network is not compromised. | | Accept NZTA's further submission and make changes to the DCP provisions as detailed above. | See above. |
| FS6.6.13 | Powerco Limited | Powerco is neutral to the above MPDC submission point, but seeks the addition of further criteria. | <p>The submitter is neutral to the proposed change, but seeks the addition of a further criteria to include reference to safe distances from electrical infrastructure.</p> <p>The addition, the inclusion of a reference to the "Dial before U Dig" process and contacting Powerco to identify the location of electrical infrastructure prior to excavations.</p> <p>iii) Any earthworks in close to existing electrical infrastructure, in Precincts 1 and 2 shall be in keeping with the setbacks outlined in the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 (NZECP 34:2001) and dial before you dig.</p> <p>iv) The location of underground infrastructure should be identified prior to works commencing to ensure that infrastructure is not accidentally dug into and to avoid serious injury or a costly service interruption. Information on the location of underground pipes and cables can be obtained through the "Dial Before You Dig" service found online at http://www.beforeudig.co.nz/#.</p> <p>v) Where works are proposed in close proximity to any overhead or below ground electrical line, individuals are advised to contact the line operator to discuss works.</p> | | Accept Powerco's further submission and make changes to the DCP provisions as set out in Appendix B. | <ul style="list-style-type: none"> • Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. • The use of an advice notes rather than a rule is recommended to ensure consistency with the approach taken in the Operative Matamata-Piako District Plan (see the preamble to "Part C: Maps and Plans" of the operative Matamata-Piako District Plan). |

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| 13.6.14 | Landscaping of Car Parking Areas 1.1.5 a); | Accept Plan Change with amendments as outlined in the submission | 14. Amend Performance Standard 1.1.5(a) relating to landscaping of carparking areas (Sheet 4 of the DCP). <u>Reason:</u> Revision to performance standard to ensure that the visual effects of parked vehicles in <u>all</u> car parks are mitigated. | a) New All car parking areas within Precinct 1 shall be screened from Buckland Road by earth mounding and/or planting to a minimum height of 1.2m. | Accept submission and make amendments to the DCP as shown in Appendix B. | The recommended amendment to the rule is necessary to ensure that visual and landscape effects are appropriately avoided, remedied, or mitigated. |
| FS6.6.14 | Powerco Limited | <i>Powerco is neutral to the above MPDC submission point but wants to include a further clause.</i> | <i>The submitter is neutral to the proposed change, but seeks the addition of a new point b) to include reference to electrical safe distances:</i> <i>b) All planting and landscaping shall be in keeping with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 (NZECP 34:2001) and the Electricity (Hazards from Trees) Regulations 2003 (the Tree Regulations).</i> | | <i>Accept Powerco's further submission and make changes to the DCP provisions as set out in Appendix B.</i> | <ul style="list-style-type: none"> • Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. • The use of an advice notes rather than a rule is recommended to ensure consistency with the approach taken in the Operative Matamata-Piako District Plan (see advice note below Rule 5.9.1 of the operative Matamata-Piako District Plan). |
| 13.6.15 | Access 1.1.6 a); | Accept Plan Change with amendments as outlined in the submission | 15. Amend Performance Standard 1.1.6 "Access" (Sheet 4 of the DCP). <u>Reason:</u> To ensure that both commercial vehicle crossings to Buckland Road are located in accordance with their indicative position on the DCP. | a) Precinct 1 shall have no more than two commercial vehicle crossings to Buckland Road located in accordance with the DCP. | Accept submission and make amendments to the DCP as shown in Appendix B. | In order to ensure that traffic safety effects are avoided, remedied, or mitigated, the location of the crossings should be fixed as shown on the DCP and as assessed in the ITA. |
| 13.6.16 | Car Parking, Loading Formation and Manoeuvring 1.1.7 b), | Accept Plan Change with amendments as outlined in the submission | 16. Amend Performance Standard 1.1.7(b) relating to car parking (Sheet 4 of the DCP). <u>Reason:</u> To ensure that the grassed all-weather parking areas are maintained to a sufficient standard to ensure their ongoing availability. | b) Grassed areas suitable for all-weather parking in summer shall be provided and maintained for overspill parking within Precinct 1. The grassed areas shall be of sufficient area to ensure that there is a minimum total of 450 car parking spaces provided within Precinct 1. | Accept submission and make amendments to the DCP as shown in Appendix B. | The amendment is necessary to ensure that parking areas are maintained on an ongoing basis in order to avoid, remedy, or mitigate adverse traffic safety effects on an ongoing basis. |
| 13.6.17 | Car Parking, Loading Formation and Manoeuvring 1.1.7 d), ; | Accept Plan Change with amendments as outlined in the submission | 17. Amend Performance Standard 1.1.7(d) relating to car parking (Sheet 4 of the DCP). <u>Reason:</u> To ensure that the car parking spaces for each residence are maintained to a sufficient standard to ensure their permanent availability to prevent additional demand in the general parking area. | d) A minimum of 1 car parking space shall be provided and maintained in accordance with the MPDC Development Manual for each Hobbiton Movie Set Visitor Accommodation residence. | Accept submission and make amendments to the DCP as shown in Appendix B. | The amendment is necessary to ensure that parking areas are maintained on an ongoing basis in order to avoid, remedy, or mitigate adverse traffic safety effects on an ongoing basis. |

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| 13.6.18 | Car Parking, Loading Formation and Manoeuvring 1.1.7 f), ; | Accept Plan Change with amendments as outlined in the submission | 18. Amend Performance Standard 1.1.7(f) relating to loading (Sheet 4 of the DCP). <u>Reason:</u> A dedicated courier van parking space is considered desirable for a retail operation as busy as that within Precinct 1. | f) A new development or change of use shall provide dedicated onsite loading facilities facility shall be provided and maintained in Precinct 1 to accommodate a courier van meeting the “Type MB – Forward Control Passenger Vehicle” standard as defined in Table A of the New Zealand Transport Agency’s vehicle classification. | Accept submission and make amendments to the DCP as shown in Appendix B. | The amendment is necessary to ensure that adequate provision is made and maintained for on-site loading in order to avoid, remedy, or mitigate adverse traffic safety effects on an ongoing basis. |
| 13.6.19 | Car Parking, Loading Formation and Maneuvering 1.1.7 g) | Accept Plan Change with amendments as outlined in the submission | 19. Amend Performance Standard 1.1.7(g) relating to sign posting of parking and loading spaces (Sheet 4 of the DCP). <u>Reason:</u> The suggested amendment to the performance standard is intended to help ensure that best practice will be followed for the layout and smooth operation of the Hobbiton carpark. | g) Parking areas and loading spaces shall be clearly signposted at the road frontage in accordance with the NZTA Traffic Control Devices Manual. | Accept in part and make amendments to the DCP as shown in Appendix B. | The suggested amendment to the performance standard is intended to help ensure that best practice will be followed for the layout and smooth operation of the Hobbiton carpark. Some flexibility in the standard to enable Hobbiton branding to be incorporated in the signage is considered appropriate. |
| FS9.6.19 | New Zealand Transport Agency | NZTA supports the above MPDC submission point | <i>The submitter considers the change an improvement to the plan change provisions, particularly the reference to the Traffic Control Devices Manual.</i> | | Accept further submission in part and make amendments to the DCP as referred to above, and as shown in Appendix B. | See above. |
| 13.6.20 | Car Parking, Loading Formation and Manoeuvring 1.1.7 i) | Accept Plan Change with amendments as outlined in the submission | 20. Amend Performance Standard 1.1.7(i) relating to on-site parking (Sheet 4 of the DCP). <u>Reason:</u> The suggested amendment to the performance standard is to ensure that vehicles associated with Hobbiton will be parked within the boundaries of Precincts 1 and 2, not the farmland which makes up the balance of the DCP. | i) All vehicles associated with the activities occurring on the Hobbiton Movie Set Development Concept Plan (DCP) site shall be parked on the DCP site within Precincts 1 and 2 . No vehicles shall be parked in the road reserve. | Accept submission and make amendments to the DCP as shown in Appendix B. | The suggested amendment to the performance standard will ensure that vehicles associated with Hobbiton will be parked within the boundaries of Precincts 1 and 2 as assessed in the ITA, not the farmland which makes up the balance of the DCP where the effects have not been assessed in the ITA. |
| 13.6.21 | Traffic Management 1.1.Y | Accept Plan Change with amendments as outlined in the submission | 21. Add new Performance Standard 1.1.Y “Traffic Management” (Sheet 4 of the DCP). <u>Reason:</u> A new performance standard covering the matters within the Proposed Memorandum of Understanding is required, to ensure that these matters are enforceable, in perpetuity. | 1.1.Y Traffic Management The applicant and Council have agreed to a Memorandum of Understanding (MOU) that requires the ongoing maintenance of the affected road network, including signage, traffic safety measures and road markings. This agreement shall be reflected in the DCP’s performance standards so that in the event of | Accept in part and make amendments to the DCP as shown in Appendix B. | The proposed performance standard covering the matters within the Memorandum of Understanding is required, to ensure that these matters are enforceable, in perpetuity. |

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| | | | | | <u>the change of ownership of the site, the MOU will be enforceable in perpetuity.</u> | | |
| | FS9.6.21 | NZ Transport Agency | NZTA supports the above MPDC submission point in part | <i>The submitter considers the change necessary to ensure that the safety and efficiency of the transport network is not compromised. The submitter seeks confirmation that state highways are included in the 'road network' and clarification of the contents of the MOU and exactly what performance standards are proposed.</i> | | <i>Accept in part and make amendments to the DCP as referred to above and as shown in Appendix B.</i> | <ul style="list-style-type: none"> • The proposed performance standard covering the matters within the Memorandum of Understanding is required, to ensure that these matters are enforceable, in perpetuity. • The state highway network is not specifically referred to in the MOU but impacts on the state highway network are able to be addressed through the proposed provision that will require resource consent if the annual trip generation exceeds the 387,000 trips assessed in the ITA. |
| | 13.6.22 | Visitor Numbers 1.1.8 a) | Accept Plan Change with amendments as outlined in the submission | <p>22. Amend Performance Standard 1.1.8 "Visitor Numbers) (Sheet 4 of the DCP).</p> <p><u>Reason:</u> The proposed amendment provides clarity over the maximum daily number of visitors to the site.</p> | <p>a) Visitor numbers shall not exceed 3,500 people per day, excluding visitors attending events which finish more than one hour before the first movie set tour commences or begin one hour after the final movie set tour has finished.</p> <p><u>For the avoidance of doubt, the 3,500 daily visitor maximum limit shall include all event patrons within the time period specified above.</u></p> | Accept submission in part and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> • The proposed amendment assists in clarifying the performance standard and will ensure that the standard is readily enforceable. • The wording proposed includes a proposed definition of "Movie Set Tour Hours" as a consequential change in order to provide further clarity and to address the further submission point raised by NZTA below. |
| | FS9.6.22 | NZ Transport Agency | NZTA supports the above MPDC submission point in part. | <i>The submitter considers the change an improvement to the plan change provisions, subject to clarification of the time frames for which the daily visitor cap of 3,500 can be exceeded for events, as the additional text seems to contradict the existing text.</i> | | <i>Accept the further submission and make changes to DCP as referred to above and as shown in Appendix B.</i> | See above. |

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| 13.6.23 | Noise 1.1.9 a) | Accept Plan Change with amendments as outlined in the submission | 23. Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <table><tr><td>a)</td><td></td></tr><tr><td>7.00am – 10.00 8.00pm</td><td>50 dB L_{Aeq}</td></tr><tr><td>10.00 8.00pm – 7.00am</td><td>40 dB L_{Aeq} and 70 dB L_{Aeq} L_{max}</td></tr></table> | a) | | 7.00am – 10.00 8.00 pm | 50 dB L _{Aeq} | 10.00 8.00 pm – 7.00am | 40 dB L _{Aeq} and 70 dB L _{Aeq} L_{max} | Accept submission and make changes to DCP as shown in Appendix B, noting that other changes are also proposed in response to other submissions (i.e. deletion of performance standards for movie screenings and amplified music events, as these activities are proposed to require resource consent) | The proposed amendments are in keeping with the recommendations of Council's acoustic consultant and are considered necessary to ensure that adverse noise effects are appropriately avoided, remedied, or mitigated. |
| a) | | | | | | | | | | | | |
| 7.00am – 10.00 8.00 pm | 50 dB L _{Aeq} | | | | | | | | | | | |
| 10.00 8.00 pm – 7.00am | 40 dB L _{Aeq} and 70 dB L _{Aeq} L_{max} | | | | | | | | | | | |
| 13.6.24 | Noise 1.1.9 c) | Accept Plan Change with amendments as outlined in the submission | Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <p>c) Up to 12 outdoor movie screening events that exceed the noise levels in Performance Standard 1.1.9 a) above are permitted to 11.00 10.30pm during daylight savings time in any calendar year with no more than two events (outdoor movie screening or outdoor amplified music/concert events) in a seven day period, and no more than three events in a calendar month.</p> <p>The outdoor movie screening events shall not exceed 55dB L_{Aeq} when measured at or within the notional boundary of any rural dwelling located outside the DCP area and existing at <i>[insert date of plan change notification]</i>.</p> | Accept submission in part and make changes to the DCP as shown in Appendix B. | The proposed amendments are in keeping with the recommendations of Council's acoustic consultant and are considered necessary to ensure that adverse noise effects are appropriately avoided, remedied, or mitigated. | | | | | | |
| 13.6.25 | Noise 1.1.9 d) | Accept Plan Change with amendments as outlined in the submission | Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <p>d) Up to 6 six outdoor amplified music/concert events that exceed the noise levels in Performance Standard 1.1.9 a) above are permitted in any calendar year with no more than two events (outdoor movie screening or outdoor amplified music/concert events) in a seven day period, and no more than three events in a calendar month. The outdoor amplified music /concert events shall:</p> <p>i) Not exceed six hours duration (excluding sound testing and balancing on</p> | Accept submission in part and make changes to the DCP as shown in Appendix B. | The proposed amendments are in keeping with the recommendations of Council's acoustic consultant and are considered necessary to ensure that adverse noise effects are appropriately avoided, remedied, or mitigated. | | | | | | |

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| | | | | | the day of the event); ii) Not exceed 65 60 db L _{Aeq} as measured at the notional boundary of any rural dwelling located outside the DCP area and existing at <i>[insert date of plan change notification]</i> ; and iii) End by 11.00 10.30 pm during daylight savings, and by 10.00pm at all other times of the year; and... | | |
| | 13.6.26 | Noise 1.1.9 e) | Accept Plan Change with amendments as outlined in the submission | Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <u>e) There are to be no more than two events (outdoor movie screening or outdoor amplified music/concert events) in a seven-day period, and no more than three events in a calendar month.</u> | Reject submission | No further clarification of DCP provisions as notified is considered necessary in this instance. |
| | 13.6.27 | Noise 1.1.9 f) | Accept Plan Change with amendments as outlined in the submission | Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <u>f) Written notice shall be provided to the occupiers of all properties, within a 3km radius of the Precinct where any <u>outdoor movie screening or</u> outdoor amplified music/ concert event is being held, a minimum of seven 14 days prior to the event, The written notice shall include the following details: ...</u> | Accept submission in part and make changes to the DCP as shown in Appendix B. | An extended notice period is considered appropriate to enable neighbours to prepare for the noise effects of the upcoming event. |
| | 13.6.28 | Noise 1.1.9 g) (plus three new performance standards); | Accept Plan Change with amendments as outlined in the submission | Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <u>g) A single noise management plan shall be prepared for all concert and-outdoor movie <u>screening or outdoor amplified music /concert</u> events. It shall be submitted to Council at least 10 14 working days prior to the first event and shall detail: ...</u> | Reject submission. | A 10 working day approval timeframe is considered acceptable. |

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| | 13.6.29 | Noise 1.1.9) new performance standard i); | Accept Plan Change with amendments as outlined in the submission | Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <u>i) The above noise management plan shall be reviewed annually at the site operator's cost. The council shall have the ability to peer review the management plan at the site operator's cost prior to the first event in the calendar year as detailed in performance standard 1.1.9 g) above.</u> <u>If the noise management plan is considered to be unsatisfactory in any regard, that prior to any new event, steps shall be undertaken to ensure compliance.</u> | Accept submission in part and make changes to the DCP as shown in Appendix B. | The change recommended is considered to be in accordance with best practice. |
| | 13.6.30 | Noise 1.1.9) new performance standard j); | Accept Plan Change with amendments as outlined in the submission | Amend/ expand Performance Standard 1.1.9 relating to noise (Sheets 4 and 5 of the DCP). <u>Reason:</u> The proposed amendments are in keeping with the recommendations in Council's peer review of acoustic effects, or otherwise are required to provide clarity. | <u>j) All events shall be carried out in accordance with the current noise management plan.</u> | Accept submission in part and make changes to the DCP as shown in Appendix B. | The change recommended is considered to be in accordance with best practice. |
| | 13.6.31 | Noise 1.1.9) new performance standard k); | Accept Plan Change with amendments as outlined in the submission | | <u>k) Monitoring shall be undertaken at five minute intervals throughout the event, including any sound testing, by a person qualified to undertake noise measurements.</u> <u>A copy of the monitoring report shall be provided to Council within 10 working days of the first event. If the noise limits are not complied with, steps shall be undertaken to ensure compliance prior to the next event.</u> | Accept submission in part and make changes to the DCP as shown in Appendix B. | The change recommended is considered to be in accordance with best practice. |

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| 13.6.32 | Lighting and Glare 1.1.10 a), | Accept Plan Change with amendments as outlined in the submission | 24. Amend Performance Standard 1.1.10 "Lighting and Glare" (Sheet 5 of the DCP). <u>Reason:</u> The amended performance standard is in keeping with the provisions within the District Plan: Part B 5.4 Lighting and Glare (i) and (ii). | a) At no time between 7.00am and 44.00 10.00 pm shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at the boundary of Buckland Road or any Rural zoned site located outside the Hobbiton Movie Set Development Concept Plan (DCP) area. | Accept submission and make changes to the DCP as shown in Appendix B. | <ul style="list-style-type: none"> The proposed amendment is consistent with the provisions within the District Plan: Part B 5.4 Lighting and Glare (i) and (ii). The proposed amendment is considered necessary to ensure that adverse amenity effects are avoided, remedied, or mitigated to the extent envisaged under the Operative District Plan. |
| 13.6.33 | Lighting and Glare 1.1.10 b); | Accept Plan Change with amendments as outlined in the submission | 24. Amend Performance Standard 1.1.10 "Lighting and Glare" (Sheet 5 of the DCP). <u>Reason:</u> The amended performance standard is in keeping with the provisions within the District Plan: Part B 5.4 Lighting and Glare (i) and (ii). | b) At no time between the hours of 44.00 10.00 pm and 7.00am shall any outdoor lighting be used in a manner that causes: ... | Accept submission and make changes to the DCP as shown in Appendix B. | <ul style="list-style-type: none"> The proposed amendment is consistent with the provisions within the District Plan: Part B 5.4 Lighting and Glare (i) and (ii). The proposed amendment is considered necessary to ensure that adverse amenity effects are avoided, remedied, or mitigated to the extent envisaged under the Operative District Plan. |
| 13.6.34 | Signage 1.1.12 a), b); | Accept Plan Change with amendments as outlined in the submission | 25. Amend Performance Standard 1.1.12 "Signage" (Sheet 5 of the DCP). <u>Reason:</u> Grammatical amendment. | <p>a) The following signs related to permitted activities established within Precincts 1 and 2 for the establishment or identification of permitted activities:</p> <p>i) Signs attached to or forming part of a building: 0.25m² for every metre of related Precinct frontage up to a maximum total area of 16m² in each of for Precincts 1 and 2 combined.</p> <p>ii) Free standing signs: 0.25m² for every metre of related Precinct frontage up to a maximum total area of 16m² in each of for Precincts 1 and 2 combined.</p> <p>b)iii) For the avoidance of doubt: Provided there are no controls on signage visible only internal to the Hobbiton DCP area or for signs whose sole purpose is to direct traffic within a Precinct.</p> | Accept submission and make changes to the DCP as shown in Appendix B. | <ul style="list-style-type: none"> The proposed amendment assists in clarifying the performance standard and will ensure that the standard is readily enforceable. |

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| FS9.6.34 | NZ Transport Agency | NZTA opposes the above MPDC submission point | The reasoning for the amendment does not relate to the specified provision and it is unclear exactly what change is sought. | | Reject further submission and make changes as requested in the submission above. | See above. |
| 13.6.35 | Signage 1.1.12 - comment | Accept Plan Change with amendments as outlined in the submission | 26. In regard to Performance Standard 1.1.12 "Signage" (Sheet 5 of the DCP), Council considers that there is insufficient assessment in relation to Hobbiton-related traffic using Rangitanuku Road. | Further assessment is required to ensure that the effects of Hobbiton-related traffic using Rangitanuku Road are mitigated. | Accept submission and make changes to the DCP as shown in Appendix B (i.e. see Performance Standards 1.1.7(n)). | <ul style="list-style-type: none"> The proposed requirement for the site operator to use best endeavours to discourage Hobbiton traffic from using Rangitanuku Road as outlined in proposed Performance Standard 1.1.7(n) will enable effects of Hobbiton-related traffic using Rangitanuku Road to be mitigated. |
| 13.6.36 | Events 1.13 c); | Accept Plan Change with amendments as outlined in the submission | 27. Amend Performance Standard 1.1.13 "Events" (Sheet 5 of the DCP). <u>Reason:</u> The proposed addition will clarify the intent of the performance standard being to limit visitor numbers so as not to exceed parking supply. | c) Events held during Movie Set Tour hours: the operator shall manage Events and Movie Set Tour visitor numbers so that parking does not exceed: <ul style="list-style-type: none"> 450 parking spaces in the months November to March inclusive. For all other months, the all-weather surface parking capacity. Note: Compliance with Performance Standard 1.1.7 i) must be achieved. | Accept in part and make changes to the DCP as shown in Appendix B. | <ul style="list-style-type: none"> The proposed amendments assist in clarifying the intent of the performance standard being to limit visitor numbers so as not to exceed parking supply. |
| 13.6.37 | Fireworks Displays 1.1.14 a); | Accept Plan Change with amendments as outlined in the submission | 28. Amend Performance Standard 1.1.14 "Fireworks Displays" (Sheet 5 of the DCP). <u>Reasons:</u> a) Grammatical amendment | a) For events involving fireworks displays within Precincts 1 and 2 , written notice shall be provided to both the Council and the occupiers of all properties located within a 3km radius of the precinct where the fireworks display is being held a minimum of seven days prior to the event . The written notice shall be provided a minimum of 14 days prior to the event and include in the following details: ... | Accept and make changes to the DCP as shown in Appendix B noting that other amendments are also proposed (i.e. limiting fireworks as a Permitted Activity to those that meet classification 1.3G, 1.4G and 1.4S under the Hazardous Substances and New Organisms (HSNO) Act) in response to other submissions. | <ul style="list-style-type: none"> The proposed amendment assists in clarifying the intent of the performance standard. |

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| 13.6.38 | Fireworks Displays 1.1.14 b); | Accept Plan Change with amendments as outlined in the submission | b) The DCP is designed to supersede resource consents, so the deleted text is considered superfluous. | b) No fireworks displays shall be held between 1 August and 31 October in any calendar year unless otherwise approved by resource consent. | Accept and make changes to the DCP as shown in Appendix B noting that other amendments are also proposed (i.e. limiting fireworks as a Permitted Activity to those that meet classification 1.3G, 1.4G and 1.4S under the Hazardous Substances and New Organisms (HSNO) Act) in response to other submissions. | The wording “ unless otherwise approved by resource consent ” is superfluous as any activity that fails to meet the Performance Standards requires resource consent. |
| 13.6.39 | Accommodation 1.1.15 a), b); (New performance standard) | Accept Plan Change with amendments as outlined in the submission | <p>29. Include new Performance Standard 1.1.15 “Accommodation” (Sheet 5 of the DCP).</p> <p><u>Reason:</u></p> <p>The proposed new performance standard provides suggested maximum visitor numbers permitted in each of the visitor accommodation sites in Precinct 1. The figures are calculated on the basis of likely capacity for both accommodation areas based on the draft plans sighted for each.</p> <p>Plan C1 from Page 27 of the Integrated Transport Assessment indicates a total of 34 cabins (Three single, three family and 14 duplex) in the Visitor Accommodation area:</p> <p>The maximum total of 86 visitors using the cabins each night have been calculated as follows:</p> <ul style="list-style-type: none"> • Two per single cabin • Four per family cabin • Four per duplex | <p><u>a) A maximum of 86 visitors per night are permitted in Hobbiton Movie Set Visitor Accommodation area as detailed on the DCP.</u></p> <p><u>b) A maximum of 30 self-contained mobile camping vehicles are permitted per night in the Hobbiton Movie Set located within the “Overnight Park-Over Camping Area” detailed on the DCP.</u></p> <p><u>Include location of Hobbiton Movie Set Visitor Accommodation and Overnight Park-Over Camping Area on Sheet 2 of the DCP.</u></p> | Accept and make changes to the DCP as shown in Appendix B. | <ul style="list-style-type: none"> • The amendment is necessary to ensure that the extent of accommodation provided for as a Permitted Activity is consistent with that assessed in the Plan Change request. |
| 13.6.40 | <p>Matters of Discretion</p> <p>Restricted Discretionary Activities provided for in the Development Concept Plan 1.2.1 A. Events a)</p> | Accept Plan Change with amendments as outlined in the submission | 30. Amend Restricted-Discretionary matters 1A(a) (Sheet 6 of the DCP). | <p>A. Events:</p> <p>Any application shall be assessed upon consideration of the following:</p> <p>a) Traffic Management Plan for events over 500 people without buses, or over 1,000 people in all circumstances</p> <p><u>The traffic effects and mitigation measures, including effects on the road network, parking, access, loading and signage.</u></p> | Accept and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> • The wording as proposed is too restrictive and does not allow Council adequate discretion to manage traffic effects and to impose mitigation measures. |

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| | FS9.6.40 | NZ Transport Agency | NZTA supports the above MPDC submission point | The submitter considers the change an improvement to the plan change provisions. | | Accept NZTA's further submission in support of the above submission point and make changes to DCP as referred to above, and shown in Appendix B. | See above. |
| | 13.6.41 | Matters of Discretion Restricted Discretionary Activities provided for in the Development Concept Plan 1.2.1 A. Events d) | Accept Plan Change with amendments as outlined in the submission | 30. Amend Restricted-Discretionary matters 1A(d) (Sheet 6 of the DCP). | d) <u>Set up and Clean up</u> | Accept and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> The wording as proposed is too restrictive and does not allow Council adequate discretion to manage the effects of both setting up in advance of events, and cleaning up after events. |
| | 13.6.42 | Matters of Discretion Restricted Discretionary Activities provided for in the Development Concept Plan 1.2.1 A. Events New matter of discretion); | Accept Plan Change with amendments as outlined in the submission | | Events: Any application shall be assessed upon consideration of the following: <u>g) Visual</u> | Accept and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> The current wording as proposed in the DCP does not allow Council discretion to manage visual effects. |
| | 13.6.43 | Matters of Discretion Restricted Discretionary Activities provided for in the Development Concept Plan 1.2.1 A. Events New matter of discretion); | Accept Plan Change with amendments as outlined in the submission | | Events: Any application shall be assessed upon consideration of the following: <u>h) Signage</u> | Accept and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> The current wording as proposed in the DCP does not allow Council discretion to manage effects relating to signage. |
| | FS9.6.43 | NZ Transport Agency | Support | The submitter considers the change an improvement to the plan change provisions. | | Accept NZTA's further submission in support of the above submission point and make changes to DCP as referred to above, and shown in Appendix B. | See above |

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| | 13.6.44 | Matters of Discretion Restricted Discretionary Activities provided for in the Development Concept Plan 1.2.1 A. Events New matter of discretion); | Accept Plan Change with amendments as outlined in the submission | | Events: Any application shall be assessed upon consideration of the following: <u>i) Fireworks</u> | Accept and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> The current wording as proposed in the DCP does not allow Council discretion to manage effects relating to fireworks. |
| | 13.6.45 | Restricted Discretionary Activities due to failure of Performance Standards in the Development Concept Plan 1.2.2; | Accept Plan Change with amendments as outlined in the submission | 32. Review Restricted-Discretionary matters 1B (Sheet 6 of the DCP). <u>Reason:</u> The matter of discretion needs to be reviewed as it appears to relate to landfill, not clean fill activities, and is silent on the effects of earthworks. | B. Clean Fill Activities” needs to be reviewed as it appears to relate to landfill, not clean fill activities, and is silent on the effects of earthworks. | Accept and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> The current wording as proposed in the DCP does not provide adequate discretion over the effects of both Cut and Fill and Clean Fill Earthworks. |
| | 13.6.46 | Discretionary Activities: Activities not provided for in the Development Concept Plan 1.2.3; | Accept Plan Change with amendments as outlined in the submission | 33. Amend Restricted-Discretionary matters 1.2.2 and 1.2.3 (Sheet 6 of the DCP). <u>Reason:</u> These matters are largely addressed in the “Activity Schedule” on Sheet 1 of the DCP | 2. Restricted Discretionary Permitted Activities due to failure of Performance Standards in the Development Concept Plan Restricted Discretionary is Activities that are restricted solely due to the failed standards and will be assessed only against the effects of non-compliance with those standards. 3. For Discretionary Activities Council shall ... and shall not restrict Council's discretionary powers. | Accept in part and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> The amendment assists in clarifying the intent of the provision. The wording proposed, while different from that proposed by the Submitter, has the same intent and provides better clarity compared to that requested by the Submitter. |
| | 13.6.47 | Definitions | Accept Plan Change with amendments as outlined in the submission | 34. Amend the definitions for a number of DCP terms, to improve clarity (Sheet 6 of the DCP). | “Hobbiton Movie Set Overnight Park-Over Camping Area” means land within Precinct 1 used for overnight accommodation of visitors to the Hobbiton Movie Set where a parking area the accommodation is provided for visitors with in self-contained mobile camping vehicles, and the maximum duration of any stay by visitors is one | Accept in part and make changes to DCP as shown in Appendix B, noting that a maximum stay of two consecutive nights (instead of overnight only) are proposed in the definition of “Hobbiton Movie Set Visitor Accommodation”. | <ul style="list-style-type: none"> The proposed amendments assist in clarifying the meaning of the terms defined in the DCP. Provision for two nights' stay instead of one night only at the visitor accommodation is considered appropriate as visitors may arrive after the last movie tour on Day 1, and may want to attend a movie tour and other event on Day 2, resulting in a requirement to stay for two |

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| | | | | <p>night.</p> <p>“Hobbiton Movie Set Visitor Accommodation” means a single-storey, stand-alone or duplex residential building that provides short-term <u>overnight</u> accommodation for travelers and tourists who generally have their principal place of residence elsewhere. Hobbiton Movie Set Visitor Accommodation may contain facilities in rooms for the preparation of meals by guests.</p> <p>“Tourism Retailing” means the use of land or buildings where goods <u>principally related to Hobbiton</u> are offered or exposed principally to the tourist market for sale and includes: premises making and serving food and beverages such as cafes, restaurants and licensed premises; premises for green/blue chroma key photography and photography; and ancillary storage and warehousing of goods to be sold through the retail activity.</p> | | consecutive nights. |
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Proposed Private Plan Change 50 – Hobbiton Development Concept Plan, 487, 501 and 502 Buckland Road, Matamata

Topic 7: Electricity infrastructure

Staff recommendations on submissions and further submissions received

| Topic 7: Electricity infrastructure | | | | | | | |
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| Submitter | Point # | Specific provisions of the plan change that the submission relates to | Position (Oppose/ Support/ Neutral) | Details of submission/ further submission | Decision that the Submitter wants Council to make | Staff recommendation | Reasons |
| 6. Powerco Limited, Private Bag 2065, New Plymouth, 4340, Att: Simon Roche simon.roche@powerco.co.nz | 6.7.1 | <ul style="list-style-type: none"> Electricity capacity; Protection of utilities from activities and development within close proximity; Planting of vegetation; Ongoing maintenance and upgrades of existing assets; | Neutral, but seeks to ensure that the plan Change does not result in unreasonable constraints being placed on Powerco's established below and above ground electricity assets (shown in Appendix A and B to the submission). Any alterations to the site must recognise the presence of existing Powerco utilities and provide for the continued development, operation, maintenance and upgrading | <p>Electricity capacity:</p> <ul style="list-style-type: none"> There is insufficient existing electricity network capacity to provide for the upgrades proposed in this Plan Change. The existing Lake Road transformer that serves the site is operating close to full capacity during peak load periods and will not be able to serve the proposed development. Powerco will need to be informed prior to redevelopment so that upgrades can be undertaken if this occurs before 2019. Powerco will be commissioning a second transformer in 2019, which will be able to provide for the proposed development. Any further enquiries regarding network capacity and details of future potential loads should be sent to planning engineer Yew Guan Wong (email: YewGuan.Wong@powerco.co.nz) or Powerco's Key Customer Manager Jaysen Vinsen (email: Jayson.Vinsen@powerco.co.nz). <p>Protection of utilities from activities and development within close proximity:</p> <ul style="list-style-type: none"> There is a need to manage development and land uses in the immediate vicinity of electricity utilities that pose a risk to, or are at risk from, the operation of the network including: <ul style="list-style-type: none"> Risk of electrical hazard or injury; Risk to security of supply; Risk associated with 'reverse sensitivity' and amenity; Risk to vegetation; Risk to structural integrity; Risk to Powerco's ability to inspect and maintain its lines, cables and support structures, and to undertake line upgrades. All activities within the vicinity of overhead power lines must comply with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 (NZECP34:2001) and the Electricity (Hazards from Trees) Regulations 2003 (the Tree Regulations). These documents set out the minimum safe separation distances required to control the interface between | <p>Addition of the following clauses to performance standards (1), (4) and (5) as outlined below in bold underlined text, is sought:</p> <p>1. Building Envelope for all buildings associated and ancillary to a permitted activity listed in the DCP <u>e) All new buildings close to existing electrical infrastructure, in Precincts 1 and 2 shall be in keeping with the setbacks outlined in the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 (NZECP34:2001)</u></p> <p>4. Landscaping for New Buildings <u>d) All planting and landscaping shall be in keeping with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001</u></p> | Accept in part and make changes to DCP as shown in Appendix B. | <ul style="list-style-type: none"> Protection of strategic infrastructure networks is mandated by the Waikato Regional Policy Statement and is supported by the objectives and policies of the Operative Matamata-Piako District Plan. The use of advice notes with slightly different wording, rather than a rule as requested by the Submitter is recommended to ensure consistency with the approach taken in the Operative Matamata-Piako District Plan (see the advice note below Rule 5.9.1 and the preamble to "Part C: Maps and Plans" of the operative Matamata-Piako District Plan). |

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| | | | <p>of such assets. Powerco seeks to be consulted on any building, planting or earthworks in close proximity to its assets and that the electricity regulations are included in the performance standards as outlined in its submission.</p> | <p>overhead electricity lines and the wider public environment, including buildings, structures, earthworks, mobile plant and machinery and vegetation. Any development within the Hobbiton Precincts should identify the location of all overhead and underground electricity assets prior to undertaking development work. When works are proposed in close proximity to existing electricity assets, Powerco should be consulted. Powerco's existing assets located in Hobbiton are not protected by registered easements, meaning the presence of underground assets will not always be readily apparent.</p> <ul style="list-style-type: none"> • Significant reductions or alterations in ground level can result in underground utilities being exposed and the need for remedial work, whereas significant increases in ground level can hinder access for maintenance purposes. Changes to ground level in the vicinity of underground utilities should be minimised and/or there should be discussions with the relevant utility provider, which may identify opportunities to readjust depth of the utility. Similar concerns arise for above ground infrastructure. • Inappropriate development in close proximity to underground electrical cables can result in damage to assets (e.g. earthworks can result in damage through direct contact, compaction or undermining of assets) or may restrict Powerco's ability to access assets for maintenance and upgrade purposes (e.g. by building over underground assets). This could, in turn, result in the loss or disruption of supply to the site. The location of underground infrastructure should be identified prior to works commencing. Information on the location of underground services can be obtained through the "Dial Before You Dig" service found online at www.beforeudig.co.nz. <p>Planting of vegetation:</p> <ul style="list-style-type: none"> • Trees should be positioned away from existing above and below ground infrastructure to avoid the potential for conflict and to ensure compliance with the Tree Regulations. • The Tree Regulations also define safe separation distances required between trees and overhead distribution lines. Compliance with the regulations is mandatory and their purpose is to protect the security of supply of electricity and the safety of the public. • Trees must be located and managed by the tree owner to comply with the Growth Limit Zones between electrical line conductors and trees, as prescribed by the Tree Regulations, and this should be recognised in the plan change. • The planting of trees and shrubs can also affect underground cables. Powerco's underground cables are usually laid at a depth of 600mm below the surface. Large trees and shrubs with deep root systems should not be planted over the top of underground cables as the root system could intermingle with the cable and cause interruptions of the flow of electricity. Consultation should be undertaken with Powerco prior to planting of any vegetation in close proximity to overhead or underground electricity lines. | <p><u>(NZECP34:2001) and the Electricity (Hazards from Trees) Regulations 2003 (the Tree Regulations).</u></p> <p>5. Landscaping of Car Parking Areas <u>b) All planting and landscaping shall be in keeping with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 (NZECP34:2001) and the Electricity (Hazards from Trees) Regulations 2003 (the Tree Regulations).</u></p> | |
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| | | | | Ongoing maintenance and upgrading of existing assets: <ul style="list-style-type: none"> • It is important that Powerco is able to access all its assets for the continued inspection, operation, maintenance and upgrading of existing electricity infrastructure, including where they traverse or are located within the Hobbiton Precinct areas. Appropriate provision should be made around any development within the precincts, for this to occur. • Powerco's assets are not subject to easements and are instead protected under section 23 of the Electricity Act 1992. The Electricity Act 1992 sets out parameters around Powerco's ability to access land for the purpose of maintaining and upgrading its assets and include requirements (inter alia) around notification, the ability for landowners to set reasonable conditions on entry and dispute resolution processes. • Given the Electricity Act processes already in place, including the requirement to consult with landowners prior to undertaking maintenance and upgrade work, Powerco seeks that Plan Change 50 recognises and provides for the ongoing operation, maintenance and upgrading of existing utilities in an unrestricted manner. | | | |
| 6. Powerco Limited, Private Bag 2065, New Plymouth, 4340, Att: Simon Roche simon.roche@powerco.co.nz | 6.7.2 | Performance Standard 1.1.12(c). | Support | Powerco supports the performance standard for signage 12(c), which allows health and safety signage to meet legislative requirements with no size maximum. | | Support noted. No changes requested or made. | Provision for health and safety signage will enable legislative requirements to be met. |