

DISTRICT PLAN REVIEW

Proposed Waimakariri District Plan - Submission

Clause 6 of Schedule 1, Resource Management Act 1991

Submitter details

(Our preferred methods of corresponding with you are by **email** and **phone**).

Full name: _____

Email address: _____

Phone (Mobile): _____ Phone (Landline): _____

Postal Address: _____ Post Code: _____

Physical address: _____ Post Code: _____
(if different from above)

Please select one of the two options below:

I **could not** gain an advantage in trade competition through this submission (go to Submission details, you do not need to complete the rest of this section)

I **could** gain an advantage in trade competition through this submission (please complete the rest of this section before continuing to Submission details)

Please select one of the two options below:

I **am** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

I **am not** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

Submission details

The specific provisions of the proposal that my submission relates to are as follows: *(please give details)*

My submission is that: *(state in summary the Proposed Plan chapter subject and provision of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons) (please include additional pages as necessary)*

I/we have included: _____ additional pages

I/we seek the following decision from the Waimakariri District Council: *(give precise details, use additional pages if required)*

Submission at the Hearing

I/we wish to speak in support of my/our submission

I/we do not wish to speak in support of my/our submission

If others make a similar further submission, I/we will consider presenting a joint case with them at the hearing

Signature

Of submitters or person authorised to sign on behalf of submitter(s)

Signature _____

Date _____

(If you are making your submission electronically, a signature is not required)

Important Information

1. The Council must receive this submission before the closing date and time for submissions.
2. Please note that submissions are public. Your name and submission will be included in papers that are available to the media and public. Your submission will only be used for the purpose of the District Plan review process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Send your submission to: Proposed District Plan Submission
Waimakariri District Council
Private Bag 1005, Rangiora 7440

Email to: developmentplanning@wmk.govt.nz

Phone: 0800 965 468 (0800WMKGOV)

You can also deliver this submission form to one our service centres:

Rangiora Service Centre: 215 High Street, Rangiora

Kaiapoi Service Centre: Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

Oxford Service Centre: 34 Main Street, Oxford

Submissions close 5pm, Friday 26 November 2021

Please refer to the Council website waimakariri.govt.nz for further updates

Please find following our submission for the pending district plan review.

Brief History

The North Canterbury Clay Target Association 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.

In 1940, the Club with a lot of fundraising and some donations purchased land in Lehman's 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 advised 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 then of approx. 12 years before the club could find new grounds.

In the late 1990s, the Club purchased the land it had been leasing for a period and it currently owns in Boundary Rd. When the club established here there was no electricity, houses, or sealed roading. As time went on, the neighbouring land was subdivided (late 2000's). Despite the Club holding a Resource Consent for the operation of the Club 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 NEIGHBOUR, the North Canterbury Clay Target Association.

Conflict

In approx. early 2010's, with the subdivision and subsequent development of the lifestyle blocks over the road (north side), a couple of neighbours banded together and decided that they did not like our activity and complained to the Council.

The issue went to District and then Environment Courts and cost the club over \$40,000 in legal representation, and the Council and Ratepayers a huge amount of money with no definitive outcome. No noise testing had even been undertaken to this point. After the courts ruling, noises tests were conducted and found our activity did not breach the Certificate of Compliance we hold. Further testing and occasional meetings were held on the matter of noise over the past several years, culminating in the claim that one 15 minute interval during a day the noise level was exceeded, however, this claim was never substantiated and things died out. Sporadically, a new council enforcement officer looks to make a name for himself, dusting off an old file looking to litigate what is a none event.

The last formal meeting held with the Council, it was decided that Council would fund \$5000 to conduct proactive noise testing to determine readings at the potentially affect property and test some possible mitigation measures that would be reasonability deployed if required. To date, this has not been completed.

A way forward

Our club is a regionally and nationally critical sports facility of clay target sports. We are one of only a few Clubs in the country that own their own land and hold sufficient land to contain any shotfall from the activity. We are very committed to our sport as are we in being a good neighbour, so are always looking to resolve any conflict with our activity and noise. As such we believe this is an ideal

opportunity for the Council and the NCCTA to work together to ensure our activity can coexist in our community under a new district plan, mitigating the administrative burden on the Council.

Presently, the Club can operate any day of the week between 8 am-10 pm without breaching our compliance certificate/district plan. This covers activities from schoolboy trainings, corporate shoots, through to fittings, introductions, training and large multiday competitions.

From our research, it is evident that the biggest disturbance to others relates to frequency, not being the decibel level, not how many shots or how long shoots go on for but how frequent the events happen throughout a week. With that in mind, and whilst not in the best interest of all our members we believe an acceptable reduction in frequency can be offered by the Club. Imposing the self-restrictions would allow all involved to be better informed and allow for better community collaboration.

We, therefore, propose/suggest the following amendments be included in the new district plan:

Strategic Directions Objectives:

SD-O4 Rural land

Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by:

- 1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and limit other activities; and*
- 2. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities.*

Comment

This Objective is too focussed on 'rural production', when a range of other activities, including recreation activities, occur in the rural zone. We request it be amended to:

*Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities **and recreation** by:*

- 1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and limit other activities; and*
- 2. ensuring that within rural areas the establishment and operation of rural production **and recreation** activities are not limited by new incompatible sensitive activities.*

Noise Objective:

NOISE-O2 Reverse sensitivity

The operation of regionally significant infrastructure and strategic infrastructure, activities within Commercial and Mixed Use Zones and Industrial Zones and identified existing activities are not adversely affected by reverse sensitivity effects from noise sensitive activities.

Comment:

There is a lack of certainty as to what “identified existing activities” is. We request it be amended to:

*The operation of regionally significant infrastructure and strategic infrastructure, activities within Commercial and Mixed Use Zones and Industrial Zones and **identified** existing **noise generating** activities **in Rural zones** are not adversely affected by reverse sensitivity effects from noise sensitive activities.*

Part 2 - Noise Rule

We request a “Sports Facility” Overlay, and a specific rule for the Club, in line with what has been done in Rule NOISE-R12 for the Speedway:

We request it be amended to include the following Suggested Rule:

NOISE-RXX Sports Facility Activities – Boundary Road

Activity status: PER

Where:

1. a maximum of 48 events may be held in any year;
2. a maximum of 96 practice events may be held in any year (that will not be assessed as an event under (1));
3. events, shall conclude by 9pm and have a maximum duration of 12 hours, not including event preparation and clean-up;
4. practice events, shall conclude by 9pm and have a maximum duration of 5 hours, not including event preparation and clean-up;
5. activities other than sporting events shall comply with NOISE-R19.

And add overlay to the planning maps.

Rural Zone Policies

RURZ–P1 Amenity values and character

Recognise the contribution of amenity values to maintaining the character of the zones, and maintain amenity values in Rural Zones by:

- (1) requiring separation between buildings on adjoining properties to maintain privacy and a sense of openness;*
- (2) retaining generally low levels of signs, noise, traffic, odour, outdoor lighting, and built form from activities while recognising that in association with primary production and rural industry, which are part of the character of each rural zone that:*
 - (a) there may be seasonal, short term or intermittent odour, noise, dust, traffic and outdoor lighting effects; and*
 - (b) large buildings may have a functional need.*
- (3) restricting the density of residential units and minor residential units that can be established on a site consistent with the character of each rural zone, unless a development right has been protected through a legacy provision or is associated with a bonus allotment.*

Comment

This Policy is too focussed on 'rural production', when a range of other activities, including recreation activities, occur in the rural zone. We request it be amended to:

RURZ–P1 Amenity values and character

Recognise the contribution of amenity values to maintaining the character of the zones, and maintain amenity values in Rural Zones by:

- (1) requiring separation between buildings on adjoining properties to maintain privacy and a sense of openness;*
- (2) retaining generally low levels of signs, noise, traffic, odour, outdoor lighting, and built form from activities while recognising that in association with primary production, **and** rural industry **and recreation activities**, which are part of the character of each rural zone that:*
 - (a) there may be seasonal, short term or intermittent odour, noise, dust, traffic and outdoor lighting effects; and*
 - (b) large buildings may have a functional need.*
- (3) restricting the density of residential units and minor residential units that can be established on a site consistent with the character of each rural zone, unless a development right has been protected through a legacy provision or is associated with a bonus allotment.*

RURZ–P3 Local support activities

Activities that directly support the health, safety and well-being of people living within the rural community are provided for in circumstances where they:

- (1) will not limit or constrain the operation of primary production activities or result in adverse effects on sensitive activities;*
- (2) have a design, scale, intensity, and built form consistent with the character and amenity values of the zone;*
- (3) can manage actual or potential adverse effects including visual, traffic, dust, noise, odour, or lighting consistent with the amenity values of the zone; and*
- (4) to the extent practicable, internalises any adverse effects of the activity within the site.*

Comment:

We support this policy under its current wording.

RURZ–P8 Reverse sensitivity

Minimise the potential for reverse sensitivity effects by:

- (1) avoiding the establishment of any new sensitive activity near existing intensive indoor primary production activities, intensive outdoor primary production activities, waste management facilities, quarrying activities, mining activities, and rural industry in circumstances where the new sensitive activity may compromise the operation of the existing activities;*
- (2) managing the establishment of new sensitive activities near other primary production activities;*
- (3) ensuring adequate separation distances between existing sensitive activities and new intensive indoor primary production activities, intensive outdoor primary production activities, quarrying activities, mining and rural industry; and*
- (4) avoiding quarry, landfill, cleanfill area, mining activities adjacent to urban environments where the amenity values of urban environments would be diminished.*

Comment:

We support this policy in principle however, we request it be amended to include: ‘recreation or sporting facilities’ as an addition to this policy. We suggest it is changed to:

RURZ–P8 Reverse sensitivity

Minimise the potential for reverse sensitivity effects by:

- (1) avoiding the establishment of any new sensitive activity near existing intensive indoor primary production activities, intensive outdoor primary production activities, waste management facilities, quarrying activities, mining activities, **recreation and sporting facilities** and rural industry in circumstances where the new sensitive activity may compromise the operation of the existing activities;*

- (2) *managing the establishment of new sensitive activities near other primary production activities;*
- (3) *ensuring adequate separation distances between existing sensitive activities and new intensive indoor primary production activities, intensive outdoor primary production activities, quarrying activities, mining, recreation and sporting facilities and rural industry; and*
- (4) *avoiding quarry, landfill, cleanfill area, mining activities adjacent to urban environments where the amenity values of urban environments would be diminished.*