

Submission to the Waikato District Council Proposed District Plan.

Submission by the NZ National Fieldays Society Inc.

125 Mystery Creek Road

Hamilton.

1. Submitting Organisation

Name: New Zealand National Fieldays Society Incorporated (213424)

Registered Office: 2/125 Mystery Creek Road
Rukuhia
Hamilton

Background of submitting organisation:

The New Zealand National Fieldays Society Inc (**Society**) is an incorporated Society and a registered Charity whose registered office is situated at 125 Mystery Creek Road, Hamilton NZ. The Society operates within the Waipa District Council's territorial boundaries.

The Society is a member-based organisation governed by an independent board and operated by 35 fulltime staff along with 350 volunteers and contractors. We take great pride in our contribution to the community and the economy of the Waikato and New Zealand.

The Society owns and operates the events facility known as the Mystery Creek Events Centre (**MCEC**), which comprises 114ha of freehold land and Buildings along with associated event related infrastructure. The Society purchased this land, initially in 1971 with further additions of land over the years bringing it to its current footprint and size of 114ha. Please refer to Appendix A.

The Society owns the event brands such as Fieldays, Equidays and THE Expo and operates many other events (owned and non-owned) from the MCEC event platform.

The Society runs the world-renowned event known as Fieldays annually in June. This event alone is reported to contribute \$538,000,000 annually to the NZ economy, \$171,000,000 to the Waikato economy and is estimated to contribute to over 2,500 equivalent fulltime jobs. MCEC also exhibits other non-owned events of national significance being Baptist Easter Camp and Festival One (formally Parachute) which attracts youth from around NZ.

As a registered Charity, the Society also makes considerable contribution to the community through sponsorships and donations.

The Society has operated its business for 48 years from the MCEC site. It operates major events with minimal impact on the residents. Indirect impacts on residents surrounding the site are also carefully managed. The Society accomplishes this by implementing stringent noise control, traffic management and other measures to mitigate potential impact on nearby residents and surrounding businesses.

The MCEC location is very close to existing operations, such as Waikato Airport, Hamilton Go Kart Track and the Waikato Pistol Club. These neighbouring properties also operate their relative businesses with little fuss and impact and we all happily cohabitate in close proximity.

Periodically, the Society hosts the residents of all neighbouring properties (commercial or residential), comprising Mystery Creek Road, Kaipaki Road, Angus Road, Mellow Road, SH21 (Titanium Park residents), Lochiel Road, all of which are in the Waipa District territorial authority. We also invite residents from Pencarrow Road, TeAwa Lane, TeAwa Road, Markavin Lane, all of which are in the Waikato Territorial Authority. The purpose of the neighbour functions and newsletters are to update the residents on what events are coming up, what activities the Society is doing and they provide an open forum for feedback from our neighbours. The Society often has around 100 residents attend the functions. Good neighbourly relationships have been a valuable investment over the past 48 years of operation at Mystery Creek.

2. Submission Hearing

We wish to be heard in support of this submission.

3. Provision number

Rules, Chapter 22: Rural Zone, 22.2 Land Use – Effects, 22.2.1: Noise

Rules, Chapter 23: Country Living Zone, 23.2 Land Use – Effects, 23.2.1: Noise

4. The decision we would like is:

Modification of the noise rules set out in the above provisions and any zoning adjustments as required to introduce provisions in alignment with the Waipa District Council's operative District Plan as set out and discussed below.

5. Our reasons for the above are:

As set out below.

6. Submissions regarding alignment with the Waipa District Plan

6.1 Waipa District Plan

The Mystery Creek Event Zone is identified as a specific zone in the operative Waipa District Plan. This is the area shaded in yellow on the map attached as Appendix B. The Waipa District Plan also specifies a noise contour specific to the Mystery Creek Events Centre, which is the area within the green line shown on the map attached as Appendix B. This noise contour appears as a semicircle within the Waipa District, with the balance of that circle logically being located within the Waikato District.

Careful restrictions are placed on noise and event activity within the Waipa's District Plan's Mystery Creek Events Zone and the Mystery Creek Noise Contour, including limits on the number of events per year. The agreed activities allow for the business to operate within agreed tolerances and types of activities which are fair and reasonable to the Society's designated business.

The main basis of the noise controls is the Mystery Creek Noise Contour which extends across the event platform and stops at the centreline of the Waikato river adjacent to the Eastern boundary of the MCEC events zone (see Appendix B). This overlay incorporates the

majority of the land owned or leased by the Society and operated as our event platform. The rules covering noise and other associated event activities are adhered to by the Society.

6.2 Environment Court – Consent Order (Issued 28 July 1997)

Appendix C comprises a copy of the Environment Court Consent Order dated 28th July 1997 issued by the Environment Court by Judge DFG Sheppard. That order was a result of a proceeding between PM & WR Lang, The Waikato District Council, Waipa District Council and New Zealand National Fieldays Society Inc in relation to the proposed Waipa District Plan in 1996.

The Consent Order was a result of a memorandum of counsel for all of the parties, including the Waikato District Council, jointly approving the introduction of noise rules. A copy of this memorandum is attached as Appendix D.

The Consent Order not only contemplated the introduction of noise provisions in the Waipa District Plan, but also contemplated the introduction of similar provision in the Waikato District Plan. These were to apply to the areas within the Waikato District on the other side of the Waikato River opposite the Mystery Creek Events Centre. Those provisions contemplated approved decibel levels of between 40 dBA and 50 dBA during scheduled times and on Activity Days approved decibel levels of between 40 dBA and 55 dBA during scheduled times (paragraphs 5 and 7).

While these rules were incorporated in the Waipa District Plan following the Consent Order, they were not incorporated in the Waikato District Plan, which we believe to be an omission. This omission may well continue to create future confusion for both Waikato District Council officials and residents of the Waikato District Council territory.

The Society considers that the Waikato District Council's agreement to introduce noise provisions as set out in the Memorandum and Consent Order should be implemented by incorporating such provisions in the current proposed Waikato District Plan.

6.3 Noise Contour Zone

Since the Consent Order was issued by the Environment Court, there have been further changes to the Waipa District Plan, including the introduction of the Mystery Creek Noise Contour, as described above. As mentioned, that Noise Contour stops dead at the boundary between the Waipa and Waikato Districts. However, it is logical that such a Noise Contour should not stop dead at that point.

The residents within this logical contour line within the Waikato District have been happily residing there for 48 years without any major issue and the Society continues to engage with its neighbours to ensure any issues are avoided or otherwise dealt with.

Given the Waikato District Council's general agreement on the introduction of noise provisions pursuant to the Memorandum and Consent order described above, the Society

believes that a Noise Contour should be created within the Waikato District, aligning with the Noise Contour within the Waipa District.

In addition to the creation of the Noise Contour within the Waikato District, it is also logical that the rules in the current Waipa District Plan and replicated in the Waikato District Plan. A copy of these current rules are attached at Appendix E.

The inclusion of this zone would allow the Mystery Creek Events Centre's outer noise zone to be complete to the eastern side of the Waikato River and correctly cover those residents/businesses that have been already captured within the area we feel has been omitted from the Waikato District Plan to date. Appendix F is an example map of an appropriate noise contour.

The Society has enjoyed minimal adverse feedback during its 48 years of operation at the Mystery Creek Events Centre from any resident within its surrounds on either side of the Waikato River, including those residential properties and any commercial or business properties not shown within the proposed noise contour. Any feedback we have received has been dealt with quickly and to the resident's satisfaction. The Society already takes dBA measurement readings during its events to ensure it is complying with the noise restrictions. The Society's measurements are taken during events within the Waikato District Council boundary in the Te Awa Road, Blue Heron Place, Te Awa Lane, Markevin Lane area to ensure that the measurements are under the reasonable levels set out above.

7. Summary

The Society do not consider we are seeking anything that would have a new effect on those parties within the affected area of the Waikato District. Rather, we are merely requesting that the Council's previous agreements and the related omission from the Waikato District Plan be rectified to ensure clarity, correctness and consistency with the Waipa District Council District Plan.

The Society have been operating on the current site, with little or managed impact on surrounding residents. It is not envisaged that the outcomes from this submission would create any change to residents within the proposed Noise Contour.

The Society would like to present this submission and answer questions in regard to this matter.

Appendices:

- A. Mystery Creek Events Centre Map
- B. Waipa District Council Planning Maps
- C. Environment Court consent order dated 28th July 1997
- D. Memorandum of Counsel
- E. Section 9, Waipa District Plan Rules for Mystery Creek Events Zone
- F. Example contour map