

UNDER

the Resource Management Act 1991

IN THE MATTER

of a Private Plan Change to the Matamata-Piako District Plan under Schedule 1 of the RMA by Rings Scenic Tours Limited, to introduce new objectives, policies and rules, primarily through a Development Concept Plan, to enable the ongoing operation and growth of tourism activities at the Hobbiton Movie Set within an appropriate framework.

STATEMENT OF EVIDENCE OF BRIDGET MARY GILBERT

1. INTRODUCTION

Qualifications and experience

- 1.1 I am a Landscape Architect and Director of Bridget Gilbert Landscape Architecture Ltd, Auckland. I hold the qualifications of Bachelor of Horticulture from Massey University (1985) and a post graduate Diploma in Landscape Architecture from Lincoln College (1987). I am an associate of the Landscape Institute (UK) and a registered member of the New Zealand Institute of Landscape Architects.
- 1.2 I have practised as a Landscape Architect for over twenty-five years in both New Zealand and England. Upon my return to New Zealand, I worked with Boffa Miskell Ltd in their Auckland office for seven years. I have been operating my own practice for the last fourteen years, also in Auckland. I am currently a Panel member of the Auckland Urban Design Hearing Panel and an Independent Hearing Commissioner for Auckland Council.
- 1.3 During the course of my career, I have been involved in a wide range of projects. Of particular relevance to the current application, I have been involved in the conceptual design and/or landscape assessment of a range of tourism related plan changes and development proposals in rural settings, including:

- (a) Assisting Queenstown Lakes District Council with landscape advice as part of their District Plan review process in relation to policy for rural landscapes which includes the consideration of tourism (and visitor accommodation) development and infrastructure.
 - (b) The design and assessment of several winery and visitor accommodation developments on Waiheke Island.
 - (c) The review of tourism developments within the Waitomo District.
 - (d) The assessment of a small 'theme park' on the edge of Auckland.
- 1.4 Although this is a Council hearing I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state that I rely upon the evidence of another expert witness. I also confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions.
- 1.5 I confirm that I am familiar with the site and local area.
- 1.6 I have read the Officer's (s42A) Report, together with the following briefs of evidence prepared on behalf of Rings Scenic Tours Limited (**RSTL**):
- (a) Mr Michael Graham (landscape and visual); and
 - (b) Ms Stephen Bigwood (planning).

Background

- 1.7 I was engaged by Matamata-Piako District Council (**Council**) in March 2019 to review the plan change application documents.

Precinct 2

- 1.8 At that time, I advised Council that I agreed with the landscape related provisions for Precinct 2 (as per the notified extent). This is largely due to the visually discrete nature of the location.

Precinct 1

- 1.9 I expressed concern to Council that the provisions, as they were drafted then, enabled a level of development as a permitted activity within Precinct 1 that had the potential to generate adverse landscape and visual effects.
- 1.10 My preliminary advice to Council was that either:
- (a) the level of built development (i.e. 10% of the net site area; building height: 8m high) that RSTL were seeking should be provided for as a restricted discretionary activity (at a minimum) to enable Council to consider the landscape and visual effects of such development; or,
 - (b) the plan change should include a landscape plan that depicts the extent of vegetation to be retained and protected under the plan change, together with an appropriate level of mitigation planting around the edges of Precinct 1 to ensure that any future (permitted) built development will be appropriately integrated into the rural landscape setting.
- 1.11 I also made a number of more detailed recommendations with regard to the need for more specificity around the 'permitted building' and signage provisions to assist efficient plan administration.
- 1.12 I mentioned at the time the merits of including the Indicative Landscape Concept Plan included in the Landscape, Visual and Amenity Effects assessment, prepared by Mansergh Graham Landscape Architects, dated December 2017 (**MGLA Report**) that formed part of the application documents, as it was that specific level and arrangement of development that was supported by the MGLA Report.
- 1.13 My recommendations were relayed to RSTL and their experts. There followed a series of communications between myself and Mr Graham (and to a lesser degree, Mr Bigwood), regarding amendments to the provisions to address my landscape related concerns whilst balancing RSTL (understandable) objectives

to retain a degree of flexibility around the layout of future development given the plan change context.

- 1.14 The aim of discussions throughout was to achieve a solution that was agreed by myself and the RSTL landscape expert, or at the very least, narrow down the scope of our disagreement in advance of the hearing.
- 1.15 I also made my site visit during this timeframe which was instructive in focussing the resolution of landscape issues.
- 1.16 This 'process' culminated in my receipt of a revised set of provisions addressing my landscape related concerns and a Mitigation Plan on the afternoon of Friday 5 April from Mr Graham (**the 5 April 'Landscape' Provisions and Mitigation Plan**)
- 1.17 The 5 April Landscape Provisions are attached as **Appendix A**.

5 April 'Landscape' Provisions and Precinct 1 Mitigation Plan

- 1.18 I confirm that from a landscape perspective, the 5 April Landscape Provisions appropriately articulate the character, extent and scale of built development that can be successfully absorbed within Precinct 1 as a permitted activity (and assuming the retention of vegetation and implementation of new plantings set out in the Mitigation Plan).

Performance Standard 3: Visual Form and Appearance of New Buildings

- 1.19 In my opinion, the wording of Performance Standard 3: Visual Form and Appearance of New Buildings now provides adequate guidance to plan users as to what style and character of structure is likely to qualify as a permitted building i.e. a building that reflects the "rural vernacular established within the relevant Precinct". For both Precincts 1 and 2 there is a relatively consistent (and successful) architectural style evident on site that provides an obvious design cue to assist plan interpretation in this regard.
- 1.20 Sub sections (b), (c) and (d) provide more detailed guidance with respect to building forms and colours for Precinct 1 and reflect the character of existing (successful) buildings within Precinct 1.

Performance Standard 4: Landscaping

- 1.21 I confirm general support for the landscaping performance standard wording (subject to my comments with respect to the Mitigation Plan and Precinct 1 stormwater planting requirements outlined shortly).
- 1.22 The landscape performance standard now cross references to a plan that shows the location and extent of the framework planting that is required to ensure development at the level enabled by the plan change as a permitted activity will sit comfortably within the rural landscape setting.
- 1.23 The standard also helpfully references the scale and type of specimen tree species that are intended, drawing from the character of successful plantings (and transplantings) on the site.
- 1.24 The standard fairly acknowledges that some specimens may fail over time and signals the need for their replacement.

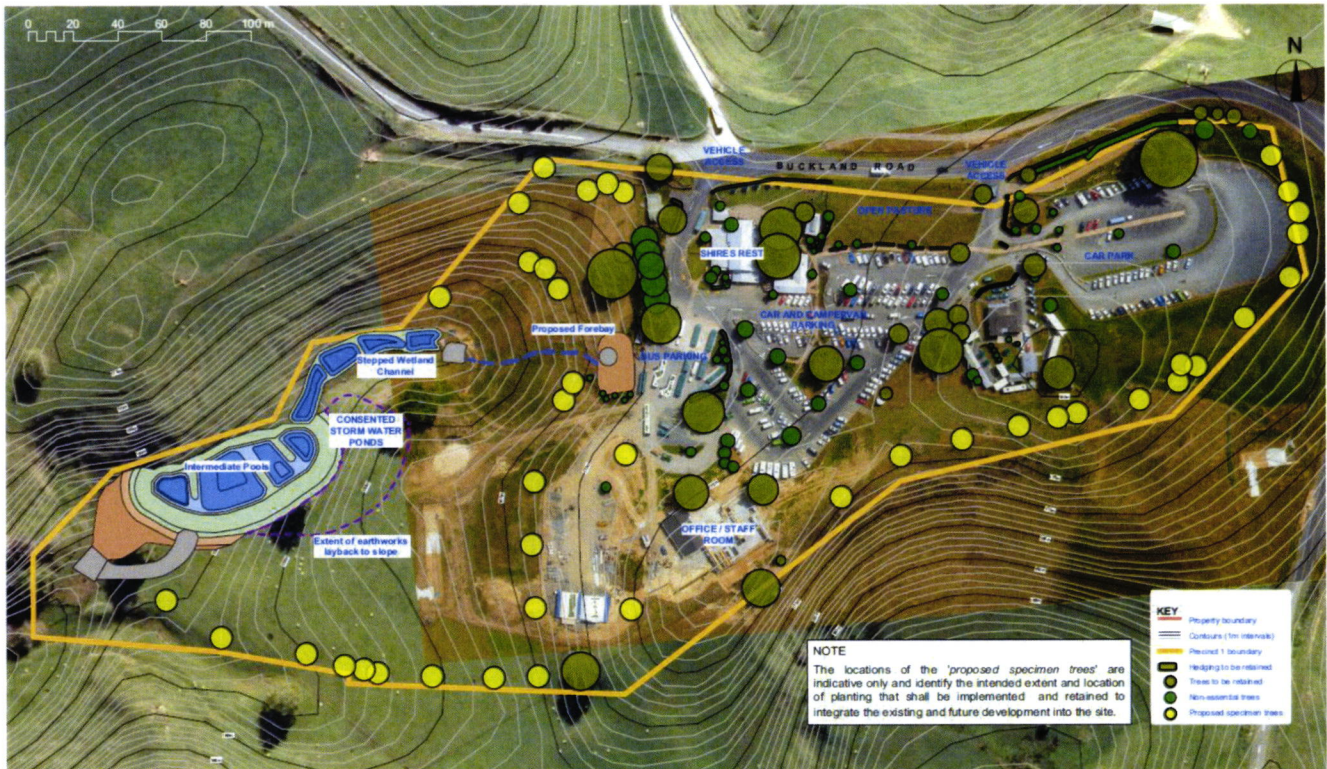
Performance Standard 12: Signage

- 1.25 I confirm support for the wording of this standard as it now:
 - (a) limits signage to within the precincts themselves; and
 - (b) restricts the extent of visibility of Precinct 1 signage to the portions of Buckland Road within 20m of the precinct.

Precinct 1 Mitigation Plan

- 1.26 As at the time of completing my statement (late Friday afternoon, 5 April), I have received a copy of an updated Mitigation Plan from Mr Graham, reproduced overleaf. It is my understanding that Mr Graham supports the extent of mitigation depicted in the 5 April Mitigation Plan.
- 1.27 This plan shows an increased extent of Precinct 1 to that evaluated by Mr Graham in his evidence in chief (and the MGLA Report).

1.28 I am advised that the extent of the precinct has been expanded to include the approved stormwater treatment areas to the western side. However, under the 10% building coverage rule, the increased 'curtilage' has the effect of increasing the (permitted) building coverage by approximately 2,000m² and encompasses a new 'greenfield' area located between the approved stormwater ponds and the carpark immediately west of the Office /Staff Room (currently under construction).



The purpose of this plan is to show the general intent of the design and may not be complete in every detail. The plan is not intended to be a construction drawing and should not be used as such.

HOBBITON ACCOMMODATION



Mitigation Plan

CLIENT | RINGS SCENIC TOURS LTD | PROJECT | 2019-011 | DATE | 01/04/2019 | REVISION | R5 | SCALE | 1:1500 @ A3

Plan No. C2

1.29 I consider that for this change to be acceptable from a landscape perspective, the following amendments will need to be made to the Precinct 1 Mitigation Plan and/or plan change provisions:

- (a) The incorporation of specimen tree and hedgerow planting along the Buckland Road frontage to the west of Precinct 1, to screen views from the road to the extended Precinct area. It is expected that this planting will need to be included with Precinct 1.

- (b) The incorporation in the plan provisions of a requirement for a minimum 10m width riparian planting margin around the Precinct 1 stormwater management devices, with the riparian planting comprising locally appropriate eco sourced native species at a density of 5,100 stems/ha (1.4m centres).¹ Such an outcome is consistent with land development best practice.

1.30 I also support the approach recommended by Mr Rademeyer that the stormwater management ponds are provided for within the Rural Buffer which would leave the extent of Precinct 1 as depicted in the notified version of the plan change.

Precinct 2

1.31 It should be noted that the notified extent of Precinct 2 differs to that shown in the evidence in chief of Mr Bigwood, with the latter being approximately 10ha larger in area, to accommodate wastewater treatment.

1.32 The extent of wastewater management areas is not depicted on Mr Bigwood's Precinct 2 plan and I note that the extent of the wastewater disposal fields illustrated in Mr Bigwood's evidence², does not match the increased extent of Precinct 2 that he supports.³

1.33 Further, Mr Graham's evidence in chief evaluates the effects associated with Precinct 2 assuming the notified (smaller) extent.

1.34 On this basis, clarification at the hearing will be required to determine the actual extent of Precinct 2 that is being sought in the plan change.

1.35 Whilst wastewater dripper irrigation fields are unlikely to be problematic from a landscape perspective, in the absence of clear identification of the extent of the wastewater disposal area on the Precinct 2 plan, there may be unintended effects enabled by the plan change as a result of buildings being located in these areas.

1.36 For this reason, I consider that if an increased area is required to accommodate wastewater management, the extent of that area should be identified on the

¹ Planting standards sourced from AUP:OP Native restoration planting standards.

² Refer S Bigwood: EIC Attachment C (Ormiston Plan 4223-4).

³ Ibid: Attachment A: Sheet 3 of 6.

Precinct 2 plan to provide some certainty as to where buildings will definitely not be going (bearing in mind that there is no building coverage control applying in Precinct 2).

- 1.37 Given that Mr Graham's evidence does not include an evaluation of the landscape effects associated with the increased extent of Precinct 2, I consider that one way to resolve this issue would be to annotate the Precinct 2 Development Concept Plan to show all of the 'new' Precinct 2 area as "For wastewater management purposes only". This would provide certainty that the landscape effects associated with this change have been adequately assessed.
- 1.38 If however RSTL prefer not to delineate the extent of the wastewater disposal fields on the Precinct 2 plan, I consider that they will need to provide new landscape evidence addressing what, if any, adverse landscape effects are associated with this change in the extent of Precinct 2. (NB Mr Graham was unable to provide detailed contour information for this area prior to the completion of this statement of evidence.)
- 1.39 Further, I support the recommendation of Mr Rademeyer that the wastewater management area is retained in the Rural Buffer which would leave the extent of Precinct 2 as depicted in the notified version of the plan change.

2. **CONCLUSION**

- 2.1 In conclusion, I consider that further information is required to confirm that the proposed Hobbiton plan change provisions are appropriate from a landscape perspective. In particular:
 - (a) The incorporation of specimen tree and hedgerow planting along the Buckland Road frontage to the west of Precinct 1, to screen views from the road to the extended Precinct area.
 - (b) The incorporation in the plan provisions of a requirement for a minimum 10m width riparian planting margin around the stormwater management devices, with the riparian planting comprising locally appropriate eco sourced native species, at a density of 5,100 stems/ha (1.4m centres).
 - (c) Clarification of the extent of Precinct 2 that is being sought.

- (d) Identification of all of the 'new' Precinct 2 area (supported by Mr Bigwood) as "For wastewater management purposes only" on the Development Concept Plan; or
 - (e) In the absence of identification of the wastewater area on the Precinct 2 plan (and assuming the area is to be increased), an evaluation of the landscape effects associated with the increase in the extent of Precinct 2 (supported by Mr Bigwood).
- 2.2 I support the approach recommended by Mr Rademeyer that the stormwater and wastewater management areas are retained in the Rural Buffer which would leave the extent of Precincts 1 and 2 as depicted in the notified version of the plan change.
- 2.3 Unfortunately, I am unable to attend the hearing on Monday 8 April or Tuesday 9 April due to a previous commitment in the Environment Court in Queenstown. I will however be available by phone (021 661650) to answer any questions from the Panel during the following times:
- Monday 8 April: after 4pm.
- Tuesday 9 April: before 9.45am.
- 2.4 Should the Panel prefer to direct an adjournment of the hearing, I will be available in the week commencing Tuesday 23 April (i.e. after the Easter break).



Bridget Gilbert

7 April 2019

Appendix A: 5 April 'Landscape' Provisions and Mitigation Plan

1.1 PERFORMANCE STANDARDS FOR PERMITTED ACTIVITIES
IN PRECINCTS 1 AND 2

3. Visual Form and Appearance of New Buildings	<p>a) Any new buildings shall either reflect the rural vernacular established within the relevant Precinct, being simple in form and appearance and/ or be reflective of the fantasy rural architectural character expressed in existing developments located in Precinct 2.</p> <p>b) Where responding to the rural vernacular the following shall apply:</p> <p>i Roofs shall be gable in form only (no hiproofs) and shall have a pitch of between 20 – 45 degrees.</p> <p>ii Flat connections between building forms are permitted but shall not exceed 25% of the roof form.</p> <p>iii Lean to roofs are to have a maximum mono pitch roof of 8 degrees.</p> <p>iv Wall claddings shall be continuous. While changes may occur at a recess or visible break point, walls must be in one cladding form with no changes over the wall surface.</p> <p>v Wall materials shall be one of the following; timber weather board, Timber board and batten, weather board cladding system (similar to Linea), corrugated iron, tray steel, concrete or plaster masonry.</p> <p>c) If painted, the exterior colour of buildings and structures within Precinct 1 shall be restricted to natural, visually recessive colours and/or colours that do not contrast with surrounding natural colours so that buildings do not appear incongruent with the surrounding rural landscape. The following colours, from the BSS 5252 colour range or equivalent, meet the requirements of this DCP Performance Standard:</p>						
	<table><tr><td>Group A</td><td>00A01 - A13 inclusive, 02A03, 02A07, 02A11, 06A03, 06A07, 06A11, 08A14, 10A03 - A11 inclusive 16A03, 16A07, 16A11, 18A14</td></tr><tr><td>Group B</td><td>04B19 - B29 inclusive, 08B17 - B29 inclusive, 10B17 - B29 inclusive, 12B17 - B29 inclusive, 18B17 - B29 inclusive, 22B27, 22B29</td></tr><tr><td>Group C</td><td>06C37 - C40 inclusive, 08C37 - C40 inclusive, 10C37, 10C39, 12 C37 - C40 inclusive, 14 C37 - C40 inclusive. 16 C37 - C40</td></tr></table>	Group A	00A01 - A13 inclusive, 02A03, 02A07, 02A11, 06A03, 06A07, 06A11, 08A14, 10A03 - A11 inclusive 16A03, 16A07, 16A11, 18A14	Group B	04B19 - B29 inclusive, 08B17 - B29 inclusive, 10B17 - B29 inclusive, 12B17 - B29 inclusive, 18B17 - B29 inclusive, 22B27, 22B29	Group C	06C37 - C40 inclusive, 08C37 - C40 inclusive, 10C37, 10C39, 12 C37 - C40 inclusive, 14 C37 - C40 inclusive. 16 C37 - C40
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Group C	06C37 - C40 inclusive, 08C37 - C40 inclusive, 10C37, 10C39, 12 C37 - C40 inclusive, 14 C37 - C40 inclusive. 16 C37 - C40						

	<div style="border: 1px solid black; padding: 2px; display: inline-block;">inclusive, 18 C37 - C40 inclusive</div> <p>d) No buildings or structures within Precinct 1 shall have mirrored glazing.</p> <p>e) Where responding to the fantasy vernacular they shall appear similar to the existing rural fantasy buildings contained in Precinct 2 .</p>
4. Landscaping	<p>a) Within Precinct 1, existing specimen trees and hedging as identified on <i>C2 Mitigation Plan(dated 01/04/2019)</i> as 'to be retained' shall be retained.</p> <p>b) Further development in Precinct 1 shall require the planting of the proposed specimen trees in the locations indicated on <i>C2 Mitigation Plan(dated 01/04/2019)</i> around the Precinct to provide general screening. Proposed specimen trees refer to species that are either <i>Platanus orientalis</i>, <i>Quercus sp.</i>, <i>Liquidamber sp.</i>, or species of a similar scale and growth.</p> <p>c) Should any specimen tree or hedge plant, that is required to be retained, die, or become diseased or damaged such that it is no longer able to provide its mitigation function, it shall be replaced with a specimen of the same species. Replacement shall occur within the first planting season after the loss of the mitigation function is identified.</p> <p>d) Soft Landscaping (plants) around all new buildings shall extend a minimum of two metres beyond the building envelope on at least three sides of the building and shall comprise grasses, shrubs and/or groundcovers.</p> <p>e) All planting shall be implemented within the first planting season (March to May or September to November) after any buildings and associated site works are completed. Advice Note: Works in close proximity to all electric lines can be dangerous. Compliance with the NZECP 34 is mandatory for buildings, earthworks and mobile plant within close proximity to all electric lines.</p> <p>Advice Note: Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss works, including tree planting, near electrical lines, especially within 20m of those lines, contact the line operator.</p>
12. Signage	<p>a) The following signs related to permitted activities established within Precincts 1 and 2 for the advertisement or identification of the established permitted activities. These signs shall be located within the identified Precincts :</p> <p>i) Signs attached to or forming part of a building: a maximum total area of 16m² for Precincts 1 and 2 combined.</p>

	<p>ii) Free standing signs: a maximum total area of 16m² for Precincts 1 and 2 combined.</p> <p>a) Free standing signs within Precinct 1 shall only be visible external to the precinct from Bucklands Road, where the road runs adjacent to the northern boundary of the Precinct and 20 metres beyond.</p> <p>b) For the avoidance of doubt: there are no controls on signage only internally visible to the Hobbiton DCP area or for signs whose sole purpose is to direct traffic within a Precinct.</p> <p>c) Health and Safety signs to meet legislative requirements: no size maximum.</p> <p>d) The size of letters on signs directed at passing traffic on Buckland Road shall have a minimum height standard of 150mm.</p> <p>e) Directional signs on local roads and state highways may be erected for Hobbiton Movie Set provided that the written consent of the Matamata-Piako District Council or NZ Transport Agency respectively is obtained. Directional signs erected under this Performance Standard shall not be subject to the DCP Signage Performance Standards 1.1.12 a), b), c) and d) above.</p>
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Add Mitigation plan from MGLA