

### **In reply to the Officer's Report**

71. Resource consent (RC950041) granted in 1995 for the North Canterbury Clay Target Association limited the activity to 13 shoot meetings and 13 practices per year. A Certificate of Compliance (2007) (RC075615) increased meetings and practices to 52 each. Therefore, the submission seeks less shoot meetings but more practices, a later finish time and longer duration (see Table 4 below).

**Reply:** *We do not believe this summary is correct. The Club holds two consents,*

- *A Resource Consent to establish and operate a clay target shooting range  
That the use of the range be limited to a maximum of 13 shoot meetings per year, to be held generally on a Sunday and a maximum of 13 practices per annum.  
Shoot meetings shall be restricted to between the hours of 10.00 am and 6.30 pm. Practices shall be restricted to between the hours of 5.30 pm and 8.30 pm and shall be no longer than 1 1/2 hours duration*
- *Existing Use Certification/Certificate of Compliance permits 52 shoot meetings & 52 practices per annum with the provision of 9 carparks.  
There are no limitations to duration.*

*The courts have confirmed we are required to comply with the district plan noise levels which are Rule 31.12.1.2 of the Waimakariri District Plan states:*

*Activities in any zone, other than the Business 3 Zone, shall not exceed the following noise limits within measurement time intervals in the time-frames stated at any point within the notional boundary of any dwellinghouse in the Rural Zone, or at any point within any Residential Zone:*

*a. Daytime: 7am to 7pm Monday to Saturday, and 9am to 7pm, Sundays and Public Holidays  
50dBA L10.*

75. I consider, given the potential for noise issues and the specific matters that need to be assessed, it would be more effective for the Clay Target Association activity to proceed through a resource consent process. Separate to an effects assessment, this may require direct notification to any affected party under s95A and 95B of the RMA.

**Reply:** *We disagree, monitoring of noise effects has been undertaken already, and at best involves one possible property during a certain type of event, which if determined, likely can be mitigated onsite through redirection of the target setting.*

*It is well known how costly the RMA process is on applicants, as is the inconsistency in determining who might be considered "affected".*

*The officer has cherry-picked a single statement from Mr Camp's suggestions and otherwise overlooked the opportunity to mitigate noise complaints which is the issue at hand.*

*Compliance with the district plan noise levels requires no consent.*

76. As the site is already subject to a detailed resource consent approval (including conditions), in my opinion, it is more effective and efficient to enable the Association to continue operating under those conditions. The Association has the option of seeking changes to or cancellation of consent conditions under s127 of the RMA. That resource consent process would allow scrutiny of the potential effects on the environment, including scrutiny on the number of events, operating days and finish time and consultation with neighbours on these.

*Reply: We disagree, the Club's original resource consent is hardly detailed in terms of its operation, rather establishment standards, however, it would permit unlimited monitoring of our activities at its cost, and is something council compliance officers are keen to see us revert back to. If the Club wished to have varied its consent it would have done so. Advice from WDC planning at the time was to apply for the Existing Use Certification/Certificate of Compliance which is what is being operated. This was recommended as the best and cheapest option that would meet the Club's needs. The Club is proposing to self-limit its operation under no obligation to do so. We can comply with the district plan noise limits as it stands. The WDC could have amended the Club's consent at any point during the past decade to mitigate any future issues. We would support this to achieve the same result, however, we are not looking to incur further costs on the matter.*

#### **In reply to Mr Camp's recommendation**

##### OBJECTIVE NOISE-02 REVERSE SENSITIVITY

29 There are 3 submissions relating to Noise Objective Noise-02 (Reverse Sensitivity).

30 North Canterbury Clay Target Association (61) seeks to explicitly include noise generating activities in Rural areas. NZ Pork and Horticulture New Zealand (169 & 295 & 414) similarly ask for Rural zones to be added to the objective.

31 I have recommended that these submissions be rejected.

32 The requested change would move the objective from one offering protection for a small number of "identified" activities in the district to any noise generating activity in a Rural zone. In my view, this would be inappropriate.

*REPLY: To correct the statement, the Club's submission seeks to include **existing noise generating activities in Rural Zones**, not any or future. We are the only submitter with an "identified" activity location seeking inclusion, such an addition would hardly be opening the district up to any noise generating activity, rather recognising that our lawfully established activity exists. What assessment criteria has been used to determine whether one fits the bill to be an "identified" activity? We are after all an existing activity with historic noise issues of similar-sized to Woodford Glen, who has been afforded this recognition and resulting exemption despite the significantly higher noise effects on a substantial population.*

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A detailed assessment of noise around the Clay Target Association site clearly concludes that the construction of residential dwellings since the Association established has resulted in justified complaints about shooting related noise. **In my view, there are unlikely to be any practicable noise mitigation options to enable the Association to comply with the notified permitted activity standards.**

*REPLY: We are not aware of any "detailed noise assessment" having been completed by the WDC or on their behalf for our activities.*

During duck shooting season and seed growing season regularly receive complaints, often abusive about "our shooting" even when the Club is closed.

It appears in Mr Camp's eyes any complaint is justified even when compliant with the DP, and that despite purchasing property opposite an existing and clearly visible gun club, it is the fault of the Club rather than the vendor.

A simple appropriate minimum setback or a restriction on the area behind the Club would have been logistical consideration, that said, the issues seem to be that the Club exists, rather than the level of noise it generates.

The chief complainant has moved on and "complaints" over the past couple of years appear fictitious.

The Club has been monitored several times by Marshall Day, and all occasions bar one 15 minute period we have been assessed as compliant with current WDC noise limits. Further, this one period had been claimed has never been substituted/proven so is nothing more than hearsay.

We are not seeking to be considered a notified permitted activity, we believe we are already a compliant permitted activity.

40 In principle, I am of the view that the only way to manage the existing situation is to provide a rule which achieves some degree of compromise for all parties. Such a rule would broadly be along the lines of that requested in this submission, in that monitoring and enforcement of the number of events are much simpler and more effective when the rule does not involve having to measure the noise level of the activity. Given the history of the site, all parties know how noisy the Association's activities can be. I anticipate the number of events would require further scrutiny.

**REPLY:**The Club has sort on several occasions to facilitate a workable solution for all parties involved, specifically before this submission.

We agree, in order to make all parties' lives easier and for transparency, there needs to be recognition we exist, our activities are established, and for the public and neighbours clear understanding of when they will and will not have shooting activities in the surrounding area.

If Council are of a mind to accommodate the Association's submission, I offer the following comments for consideration:

- Any agreed rule must include a stipulation that the Association site shall only be used for clay target shooting involving shotguns. Other firearms are not part of clay target shooting, and their use could result in a different magnitude of noise effect.

**REPLY: We agree, rifle and pistol gunshots are significantly different from that of our activity. Specific inclusion would be desirable for the council and neighbours**

- It is not clear to me what constitutes an "event". In other sporting codes, an event would often span several days. For clarity, I suggest that any agreed rule would be better referring to "days" rather than events.

**REPLY: We agree, the developed overlay conditions reflect such detail.**

- Based on my involvement at other shooting facilities, it is my view that the requested number of events is excessive. 48 events and 96 practice sessions is almost 3 days shooting per week (assuming 1 day for each). The club's certificate of compliance allows for up to 52 events and 52 practice sessions, which could serve as a starting point for new rules. I would also like to see greater clarity around which days of the week activities can take place on. The wording proposed in this submission could be interpreted as shooting every day for 20 weeks (144 days). I am of the view that residents should be entitled to well defined shooting-free days, perhaps one day per weekend.

**REPLY: We agree in part. The developed overlay conditions reflect such detail to provide clarity.**

- A duration of 12 hours for any event also appears to be excessive. This could mean having a 2 day shooting event from 9am to 9pm on some weekends (for example). I would prefer to see an event duration around 5 hours, with perhaps a provision for a much smaller number of events up to 12 hours to allow for significant competitions.

**REPLY: This point is addressed in the developed overlay, and is not intended to be the norm.**

**Skeet disciplines can ideally only be shot in the morning due to sun orientation. This discipline is a lower-intensity activity due to only one shooter being able to shoot at a time/within quick succession. This typically runs to 1pm without shoot offs.**

**Down the Line disciplines are generally only shot in the morning due to large competitions. This discipline is a higher-intensity activity due to up to six shooters being able to shoot within quick succession. This typically runs from 1pm until end of event which might be delivered under lights.**

**COMPACT/SPORTING disciplines are generally all day events. This discipline is a higher-intensity activity due to up to six shooters being able to shoot within quick succession. This typically runs from 9am until end of the event (typically 5-6pm) however might be delivered under lights.**

**The majority of equipment is temporarily located with highly variable angles of shooting direction. These disciplines are all long-established activities on the site.**

- Whilst I agree that "event preparation and clean-up" needn't be included in the event time, I recommend that this should be clarified to be "non-shooting event preparation and clean-up" to ensure that the start of shooting signals the start of an event for the purposes of enforcing the rules.

**REPLY:** We agree. Overlay suggestion covers these items

- While 9pm may be desirable for the Association, it is unlikely to be palatable to residents on a regular basis, and I therefore suggest consultation with residents. It may be possible, for example, to allow some key events to operate until 9pm during summer months, with reduced hours for other events/practice/winter months.

**REPLY:** This point is largely addressed in the developed overlay. The developed overlay seeks in winter for the time to run from 5pm – 10pm, an extension on the original submission. This is not intended to be the norm, but rather provides a 1 hour buffer to cover delays due to breakdowns, which can happen from time to time.

The duration sought is similar to that of the Speedway overlay, however, is not open-ended like the clause for the Speedway New Zealand Allocated Championships, nor is the noise level likely to be as high as a normal shoot day due to the reduction in traps operated.

Further, we have consulted with the house owner down range, who is supportive of our proposal, as is one of the opposite neighbours working on appropriate notice.

Preference for practices was for Friday evenings being shot rather than a weekend day, typically Saturday. With spring/summer practices well established on this day, we have taken this onboard and as such look to limit practice shooting on weekends as well as limit open events to a max of 2 days/month. This will provide neighbours with the majority of weekends free from shot noise.

- The use of the term "sporting events" in point 5 of the requested rule suggests the possibility of activities other than clay target shooting. For clarity, I suggest that any agreed rule should explicitly refer to "clay target shooting" or "shooting events".

**REPLY:** We agree with use of shooting events

- Adding an overlay to the District Plan maps may be a useful tool to ensure that additional residential dwellings do not contribute to reverse sensitivity issues.

**REPLY:** We agree. Whilst the Club is open about its operations to prospective buyers, estate agents often aren't too keen to point out the obvious, and whilst due diligence is recommended, this can often be limited. We believe this would mitigate the need for WDC to answer consent queries and would better inform the public of activities in their local area. The Club has always been supportive of sharing its consent details to minimise extra work for the WDC.