

# North Canterbury Clay Target Association

Sports Overlay Submission

# A Brief History

1. The North Canterbury Clay Target Association (NCCTA) has a long-standing presence in the local committee as a rural sport, commencing activities in June 1914 at a paddock in East Belt under its earlier name The North Canterbury Gun Club.
2. In 1940, the Club with a lot of fundraising and some donations purchased land in Lehmans Rd, building a clubroom in the mid 1970's.
  - In 1987 the Club was forced to vacate this property due to a neighbour Canterbury Fruit Systems advising they were going to set up an orchard where the shot fall area was. Unfortunately, Canterbury Fruit Systems went bankrupt soon after, but by this time the club had vacated and sold the land.
  - There was then a period of approx. 4-5 years before the club found suitable land, under a lease.
  - 12 October 1995, the Club was granted a Resource Consent for its activities on the site for 13 shoot meetings and 13 practices per annum
  - In the late 1990s, the Club purchased the land it had been leasing and it currently owns in Boundary Rd.
  - When the club established here there was no electricity, houses, or sealed roading.

# Communication with WDC

- In April 2006, the Club wrote to the Council indicating that it had become aware that a number of recreational and sporting organisations around the country were being restricted under the Resource Management Act because of development occurring near to their existing activities.
- The Club said that it was aware that some people might object to the clubs activities, particularly with respect to the noise and whilst the club was not aware of any impending development near the club's property at that time, it requested that the Council consider it an affected party under the Act should any subdivision or other sensitive development be proposed within 750 meters of the club's boundaries.
- On 19 October 2007, the club made a s139 request for a certificate of compliance for 52 shoot meetings and 52 practices per annum.
- At that time, the nearest dwelling was 1.2 km away on Kennedy's road. The relevant noise assessment report was taken from that property and it was found that noise from the clubs activities was within permitted noise limits.
- The Council issued a certificate of compliance on 22 September 2008.

# Subdivision

- At some point in the 2000's, the WDC received a subdivision application, which otherwise complied with the District Plan, however was unable to connect to reticulated sewer, it was nevertheless an application for a **restricted activity**.
- Despite the Club holding a Resource Consent for the operations, and writing to the Council reaffirming our presence and activity, and that the potential purchasers of the properties needed to be advised of our activities, this did not happen nor was there any thought by the Council to the reverse affects such subdivision would cause to the ONLY existing neighbour
- For some inexplicable reason, the Council did not identify any affected parties, and the Club was not notified, nor was it afforded any right of hearing.
- Apart from the farm that was being subdivided, and the farm off which the clubs premises was divided, the club was the only other property in that vicinity along Boundary Road.
- This was very much a rural environment. Any development close to the club was likely to give rise to potential “reverse sensitivity effects” which might have been substantially mitigated or even avoided if there had been opportunity for the Club to engage with the developer and/or Council.

# New Housing

- Subsequent to the council granting the subdivision, dwelling houses were built on the subdivided land
- Despite owners and occupiers being fully aware of the club's existence and its activities, two of the new owners immediately adjacent to the club's premises, built their dwellings very close to Boundary road opposite the club
- They chose not to set their dwellings further back from the road frontage and establish a reasonable noise separation distance from the club's activities
- They instead choose to complain of the Club's existence

# Noise Complaints & Court Action

- In 2014, as a result of complaints from the occupiers of those two new dwellings, the Council applied to the Environment Court for a declaration that the certificate of compliance that it had granted to the club in 2007, should not have been issued by the Council, as the noise from the Club's activities was not within the permitted activity noise limits relating to the new dwellings built alongside Boundary Road, despite having never monitored the Club's activities to support such a claim.
- The Court held that the Certificate of Compliance was properly issued for the activity as described.
- Further, the Court noted that there had been new dwellings constructed closer to the club than was the case when the certificate was issued. However, there was no evidence before the Court as to whether or not the noise those dwellings experienced from the club complied with the noise limits under the Rules.
- The Council has previously acknowledged the difficult position it left the club in. The Council paid the clubs legal fees in the Environment Court.
- Subsequent to the courts ruling, the Council through Marshall Day have undertaken took several monitoring visits both notified and not.
- For only a single 15 minute period during one of these monitoring sessions it has been claimed the Club breached the district plan noise limits, it however has never been substantiated.

# Pre-submission engagement with WDC

1. March 2021, the Club reengaged with WDC planning staff regarding the upcoming plan review.
2. 3 May 2021, the Club meet with planning staff to discuss the pending plan review and opportunities to get things right and workable for all.  
The matter of a zoning was raised however was dismissed as not being permissible under national planning framework.
3. It was acknowledged that the Club were not required to hold a certificate of compliance, just that we need to comply with the current district plan noise levels.
4. Plan submission submitted late 2021.
5. It was envisioned that the Club's submission would prompt the WDC to reengage on the matter of noise and look to address past matters to a satisfactory level for all, hence the limited of detail.
6. Despite noise being an apparent issue, the site wasn't included WAIMAKARIRI DISTRICT PLAN REVIEW - NOISE DELIVERABLE 2 - NOISE MONITORING report by Marshall Day.

# Shooting Sports Overlay

- Where:

a maximum of **48 events and 98 practices** may be held in any year and made up of the following

1. **Spring/Summer** (during day light savings)  
a maximum of **24 open events** shall be a **single weekend** day commence from 9:30am and conclude by 5:30pm and have a maximum duration of 8 hours, not including event preparation and clean-up,  
  
except for New Zealand Clay Target Association (NZCTA), International Shooting Sport Federation (ISSF), FITSC allocated Championships, which shall be a maximum of **2 events** in any year, shall be up to **three days (Friday-Sunday)**, conclude by 9:00pm and have a maximum duration of 12 hours, not including event preparation and clean-up.  
Provincial/Zone/Island/National Championships awarded minimum of 1 year in advance
2. a maximum of **28 open practices** shall be a **Friday** commence from 4:00pm and conclude by 9:00pm and have a maximum duration of 5 hours, not including event preparation and clean-up;
3. **Autumn/Winter** (outside daylight saving)  
a maximum of **12 events** shall be a **single weekend** day, commences from 9:00am and concludes by 6:00pm and have a maximum duration of 9 hours, not including event preparation and clean-up;
4. **Winter practice**  
a maximum of **22 open practices** shall be a single **Friday**, commences from 5:00pm and concludes by 10:00pm and have a maximum duration of 5 hours, not including event preparation and clean-up;
5. All other events or practices shall only occur between the hours of 9:00am and 4:00pm and are to be low intensity corporate/introductory sessions or practices restricted to members only individual or team training
6. Excludes Christmas period (Christmas eve to first Sunday of January)
7. Excludes all public holidays and weekends with public holidays adjoining, except allocated Championships events
8. Events published on Club Website and social media pages by start of calendar year
9. All other activities shall comply with NOISE-R19.



# Submission engagement

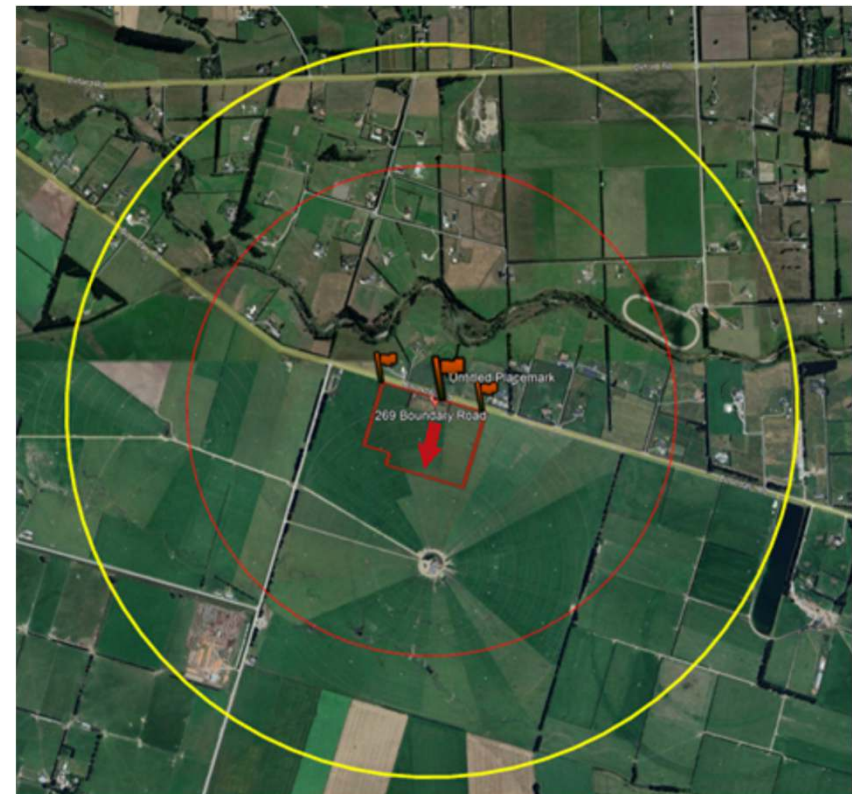
- Open communication with prospective buyers of neighboring property for sale, including the suggestion that a zoning be sought to warn potential buyers
- Support from the down range landowner and majority landowner of a shooting zoning

International best practice examples recommend

- a 1km buffer to the rear and
- a minimum of 1.5km downrange

With the majority 4 ha blocks to the rear of the Club having already been built on this would provide potential buyers knowledge of the Club existence

- No objections to our submission from the public



# Site Comparison

## **Woodford Glen**

Site zoning - Rural Lifestyle Zone

12.05ha

Adjoining zoning - Rural Lifestyle Zone & Medium Density Residential Zone

Noise monitoring

Marshall Day Acoustics

Adjoining **RLZ noise exposure**: above 75 dB LAeq during the loudest races.

Distance MRZ **noise exposure**: Kaikanui Street, receive noise levels around 70 dB LAeq

Previous monitoring - 2008

60—65 dB (LAeq) during racing.

**Marshall Day – “This is much higher than would be appropriate for residential use, particularly if it happened frequently.”**

## **NCCTA**

Site zoning - Rural Zone

13.52 ha

Adjoining zoning - Rural Lifestyle Zone

Noise monitoring

Marshall Day Acoustics

Adjoining **RLZ noise exposure**: 63 dB LA10(15min) on a single occasion and single site

# Comparison

## Speedway Overlay

- Where:
  1. a maximum of 25 events may be held in the period from 1 October to 30 April in any year; (**approx. 30 weeks, annual equiv. 44 events**)
  2. a maximum of three practices may occur on the [site](#) each calendar year (that will not be assessed as an event under (1));
  3. events, except for Speedway New Zealand Allocated Championships, shall conclude by 10:30pm and have a maximum duration of 4.5 hours, not including event preparation and clean-up;
  4. where a medical [emergency](#) or similar circumstance causes delay to an event, the hours of operation may be extended by up to one hour;
  5. activities other than the use of the track by motor racing vehicles shall comply with [NOISE-R19](#).

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