

**SUBMISSION ON THE YALDHURST RECREATION AND SPORTS FACILITY – SECTION 71
PROPOSAL**

Section 68 of the Greater Christchurch Regeneration Act 2016

To: Greater Christchurch Group

Department of the Prime Minister and Cabinet
Private Bag 4999
Christchurch 8140

By email: info.gcg@dpmc.govt.nz

NAME OF SUBMITTER:

1. s9(2)(a)
- Address: c/- Lane Neave
PO Box 2331,
Christchurch 8140
- Contact: s9(2)(a)
- Telephone: 03 379 3720
- Email: s9(2)(a)

PROPOSAL THAT THIS SUBMISSION RELATES TO:

2. This is a submission on a proposal to exercise the power under section 71 of the Greater Christchurch Regeneration Act 2016 to amend the Canterbury Regional Policy Statement and the Christchurch District Plan to rezone 466-482 Yaldhurst Road, Christchurch (**Yaldhurst Recreation and Sports Facility**) to Open Space Metropolitan Facilities Zone (**Proposal**).

SUBMISSION:

3. s9(2)(a) who owns the property at s9(2)(a) where he lives s9(2)(a) and has done so for s9(2)(a).
4. s9(2)(a) property adjoins the Yaldhurst Recreation and Sports Facility operated by Canterbury Sports Limited.
5. The Yaldhurst Recreation and Sports Facility was established by way of resource consent in November 2014. s9(2)(a) was a submitter on that resource consent and was involved in the hearing.
6. s9(2)(a) was also an original submitter on the recent Christchurch District Plan Review and also a further submitter on the submission by Canterbury Sports Limited which sought rules to enable greater development of the Yaldhurst Recreation and Sports Facility site. Through the District Plan Review process, controls were put in place to appropriately control the scale of development on the site and mitigate the effects on s9(2)(a) as a neighbouring land owner.
7. Overall, s9(2)(a) does not agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable the further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility.
8. He considers the exercise of those powers is unreasonable and inappropriate in these circumstances given the development of the site was so recently addressed as part of the District

lane neave.

Plan Review. The provisions that resulted from the District Plan review were a complete package of provisions designed to address the effects on surrounding landowners and each component including the limits on building coverage and individual building footprints were an important aspect. This Proposal now erodes those protections that were hard fought through a public participatory process.

9. He considers any changes to the CRPS and District Plan should occur through the processes available under the Resource Management Act 1991 which provide opportunities for public participation rather than the exclusionary process provided under the Regeneration Act.
10. Furthermore, s9(2)(a) has not been consulted as part of this Proposal despite having a legitimate expectation he would be as he was advised by the Christchurch City Council that he would be consulted prior to the Proposal being lodged with the Department of Prime Minister and Cabinet. As such the statement in the Proposal that *“earlier communication with the neighbouring property owners has already provided them with an early opportunity to comment on the proposal, with their feedback having been taken into account in the drafting of the proposal”* is incorrect at least in relation to s9(2)(a).
11. The Proposal does not provide any discussion on the effects on neighbouring landowners of the Proposal and the focus of any mitigating amendments appears to be designed to address the increased effects when viewed from the road frontage rather than surrounding properties.
12. s9(2)(a) is concerned the Proposal has the potential to significantly further impact on the semi-rural character of the area and his and his family’s amenity (including the enjoyment of their home and outside areas) by significantly increasing the scale and type of permitted development beyond that currently provided for in the District Plan. His family’s amenity has already been affected by the existing development and concerns have been raised with the Council regarding noise and breaches of the hours of use.
13. In the event the Minister exercises her powers under section 71 and in order to partially address the effects of increased scale on rural character and the amenity of s9(2)(a), it is requested that the internal boundary building setback is increased from 20m to 30m as it adjoins Area 2. It is requested that the landscaping setback also be increased from 15m to 25m to match the increased building setback along those boundaries. For the avoidance of doubt, this setback should not be used for parking and should be planted in accordance with the internal boundary landscaping standards set out in *Appendix 18.1.1.4(b) additional activity specific standards B – Landscaping standards – all other areas other than parking areas* subject to the amendment outlined below.
14. s9(2)(a) also opposes the amendment to the landscaping standards for internal boundaries in *Appendix 18.1.1.4(b) additional activity specific standards B – Landscaping standards – all other areas other than parking areas*, which the Proposal does not specifically address or draw the readers’ attention to. The Proposal seeks to reduce the amount of planting provided for in the District Plan by adding an exception to the landscaping required where there are existing shelterbelts. As there are shelterbelts along most of the internal boundaries, this will have the effect of significantly reducing amenity and the mitigation provided by the landscaping which was intended to be additional to that provided by the shelterbelts and was agreed by as part of the District Plan Review. It is requested that the words *“Except where there are existing boundary shelterbelts”* are deleted from sub clause 2.

DECISIONS SOUGHT BY s9(2)(a)

15. s9(2)(a) respectfully seeks the following decisions from the Minister. That:
 - (a) the Minister declines to exercise the section 71 powers under the Regeneration Act; or
 - (b) in the event the Minister decides to exercise the powers under section 71, a decision which s9(2)(a) would not accept as being reasonable or lawful, that the following amendments are made to the amended District Plan provisions contained in the Proposal:

- (I) Amend Rule 18.5.2.2 (a)(v) to increase the internal boundary setback to 30m as it adjoins Area 2 and the Development Plan in Appendix 18.11.4(a) is amended to reflect this;
- (II) Amend the landscaping setback on the Development Plan in Appendix 18.1.1.4(a) to increase the landscaping setback to 25m as it adjoins Area 2;
- (III) Amend Appendix 18.1.1.4(b) additional activity specific standards A – Car parking areas – layout and landscaping standards to add the following new sub clause: “*There shall be no car parking areas within 30m of internal boundaries with Area 2*”; and
- (IV) Delete the words “*Except where there are existing boundary shelterbelts*” from sub clause 2 of Appendix 18.1.1.4(b) additional activity specific standards B – Landscaping standards – all other areas other than parking areas.

s9(2)(a) [redacted] by his

Solicitors and authorised agents **LANE NEAVE**

Per:



s9(2)(a) [redacted]

Date: 5 November 2018

Released under the Official Information Act 1982

Yaldhurst Recreation and Sports Facility

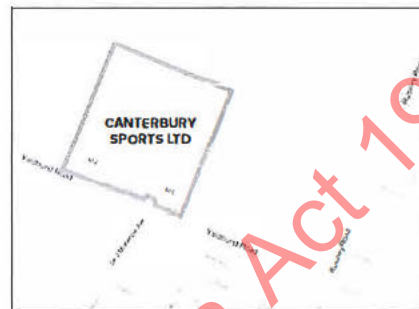
Section 71 Proposal

Overview

Proposal to exercise the power under section 71 of the Greater Christchurch Regeneration Act 2016 to amend the Canterbury Regional Policy Statement and the Christchurch District Plan to rezone 466-482 Yaldhurst Road, Christchurch, to Open Space Metropolitan Facilities Zone (referred to as the Proposal throughout this form).

Canterbury Sports Limited (CSL), a private company, has had a football venue at 466 482 Yaldhurst Road since 2015 (shown on the map and known as the Christchurch Football Centre). The venue includes two full size artificial pitches, a full size natural turf pitch, clubroom and a grandstand.

CSL initiated a project last year to further develop the sports and recreation facilities at the Yaldhurst Road site and create a sports hub for a variety of sports codes.



However, to enable this development to happen there would need to be certain policy and land zoning changes to the Canterbury Regional Policy Statement and Christchurch District Plan.

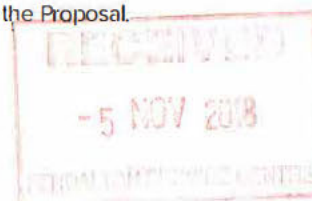
The Proposal, prepared by Christchurch City Council, is about using section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary changes to the Canterbury Regional Policy Statement and Christchurch District Plan.

Using section 71 would enable these changes to be made in a single process instead of two. This would be more efficient than making the changes using other planning processes such as those in the Resource Management Act 1991.

The proposed development would contribute to the regeneration of sport and recreation in greater Christchurch by providing facilities to replace some of those lost or damaged in the Canterbury earthquakes and also by catering for an identified additional demand.

The Minister acting for the Minister for Greater Christchurch Regeneration (the Minister) publicly notified the Proposal on Saturday 6 October 2018 and invited people to give their views in writing on the Proposal by **5pm, Monday, 5 November 2018**.

All written submissions will be considered and will help the Minister decide whether to approve the Proposal.



Freepost Authority GCG



Section 71 Proposal: Yaldhurst Sports Facility
Freepost GCG
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

Your ref Section 71 Proposal:Yaldhurst Sports Facility
Our ref Submission Letter 1
Click here to enter text (or use single space if not reqd).

Hon. Nanaia Mahuta
Minister acting for the Minister for Greater Christchurch
Regeneration
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

Denyse Rowland
522 Yaldhurst Road
Yaldhurst, Canterbury 7676
New Zealand
t +64 3 342 3222
e robbieanddenyse@gmail.com

2 November 2018

Dear Hon Nanaia Mahuta

**Submission to 466-482 Yaldhurst Road Planning Application- from Property Owners
at s9(2)(a)**

Thank you for the opportunity to provide a submission for your consideration in the determination to re-zone the property at 466-482 Yaldhurst Road.

My name is s9(2)(a) and I am writing this submission on-behalf of s9(2)(a) lives immediately adjacent to the proposed private development. Though we feel very disappointed and let down by the Christchurch City Council we continue to look for an opportunity to constructively engage in the process to find an appropriate and reasonable outcome for all parties, including the broader Christchurch City community who will benefit. Though it may seem like a simple request it would make a world of difference to us for you to insist the Christchurch City Council meaningfully engage with us in person, it would mean that we are respected and valued and not just seen as another annoying member of the public.

Since finding out via the local newspaper about the Council's desire to 'fast track' proposed major private construction next door, and then through the letterbox three days later by your department, it has created undue stress and anxiety for s9(2)(a) I honestly believe that had the City Council sent out experienced senior planning managers to visit s9(2)(a) and neighbours early on it could have saved us a lot of anguish. We could have worked through our issues and concerns that have arisen from the first stage which has been an unpleasant experience and then fully understood the next phases better. Instead they have chosen to bring in yourself by way of the Greater Christchurch Regeneration Act (2016), something that I understood was intended to assist with the earthquake recovery after the devastating earthquake in 2011 not the rezoning of a private developers land 7 years later in 2018. I struggle to understand why Council will not go through the proper planning process, we very much feel we are being bullied – to use an analogy 'they are using a sledge hammer to hit in a nail'. To present such well-developed proposal with 'support' from Government agencies I can only assume that the private developer has had considerable access to senior government officers, again I struggle to understand why they have such a limited consultation period, they have not provided the appropriate planning documents online, why we were not engaged earlier (only finding out via the newspaper) and we have not been afforded at least one hour of the Council's? At

the end of the day this is a massive private development on a rural parcel, as described by the City Council 'a high trip attractor'. Regenerate Christchurch often states that they consider that the adverse effects on neighbours have been considered, however I am not sure how they have concluded this when we have never been directly engaged in person? Lastly, I find it a bit disingenuous for government documents to be sent out under the banner of 'Yaldhurst Recreation & Sports Facility' when the facility incorporates retail and a function facility.

s9(2)(a) [redacted], as the place we would ultimately retire in a rural setting. I think it's important to highlight that we are working class people who have worked extremely hard to establish our home. s9(2)(a) [redacted]

[redacted] Our property is our retirement and security – therefore impact on it will noticeably affect our quality of life. I make the point above not for sympathy but more to highlight that while the proposed facility over our back fence is likely to have benefits to the people of Christchurch; the cost and impacts are being borne by one family who has followed the rules and invested their lives based on the planning rules established by the City of Christchurch.

The main reason for selecting our property was s9(2)(a) [redacted]

I acknowledge that we have not always been a 'NIMBY' towards this project. When the company first purchased our neighbours farm they meet with us face to face to sell their vision of providing an area for kids to train and play football. When I saw the relatively small scale of the original development, the proposed mitigation measures and how far it was going to be situated from our boundary I did not voice opposition. However, it became apparent very soon after this 'original discussion' Stage 1 was essentially a 'Trojan Horse' to building a full scale sport and fitness complex. As Local Government and Central Government officers have now been captured by the developer we suspect this is not the end of the development. We have come to the realisation this is going to be death by a thousand cuts with talks of accommodation on-site, alcohol licences, major functions and the installation of speakers / sirens. I hope you can understand why we are so disappointed as we have been sold a lie by the company, and that the institutions that are in place to ensure a fair and transparent process have fallen silent.

I am not planning or technical expert but have done my best to review the openly available documents to us and make the following request for either consideration or changes to the proposal. Should you have any questions please feel free to contact me at 03 s9(2)(a) [redacted]

Request for Consideration / Changes

I do highlight we have made a request for the following documents to consider, but they have not been made available by the Christchurch City Council:

- Appendix 1 – Integrated Transport Assessment
- Appendix 2 – Landscape, Visual and Urban design Impacts Assessment
- Appendix 3 – Review of Water and Wastewater Capacity
- Appendix 4 – CRPS Amendments Options Analysis, and Statutory Policy
- Assessment

Planning Permit Conditions

- Unfortunately Council officers have demonstrated a conflict of interests towards the developers' interests over the adjoining residents, and have failed to ensure the development has meet appropriate controls to date. Therefore, we request that the Ministers office remains involved in the process to ensure that the permit conditions are met and adhered. We would like an annual review by government that highlights how the site has meet their planning objectives.

Road Safety / Access / Transport

- In review of Regenerate Christchurch's submission – we strongly disagree with their position to continually to water down a number of planning requirements, such as the requirement to do an Integrated Transport Plan (ITP). We think it is important to do such as plan and make available to the community. The site is located in an area that has no public transport, no footpaths and is on a high speed high volume arterial road. With up to 3,000 people potentially being on-site it is appropriate and prudent to understand the effects that may have on the transport network. We have made some further specific commentary:
 - Due to high growth in the area compounded by the sports complex Yaldhurst Road i.e. State Highway 73 is no longer fit for its original intended purpose. We would ask that the ITP incorporates significant safety improvements along Yaldhurst Road between Russley Road and Pound Road. We request that NZTA commission an independent Safe Systems Road Assessment and Road Safety Audit to input into the ITP.
 - At a minimum the speed limit along State Highway 73 between Russley Road and the start of the Yaldhurst Township (west approach) should be reduced to 70 km/h. We would also expect to see an increase in street lighting, and reflective road markers along the road.
 - All parking needs to be banned west of Russley Road along Yaldhurst Road (both sides), to prevent anyone who is visiting the complex from parking on the road. This is to prevent accidents either from pedestrians running across the road or u-turning vehicles. We would like to this ban extended along Russley Road (southbound) and Ryans Road (both sides). We have witnessed a number of incidents that could lead to a serious injury or worse a fatality. See map in Attachment 1.
 - As the location of the proposed complex is being built in a rural area there is a lack of infrastructure in place to support. We expect at a minimum a

shared user path (minimum 3.5m) to be built along the south side of Yaldhurst Road. We would expect Council / NZTA to at a minimum have a gravel path from the complex to Yaldhurst Township linking to the shared path. See map in Attachment 1.

- New bus stops should be installed at the intersections of Russley Road and Yaldhurst Road to encourage people visiting the site to use public transport. See map in Attachment 1. We would also like to take the opportunity to highlight that the Christchurch City Council and Environment Canterbury should start giving consideration how they will provide appropriate public transport to the site within 400-500m for young adults.

Sub-division of Land

- As highlighted by Regenerate Christchurch there is an *'anticipated shift in the nature and character of the site'* away from a rural setting. With the proposed complex changing the nature of the area and theoretically shifting the urban boundary of Christchurch westwards we request that the Minister makes a recommendation to enable our property to be subdivided in the future. We request this as it will allow us to live in our home in the short term but provide us the security to build a new home further away from the sports complex. The existing property would then become a buffer and be sold to a buyer who is fully aware of the activities within the neighbour's site.
- I do want to highlight that we have not sought compensation or requested our property to be purchased from the Council or the private developer though the value of our property has been significantly impacted. Rather we seek to find a workable solution for all parties. We believe that part of the solution is to alleviate our fears and issues with the ongoing development of the site next door by enabling us the opportunity to re-build our home. This could be through subdividing our property into s9(2)(a) blocks. This is easily achievable and consistent with other properties in the area as our landholding has s9(2)(a)
- I do note that the planning report highlights a possible future road connection through to Ryans Road – s9(2)(a)

Acoustics & Lighting

- The acoustic measures that were installed are not fit for purpose – they were installed cheaply and do not mitigate the noise impacts. We would request that an independent acoustic study is undertaken to restore noise to what is expected of a rural setting. We would like to be consulted on the height and visual elements of the fence before remedial works are undertaken. The materials used in the noise attenuation should fit with the local environment, such as wood, not a high tin fence. Please see photos in Attachment 3.
- s9(2)(a)

Landscaping & Environment

- Since the erection of the current metal fence around the site – s9(2)(a) [redacted] It is now in a complete mess overgrown with gorse and weeds. We have witnessed a decline in the local bird population that rely on the creek for their habitat as they are restricted from foraging on land that was previously there food source. We request that the Minister require the developer to put in a strategy for managing the creek habitat and enable the local bird population to thrive.
- The barrier wall that was erected around the development site is barren and intrusive, we request that an appropriate landscape plan is developed and implemented in accordance with best practice. We would like to be consulted on the landscape plan and input into it, that way we can coordinate our own efforts through plantings and landscaping on our property to mitigate the effects. Please see photos in Attachment 3.
- We believe the setbacks are appropriate and that they should be appropriately landscaped and maintained – not what they are currently doing just leaving a jungle that has reduced bird and wildlife habitat. Please see photos in Attachment 3.

Public Access

- As this site is being promoted as a 'public facility', especially through the consultation documentation sent out, we request the Minister takes the appropriate action to ensure public access to the facility.
- As the site essentially represents an extension of the Christchurch urban boundary, we request that the Minister makes provision that the developer needs to allow for pedestrian access s9(2)(a) [redacted] This would enable us and potentially our neighbours to access the community facilities.

Hours of Operation & Uses

- The proposed facility is an intensive land-use, with up to 3,000 people being on site at once. Therefore, it is appropriate to put conditions on the site for its operation and use to manage the impacts on the local community.
- We fully oppose any serving of liquor on the site. We would hope the Council would support this position especially in regards to the mixing of young children and alcohol.
- The sole purpose of the site is a sports and fitness facility, therefore any activities outside of this should be prohibited, including any private functions or major events not related to sports.
- We propose the following the following hours of operation to minimise impacts on the local community:

Soccer Facilities

- Monday to Saturday: 10am-9pm
- Sunday: 11am-4pm*

Indoor Facilities (fully enclosed)

- Monday to Saturday: 8am-8pm

- Sunday: 9am-5pm
- We request that the developer provides the local community of advanced warning of planned major events above 1,500 people. This does not need to be for each event, but rather quarterly. This will allow people in the local community to plan ahead for example not having a bbq with family and friends on those days.
- *We request that on the 4th Sunday of each month there is no planned use of the outdoor fields, this will allow us to have confidence in planning to have friends and family in our home without the impacts of the noise s9(2)(a)

Building / Field Location & Height

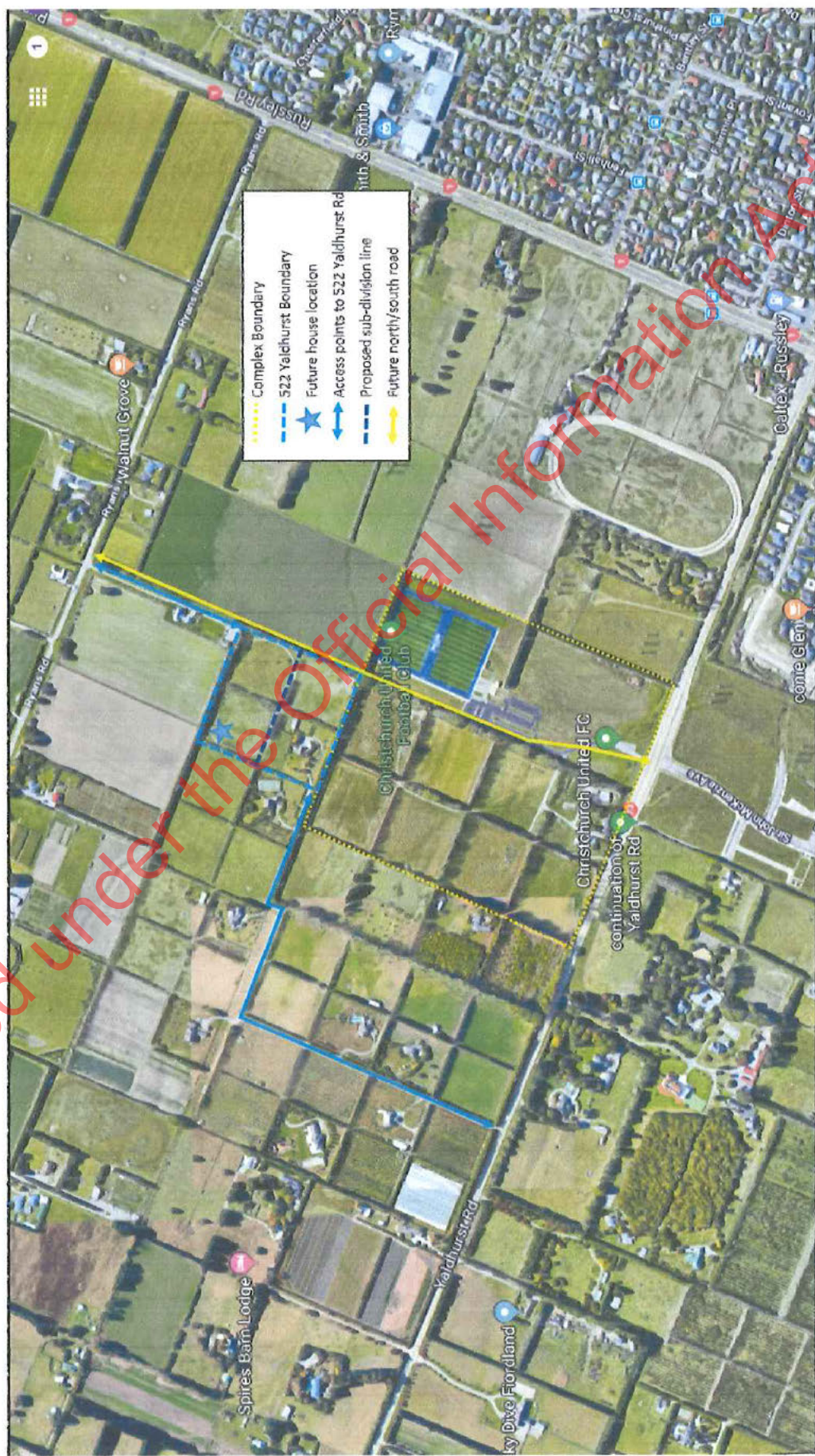
- In general we are not sure why the building setbacks towards Yaldhurst Road a major arterial road are higher than those provided for adjacent neighbours. We see a lot of benefit in siting the buildings as close to Yaldhurst Road as possible to mitigate noise and reduce the walking distance to public transport. We request that buildings and structures are located at least 50m away from s9(2)(a) and towards Yaldhurst Road. This is not only from a visual and privacy perspective but will help to mitigate the noise that will be generated from these sites as thousands of users enter and exit the site.
- If our property was in a residential zone the following would apply:
 - *Building height: The maximum height of any building shall be 8m: Where any building or part of a building is within 100 metres of a boundary with a residential zone within the Development Plan*
- We argue that the 15m is unacceptable within s9(2)(a) This is not only from a visual and privacy perspective but to ensure the proposed buildings fit into rural landscape of the area.
- We request that the soccer fields are planned in a way to ensure spectators are sited at least s9(2)(a) to reduce noise impacts.

Yours Sincerely

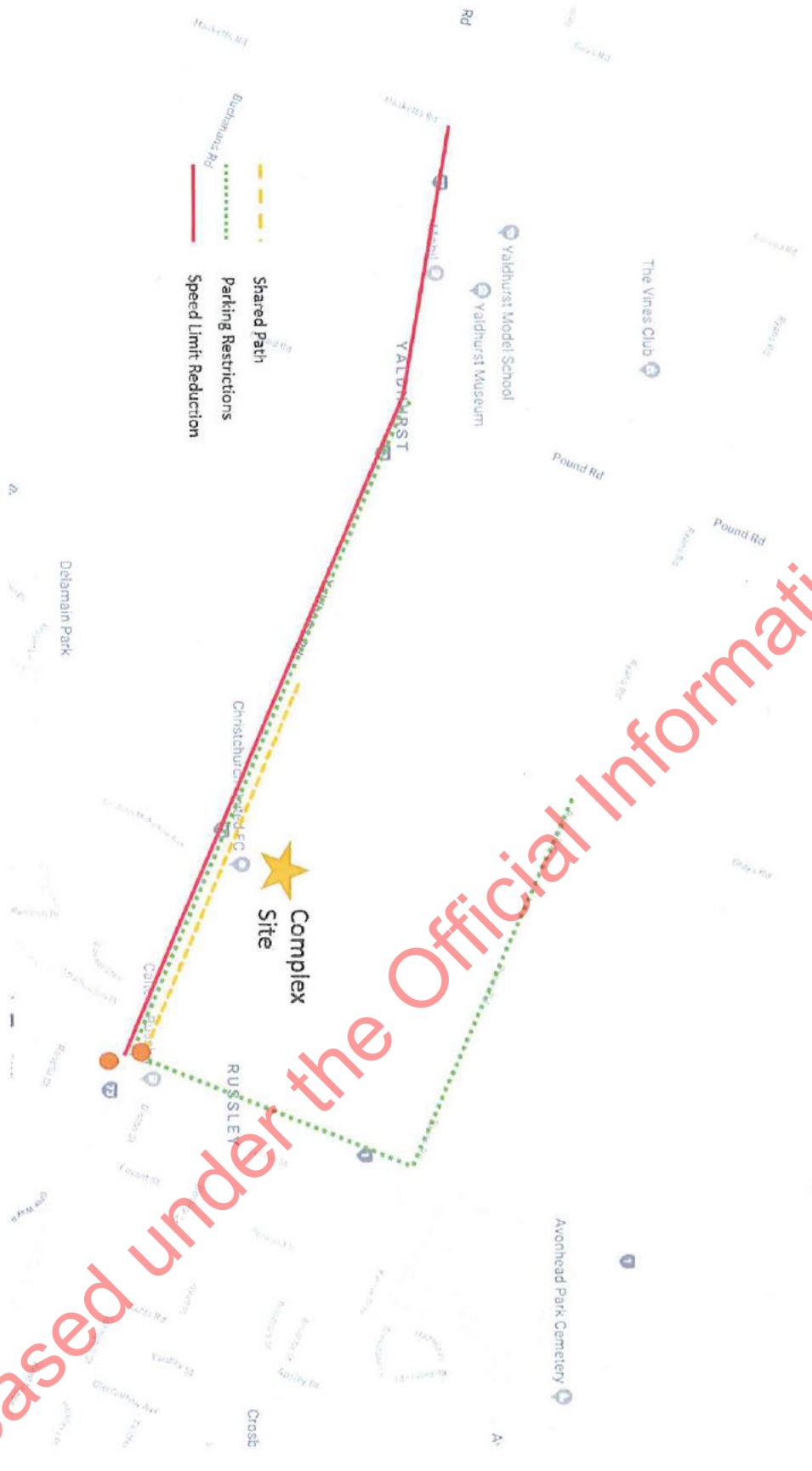
s9(2)(a)

Released under the Official Information Act 1982

Attachment 2 – Boundary/Access Changes



Attachment 1 – Map of Proposed Changes



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Attachment 3 – Noise Wall & Boundary Landscaping Photos



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Submission Letter 1
2 November 2018

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More of an info request than a submission.....

From: s9(2)(a)

Sent: Tuesday, 23 October 2018 12:09 PM

To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>

Subject: YALDHURST RECREATION AND SPORTS FACILITY- SECTION 71 PROPOSAL

To Whom it may concern: I am emailing this to you as well as posting the required forms today (3 pgs) to ensure it reaches you on time as the postal service is now not reliable.

-
SUBMISSION

s9(2)(a)

Firstly, of the 3 immediate neighbours to this facility only 2 received the relevant letter of intention (8 Oct 2018) re the changes to Section 71 of the Greater Christchurch Regeneration Act. There are at least five other property owners in the immediate vicinity we know of who are affected by this facility but were not advised of any developments.

NOISE :

We moved to this property as it was rural. Since the Sports Facility has been developed to the present stage we have been alarmed at the amount of noise that emanates from it. We are on its s9(2)(a) the prevailing wind here is Easterly so currently we have from sometimes 8am to 8pm shouting adults, whistles, screaming children, people banging on metal (fences ??) and worst of all extremely loud music being played over a loud speaker.

With their intention to build facilities even closer to our property we would like to see proposed plan layouts of stadiums, buildings etc I have emailed the CCC Planning Dept on 3 occasions and still haven't received an up to date plan of the area.

What is the NOISE PLAN for this facility? What are their operating hours? Currently it is daylight into dark as it is floodlit.

We have restrictions to our properties being subdivided because of airport noise but its OK for this facility to make as much noise, for 12 hours as they like.

BOUNDARIES:

Already they have removed shelter trees from the western boundary, creating more noise as well as aesthetically it is not pleasant to now see through to the property.

What plans are in place if the facility goes ahead for bunds, solid wooden fencing, tree planting?

Buildings or stadiums should be set back at least 50m from the boundaries.

TRAFFIC/SPEED/STREET LIGHTING:

Yaldhurst Rd/ State Highway 73 since the earthquakes, has had a huge traffic buildup with subdivisions to the west (West Melton etc) and the shingle quarries mean lots of large truck movements, increasing tourists. This Highway is becoming increasingly difficult to access the driveway to our properties, one of 8 (514-542). The latest accident at the entrance was Oct 2 where a couple of cars were written off and very fortunate to only be moderate injuries. With this Sports facilities traffic, a McDonalds due for opening Dec, the Infinity Subdivision across the road from the Sports one, what proposals apart from 2 sets of unoperating traffic lights being inserted have been proposed for the stated section (514-542) Yaldhurst Rd to Russley Rd? We believe the speed limit, to at least west of our lane (514-542), should be 60kmh not 80kmh and also street lights should be installed.

DOGS:

s9(2)(a) informed me on 11 Aug 2015 by mail that he had a no dog policy ie none would be permitted to roam or to enter facility in vehicles. I have seen one small notice pinned to a tree regarding no dogs. As there are livestock a very short distance away on our property and neighbours (sheep, cattle, deer, horses) we are very concerned that no dogs are allowed at this facility, either walking or in vehicles. Lately we have had more roaming dogs than previously in with our ewes and lambs, there needs to be more publicity and prominent signs re this at the facility.

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Released under the Official Information Act 1982

Yaldhurst Recreation and Sports Facility – Section 71 Proposal Submission form

Where can you see the Proposal and find additional submission forms?

The Proposal can be viewed, and more information and an online submission form are available, on the Department of the Prime Minister and Cabinet's website: www.dPMC.govt.nz/yaldhurst-sports-facility

Also, the Proposal can be viewed, and submission forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Anyone can make a written submission on any part of the Proposal.

Written submissions must be received no later than 5pm, Monday, 5 November 2018.

Please secure edges before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "Freepost GCG" address on the other side of this form.

Do you agree with the Proposal?

Do you agree with the proposed use of section 71 to make the necessary planning changes to enable further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road?

Yes No

Why do you agree/disagree and any other comments (optional)

SEE ATTACHED SUBMISSION

Please fold with the Freepost address portion on the outside, seal and return by 5pm, Monday, 5 November 2018.

Name: * s9(2)(a)
Address: * [REDACTED]
Postcode: * [REDACTED]

Email (this will help us to update you): _____

**indicates required field*

Please note: Your written submission, including your name, may become public information. If you consider there are compelling reasons why your name and/or comments should be kept confidential please outline below.



Yaldhurst Recreation and Sports Facility – Section 71 Proposal Submission

1. We, s9(2)(a) Christchurch. We are situated on a driveway shared s9(2)(a) s9(2)(a)
2. We write to make submissions in relation to to further development of the sports complex at 466 – 482 Yaldhurst Road.

Creeping nature of the development

3. We are concerned about the creeping nature of the sports complex development and the manipulation of planning documents to facilitate that development.
 - 3.1 It concerns us the ease and the extent to which planners are making multiple changes, deletions, insertions, departures and alterations to the rules, the definitions, the appendices and the planning maps in the Canterbury Regional Policy Statement and the Christchurch District Plan to make this proposal fit within the parameters of those planning documents.
 - 3.2 We now have the current application for the use of Section 71 of the Greater Christchurch Regeneration Act to facilitate the sports complex.
 - 3.3 This flexibility and willingness to manipulate the documents has not been so readily apparent when planners and consenting authorities have been considering other planning applications particularly those with the alleged potential to impact on the airport.
 - 3.4 We are concerned about how far this proposal will proceed over time. What new developments will be introduced and what other manipulation of the planning documents relating to this proposal will occur in the future.
 - 3.5 It appears that the applicant is not required to present a detailed plan of the siting of the various activities within the property prior to consent being given. The siting of these activities could have a major bearing on the amount of inconvenience they cause to neighbours.
 - 3.6 It seems that whatever new notions or concepts the applicant proposes will be catered for by the planners and consenting authorities. In the event that the applicant at some time in the future wishes to acquire additional land to the west of the current boundary and extend the sports complex there is every reason to believe that his intentions would be favourably view by the consenting authorities.
 - 3.7 We chose to purchase the property s9(2)(a) to enjoy the quiet rural aspect offered at this location. Our desire is being eroded in a major way by the manner in which this sports complex is developing and increasing over time.

Lights and Noise

4. The lights of the current sports complex development are very clearly visible from our property. They are more visible in the winter when the leaves are off the trees and when winter sports are played. During the winter there are of course more hours of darkness during the operating hours of the complex.
5. Of particular concern is the excess noise caused by a banging sound during matches. It has been suggested to us that this is caused by team supporters hitting hoardings with their fists around or near the field. The noise is accentuated by the common easterly winds.
6. New development to the western edge of the property on which the complex is situated will bring the sporting activities considerably closer to our home. This will accentuate the adverse effects of the lights and noise.
7. I believe the sports complex should be required to develop a Noise Control Plan.

Increased Traffic Flow on Yaldhurst Road, West of the Sports Complex

8. Our primary submission is that the increase in traffic on Yaldhurst Road resulting from the operations of the sports complex will increase risk for vehicles entering and exiting our driveway at 514 – 542 Yaldhurst Road. A reduction in speed would be of significant assistance.
9. Traffic on Yaldhurst Road increased hugely following the Christchurch earthquakes due to a westward migration of Christchurch residents to new residential developments to the west.
10. Since the earthquake heavy truck and trailers carrying shingle from several quarries to the west of us into the city (and return) for rebuild development has further increased the volume and complexity of traffic past our driveway. Trucks are also carrying shingle to a number of residential developments near the racecourse and at Yaldhurst Park.
11. Traffic on this section of Yaldhurst Road will increase as the sports complex develops. Consent planning documents indicate that vehicles entering the sports complex are expected to exceed 650 per hour at peak periods. Not all of these vehicles will approach/depart the complex entry from/to the east.
12. Many vehicles will approach/depart the complex from/to the west past the driveway into 514 – 542 Yaldhurst Road particularly with the recent housing developments west of us.
13. Significantly, planning authorities also clearly anticipate substantial traffic entering the complex from the west because they have developed a dedicated separate lane for east bound traffic turning left into the sports complex.
14. These vehicles approaching/departing the complex from/to the west will further substantially increase traffic on this section of Yaldhurst Road. The extent of this increase cannot be quantified because no monitoring is planned by the consenting authorities.

15. Up to 100 vehicles enter/depart the driveway to 514 – 542 Yaldhurst Road each day. This number is comprised of the following 4 sub-groups.
 - 15.1 Eight homes are situated up the driveway. Most have mature children and average of 3.5 cars per home, all of which are in frequent use.
 - 15.2 Two properties employ staff at a commercial apple orchard and a commercial market garden. The organic apple orchard is also from time to time used as the training site for Lincoln College.
 - 15.3 Frequent visitors to residents up the driveway further increase traffic flow.
 - 15.4 Trades people including trucks, together with trucks hauling produce from the orchard and market garden further increase the complexity of traffic flow.
16. There have been several accidents at the driveway entrance. The last occurring 3 weeks ago involved significant injury.
17. Some residents and visitors travelling west on Yaldhurst Road regularly drive west beyond the driveway to 514 – 542 Yaldhurst Road, turn at the roundabout at Pound Road and return east to our entrance rather than make a turn across the road.
18. Several other driveways, some with multiple residences, are situated between our driveway and the traffic lights. All will be impacted by the increased traffic flow and would benefit from a 60 kph speed zone.
19. It is assumed that the commissioning of the traffic lights at the entrance to the complex will necessitate designation of a 60 kph zone to the west of the traffic lights. A decision will require to be made in relation to the point at which that zone to the west of the lights commences.
20. It is strongly requested that the 60 kph zone extend to the west beyond the entrance to the 514 - 542 driveway. The suggested reduction in speed would have a major impact in reducing risk and concerns at our driveway entrance.
21. It is noted that at other roads in Christchurch where an 80 kph zone reduces to 60 kph approaching traffic lights, the 60 kph zones extends beyond 800 metres from the lights.
22. Our driveway is 600 metres west of the traffic lights.
23. It is appreciated that each such 60 kph zone is subject to differing circumstances. However it is submitted that extending the 60 kph zone on Yaldhurst Road to a point west of our driveway entrance would not be inconsistent with the length of other similar speed reduction zones approaching traffic lights in Christchurch.
24. Meeting this request for a 60 kph speed zone extending to the west of our driveway would also tend to mitigate in some way the inconveniences we are, and will increasingly suffer from further development of the sports complex.
25. Submitted for your favourable consideration please.

Page 1

Q1 About you (required information)

First name

Last name

Address

Postcode

s9(2)(a)

Q2 What is your email address? (optional, this will help us update you)

s9(2)(a)

Q3 Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable the further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road?

No

Q4 Why do you agree/disagree?

Crowd Noise when there is a game.

Traffic speed.

Rest of Yaldhurst Road could be better lit.

Q5 Do you have any other comments or feedback on the proposal?

The council did not consult with us about this, and as we do not have the local newspaper I only found out about it last week after being told by a neighbour.

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

Page 1

Q1 About you (required information)

First name

s9(2)(a)

Last name

Address

Postcode

Q2 What is your email address? (optional, this will help us update you)

s9(2)(a)

Q3 Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable the further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road?

No

Q4 Why do you agree/disagree?

Because the use of this section has been used as a means to circumvent any input from those most affected, from having any meaningful input.

ie. I as a neighbour who has a residence within 400 metres of the proposed complex I was not informed or advised of the proposal. I only found out by hearsay.

Institutions were asked for input, but not the people affected. Institutions are not affected by community changes Neighbourhoods are.

This proposal should have been notified when the Regional District plan was being undertaken.

The group seeking these changes under section 71 would and must have known of their intentions then.

Released under the Official Information Act 1982

Q5 Do you have any other comments or feedback on the proposal?

I do not object in principal to the complex going ahead but certain it will create certain problems. These need to be addressed and dealt with.

This is the reason for my objection to the use of section 71.

Issue 1. Traffic.

The traffic on the section of road from Pound Rd to Russley Rd is a nightmare. The traffic on this stretch of road has increased to dangerous levels since the earthquakes and in particular traffic patterns have changed. This stretch of road now carries the traffic to and from the west coast which is major and growing tourist destination. Traffic from the new outlying residential areas to the west and southwest of the city as well as the very large number of trucks from the quarries and also the concrete mixing trucks.

Currently this stretch of road is very dangerous for the people trying to enter or exit their properties. There have been quite a few accidents and fortunately no one to my knowledge has died from them. This will be not be the case in the future especially with the added increase of traffic that is planned for the sporting complex. This section of road will then become very dangerous indeed. This is a safety issue that can be mitigated by matching the speed limit on this stretch of the road to that on Yaldhurst Rd east of Russley Rd.

Issue no 2.

Noise management.

There will be increased noise from this complex and it will need to be managed and mitigated to achieve the minimum compatible with a sporting venue.

A noise management plan must be drawn up and implemented with penalties for non compliance.

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

26 October 2018

Section 71 Proposal: Yaldhurst Sports Facility
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

(By email: info.gcq@dpmc.govt.nz)

Dear Minister Mahuta

Section 71 Proposal – Yaldhurst Recreation and Sports Facility

We welcome the opportunity to respond to this Proposal for the exercise of powers under section 71 of the Greater Christchurch Regeneration Act 2016.

The Proposal includes amendments to both the Canterbury Regional Policy Statement (CRPS) and the Christchurch District Plan (District Plan) to facilitate further development of sport and recreation facilities at 466-482 Yaldhurst Road. As the regional authority, we have worked productively with Christchurch City Council to ensure that the proposed amendments to the CRPS are acceptable to Environment Canterbury and that the proposed amendments to the District Plan give effect to the CRPS.

Proposed changes to the Canterbury Regional Policy Statement

The site is located outside the existing urban area (depicted on Map A, Chapter 6 of the CRPS). As set out in the Proposal, existing provisions in the CRPS do not provide for the expansion of sport and recreation facilities of the scale envisaged in this location.

Environment Canterbury supports the use of section 71 to make the amendments to the CRPS shown in Appendix 1A of the Proposal. The introduction of a specific exception that expressly provides for a metropolitan recreation facility on this site recognises the unique nature of the proposal. It is considered that the exercise of powers under section 71 provides the most appropriate and efficient option to make the required amendments and deliver the regeneration outcomes sought by the proponent.

Proposed changes to the Christchurch District Plan

Traffic controls

We note the potential adverse impacts of further development on this site on the transport network and support the inclusion of rules seeking to mitigate these impacts. A precautionary approach, which ensures the traffic effects of larger-scale new development are appropriately assessed, is supported. The requirement to submit event-specific Transport Management Plans for temporary events held at the site, such as major sporting competitions or tournaments, is also supported. We note that there may be potential future opportunities to improve the accessibility of the site by public transport through an extension to the network.

Water and wastewater

We note that the proposed permitted activity standards require the scale of any aquatic facility on the site to be limited to correspond with the available water and wastewater capacity.

Community water supply is provided for under the Canterbury Land and Water Regional Plan. The Plan does not provide for additional water to be allocated from the Christchurch West-Melton Groundwater Allocation Zone, other than for the specific uses set out in the Plan, as it is fully allocated. If the Proposal is approved by the Minister, Environment Canterbury would welcome further discussions with the City Council in this regard.

Land contamination

Environment Canterbury holds a Detailed Site Investigation report for 466-482 Yaldhurst Road. While contamination in the areas of the site already developed was found to be at acceptable levels, the expansion of facilities will likely extend to areas where contamination exceeding recreational guidelines was discovered.

We note the steps the City Council is taking to ensure that the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) are complied with. The NESCS ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed, and if necessary, the land is remediated or the contaminants managed to make the land safe for human use.

Summary

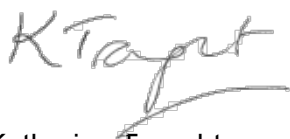
Environment Canterbury supports the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable further development of sports and recreation facilities at 466-482 Yaldhurst Road.

We recognise the potential the Proposal has to deliver social benefits and contribute to the regeneration of sport and recreation opportunities in Greater Christchurch by providing facilities to replace some of those lost or damaged in the Canterbury earthquakes and to cater for an identified additional demand.

The use of section 71 is considered by Environment Canterbury to be the most efficient way of amending both the CRPS and the District Plan to facilitate further development of the

Yaldhurst Recreation and Sports Facility and deliver the regeneration outcomes sought by the proponent.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'KTrought', with a horizontal flourish underneath.

Katherine Trought
Director of Strategy and Planning

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5 November 2018

Freepost GCG
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

Email: s9(2)(a)

Dear s9(2)(a)

RE: SECTION 71 PROPOSAL: YALDHURST SPORTS FACILITY

Christchurch International Airport Limited (*CIAL*) welcomes the opportunity to submit on the Section 71 Proposal (being the Yaldhurst Sports Facility – a multi-disciplinary sports and recreational hub at 466-482 Yaldhurst Road) (the *Proposal*).

Overview of CIAL

Christchurch International Airport is the largest in the South Island with 10 partner airlines arriving from 22 destinations. As the main gateway to Christchurch and the South Island, it is a major hub for domestic and international tourists, many of whom will seek to visit key attractions within Christchurch and further afield.

CIAL has always considered that growing the range of facilities and opportunities available within Christchurch assists not only the social and cultural wellbeing of local residents, but also assists in promoting Christchurch and the South Island as a domestic and international tourist hub.

CIAL has a protracted, but successful history of ensuring airport operations are protected from proximate noise sensitive activities. This history (including the avoidance of noise sensitive activities within the air noise contours) has been critical in ensuring the success of CIAL.

The proposal is seeking to amend the documents that expressly provide protections for Christchurch International Airport.

CIAL's position on the proposal

Overall, CIAL support's the Section 71 Proposal, including:

- the limitations to noise sensitive activities (and in particular the restrictions on residential units and Guest Accommodation); and
- the definition of Metropolitan Sports Facility to be inserted into the Canterbury Regional Policy Statement (which is to be narrowed to facilities 'for the purpose of participating in or viewing sports and active recreation').

There is one area where CIAL considers the Proposal requires further amendment.

In this regard, clause (b) to Rule 18.5.1.4 ('*b. Any application arising from this rule shall not be publicly notified*') appears to preclude even limited notification to CIAL – and that is despite the statutory prominence placed in the planning framework:

- to *avoiding* noise sensitive activities within the 50dBA Ldn air noise contours; and
- expressly contemplating notification to CIAL where a proposal may potentially be inconsistent with the above.

CIAL accordingly requests the following amendments to the text so as to also be consistent with the consideration of noise sensitive activities within the District Plan as these relate to the air noise contours (as **bolded and underlined**):

18.5.1.4 Discretionary Activities

a. The activities listed below are discretionary activities.

Activity	
D4	a. Guest accommodation at the Yaldhurst Recreation and Sports Facility, shown in Appendix 18.11.4, that does not meet one or more of the activity specific standards in Rule 18.5.1.1 P14; b. Any application arising from this rule shall not be publicly notified, but shall be limited notified only to Christchurch International Airport Limited (absent its written approval).

It is CIAL's view (based on advice that it has obtained) that this amendment is appropriate and consistent with the Greater Christchurch Regeneration Act 2016 (*the Act*). In particular, the advice CIAL has received advises that:

- the Minister's approval of a Proposal is under section 69 (which, when approved, enables the Minister to **then** "*suspend, amend, or revoke*" any of the planning documents as listed section 71); and
- the Act does not require that a 'suspension, amendment or revocation' strictly align with the proposal as original notified under section 68 (otherwise section 71 would serve no purpose) - provided the changes are reasonably within scope of the activity originally proposed.

CIAL which to thank the Christchurch City Council for early engagement with the draft Proposal, and the Minister for an opportunity to provide a submission on the Proposal.

Yours faithfully

Christchurch International Airport Ltd



Rhys Boswell
General Manager Strategy and Sustainability
Email: s9(2)(a)

4/11/2018

To: s9(2)(a)

Principal Advisor

Department Of The Prime Minister And Cabinet

From: s9(2)(a)

**Topic: Submission Relating to the Section 71 Proposal relating to Yaldhurst
Recreation and Sports Facility.**

Introduction

My wife and I are the owners of s9(2)(a) land situated at s9(2)(a) RD6 Christchurch 7676. The legal description is Lot 1 DP s9(2)(a)

s9(2)(a)

This land at 466-482

Yaldhurst Road, is now known as the Christchurch Football Centre. Our boundary s9(2)(a)

I think it is reasonable to submit therefore, that we are one of the main land owners subject to the positive or negative impacts of this Section 71 Proposal.

Planning Background

I think it may be useful to briefly explain the harsh land planning régime we live under as this may explain some animosity you may see exhibited in other submissions and possibly why the current road traffic is dangerously flawed.

The Government is a major share- holder of the Christchurch International Airport (CIAL) as is the Christchurch City Council (CCC).It is submitted that a dishonest

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land planning régime works to enable CIAL to control, and indeed suppress, most development in this area, while being the biggest developer of non- airport related development and the greatest source of industrial noise pollution in the entire region. To make this last point clear, the noise generated from landing and take-off of aircraft is not the issue. The issue is the night time engine testing of predominately ATR prop aircraft and US military aircraft, known as on wing engine testing.

The Government as a major shareholder is therefore complicit in the corrupt planning arena that CIAL ably assisted by CCC has developed.

I will outline briefly the four planning advantages that CCC has granted its company CIAL that lead to a huge advantage to CIAL and is restrictive to all other land owners' development aspirations.

50 dB Air Noise Contour

The first matter is the existence of an aircraft air noise contour set at a DNL value of 50 dB proposed by CIAL and aggressively supported despite world- wide evidence to the contrary by CCC. No other regulatory body in the world has viewed this low noise level as justifiable to be adopted as a land use constraint. This noise level equates to slightly elevated normal speech. Yet CCC and CIAL both engaged the same acoustics expert, Marshall DAY, an obvious conflict of interest, to bring into effect strict land use restrictions based on this noise level in a contour that completely surrounds the airport and thousands of hectares of privately owned land.

The extreme nature of a land use restriction at this low noise level is confirmed by a world leading Acoustic Expert Dr Sanford FIDELL in the **Review of BEL Report dated 17 February 2004 which concluded that :**

The information and analysis presented in the BEL Report 2003-2004 accurately reflect current understandings of the effects of aircraft noise exposure on individuals and communities. They also support the author's conclusions about the sufficiency of a DNL value of 55dB as a conservative criterion for land use planning. The worldwide scientific literature on aircraft noise effects on

residential populations provides little basis for favouring a yet more stringent criterion. Thus, a preference for a more stringent land use compatibility represents a value judgment based on a political, economic, personal, or other non-acoustic reasoning.

(Source: Review of Bel Report 2003-004 "Study Report on Aspects of Proposed Variation 52 to the Christchurch Proposed City Plan 17 Feb 2004 Sanford Fidell Fidell Associates INC quotation from Page 1 at paragraph 1.2 Summary of Independent Review of BEL report)

As a result of this extreme noise activity avoidance rule, CIAL supported by CCC, requires to be advised of all development aspirations of land owners living under the 50dB air noise contour and on most occasions refuses to approve development. There has been literally millions of dollars in litigation over the issue.

When I purchased my land I was not affected by this contour, however as planes became quieter, the contour was expanded so that it now covers my land and all but a very small portion of the land subjected to this section 71 proposal.

This planning restriction rule allows CIAL to effectively remove all competition a full 360 degrees around the airport while it actually carries out those very same developments, within its own designated area where the noise effects are in fact the highest, occur the most in frequency and duration, yet where Council has set no noise rules.

One example of this is that some five kilometres from the Control Tower my land is unable to have a school of any type developed, yet less than 200 metres from CIAL's control tower, it leases buildings and land to The Rabbit Patch Preschool where children have extensive outdoor learning facilities.

Airport Designation and Airport Purposes Issue

Christchurch International Airport (CIA) is a requiring Authority for the purposes of the Resource Management Act 1991. On the 5th of May 1994 it lodged a notice of requirement with the CCC for a designation for

“... an air cargo and air freight centre, Russley Road. The designation shall be for ‘Airport Purposes’.

Following a hearing before Council Planning Commissioner Collins, CCC in a letter to CIA dated 18 December 1997, the Council set out its recommendation in respect of the notice of requirement pursuant to Section 171(2)(a) of the RMA. In particular the Council adopted the Commissioners recommendation which stated:

“that the Council should recommend pursuant to Section 171 of the Resource Management Act 1991 that the requirement issued by Christchurch International Airport Ltd for the designation of land for Airport Purposes, more specifically for the developments set out in clause 1 (c) of the Notice of Requirement, in the vicinity of Russley Road, Avonhead Road and Grays Road be confirmed for a period of 10 years sought subject to the area designation being reduced to no more than 45 hectares plus any additional area needed for access, and that a new plan showing the area to be designated should be prepared accordingly”

CIAL having required land, then acquired land, under compulsion.

This designation had a strict requirement to build runways leading to freight buildings within 10 years. This was not done. In fact CCC did not even attach this requirement to the designation, yet refuses to investigate the matter which has been raised to the CEO.

The truth is that the designation lapsed in excess of ten years ago. CCC continues to roll over the designation despite being advised of these facts. The owners of the land taken under compulsion are having their remedies denied and CIAL continues to use the process to facilitate approval for all sorts of “Airport Purposes” development that is expressly denied to adjacent land owners.

The designation never approved ongoing “Airport Purposes” development as the recommendation made it very clear that the approval was “more specifically for the developments set out in clause 1 (c) of the Notice of Requirement. These developments have, as set out, have never been progressed.

Further, the definition of “Airport Purposes” has never been required to be determined and CCC has assisted CIAL in not being required to do so. Hence this has grown to the point where basically whatever CIAL decides is “Airport Purposes” is deemed to be that and they proceed to obtain all building approvals via their lapsed designation process before a Council Appointed Commissioner, thereby avoiding all resource management consenting processes and scrutiny.

A lapsed designation cannot be simply rolled over.

The planning privileges and lack of public notification and other agency scrutiny was never envisaged. Yet it has been applied to gain approvals for the building of a farm machinery outlet, a data storage facility, a supermarket, several petrol stations selling exclusively to motor vehicles, a hotel currently under development and more recently a Bunning’s outlet.

There also are no restrictive noise level rules over the designated land except for a land use rule avoiding noise sensitive purposes in the 65 and above dB prohibitive contour. Interestingly, the current hotel development is inside this prohibition zone, as the approving commissioner was provided with an incorrect prohibition contour map at the approval stage. Also, Marshall Day has allowed the noise inside the rooms of this hotel to reach 50dB, the very level all other land owners have had planning aspirations refused at.

CCC have been advised via the City Plan hearings of these facts yet refuses to take any action, as does the Chair of the Holdings Corporation charged with governance oversight of CIAL and CCC .

Noise Pollution from On wing Engine Testing

Adding a large degree of insult to the land owners living adjacent to CIA, CCC has conspired to facilitate the generation of what is without question the loudest and

most persistent source of air noise pollution at night in the entire City. CIAL leases its aircraft engineering facility as a major source of income. Air New Zealand maintains most of their ATR fleet as do other agencies, such as the provision of engineering work on US military planes. It gains a considerable competitive advantage over other sites such as Nelson airport as it is able to test engines overnight with little to no Council scrutiny.

CCC is tasked with policing noise pollution and even has noise abatement officers with powers to prosecute noise offending. But when it has come to policing noise arising from the on wing engine testing, predominately carried out at night and in the early hours of the morning, they have totally abdicated this statutory requirement in favour of the polluting organization.

As exposed in our submitter's group evidence, during the Christchurch City Plan Hearings, for literally a decade CCC has obtained complaints about this noise pollution and simply forwarded them to CIAL, who have ignored this. CIAL had reached the stage of abuse of process as they were not even recording these complaints.

CCC had argued that as CIAL had a By-Law, that they had written themselves allowing aircraft noise, so the noise from engine testing was not a CCC issue. This is nothing short of corruption which in combination with the other noise related advantages provided to CIAL by CCC shows a real pattern of providing extraordinary advantage to its own company's development aspirations while actively suppressing competition.

CIAL and Air New Zealand produce huge profits and CIAL pay CCC a dividend of tens of millions annually. CCC refuses to champion this ongoing industrial noise to reduce it as the statutory body tasked to do so. Effective at source noise mitigation is affordable to any of these organizations. As the policing body, CCC actively facilitates their pollution and allows competitive advantage, no at source mitigation has been contemplated, let alone required.

The City Plan Hearings Panel found that the By-Law that CCC had held, as approval for what was agreed to be the largest source of noise pollution at night in the Canterbury region, was inappropriate.

CCC not only refused to support submissions from our submitter group that a four sided noise reducing enclosure, estimated at approximately \$10million should be built to mitigate the noise at source, it actively supported the polluter's submissions that offered no at source mitigation at all.

Evidence was clear that the level of technological advancement had reached the stage where aircraft enclosures could be designed to achieve noise reduction.

The law is specific that noise mitigation at source should be the first planning option. This seems not to apply in Christchurch.

CCC in conjunction with CIAL and Air New Zealand engaged Marshal Day who proposed Engine Noise Contours that would place further development restrictions on adjacent land owners' land use. Effectively again victimizing the receivers of the noise pollution by adding land development restricting rules, to those occupying land, under the new engine testing noise contours. Day then proposes a noise pollution measure that he has simply invented. Industrial Pollution is measured worldwide by a Leq metric. Day has derived Ldn seven day average measure. The airport gains a benefit for every hour it is not generating on wing air noise pollution by averaging it out, over each seven day period, across the level of noise pollution actually generated. Additionally, the loudest noise source, the US military on wing testing, is exempted from all measurements.

There is no acoustical precedent for the use of this metric, yet CCC strongly advocated for it. Again it relied on the same expert opinions of DAY, the same acoustical expert used by CIAL, a direct conflict of interest.

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PC 84 Planning Advantage

As part of the Earthquake Recovery and rebuilding of Greater Christchurch CCC established Key Activity areas that identified priority areas specifically elevating the Christchurch central business district (CBD) as the major priority area for recovery development. CIA was not identified as a Key activity area nor was any priority assigned to its development all in this process. The impact of this recovery framework was that funding for development and recovery was to be prioritized into the identified priority key activity areas and the CBD. It was clear that the CBD was the first and major priority.

Clearly CIAL was not happy about being left out. It is here that possibly the most flagrant abuse of process was witnessed by me in the closing stages of Plan Change 84. Plan Change 84 is unusual as it was the very last CCC plan change prior to the Government required Christchurch City Plan Change Hearings Panel being convened. What has become known as the Simpson Grierson legal decision, it was held that any final decision made in PC84 could only be altered in a minor way, by the Hearings Panel deliberations.

In a blatant move to elevate CIAL's development aspirations CCC legal counsel SCOTT and CIAL counsel Appleyard submitted to the CCC appointed Commissioner that CIA should be allowed to continue development to a point that such development "significantly adversely impacted on the CBD recovery" before CCC would act to curtail such development. I was so surprised that I commented to the Commissioner at the time that surely the level of adverse impact should be set much lower say at a minor level of adverse impact on the CBD recovery. This was ignored. It was very clear to me that this deal had been previously agreed away from any public scrutiny.

This finding allowing "significant adverse impact" on the CBD recover from CIA development was recommended by PC 84 Commissioner Paul Thomas. Its impact was to elevate CIA development, not only to a Key Activity Area status, but to one that was of such importance that its development could continue until it significantly adversely impacted on the CBD recovery before CCC would take any restrictive action.

There can be no doubt that this unethical and previously unannounced change completely undermined the CBD recovery framework. One example, the current hotel development at CIA, would not have been built, had this change not occurred. CBD focused developers, who thought their development aspirations had been provided a high level of priority, were completely undermined as CCC moved with CIAL unilaterally to significantly promote their company's development abilities ahead of the CBD recovery.

I would submit that the very significant development that has taken place at CIA since this planning advantage was bestowed has already surpassed a level where it has significantly adversely impacted on CBD recovery. As CCC is the sole arbiter of any sanctions with their past lack of ethical responsibility, it would indicate nothing will change.

The word institutional corruption I feel is applicable.


Re-evaluation of the Air Noise Contours

There exists a legally binding contract known as the Experts Panel Report that promises a re-evaluation of the existing Air Noise Contours every ten years. Initially, CCC denied this document existed, then denied it was binding on them or CIAL even though both are signatories to it. I have a copy of this document. It outlines the entire methodology for this promised re-evaluation. It should have taken place in 2017. CCC and CIAL are well aware that the result of such an evaluation would be a huge reduction in the size of the air noise contours and accompanying land use control. Both parties dishonestly have no intention of carrying out this re-evaluation.

As indicated early on in this submission the Government is a major shareholder in CIA. They have campaigned on issues of transparency and ethical behaviour in business. I submit that will be tested over these, and many other issues, that I have researched relating to how CCC has manipulated its statutory role to provide CIAL with extraordinary development planning advantage, allowing competition to be stifled.

I am currently preparing all documentation relating to the above matters and other related examples to lodge a Commerce Commission complaint. I raise this now as part of this proposal, as I believe it may not only inform you why some of the responses you may receive seem hostile. But also as I believe it also sheds light on why the current traffic safety plan is so flawed. If left as it is, as I will explain, there is no doubt that serious harm and road fatalities will occur at the intersection to the current residential development and the proposed Canterbury Football Centre.

s9(2)(a)



Having addressed background issues I will now turn to the Section 71 Proposal and then explain how I believe the current Traffic plan is serious flawed and in my view the reasoning for this flaw given CIAL planning aims and input.

Section 71 Proposal

As one of the most affected land owners, s9(2)(a) I advise that we support the proposal. While we appreciate that we will likely have some adverse noise impacts and that what has been a largely rural setting will become busier. It is our belief that the children of Canterbury, have for too long been denied suitable sporting facilities. If CCC spent more time actually progressing real recovery rather than enhancing its own company's development aspirations and the resulting monopolistic behaviours, recovery would be far more advanced.

Much of the noise will be what we call "happy noise," children engaged in sport. I believe that Canterbury is lucky to have a benefactor with the financial capability and will to create what will be very high class multiple sporting facilities. We have been proactive in gaining assurances s9(2)(a) that noise reducing design will

take into consideration any concerns we have, and these have been reflected in the designs we have seen to date.

There is one large proviso to this support which I have raised ^{s9(2)(a)} and progressed via a meeting with ^{s9(2)(a)} business representative, ^{s9(2)(a)} and ^{s9(2)(a)} the Senior Traffic and Safety Engineer Highways and Network Operations for NZ Transport Agency.

The seriously dangerous issue is the fact that vehicles, arriving from the west into the intersection servicing both the Canterbury Football Centre, the new shopping development, including a MacDonald's outlet currently being built and the new residential development known as Yaldhurst Park, arrive into that set of lights with absolutely no speed reduction from the highway speed limit of 80kph.

There is also a pedestrian crossing controlled by the lights, yet no actual pedestrian crossing painted on the road.

It is highly unusual to allow highway speeds of 80kph right into a major intersection, controlled by lights with a pedestrian crossing, yet with absolutely no speed reduction before entering that controlled intersection.

So unusual that I challenged ^{s9(2)(a)} to give another example of this occurring in the entire Canterbury Region, which he agreed he could not. Even the western approach into the roundabout at Yaldhurst and Pound Roads transitions down from 80kph to 70kph.

It is widely accepted that roundabouts have a significantly higher frequency of road crashes than light controlled intersections and that due to the reduced speed these more frequent crashes result in less overall fatalities and or serious injury than intersections controlled by lights.

With light controlled intersections crashes result in significantly more fatalities and injury but exhibit a lower overall crash rete. In order to mitigate these bad outcomes, the norm is to have a significant speed reduction transition stage leading into the controlled lights usually not above 60kph.

I had spoken to road workers about this and had been assured such a transition was planned and I was even shown the hole in the ground where that transition sign was to be placed. I had concerns that what I had seen was not a long enough transition away from the actual controlled intersection. This concern was significantly expanded when advised by s9(2)(a) that no speed reduction transition was actually being contemplated.

He confirmed that this was unusual and indicated that he was very surprised at the level of development being contemplated both at the Christchurch Football Centre and also with the current shopping centre and residential development. Additionally, he was not aware that this same intersection now provided a new access flow route from Buchanan's Road, a main arterial road, via Jarnac Boulevard through to another residential subdivision of approximately 450 houses (Delamain) into Sir John Mckenzie Ave and then on to Yaldhurst Road.

All the above significant development, it seems, was unknown to NZ transport Agencies planners. As confirmed by s9(2)(a) it is highly relevant to risk and should be taken into consideration, as a matter of urgency, before we have the first fatality or serious accident. Speed reduction is one of the major risk reduction tools.

This failure to take cognizance of the major developments contributing to overall risk at this major intersection is of a magnitude that I would call negligent.

Or as I strongly suspect is the hand of CCC and or CIAL again involved. I am aware that CCC, CIAL and NZ Transport Agency met over this development. Why were CIAL involved?

It may now become clear to the reader why I spent some time providing background into the biased planning arena land owners in this area are subjected too. I suspect that in the absence of that background, all of which I can support with documentary evidence, assertions of other agendas being in the mix would be dismissed as fanciful.

CIAL seek to control, any and all development for the entire 360degrees around the airport and as already explained CCC aggressively promote CIAL planning aspirations to the exclusion of all others.

CIAL, CCC and the NZ Transport Agency are all aware that if a transition area of 60kph was to be extended to say the round-about at Pound Road, then land owners no longer impacted by highway rules would have additional land use options. The very risk CIAL and CCC have worked for several decades to extinguish.

This extremely unusual lack of an extensive speed reduction transition into this controlled intersection, speaks to me of other agendas, other than Road Safety, being implemented.

There is no doubt that children will cross that intersection to go to McDonalds. The sporting complex is consented for 650 car movements per hour across this intersection, most will have several children and adults in them. As indicated significantly more vehicles will enter into this intersection via Delamain, an option not available to those residents prior to the opening up of Yaldhurst Park road connections. Those residents and indeed many more transitioning from Buchanans Road to Yaldhurst Road will be incentivized to come to the new commercial premises, including McDonalds, being developed at Yaldhurst Park.

The reality is that this intersection will become a major intersection. As admitted by ^{s9(2)(a)} all the above development has to date not been taken into consideration. As he confirmed they are highly relevant to the need to reduce speed at this intersection.

He indicated that the issue if fast tracked could take three months to alter the current situation. He indicated that once supporting data was provided then action could be taken to change the speeds under a fast tracked process.

The failure to have already taken into consideration these issues provides little confidence, it is requested that the Minister of Transport be advised and as part of this proposal Section 71 Proposal that the following change be mandated.

Proposal

That in order to reduce road trauma risk that a speed transition from the current 80kph to a speed of 60kph be instigated prior to the intersection on Yaldhurst Road giving access to the Christchurch Football Centre and Sir John McKenzie Avenue Yaldhurst Park and that that required 60 kph limit come into effect from

- a) The roundabout at Yaldhurst/ Pound Road
- b) The western boundary of 542 Yaldhurst Road Lot 1 DP56680
- c) The western boundary of 500 Yaldhurst Road Lot 1 DP64235 & Lot 3DP64235

The preferred location of the speed change is a) descending in order of preference and distance to the intersection, to c).

For the readers information s9(2)(a) are in full agreement with this proposal and preference.

As indicated the goal is to save lives and reduce injury as a result of the development contemplated not only by this Section 71 Proposal but also the other major development taking place that will undoubtedly impact on the traffic flow levels. I would not wish to have totally supported the Section 71 Proposal and due to what I see as a very flawed road traffic safety risk assessment be party to unnecessary deaths and road trauma.

The sole determining agenda regarding this speed transition needs to be risk mitigation. The longer the distance of that transition the higher probability that cars entering the intersection will already be travelling at 60kph thereby providing significant safety enhancement from the current dangerous 80kph speed level.

Thank you for the opportunity to make this submission

s9(2)(a)

Released under the Official Information Act 1982

Page 1

Q1 About you (required information)

First name	Orion New Zealand Limited
Last name	s9(2)(a) Resource Management Group Ltd
Address	PO Box 908, Christchurch Box Lobby, Christchurch
Postcode	8140

Q2 What is your email address? (optional, this will help us update you)

s9(2)(a)

Q3 Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable the further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road? **Yes**

Q4 Why do you agree/disagree?

Orion are satisfied with the proposed setbacks coupled with the existing corridor protection rules.

Q5 Do you have any other comments or feedback on the proposal?

Orion NZ Ltd would like to make the applicant aware that they own the adjoining land at 456 Yaldhurst Road which has been earmarked for a possible future zone substation.

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

Page 1

Q1 About you (required information)

First name

s9(2)(a)

Last name

Address

Postcode

Q2 What is your email address? (optional, this will help us update you)

s9(2)(a)

Q3 Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable the further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road?

Yes

Q4 Why do you agree/disagree?

My son s9(2)(a) is involved with Selwyn soccer program and he really enjoyed holiday program at Yaldhurst Football Club.

Q5 Do you have any other comments or feedback on the proposal?

No

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

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s9(2)(a)

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Yes

Q4 Why do you agree/disagree?

It would provide greater sports facilities in this western side of Christchurch. It is close to airport. It can provide International tournament facilities in future.

Q5 Do you have any other comments or feedback on the proposal?

No

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

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s9(2)(a)

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s9(2)(a)

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Yes

Q4 Why do you agree/disagree?

Because this will give our next generation of young people an opportunity to pursue there dreams in sports. With a state of the art sports facilitie. It will also provide jobs for people locally including construction company's.

Q5 Do you have any other comments or feedback on the proposal?

The proposed plan would also be close to people out in west Melton area. The airport is really close given the opportunity for international or national tournaments.

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

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s9(2)(a)

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Yes

Q4 Why do you agree/disagree?

I think this is a great idea, and will be a great resource for Chch

Q5 Do you have any other comments or feedback on the proposal?

Get it done

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

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s9(2)(a)

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Yes

Q4 Why do you agree/disagree?

Christchurch needs these facilities and anything to do to speed up the process and avoid red tape should be welcomed.

Q5 Do you have any other comments or feedback on the proposal?

Great location for such a facility. The football fields already there are amazing and transforming football in Christchurch.

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

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Q1 About you (required information)

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Last name

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s9(2)(a)

Q3 Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable the further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road?

Yes

Q4 Why do you agree/disagree?

I agree because it will be a fantastic facility for firstly and most importantly the residents of Christchurch and also sporting visitors. s9(2)(a) who offered to build a pool soon after the earthquakes but was declined by the council needs to be given permission as it can only do good for the city. It will be a huge attraction to living in Christchurch and it will also increase the wellbeing and satisfaction of a lot of the current residents of Christchurch.

Q5 Do you have any other comments or feedback on the proposal?

Can someone please hurry up and build a 50 metre pool racing pool.

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

Respondent skipped this question

Page 1

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Q3 Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary planning changes to enable the further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road?

Yes

Q4 Why do you agree/disagree?

I support this proposal because I agree with the aims & philosophy of the developers behind this project. The proposed amenities would be a great advantage to that area of Christchurch in particular as well as for the greater area of the city

Q5 Do you have any other comments or feedback on the proposal?

No

Q6 If you consider there are compelling reasons why your name and/or feedback should be kept confidential, please outline below.

No problem



Yaldhurst Recreation and Sports Facility – Section 71 Proposal

Overview

Proposal to exercise the power under section 71 of the Greater Christchurch Regeneration Act 2016 to amend the Canterbury Regional Policy Statement and the Christchurch District Plan to rezone 466-482 Yaldhurst Road, Christchurch, to Open Space Metropolitan Facilities Zone (referred to as the Proposal throughout this form).

Canterbury Sports Limited (CSL), a private company, has had a football venue at 466-482 Yaldhurst Road since 2015 (shown on the map and known as the Christchurch Football Centre). The venue includes two full size artificial pitches, a full size natural turf pitch, clubroom and a grandstand.

CSL initiated a project last year to further develop the sports and recreation facilities at the Yaldhurst Road site and create a sports hub for a variety of sports codes.



However, to enable this development to happen there would need to be certain policy and land zoning changes to the Canterbury Regional Policy Statement and Christchurch District Plan.

The Proposal, prepared by Christchurch City Council, is about using section 71 of the Greater Christchurch Regeneration Act 2016 to make the necessary changes to the Canterbury Regional Policy Statement and Christchurch District Plan.

Using section 71 would enable these changes to be made in a single process instead of two. This would be more efficient than making the changes using other planning processes such as those in the Resource Management Act 1991.

The proposed development would contribute to the regeneration of sport and recreation in greater Christchurch by providing facilities to replace some of those lost or damaged in the Canterbury earthquakes and also by catering for an identified additional demand.

The Minister acting for the Minister for Greater Christchurch Regeneration (the Minister) publicly notified the Proposal on Saturday 6 October 2018 and invited people to give their views in writing on the Proposal by **5pm, Monday, 5 November 2018**.

All written submissions will be considered and will help the Minister decide whether to approve the Proposal.



Freepost Authority GCG



Section 71 Proposal: Yaldhurst Sports Facility
Freepost GCG
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140



Yaldhurst Recreation and Sports Facility – Section 71 Proposal Submission form

Where can you see the Proposal and find additional submission forms?

The Proposal can be viewed, and more information and an online submission form are available, on the Department of the Prime Minister and Cabinet's website: www.dPMC.govt.nz/yaldhurst-sports-facility

Also, the Proposal can be viewed, and submission forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Anyone can make a written submission on any part of the Proposal.

Written submissions must be received no later than 5pm, Monday, 5 November 2018.

Please secure edges before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "Freepost GCG" address on the other side of this form.

Do you agree with the Proposal?

Do you agree with the proposed use of section 71 to make the necessary planning changes to enable further development of sports and recreation facilities at the Yaldhurst Recreation and Sports Facility at 466-482 Yaldhurst Road?

Yes No

Why do you agree/disagree and any other comments (optional)
s9(2)(a)

[Redacted comment area]

Please fold with the Freepost address portion on the outside, seal and return by 5pm, Monday, 5 November 2018.

Name: * s9(2)(a)
Address: *
Postcode: *

Email (this will help us to update you):

**indicates required field*

Please note: Your written submission, including your name, may become public information. If you consider there are compelling reasons why your name and/or comments should be kept confidential please outline below.

s9(2)(a)
[Redacted confidential information area]

We may choose to proactively release submissions but if you have requested that your name and/or comments be kept confidential we will consider your reasons. However, if a request is made under the Official Information Act 1982, we may have to release your information. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong.