

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN INDEPENDENT HEARINGS PANEL**

IN THE MATTER of the Resource Management
Act 1991 and the Canterbury
Earthquake (Christchurch
Replacement District Plan) Order
2014

AND

IN THE MATTER of Chapter 21 (Stage 3) Specific
Purpose Zone (Ruapuna)
Proposal of the proposed
Christchurch Replacement
District Plan

**OPENING LEGAL SUBMISSIONS
ON BEHALF OF CHRISTCHURCH CITY COUNCIL**

20 May 2016

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MAY IT PLEASE THE PANEL:

1. INTRODUCTION AND BACKGROUND

- 1.1** These opening legal submissions are filed on behalf of the Christchurch City Council (**Council**) for the Chapter 21 (Stage 3) Specific Purpose Zone (Ruapuna) Proposal (**Proposal**). The Proposal covers the Ruapuna Motorsport Park (**Ruapuna**), which is a 55 hectare recreation reserve that is used for a number of motorsport activities.¹
- 1.2** Ruapuna was the subject of Plan Change 52, the provisions of which were finalised by the Environment Court in March 2016 after a section 293 process in connection with appeals on the plan change. The PC 52 provisions provide important context for the Proposal.
- 1.3** As discussed in Mr Thomson's evidence, PC 52 resulted in a package of provisions which addressed noise issues from Ruapuna. The final version of PC 52 includes an objective, two policies and a package of rules and noise standards, all of which focus on noise effects. Those provisions are deemed to be part of the pRDP under clause 4(3) of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 and accordingly are not part of this Proposal or open for submissions or amendment.
- 1.4** This Proposal is intended to provide the balance of the provisions for the zone, including the necessary objectives, policies and rules to make the provisions for the zone complete.
- 1.5** Preparation of the Proposal occurred in unusual circumstances. At the time the Proposal was notified, there was no certainty about the final provisions of PC 52, which included an objective and policies for the zone.² Accordingly, the Council was limited in its ability to prepare and assess provisions that would sit appropriately alongside the PC 52 provisions. Consequently, the Council's notified Proposal consisted of some simple built-form standards.
- 1.6** The Canterbury Car Club Incorporated's (**Car Club**) submission sought additions to the notified proposal in order to incorporate the remainder of the

¹ Thomson EIC, paras 4.1 to 4.4.

² The Environment Court's first interim decision was released on 23 September 2015, which was after the Proposal was sent to the Ministers for comment on 20 May 2015 and then notified on 25 July 2016. The Environment Court hearing commenced on 18 May 2015.

provisions for the zone. Following the release of the Environment Court's final decision on PC 52, the Council and the Car Club have worked together to agree a set of provisions which, in the Council's submission, appropriately enable the resources at Ruapuna to be utilised without leading to inappropriate adverse effects on neighbouring properties. The Council has provided a section 32 analysis for these provisions in Mr Thomson's evidence.

1.7 Quieter Please (Templeton) Incorporated opposes aspects of the agreed position in its evidence. No other submitters indicated they wished to be heard.

1.8 The Council has annexed a clean version of the revised proposal supported by the Council and Car Club³ to these submissions as **Appendix A**.

2. SCOPE

2.1 The scope of the hearing consists of the Chapter 21 Specific Purpose Zone (Ruapuna) Proposal and any related definitions. The Council is not suggesting any amendments are made to the existing definitions utilised by the Proposal.

2.2 For the avoidance of doubt, the provisions of PC 52 are not within the scope of the hearing. The PC 52 provisions have been shown on the revised proposal in grey for context only.

3. LEGAL ISSUE FOR DETERMINATION

3.1 The only legal issue the Council has identified is whether the matters sought in Quieter Please's evidence are within the scope of its original submission. The Council's position is that Quieter Please's submission is more narrowly focused than the matters raised in its evidence. In particular, the submission did not cover the following matters raised in Quieter Please's evidence:

- (a) ancillary or accessory:
 - (i) conference and function facilities;
 - (ii) retail activities; and
 - (iii) cultural facilities.
- (b) sale and supply of alcohol;

³ The tracked version is annexed to Mr Thomson's rebuttal evidence.

- (c) fabrication and repair facilities;
- (d) Ruapuna's reserve status and public access; and
- (e) the use of the definition of "motorized sports facility".

3.2 However, given the final provisions agreed between the Car Club and Council have substantially changed since the original proposal was notified, and bearing in mind that Quieter Please is not represented by legal counsel and has not engaged an expert planner, the Council's evidence has addressed the merits of Quieter Please's concerns to assist the Panel.

4. RELEVANT HIGHER ORDER AND POLICY DOCUMENTS

4.1 The Council's section 32 report has identified the following documents as relevant to the Proposal:

- (a) Decision 1 (Strategic Directions) of the Independent Hearings Panel on the pRDP, February 2015;
- (b) the Canterbury Regional Policy Statement;
- (c) the Recovery Strategy for Greater Christchurch;
- (d) the Land Use Recovery Plan; and
- (e) the Order in Council, in particular the Statement of Expectations.

4.2 These documents are addressed in the section 32 report annexed to Mr Thomson's evidence in chief.

5. THE PROPOSAL

5.1 The Proposal is described and assessed in detail in Mr Thomson's evidence in chief, section 32 report and rebuttal. The key additions to the proposal are summarised below.

5.2 Two objectives have been included to provide for ancillary and accessory community and cultural uses of Ruapuna, and to avoid, remedy or mitigate adverse effects (other than noise, which is addressed in the PC 52 objective)

from activities at Ruapuna. It is submitted that both new objectives are appropriate to achieve the purpose of the Act. The Council does not understand Quieter Please to oppose the two objectives, instead the Council understands that its concern in relation to objectives is to ensure that the PC 52 objective is unchanged, which it is.

5.3 The Proposal also introduces an associated policy which provides for the use and development of land and buildings at Ruapuna. The policy makes specific reference to:

- (a) the regional importance of the park as a motorsport facility; and
- (b) enabling a range of uses which are ancillary, accessory or complementary to the park's use as a motorsport facility.

5.4 It is submitted that the objectives and policy are appropriately balanced and in turn provide the necessary policy framework for the rules in the Proposal.

5.5 The rules include a number of new permitted activities. Each of the permitted activities either already occurs at the park and was provided for by the operative plan, or relates to activities which are ancillary or accessory to motorsport activities.

5.6 The permitted activities are restricted by appropriate activity specific standards which the Council submits will prevent those activities from generating adverse effects on neighbouring properties. As discussed by Mr Camp, these activities have to comply with the noise limits in Table 4 for "All other activities", which are equivalent to the standard noise limits for rural and residential zones in Chapter 6.⁴

5.7 It is submitted that it is appropriate to enable these activities at Ruapuna, and that this approach is consistent with the Statement of Expectation's direction to reduce reliance on the resource consent process.

⁴ Camp rebuttal, paras 3.1 to 3.3.

6. MATTERS RAISED BY QUIETER PLEASE

- 6.1 Quieter Please raises several issues with the agreed provisions in its evidence which are briefly addressed below.

Sale and supply of Alcohol

- 6.2 Quieter Please has recorded concerns about the sale and supply of alcohol at events, including drink driving. It is submitted that Quieter Please's concerns about the sale and supply of alcohol are better addressed through the liquor licensing process than the district plan provisions.

Fabrication and repair facilities

- 6.3 Quieter Please records a concern that an increase in motor racing vehicle fabrication and repair activities will increase noise. This is addressed in Mr Camp's rebuttal evidence at paragraphs 4.1 to 4.4 and Mr Cowan's rebuttal at paragraphs 13 to 16.

- 6.4 Mr Camp's evidence is that vehicle fabrication and repair would have to comply with the table for the noise limits, which are equivalent to the standard noise limits within the rural zone. Mr Thomson also notes in his rebuttal that fabrication and repair activities must be ancillary and accessory to motor racing activities on this site and therefore the rule would not enable broader vehicle repair and fabrication activities. Accordingly, it is submitted that this permitted activity rule would not lead to inappropriate noise effects on nearby residences.

- 6.5 Additionally, Mr Cowan's evidence is that fabrication and repair facilities already exist at Ruapuna and have done so since 1992. Mr Cowan states that, in his experience, there have been no complaints about noise from the existing fabrication and repair facilities.⁵

Policies

- 6.6 Quieter Please has requested that Ruapuna's status as a recreation reserve be recognised in the policies. However, Mr Thomson's evidence is that such

⁵ Cowan rebuttal, para 14.

an approach would not serve any resource management purpose.⁶ The management of Ruapuna as a recreation reserve, including issues around public access, is within the jurisdiction of the Reserves Act rather than the RMA.

Definitions

- 6.7** Quieter Please is opposed to the use of the definition of "motorised sport facility" because it includes reference to go-karts.
- 6.8** Mr Thomson observes that Quieter Please's concern in relation to the possibility of go-karts using Ruapuna already exist in the PC 52 rules. PC 52 introduced a definition of motor racing vehicle which means "*a vehicle purpose built or modified to compete in motor racing*". It is Mr Thomson's opinion that go-karts fall within that definition. Consequently, go-karts are captured by the restrictions for the use of motor racing vehicles in the PC52 provisions.
- 6.9** Consequently, if go-karts were to use Ruapuna, that would use up some of the days allocated for motor racing vehicles. Mr Camp's evidence is that go-karts are quieter than most full sized racing vehicles so if go-karts were to use the track, and therefore use up some of the noise allowance in the PC 52 rules, the overall noise levels would be lower rather than higher.⁷

Other activities

- 6.10** Quieter Please's evidence suggests that conference and function facilities, and retail and cultural facilities will increase traffic and noise effects. In relation to noise, Mr Camp's evidence is that these activities would not lead to any significant noise effects and in any event would have to comply with the noise limits for all other activities in Table 4.
- 6.11** In relation to traffic, Mr Milne's evidence is that on a worst case scenario for a conference of a hundred delegates, the traffic effects would not be significant.

7. WITNESSES

- 7.1** The Council will call the following witnesses:

⁶ Thomson rebuttal, para 3.12.
⁷ Camp rebuttal, paragraph 5.2

- (a) Mr Ivan Thomson, who has provided expert planning evidence;
- (b) Mr Andrew Milne, who has provided expert traffic evidence (rebuttal only); and
- (c) Mr Stuart Camp, who has provided expert acoustic evidence (rebuttal only).

DATED at Wellington this 20th day of May 2016

A handwritten signature in blue ink, appearing to read 'Harwood', is written over a light blue rectangular background.

M G Conway / H P Harwood
Counsel for Christchurch City Council

Chapter 21.10 - Specific Purpose (Ruapuna Motorsport) Zone

Chapter 6.1 - General Rules (Noise)

Chapter 2 - Definitions

Key:

- PC 52 Decision text (as modified by the Council through changes having minor effect) is shown in grey for context only. [The provisions from the Environment Court's decision on PC52, once made operative, are deemed to be part of the Replacement District Plan under clause 4(3) of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 and cannot be revisited through this process.]
- New Defined terms are shown as **bold underlined green.**
- The clean version of the Proposal is shown in black.

Chapter 21.10 Specific Purpose (Ruapuna Motorsport) Zone

21.10.1 OBJECTIVES AND POLICIES

21.10.1.1 OBJECTIVE: MOTORSPORT

Ruapuna Motorsport Park continues to operate as a facility of regional importance servicing motorsport, as well as training and recreational activities, whilst ensuring the adverse noise effects of activities at the Park on the surrounding community and environment are effectively managed to not increase and, if practicable, are reduced.

21.10.1.2 OBJECTIVE : ANCILLARY ACTIVITIES

Ruapuna Motorsport Park provides a range of ancillary and accessory community and cultural uses which will assist in maintaining the viability of the park and contribute towards providing for the social wellbeing of the community.

21.10.3 OBJECTIVE : ADVERSE EFFECTS

Other adverse effects from activities at the Ruapuna Motorsport Park are avoided, remedied or mitigated.

21.10.1.1.1 Policy: Motorsport

- (a) To ensure that motorsport activities operate in a manner which do not result in an unreasonable level of noise being received by activities which are noise sensitive; and
- (b) To manage noise sensitive activities where they would be affected by noise from motorsport activities.

21.10.1.1.2 Policy: Other environmental effects of activity at Ruapuna Motorsport park

- (a) To ensure that activities associated with the Ruapuna Motorsport Park do not have the effect of giving rise to adverse effects (noise, glare, visual detracting), including through incremental increases in scale and intensity, without separation or mitigation measures.

21.10.1.1.3 Policy: Use and development of Ruapuna Motorsport Park

- (a) To provide for the use and development of the land and buildings at Ruapuna Motorsport Park in a manner that:
- i. Recognises the regional importance of the park as a motorsport facility; and
 - ii. Enables a range of uses that are ancillary, accessory, or complementary to the park's use as a motorsport facility.

21.10.2 RULES - SPECIFIC PURPOSE (RUAPUNA MOTORSPORT) ZONE

21.10.2.1 How to use the rules

21.10.2.1.1 The rules that apply to activities in the Specific Purpose (Ruapuna Motorsport) Zone are contained in:

- a. General Rules - Noise in 21.10.2.2.
- b. The Activity Status Tables (including Activity Specific Standards) in 21.10.2.3.
- c. Built Form Standards in 21.10.2.4.

21.10.2.1.2 The Activity Status Tables and Standards in the following chapters also apply to activities in the Specific Purpose (Ruapuna Motorsport) Zone:

5. Natural Hazards
6. General Rules and Procedures
7. Transport - see in particular 7.2.3
8. Subdivision, Development and Earthworks
9. Natural and Cultural Heritage
11. Utilities and Energy
12. Hazardous Substances and Contaminated Land

21.10.2.1.3 Where the word "facility" is used in the rules (e.g. spiritual facility), it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise. Similarly, where the word/phrase defined includes the word activity or "activities", the definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.

21.10.2.2 General Rules - Noise

21.10.2.2.1 There shall be a minimum of 10 weekend calendar days scheduled between 31 October and 31 March per annum, of which at least 4 shall be scheduled between 2 January and 31 March, where there shall only be activities permitted in Rule 21.10.2.3 Table 4.

21.10.2.2.2 For the purposes of these rules:

- (a) Noise from Ruapuna Motorsport Park shall be measured in accordance with New Zealand Standard NZS 6801:2008 Acoustics – Measurement of environmental sound, and assessed in accordance with NZS 6802:2008 Acoustics - Environmental noise, except that any penalty for special audible characteristics and/or duration (paragraphs 6.3 and 6.4) shall not apply.
- (b) A permanent noise logger shall be established at Ruapuna Motorsport Park, at a position selected by the Council, and shall be operated and maintained by the Council.
- (c) The noise limits specified in Rule 21.10.2.3 Table 1 and Table 2 apply at the permanent noise logger. Data from the permanent noise logger will be deemed sufficient to determine compliance with Rule 21.10.2.3 Table 1 and Table 2, subject to verification that noise is attributable to activities at the Ruapuna Motorsport Park. Verification is to be confirmed by the Council.
- (d) The noise limits specified in Rule 21.10.2.3 Table 3 and Table 4 apply at the boundary of the Ruapuna Motorsport Park.
- (e) The lessees of the Ruapuna Motorsport Park shall maintain a log of racing, training, practicing, testing, and all other events. The log is to be made available to the Council upon request and should include as a minimum: the type of activity, event name if applicable, and start/finish times.
- (f) A year shall mean the 12 month period from 1 July to the following 30 June.

21.10.2.2.3 The following exemptions will apply to the rules in 21.10.2.3 and 21.10.2.2.1:

- (a) Rule 21.10.2.3 shall not apply to emergency services vehicles;
- (b) Where the need to wait for a replacement ambulance to arrive on site causes the start or finish time of any activity on the track to be delayed, the hours of operation may be extended for up to an hour.
- (c) Where a New Zealand Speedway title event has experienced unavoidable delays, the hours of operation may be extended for up to an hour to complete the New Zealand Speedway title event on up to 4 occasions per year;
- (d) Where the Speedway race programme for a New Zealand Speedway title event is unable to be completed due to adverse weather conditions, the programme may be completed the following calendar day, and may commence from 2pm, on up to 4 such events per year.

21.10.2.2.4 Noise Management Plans

- (a) The lessee or lessees of facilities within the Ruapuna Motorsport Park shall prepare, maintain and operate in accordance with a Noise Management Plan for the operation of the Speedway (including the Remote Control Car Track) and a Noise Management Plan for the operation of the Raceway. Each initial Noise Management Plan shall be submitted to the City Planning Unit Manager of the Council for certification by a suitably qualified and experienced person (appointed

- by the Head of Planning and Strategic Transport) in writing that the Noise Management Plan gives effect to this rule within three months of this rule becoming operative. Any subsequent iterations of the Noise Management Plans will not require certification.
- (b) Notwithstanding the process and timing for review of the Noise Management Plans specified in the Plans, the Council may review either one or both Noise Managements Plans in consultation with the lessees and the Community Liaison Committee. The Council shall provide adequate notice and state the reasons for the review, and any reviewed plan shall be recertified by the suitably qualified and experienced person appointed by the Head of Planning and Strategic Transport.
- (c) The respective Noise Management Plans shall each address and include:
- (i) Objectives which are consistent with and which will contribute to achievement of Objective 21.10.1.1 and Policy 21.10.1.1.1 to maintain the operation of the facility whilst not increasing, and if possible reducing adverse noise effects on the environment.
 - (ii) A clear description of the physical resources and facilities located at the Raceway or Speedway.
 - (iii) A comprehensive description of the range of activities conducted at the Raceway or Speedway, including a requirement that an annual calendar of Race Dates be prepared and made publicly available for both the Raceway and Speedway prior to the commencement of each raceway season. In addition a calendar of all the activities proposed for each calendar month showing the times and noise category of each activity shall be prepared, maintained, and made publicly available prior to the beginning of that calendar month. The calendars should:
 1. specifically identify dates for those weekend days required by Rule 21.10.2.2.1;
 2. where possible, the calendar should include provision of late starting times at the Raceway on days when the Speedway is also holding a race event and identify dates for [Special Interest Vehicles](#); and
 3. be updated as soon as possible following the cancellation of any activity.
 - (iv) Operating procedures for the Raceway or Speedway. These procedures are to ensure activities at the Raceway and Speedway comply with the rules in 21.10.2.2 and 21.10.2.3.
 - (v) Measures and initiatives for the management of vehicle noise and public address systems to achieve the Noise Management Plan objectives, including to ensure, where relevant, consistency with the requirements of the New Zealand Motorsport Manual.

- (vi) A description of the methods proposed to record the type, scale, frequency and duration of activities and events, including the monitoring of noise levels.
- (vii) Protocols for the sharing of data from noise monitoring. This shall include a requirement to provide regular reporting of activities to the, public, Council and Community Liaison Committee with regard to compliance with the rules in 21.10.2.2 and 21.10.2.3, including a running tally of each category of event held in each year.
- (viii) Protocols for responding to, addressing, and reporting on noise exceedances recorded by noise monitoring.
- (ix) Identification of management responsibilities and personnel, including contact details.
- (x) The protocol for receiving, processing and responding to noise complaints. This shall include a requirement that the complainant be advised of the outcome of any complaint.
- (xi) The process and timing for review of the respective Noise Management Plans.
- (xii) As a schedule, a copy of the Council's Monitoring Guidelines for Ruapuna Motorsport Park. The Guidelines shall record the methodology that the Council will utilise for:
 1. how monitoring at the [boundary](#) is to occur for the activities undertaken in accordance with Rule 21.10.2.3 Tables 3 and 4; and
 2. analysing noise data from the boundary logger for the purpose of assessing compliance with the rules in 21.10.2.2 and 21.10.2.3 (for example, to eliminate outliers in the data set, such as overflying aircraft); and
 3. subsequently investigating any non-compliances identified in that analysis, including through discussion with the lessees of facilities within the Park; and
 4. ensuring that the boundary logger is calibrated to accurately record noise at the Raceway and the Speedway.
- (xiii) The matters required by Rule 21.10.2.2.5 below.

21.10.2.2.5 Community Liaison Committee

- (a) The lessees, with support from the Council, shall form and operate a Community Liaison Committee. The following matters shall be set out in each Noise Management Plan:
 - (i) Committee membership, roles, and appointment procedures. The Committee shall comprise an independent chairperson appointed by the Council, 3 members from the local Templeton residents, 2 members from the Canterbury Car Club, 1 member from Christchurch Speedway Association, and 1 member from the Council;

- (ii) The frequency of meetings, which shall be a minimum of four times per year, or as agreed by the Committee;
 - (iii) Administration responsibilities, and procedures;
 - (iv) Dispute resolution procedures.
- (b) If local Templeton residents do not wish to form a Community Liaison Committee that shall not comprise a breach of these rules on the part of the Council or the lessees.

21.10.2.3 Activity Status Tables - Ruapuna Motorsport Activities

21.10.2.3.1 Permitted Activities

The activities listed below are permitted activities, subject to compliance with all the Activity Specific Standards set out in this table and the Built Form Standards in 21.10.2.4.

Activities may also be discretionary or non-complying as specified in Rules.

Activity		Activity Specific Standards
P1	Motor vehicles using the Racetrack except motor racing vehicles , and not operating above 100 km/h.	a. Shall occur in accordance with the raceway noise standards in Table 1.
P2	Motor racing vehicles using the Racetrack.	a. Shall occur in accordance with the raceway noise standards in Table 1. b. The activities in Table 1 shall not be scheduled to occur at the same time as the activities in Table 2.
P3	Drag racing vehicles using the Racetrack.	a. Shall occur in accordance with the raceway noise standards in Table 1. b. Where Drag Racing is scheduled to occur on a day where there are other activities scheduled to occur on the racetrack, it shall be allowed to occur on the same day provided that the events do not occur at the same time. For the avoidance of doubt, a day of Drag Racing that occurs on the same day as one of the other 120 high noise days in Table 1 will be treated as two separate days for the purpose of accounting for the maximum number of calendar days per year allocated for these activities. c. The activities in Table 1 shall not be scheduled to occur at the same time as the activities in Table 2.
P4	Special Interest Vehicles using the Racetrack.	a. Shall occur in accordance with the raceway noise standards in Table 1 .

Activity		Activity Specific Standards
		b. The activities in Table 1 shall not be scheduled to occur at the same time as the activities in Table 2.
P5	Speedway race meeting.	a. Shall occur in accordance with the speedway noise standards in Table 2. b. The activities in Table 1 shall not be scheduled to occur at the same time as the activities in Table 2.
P6	Speedway practices.	a. Shall occur in accordance with the standards in <u>Table 2</u> .
P7	Electric remote controlled vehicles using the Track.	a. Shall occur in accordance with the remote controlled vehicle track noise standards in <u>Table 3</u> .
P8	Non-electric remote controlled vehicles using the Track.	a. Shall occur in accordance with the remote controlled vehicle track noise standards in <u>Table 3</u> .
P9	Driver training	a. Shall occur in accordance with the noise standards for all other activities in Table 4
P10	Road safety testing	a. Shall occur in accordance with the noise standards for all other activities in Table 4
P11	Activities associated with a <u>motorised sports facility</u> at Ruapuna including operation of any PA system, maintenance or management of the Motorsport Park, pilot vehicles used to manage or control activities, vehicles entering, parking within or leaving the Motorsport Park, and car storage.	a. Shall occur in accordance with the noise standards for all other activities in Table 4.
P12	Facilities to accommodate the activities permitted by rules P1 - P11	a. Nil
P13	<u>Ruapuna Club Rooms</u>	a. Any club room shall occupy no more than 400m ² of gross floor area. b. Shall occur in accordance with the noise standards for all other activities in Table 4
P14	<u>Public amenities.</u>	a. Any <u>public amenities</u> building containing toilets and/or changing rooms shall be setback a minimum of 20m from the boundary with any Rural, Residential and Guest accommodation Zones, and/or Accommodation and Community facilities Overlay, except on the northern boundary

Activity		Activity Specific Standards
		where the setback shall be a minimum of 10m.
P15	<u>Offices</u> ancillary or accessory to permitted activities listed in this table.	a. <u>Offices</u> shall cumulatively occupy no more than 250m ² of gross floor area b. Shall occur in accordance with the noise standards for all other activities in Table 4
P16	<u>Retail activity</u> ancillary or accessory to permitted activities in this table.	a. <u>Retail activity</u> shall cumulatively occupy no more than 200m ² of gross floor area b. Shall occur in accordance with the noise standards for all other activities in Table 4
P17	<u>Emergency Service Facilities</u> ancillary or accessory to permitted activities in this table.	a. Nil
P18	<u>Parking areas</u> for motorised sports events	a. Parking shall be provided at the rate shown in row I of Chapter 7 Transport Appendix 7.1 Parking space requirements.
P19	<u>Cultural facilities</u>	a. Any cultural facilities shall be ancillary or accessory to the <u>motorised sports facility</u> in the Specific Purpose Ruapuna Motorsport Zone and shall cumulatively occupy no more than 500m ² of site area b. Shall occur in accordance with the noise standards for all other activities in Table 4
P20	<u>Motor racing vehicle</u> fabrication and repairs facilities ancillary or accessory to motor racing activities in the Specific Purpose Ruapuna Motorsport Zone.	a. Any motor racing vehicle fabrication and repair facilities shall cumulatively occupy no more than 1500 m ² of site area. b. Shall occur in accordance with the noise standards for all other activities in Table 4
P21	Conference and function facilities	a. Any conference and function facilities shall be ancillary or accessory to the <u>motorised sports-facility</u> in the Specific Purpose Ruapuna Motorsport Zone. b. Shall occur in accordance with the noise standards for all other activities in Table 4 c. There shall be no more than 100 delegates present in the facility at any one time. d. The hours of operation when the facility is open to visitors, clients and deliveries shall be limited to between the hours of 0700 -

Activity		Activity Specific Standards
		2300.
P22	Recreation activities	a. Any recreation activities shall be accessory or ancillary to the motorised sports facility in in the Specific Purpose Ruapuna Motorsport Zone. b. Shall occur in accordance with the noise standards for all other activities in Table 4

21.10.2.3.2 Controlled Activities

There are no controlled activities.

21.10.2.3.3 Restricted Discretionary Activities

The activities listed below are restricted discretionary activities:

Activity		The Council's discretion shall be limited to the following matters:
RD1	Buildings that do not comply with one or more of the built form standards in 21.10.2.4	As relevant to the built form standard in 21.10.2.5

21.10.2.3.4 Discretionary Activities

The activities listed below are discretionary activities:

Activity	
D1	Any permitted activity that does not comply with one or more of the activity specific standards under Rule 21.10.2.3.1, unless otherwise specified.
D2	Non-compliance with the requirements of Rule 21.10.2.2 General Rules - Noise.

21.10.2.3.5 Non-complying Activities

The activities listed below are non-complying activities:

Activity	
NC1	<p>Any activity at the Raceway, Speedway, or Remote Controlled Vehicle Track exceeding 40dB $L_{Aeq(15min)}$ and 65dB L_{AFmax} on the following days:</p> <ul style="list-style-type: none"> (a) Good Friday (b) Easter Monday (c) Between 25 and 31 December (d) New Years Day (e) ANZAC Day <p>This rule applies in addition to any allowance for noise free Mondays in Rule 21.10.2.3.1 Table 1</p>
NC2	Any activity not provided for as a permitted, controlled, restricted discretionary, discretionary, or prohibited activity.

21.10.2.3.6 Prohibited Activities

There are no prohibited activities.

Table 1 Raceway Noise Standards

Permitted Activity	Days of the Week	Maximum Number of calendar days per year	Boundary Logger Noise Limits		Hours of Operation
			$L_{Aeq(15min)}$	L_{AFmax}	
Motor vehicles using the Racetrack except <u>motor racing vehicles</u> , and not operating above 100 km/h	Mondays	50	65 dB	85 dB	0900 – 1800
<u>Motor racing vehicles</u> using the Racetrack	Any day except Mondays	90	65 dB	90 dB	0900 – 1800 Except on 5 days Friday to Sunday
		75	70 dB	90 dB	
		120 of which no more than 50 days shall occur	80 dB	95 dB	

		from Tuesday to Friday inclusive			0900 – 2000
<u>Drag racing</u> vehicles using the Racetrack	Any day except Mondays	5	80 dB	105 dB	0900 – 1800
<u>Special Interest Vehicles</u> using the Racetrack	Any day except Mondays	6 as part of any permitted activity listed in this table	90 dB	105 dB	Maximum of 90 minutes per day 1000 – 1700

Table 2 Speedway Noise Standards

Permitted Activity	Days of the week	Maximum Number of calendar days per year	Boundary Logger Noise Limits		Hours of Operation
			<u>L_{Aeq}</u> (15min)	<u>L_{AFmax}</u>	
Speedway race meeting	Any day except Mondays	15	80 dB	95 dB	1800 – 2200
Speedway practices	Any day except Monday	5	80 dB	95 dB	1200 – 1800

Table 3 Remote Controlled Vehicle Track Noise Standards

Permitted Activity	Days of the week	Maximum Number of calendar days per year	Boundary Noise Limits		Hours of Operation
			<u>L_{Aeq}</u> (15min)	<u>L_{AFmax}</u>	
Electric remote controlled vehicles using the Track	Any day except Mondays	No limit	65 dB	90 dB	0900 – 1800
Non-electric remote controlled vehicles using the Track	Any day except Mondays	50	65 dB	90 dB	0900 – 1800

Table 4 All other activities Noise Standards

Permitted Activity	Days of the week	Maximum Number of calendar days per year	Boundary Noise Limits		Hours of Operation
			L_{Aeq} (15min)	L_{AFmax}	
Activities not listed in Tables 1, 2, and 3 including operation of any PA system, maintenance or management of the Motorsport Park, pilot vehicles used to manage or control activities, vehicles entering, parking within or leaving the Motorsport Park	Any day	No limit	50 dB	75 dB	0700 – 2200
	Any day	No limit	40 dB	65 dB	2200 - 0700

21.10.2.4 Built Form Standards**21.10.2.4.1 Maximum impervious surface**

a. The maximum percentage of the net site area covered by impervious surfaces shall be 30%.

21.10.2.4.2 Maximum site coverage

- a. The maximum area of the site covered by a single building shall be 1500m².
- b. The maximum percentage of the net site area covered by buildings shall be 5%.

21.10.2.4.3 Minimum building setbacks from internal boundaries

a. The minimum building setback from an internal boundary shall be 20m, except at the northern boundary where the minimum building setback shall be 10m.

21.10.2.4.4 Road boundary building setback

- a. The minimum **building setback** from a road **boundary** shall be 10m.

21.10.2.4.5 Building height

- a. The maximum **height** of any **building** shall be 20m.

21.10.2.4.6 Service, storage and waste management spaces

- a. Outdoor storage areas shall be screened from adjoining **sites** and **roads** by either planting, wall(s), fence(s) or a combination to at least 1.8m in height along the length of the storage area. Where such screening is by way of planting it shall be for a minimum depth of 3m.

21.10.2.5 Controlled and restricted discretionary matters

21.10.2.5.1 Impervious surface

- a. The adequacy of the proposed means of collecting, conveying, treating, attenuating and disposing of surface water from all impervious surfaces, including the management of potential contaminants on industrial sites.

21.10.2.5.2 Maximum site coverage

- a. Whether the scale of the building/s is compatible with the layout, scale and appearance of other buildings within the site and/or on adjoining sites.
- b. The extent to which the provision of planting or screening may mitigate adverse effects of the encroachment. Reference should be made to General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species
- c. Whether the development is designed and laid out to promote a safe environment and reflects principles of Crime Prevention through Environmental Design (CPTED).

21.10.2.5.3 Minimum building setbacks from internal boundaries

- a. The extent to which a reduced internal boundary setback will result in:
 - i. Adverse visual effects on open space and/or adjoining residents;
 - ii. Potential for activities within the building to give rise to disturbance to neighbours or nuisance effects;
 - iii. A more efficient, practical and better use of the balance of the site.

- b. Whether the scale and height of the building/s is compatible with the layout, scale and appearance of other buildings within the site and/or on adjoining sites.
- c. The extent to which the provision of planting or screening may mitigate adverse effects of the encroachment. Reference should be made to General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species
- d. Whether the development is designed and laid out to promote a safe environment and reflects principles of Crime Prevention through Environmental Design (CPTED).

21.10.2.5.4 Road boundary building setback

- a. The extent to which the reduced setback will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites, including consideration of:
 - i. Compatibility with the appearance, layout and scale of other buildings and sites in the surrounding area;
 - ii. The classification and formation of the road, and the volume of traffic using it in the vicinity of the site;
 - iii. The provision of planting or screening to mitigate adverse effects of the encroachment. Reference should be made to General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species.
- b. Whether the development is designed and laid out to promote a safe environment and reflects principles of Crime Prevention through Environmental Design (CPTED).
- c. The extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site.

21.10.2.4.5 Building height

- a. The extent to which the increased building height will result in:
 - i. Visual dominance;
 - ii. Loss of privacy and outlook for adjoining residents;
 - iii. Incompatibility with the character and scale of buildings within and surrounding the site;
 - iv. Adverse visual effects that are mitigated by landscaping. Reference should be made to General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species.
 - b. Whether the increased height will result in any benefits in terms of retention of open space, significant trees or the satisfaction of specialised recreational needs.
- Whether the development is designed and laid out to promote a safe environment and reflects the principles of Crime Prevention through Environmental Design (CPTED).

21.10.2.4.6 Service, storage, and waste management spaces

- a. The extent to which planting or screening will mitigate any adverse visual effects of outdoor storage. Reference should be made to General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species;
- b. The extent to which the materials or goods stored within the setback have an adverse visual effect.

CHAPTER 6.1 GENERAL RULES - NOISE

6.1.5 Activities near Infrastructure

6.1.5.1 Activity Status Tables

6.1.5.1.1 Permitted Activities

The activities listed below are permitted activities, subject to compliance with all the Activity Specific Standards set out in this table.

Activity	Activity Specific Standards
P1 <i>These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.</i>	<i>These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.</i>
P2 In any Rural zone other than the Rural Quarry Zone, any new noise sensitive activity and any addition to an existing noise sensitive activity proposed between the Ruapuna Inner and Outer Noise Boundary relating to Ruapuna Motorsport Park as shown on the relevant planning maps.	a. Shall be designed and constructed to ensure compliance with the indoor design sound levels in Rule 6.1.5.3.1. Advice note: These rules are intended to mitigate the effects of motorsport noise within internal building spaces only. Noise from motorsport activities will also be audible outside of buildings to a varying degree. When constructing new dwellings, residents are encouraged to consider orientating outdoor living spaces away from the Motorsport Park. Where this is not practical, the use of solid continuous walls or fencing encircling the outdoor space, can be used to help mitigate noise.

6.1.5.1.2 Restricted Discretionary Activities

These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.

6.1.5.1.3 Discretionary Activities

There are no discretionary activities.

6.1.5.1.4 Non-complying Activities

The activities listed below are non-complying activities:

Activity	
NC1	<i>These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.</i>
NC2	<i>These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.</i>
NC3	<i>These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.</i>
NC4	<i>These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.</i>
NC5	In any rural zone, any new noise sensitive activity located within the Ruapuna Inner Noise Boundary surrounding Ruapuna Motorsport Park as shown on the relevant planning maps.
NC6	In any Rural zone other than the Rural Quarry Zone, any new noise sensitive activity or any addition to an existing noise sensitive activity proposed between the Ruapuna Inner and Outer Noise Boundary relating to Ruapuna Motorsport Park as shown on the relevant planning maps that does not comply with the Activity Specific Standard of Rule 6.1.5.1.1 P2.

6.1.5.1.5 Prohibited Activities

These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.

6.1.5.2 Sensitive activities near roads and railways

These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.

6.1.5.3 Activities near Christchurch Airport

These provisions are currently being considered by the Independent Hearings Panel and will be determined through that process.

CHAPTER 2 - DEFINITIONS

Motor Racing Vehicle

means a vehicle purpose built or modified to compete in motor racing

Noise Sensitive Activities

in relation to the Specific Purpose (Ruapuna Motorsport) Zone means:

- (a) [Residential activities](#) other than those existing in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;
- (b) [Education activities](#) including [pre-school](#) places or premises, but not including flight training, trade training or other industry related training facilities;
- (c) Guest-accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;
- (d) [Healthcare facilities](#) and any [elderly persons housing unit](#).

Road safety testing

in relation to the Specific Purpose (Ruapuna Motorsport) Zone means the physical testing of safety hardware for road use and includes the impact of motor vehicles against the hardware.

Ruapuna Club Rooms

in relation to the Specific Purpose (Ruapuna Motorsport) Zone, means any building or part thereof which is accessory to motorsport and which is intended to be used by members of a motorsport club for locker facilities, amenities, meetings and/or social events.

Special Interest Vehicle

means: historical vehicles-for which it is impracticable to achieve noise limits associated with standard racing vehicles, and shall include a F5000 vehicle.

Drag Racing

means: vehicles which race over 400 metre distance, with a maximum of 2 vehicles at a time.

PLANNING MAPS

Amend Planning Maps 28, 29, 35, 36 of the Christchurch District Plan to show the Ruapuna Inner and Outer Noise Boundary contour (as attached).