

**RESOUCCE MANAGEMENT ACT 1991 – FORM 5**

**SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE TO CENTRAL OTAGO DISTRICT COUNCIL**

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To: Central Otago District Council**  
**PO Box 122**  
**Alexandra 9340**



**SUBMITTER: CENTRAL SPEEDWAY CLUB CROMWELL INCORPORATED ("Central Speedway Club")**

1. This is a submission on proposed **Plan Change 13** to the Central Otago District Plan (Plan Change 13).
2. The Central Speedway Club could not gain an advantage in trade competition through this submission.
3. This submission relates to Plan Change 13 in its entirety. Specific comment on provisions of Plan Change 13 are set out in Appendix 1 to this submission.
4. The Central Speedway Club wish to be heard in support of this submission and will consider presenting a joint case with other parties that make a similar submission.

**Intoduction:**

5. The Cromwell Speedway occupies the land legally described as Lot 1 DP403966. The land is owned by the Central Otago District Council and leased to the Central Speedway Club.
6. The Central Speedway Club formed in 1983. The Club was the vision of the late Ron Sprigs. It was Ron who applied for and obtained a specified departure for the establishment of the Speedway and stock car track on the current site. The specified departure was granted in September 1980 and has been the authority under which the Club has and continues to operate the Speedway.
7. At the time the club was formed Cromwell was a sleepy town with relatively few options for entertainment. Ron kicked the club off and with significant support from local competitors

and supporters built the Cromwell Speedway into a very popular venue renowned for exciting racing.

8. Since this time the club continued to operate each season. In 2004, long time local Tony Buchanan became president of the Club. Tony was a real innovator and pushed the sport to a new level locally and nationally. Current club member Andy Erskine and Jason Scott have recognised the significant ongoing potential for the sport and the Cromwell venue.
9. The club has continued to invest heavily in the venue. Investments have included track resurfacing, safety fencing, club rooms, lighting towers, pit area upgrades, irrigation system for the venue, establishment of corporate areas and toilet facilities. The costs of this work amount to approximately 1.5million over 15 years.
10. With the irrigation installed the venue provides a high quality area for spectators to sit and enjoy the racing. Pit area upgrades were required to cater for the increasing number of out of town competitors want to participate in our races. Cromwell is a popular venue because of the quality of our events but also because Central Otago is an excellent location for drivers to come with their families.
11. The Speedway generally operates 10 to 12 race events per year of varying sizes (although sometimes there are more events and other years less). Generally there will be 4 small events and up to 8 large events including a New Zealand Title event. Usually the events occur for 1 night although each New Year the Speedway runs two events either side of the New Year and often have two events over Easter weekend.
12. Spectator numbers have increased over the life of the track. Big events in the 80's would have attracted 500 spectators. Now our large events attract in the order of 4000 spectators and around 200 competitors. Approximately 60% of the competitors come to Cromwell from outside the District. It is predicted that the Speedway generates between 1.5-2million in revenue to the Cromwell Community as a result of the clubs activities.
13. The events generally have racing start at about 5.30pm. Although competitors arrive before that and begin their preparations so noise starts sometime before that. We now endeavour to finish racing by 10pm to minimise the effect that we have on the surrounding community.
14. The Speedway has no conditions that require it to limit any noise generated. However it is regulated by Speedway New Zealand which restricts noise generated from each vehicle to 95 decibels. This is the same standard that the Highlands Motorsport Park vehicles must comply with on their tier two days.
15. The Speedway has been the subject of complaints in the past. This generally occurred when events ran over time due to mechanicals during race events. In response to those

complaints the Speedway committee has put more rigour around the organisation of the events to reduce the chance of them running overtime. Over the last year there were no complaints received during any of our events.

16. A typical race event will involve 21 individual races. These take place every 15 mins and typically last 5-7 minutes each. Each race can have up to 20 cars participating. During the events we have public announcements and commentary over the loud speakers and there is of course crowd noise and cheering.
17. Daryl Ainsley the immediate past president recently passed away. It was his aspiration to make the Cromwell Speedway the best small track in the Country. The Club Committee want to continue to pursue that aspiration in Daryl's honor and for the benefit of the Cromwell and Speedway Communities.

### **Concerns about Proposed Plan Change 13**

18. There is an inherent incompatibility between Motorsport facilities and noise sensitive activities. A number of examples exist in New Zealand that demonstrates this including at Ruapuna in Christchurch and the recently announced closure of Western Springs in Auckland.
19. For these reasons Central Speedway Club oppose Plan Change 13 in its entirety and seeks that the request is declined.

### **Specific reasons**

20. Plan Change 13 fails to protect the Central Speedway Club from reverse sensitivity effects and as such PC13 fails to avoid, remedy or mitigate the effects of this urban development on existing physical resources.
21. There is inadequate recognition within the introduction, objectives and policies about the effect of the Speedway and other activities on the receiving environment. Significant areas of the River Terraces Development will be subject to noise levels above those accepted to be appropriate for noise sensitive activities on a day to day basis. All of the River Terraces site will be exposed to high noise levels up to  $70\text{dB}_{\text{Aeq}(15\text{ min})}$  during the 16 tier two days and during Speedway events (totalling between 25-30 days per year). Some of the properties will

be exposed to 55dB or more on a day to day basis whilst the balance of the site will be exposed to 50-55dB on a day to day basis.

22. The Plan Change 13 site is surrounded by non-residential noise sources (Speedway, Highlands, Orchards, State Highway) meaning residents will be subjected to noise from multiple sources and throughout the day and night. This will result in poor residential amenity and is likely to ultimately have effects on the health of residents.
23. Acoustic advice provided to the Central Speedway Club concludes that a significant number of residents will be highly/significantly annoyed by levels of noise experienced within the site on a day to day basis. Motorsport noise has a distinctive character which tends to polarise people. Some will enjoy it, these people tend to be motorsport enthusiasts. Others will be ambivalent and the balance will find it highly irritating. Irritation from distinctive noise sources can still occur at noise levels considered to be objectively reasonable. Levels of irritation and annoyance increase with noise level. In this case all residents of River Terraces will be exposed to noise levels considered above levels that cause serious annoyance.
24. With respect to Speedway and Highlands Tier 2 noise there are no methods that can be employed to mitigate the effects of noise on the outdoor amenity of residents. The noise levels they will be exposed to are simply too high for any mitigation methods to be effective.
25. This will be exacerbated by the other noise generating activities surrounding the site (such as orchard activities and the state highway) which will result in cumulative noise effects and residential amenity that is significantly compromised. Noise effects will also combine with the other 'inconveniences' associated with events at the Speedway and Highlands such as traffic management. It is inevitable that residents will seek to limit their exposure to these effects by trying to reduce the level of activity at the Speedway and other surrounding land uses. This is exacerbated even further by the high density nature of the proposed development because it simply increases the number of residents and therefore increases the number of people who will be annoyed.
26. Plan Change 13 includes no building controls to manage effects of Speedway on residents or to ensure that internal noise environments avoid adverse health effects for residents. The level of noise that will be experienced by Residents during Speedway events is well in excess of the noise level considered to cause serious levels of annoyance. With standard construction methods noise levels within the dwellings will remain above levels considered to cause moderate annoyance with the windows closed.

27. The only mechanism promoted by Plan Change 13 is a no-complaints covenant. The Central Speedway Club consider this to be wholly inadequate and transfers the responsibility for managing reverse sensitivity effects to the Club and the Council. Evidence from other locations demonstrates that no-complaints covenants are not overly effective particularly as time passes and the original developer moves on.

28. Speedway is a significant contributor to Cromwell and Central Otago District both economically but also socially. Development of high density residential activities and associated noise sensitive activities in such close proximity is entirely incompatible with the Speedway, Highlands and other surrounding rural land uses. There are other more appropriate locations for the type of development proposed to be located.

**RELIEF REQUESTED:**

A. Central Speedway Club request that Plan Change 13 be refused in its entirety.


OR

B. If Plan Change 13 is not refused Central Speedway Club seek amendments to the provisions as set out in Appendix 1.

AND

C. Any other consequential relief required to give effect to the relief sought by Central Speedway Club in Appendix 1.

**Signed:**



B Irving

Solicitor for Submitter

**Date:** 20 June 2018

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**APPENDIX 1 – SPECIFIC SUBMISSIONS WITH RESPECT TO THE PROVISION OF PLAN CHANGE 13**

<b>PROVISION</b>	<b>SUBMISSION</b>	<b>REASON</b>	<b>RELIF SOUGHT</b>
Planning Map 44	Reject Change or Accept subject to the amendments requested in this table	Rezoning of the land in Plan Change 13 is inappropriate. If it is determined that the rezoning can take place Central Speedway seek addition of suite of Issues, Objectives, Policies and Methods to manage the potential effects to the extent possible, but acknowledge that some effects cannot be mitigated and residents will experience compromised amenity and living environments as a result.	No amendment to the zoning of the site
Planning Map Legend	As above	As above	As above
20.1 – Introduction	Amendment required if Plan Change is accepted	The proposed introduction fails to acknowledge or recognise the nature of the surrounding activities and the consequences that this has on the amenity that can be expected within River Terraces. It fails to acknowledge Highlands and the Speedway as physical resources that need to be sustainably managed. The introduction also fails to recognise the incompatible nature of high density residential and other associated noise sensitive facilities (child care, schools, retirement living) and motorsport activities. This failure then permeates the balance of the proposed plan change	The final paragraph of the Introduction be deleted and replaced with the following:  <i>“The River Terrace Resource Area is adjacent to a variety of existing activities that affect the nature of the existing environment such that it is not characteristic of a residential area. These include the Highlands Motorsport Park, the Central Otago Speedway, State Highway 6 and Orchard Activities. It is recognised that these existing activities all generate noise and other effects that will compromise the amenity values of the River Terraces Resource Areas to varying degrees. Highlands Tier 2 days and Speedway events generate noise effects on outdoor amenity that cannot be mitigated for residents within the River Terraces Resource Area. Significant levels of acoustic insulation and ventilation will be required for all buildings within the River Terraces Resource area to mitigate the effects of Highlands Tier 2 and Speedway events on indoor living environments. Objectives, Policies, Rules and other Methods are included within the River Terrace Resource Area to protect existing activities from reverse sensitivity effects.”</i>
20.2.4 Ensuring compatibility with surrounding activities	Amendment required if Plan Change is accepted	In Central Speedway’s view High Density Residential and noise sensitive development and motorsport are not compatible. Plan Change 13 needs to be amended to more specifically recognise the existing activities, their effect on the existing environment and that residential amenity values within River Terrace Resource Area will be compromised as a result.	20.2.4 be replaced with the following: <i>“The existing environment surrounding River Terrace Resource Area includes significant tourism and community facilities including Highlands Motorsport Park and Cromwell Speedway that need to be protected from reverse sensitivity effects arising from increased noise sensitive activity in close proximity. Methods must be adopted to ensure that adverse effects on these existing activities are avoided.</i>

Explanation to Issues	Amendment required if Plan Change is accepted	As above	Explanation to issues be amended as follows:  Final sentence deleted and replaced with the following: <i>“Existing activities surrounding the River Terrace Resource Area are important contributors to the social, economic and cultural wellbeing of the Cromwell and Central Otago Communities that need to be protected from adverse effects arising from the development of the River Terraces Resource Area for residential/noise sensitive purposes.</i>
Objectives	Amendments required if plan change accepted	The Objectives fail to adequately address the reality of the existing environment and the design/development responses required within the <i>River Terrace Resource Area</i> to address the existing environment	Addition of a new Objective 20.3.3 be added as follows: <i>“Objective: Protect existing activities from adverse effects – Subdivision design, site layout and building design takes account of the effects generated by existing activities surrounding the River Terrace Resource Area, particularly Highlands Motorsport Park, Cromwell Speedway and Horticulture Activities so that constraints on those activities caused by reverse sensitivity effects are avoided.</i> Addition of a new Objective 20.3.5 as follows: <i>Objective: Healthy Buildings – Construction of buildings that provide a quiet and healthy internal environments that protect residents, to the extent possible from effects of existing activities surrounding the River Terrace Resource Area.</i>  <i>“Objective – Ongoing evolution of Highlands Motorsport Park and Central Otago Speedway Highlands is a significant resource that must be enabled to evolve over time to be sustainable and to support the wellbeing of the community. The needs of Highlands and Speedway to develop its activities is of greater importance than the wellbeing of the occupants of The River Terrace Resource Area.”</i>
Objective 20.3.10	If Plan Change is accepted Delete Objective	This objective implies compatibility between residential activity and surrounding activities. Effects of Highlands and Speedway cannot be mitigated to acceptable level which will significantly compromise residential amenity. The inability to mitigate effects means these activities are not compatible.	Delete objective
New Policy	New policies and amendments if Plan Change accepted	As above is relation to Objectives	Amend Policy 20.4.5 to Addition of new paragraphs to Policy 20.4.5 <i>(d) Protect outdoor living space to the extent possible from noise emanating from existing activities (in particular Tier 1 activities at Highlands Motorsport Park) surrounding the River Terrace Resource Area;</i> <i>(e) Recognise that effects from some existing activities, (in particular Tier 2 activities at Highlands Motorsport and Speedway race events) cannot be mitigated and will compromise the amenity and health of residents within the River Terraces Resource Area.</i>



			<p><i>Policy: Reverse Sensitivity – Manage the development to avoid to the extent possible effects from existing activities surrounding the River Terrace Resource Area by:</i></p> <ul style="list-style-type: none"> <li>(a) <i>Constructing buildings with sufficient sound insulation performance to achieve appropriate internal noise levels at all times;</i></li> <li>(b) <i>Orientating buildings and locating outdoor living spaces behind structures to provide some protection from noise generated by the day to day activities of Highlands Motorsport Park.</i></li> </ul> <p><i>Policy – Ongoing evolution of Highlands Motorsport Park and Central Otago Speedway When considering any proposal by Highlands Motorsport Park or Central Otago Speedway in relation to activities on any land owned or occupied by Highlands Motorsport Park or Central Otago Speedway priority will be given to the benefits of Highlands or Central Otago Speedway over the wellbeing of occupants of the River Terrace Resource Area.”</i></p>
Policy 20.4.11C	Amendment required if Plan Change is accepted	This policy implies compatibility between residential activity and surrounding activities. Effects of Highlands and Speedway cannot be mitigated to acceptable level which will significantly compromise residential amenity and possibly the health of residents.. The inability to mitigate effects means these activities are not compatible. It is incumbent on the new activities i.e. River Terraces to avoid effects on existing activities	Delete Policy 20.4.11C and replace with New Policy 20.4.12 as follows:  <i>“20.4.12 – Policy – Avoid reverse sensitivity effects on existing land uses. Control subdivision and development to mitigate the effect of noise from Highlands Motorsport Parks and Cromwell Speedway and avoid adverse reverse sensitivity effects on those existing activities..</i>
20.5.1 – Methods of Implementation	Amendment required if Plan Change is accepted	As highlighted above Central Speedway consider the proposed residential development to be incompatible with the existing activities surrounding the plan change site. This renders the site inappropriate for residential development of the type proposed. If the Plan Change is to proceed significant amendment to the provisions is required in order to provide an adequate degree of protection for Highlands and Cromwell Speedway from reverse sensitivity effects.	Amend the provision as follows:  <i>...Rules are included to control the development of noise sensitive activities to avoid, to the extent possible, adverse effects of noise from Highlands Motorsport Park and Cromwell Speedway.</i>  <i>Reason: ... Development Parcel Plan will best achieve the development aspirations set out in the objectives and policies for the Resource Area and protect existing activities surrounding the Resource Area from reverse sensitivity effects.</i>

<p>20.6.1 – Principal reasons for adopting objectives, policies and methods</p>	<p>Amendment required if Plan Change is accepted</p>	<p>As above.</p> <p>The Acoustic standards that are required to appropriately mitigate the effects of noise are such that it is unlikely that buildings constructed within River Terraces will be 'affordable'.</p>	<p>Amend 3<sup>rd</sup> paragraph of 20.6.1 as follows:</p> <p><i>The Resource Area is surrounded by existing activities that compromise the level of residential amenity that can be expected within the Development. The Provisions recognise these existing effects and include measures to reduce the impact of them on people within the resource area to the extent possible.</i></p> <p>...</p> <p>(c) <i>Requires the construction of buildings that will address the effects of the existing activities and create healthy internal living environments for people.</i></p> <p>(d) <i>Recognises that not all effects from existing activities can be avoided and that this will adversely affect the amenity experienced by residents and protects existing activities surrounding the neighbourhood from reverse sensitivity that may arise.</i></p> <p>Delete paragraph (d) and replace with</p> <p>(e) <i>Provides a range of lot sizes to create choice of housing types.</i></p>
<p>20.7.1 – Rules</p>	<p>Amendment required if Plan Change is accepted</p>	<p>As highlighted above Highlands consider the proposed residential development to be incompatible with the existing activities surrounding the plan change site. This renders the site inappropriate for residential development of the type proposed. If the Plan Change is to proceed significant amendment to the provisions is required in order to provide an adequate degree of protection for Highlands and Cromwell Speedway from reverse sensitivity effects.</p> <p>Putting in place specific building controls is necessary to minimise the risk of reverse sensitivity to the extent possible.</p>	<p>Amend Rule 20.7.1(ii)(f) as follows:  <i>"Outdoor Living space – size"</i></p> <p>Add new rule 20.7.1(ii)(fa):  <i>" Outdoor Living Space – Location  Any outdoor amenity area shall be on the opposite side of the dwelling from Highlands Motorsport Park/Cromwell Speedway so that there is solid built form between the outdoor amenity area and the Highlands Motorsport Park/Cromwell Speedway."</i></p> <p>Add new rule 20.7.1(ii)(fb):  <i>"Noise Insulation  Any dwelling located shall be constructed to comply with 40 dB D<sub>tr,2m,nT</sub> + C<sub>tr</sub></i></p> <p><i>The buildings will require a ventilation system that enables windows and doors to remain closed in order to achieve the sound insulation performance specified above. An acoustic design report shall be submitted by an appropriately qualified and experienced acoustic</i></p>

			<p><i>specialist confirming that the building design achieves the sound level difference prior to the issue of building consent.”</i></p> <p>Amend ‘reasons’ for Rule 20.7.1(ii) by adding the following:  <i>“ The standards applicable to buildings within the River Terraces Resource Area will help manage the effects of noise from the Highlands Motorsport Park and Cromwell Speedway. The design and acoustic insulation standards are required to minimise the potential for their to be adverse effects on the health and amenity of residents within the Zone. With respect to outdoor amenity the provisions seek to reduce noise effects to the extent possible but will not protect residents from noise disturbance.</i></p> <p>Failure to comply with these standards is a prohibited activity – refer proposed rule 20.7.6(ii)</p>
Rule 20.7.3(i)	Amendment required if Plan Change is accepted	Central Speedway requests a number of extra standards to avoid, remedy and mitigate the effects of noise sensitive activities within the proposed plan change site. The controls are critical to reducing the risk that noise sensitive activities does not give rise to reverse sensitivity effects by putting in place measures to minimise the effects of noise on residents. If a person proposes to carry out residential activity that does not comply with these standards it will completely undermine the objectives and policies that seek to protect existing activities. For that reason the consequence of a breach of proposed rule 20.7.1(ii)(fa), (fb) needs to be prohibited activity in order to provide adequate protection for Highlands and speedway from reverse sensitivity.	<p>Amend 20.7.3(i) as follows:</p> <p style="padding-left: 40px;">(i) <i>“Breach of Standards for Permitted or Controlled Activities</i></p> <p style="padding-left: 80px;"><i>Any Activity or building listed in Rules 20.7.1(ii)(a)-(f), (g)-(j)...”</i></p> <p>A new rule requested below that prohibits activities that do not comply with 20.7.1(ii)(fa) and (fb)</p>
Rule 20.7.3(ii)	Amendment required if Plan Change is accepted	As highlighted above Central Speedway consider the proposed residential development to be incompatible with the existing activities surrounding the plan change site. This renders the site inappropriate for residential development of the type proposed. This concern is more acute in relation to retirement living given the sensitivity of older people who are likely	<p><i>Add new rule 20.7.3(ii)(ca) and (cb):</i></p> <p><i>“(ca) Outdoor Living Space – Location</i>  <i>Any outdoor amenity area shall be on the opposite side of the building from Highlands Motorsport Park/Cromwell Speedway so that there is solid built form between the outdoor amenity area and the Highlands Motorsport Park/Cromwell Speedway.”</i></p> <p><i>(cb) Noise Insulation</i>  <i>Any building shall be constructed to comply with 40 dB <math>D_{tr,2m,nT} + C_{tr}</math></i></p>

		<p>to be at home more than typical residents and therefore likely to be exposed to noise levels more frequently. They may also have a desire to rest during the day.</p> <p>If the Plan Change is to proceed significant amendment to the provisions is required in order to provide an adequate degree of protection for Highlands and Cromwell Speedway from reverse sensitivity effects.</p>	<p><i>The buildings will require a ventilation system that enables windows and doors to remain closed in order to achieve the sound insulation performance specified above. An acoustic design report shall be submitted by an appropriately qualified and experienced acoustic specialist confirming that the building design achieves the sound level difference prior to the issue of building consent.</i></p> <p>Amend 'reasons' for Rule 20.7.3(ii) by adding the following:  <i>"The standards applicable to buildings within the River Terraces Resource Area will help manage the effects of noise from the Highlands Motorsport Park and Cromwell Speedway. The design and acoustic insulation standards are required to minimise the potential for their to be adverse effects on the health and amenity of residents within the Zone. With respect to outdoor amenity the provisions seek to reduce noise effects to the extent possible but will not protect residents from noise disturbance.</i></p> <p>Failure to comply with these standards is a prohibited activity – refer proposed rule 20.7.6(ii)</p>
Rule 20.7.3(iii)	Amendment required if Plan Change is accepted	As above	<p>Changes above to Rule 20.7.3(ii) must also apply to 20.7.3(iii) as set out in Rule 20.7.3(iii)(a).</p> <p>Failure to comply with these standards is a prohibited activity – refer proposed rule 20.7.6(ii)</p>
Rule 20.7.3(iv)	Amendment required if Plan Change is accepted	Activities within the Neighbourhood Overlay include noise sensitive activities such as childhood and community facilities. These types of activities require protection from noise for the same reason as residential or retirement activities.	<p>Amend rule 20.7.3(iv) as follows:</p> <p><i>"Outdoor Living Space – Location</i>  <i>Any outdoor amenity area shall be on the opposite side of the dwelling from Highlands Motorsport Park/Cromwell Speedway so that there is solid built form between the outdoor amenity area and the Highlands Motorsport Park/Cromwell Speedway."</i></p> <p>Add new rule 20.7.3(iv)(h) and (i):  <i>"Noise Insulation</i>  <i>Any building shall be constructed to comply with 40 dB <math>D_{tr,2m,nT} + C_{tr}</math></i></p> <p><i>The buildings will require a ventilation system that enables windows and doors to remain closed in order to achieve the sound insulation performance specified above. An acoustic design report shall be submitted by an appropriately qualified and experienced acoustic specialist confirming that the building design achieves the sound level difference prior to</i></p>

			<p><i>the issue of building consent.</i></p> <p><i>“ Outdoor amenity area – Location Any outdoor amenity area shall be on the opposite side of the buildings from Highlands Motorsport Park/Cromwell Speedway so that there is solid built form between the outdoor amenity area and the Highlands Motorsport Park/Cromwell Speedway.”</i></p> <p>Amend ‘reasons’ for Rule 20.7.3(iv) by adding the following: <i>“ The noise insulation and outdoor amenity area standards applicable to buildings within the Neighbourhood Centre Overlay will help manage the effects of noise from the Highlands Motorsport Park and Cromwell Speedway. They are required to minimise the potential for there to be adverse effects on the health and amenity of residents and people carrying out activities within the Overlay. With respect to outdoor amenity the provisions seek to reduce noise effects to the extent practical but will not protect residents from noise disturbance.</i></p> <p>Failure to comply with these standards is a prohibited activity – refer proposed rule 20.7.6(ii)</p>
Rule 20.7.3(v)	Amendment required if Plan Change is accepted	As highlighted above Central Speedway consider the proposed residential development to be incompatible with the existing activities surrounding the plan change site. This renders the site inappropriate for residential development of the type proposed. This concern is more acute in relation to the education overlay given the sensitivity of children when they are being educated children will need a quiet environment in order to learn. High noise levels during the school day have the potential to disrupt class and are likely to provoke the ire of teachers and parents alike. If the Plan Change is to proceed significant amendment to the provisions is required in order to provide an adequate degree of protection for Highlands and Cromwell Speedway from reverse sensitivity effects.	<p>Amend rule 20.7.3(v) as follows:</p> <p><i>Add new rule 20.7.3(v)(f) and (g): “Noise Insulation Any building shall be constructed to comply with 40 dB <math>D_{tr,2m,nT} + C_{tr}</math></i></p> <p><i>The buildings will require a ventilation system that enables windows and doors to remain closed in order to achieve the sound insulation performance specified above. An acoustic design report shall be submitted by an appropriately qualified and experienced acoustic specialist confirming that the building design achieves the sound level difference prior to the issue of building consent.</i></p> <p><i>“ Outdoor amenity area – Location Any outdoor amenity area shall be on the opposite side of the buildings from Highlands Motorsport Park/Cromwell Speedway so that there is solid built form between the outdoor amenity area and the Highlands Motorsport Park/Cromwell Speedway.”</i></p> <p>Amend ‘reasons’ for Rule 20.7.3(v) by adding the following: <i>“ The standards applicable to buildings within the Education Overlay will help manage the effects of noise from the Highlands Motorsport Park and Cromwell Speedway. The design and acoustic insulation standards are required to minimise the potential for there to be adverse effects on the health of residents and people carrying out activities within the</i></p>

			<p><i>Overlay. With respect to outdoor amenity the provisions seek to reduce noise effects to the expect practical but will not protect residents from noise disturbance.</i></p> <p>Failure to comply with these standards is a prohibited activity – refer proposed rule 20.7.6(ii)</p>
Rule 20.7.3(ix)	Amendment required if Plan Change is accepted	As highlighted above Central Speedway consider the proposed residential development to be incompatible with the existing activities surrounding the plan change site. This renders the site inappropriate for the development of the type proposed. Visitor accommodation has the potential to create greater reverse sensitivity effects because guests may not be aware of the nature of the existing activities and therefore have higher expectations about levels of amenity. They are also unlikely to be aware of the effect of any no-complaints covenant. If the Plan Change is to proceed significant amendment to the provisions is required in order to provide an adequate degree of protection for Highlands and Cromwell Speedway from reverse sensitivity effects.	<p>Amend Rule 20.7.3(xi) as follows:</p> <p><i>Visitor Accomodation in Residential Sub-Areas A and B</i>  <i>Visitor accommodation in Residential Sub-Areas A and B is a restricted discretionary activity provided that any building meets the following standards:</i></p> <p><i>“Noise Insulation</i>  <i>Any building shall be constructed to comply with 40 dB <math>D_{tr,2m,nT} + C_{tr}</math></i></p> <p><i>The buildings will require a ventilation system that enables windows and doors to remain closed in order to achieve the sound insulation performance specified above. An acoustic design report shall be submitted by an appropriately qualified and experienced acoustic specialist confirming that the building design achieves the sound level difference prior to the issue of building consent</i></p> <p>Amend ‘reasons’ for Rule 20.7.3(xi) by adding the following:  <i>“The standards applicable to buildings within the River Terraces Resource Area will help manage the effects of noise from the Highlands Motorsport Park and Cromwell Speedway. The design and acoustic insulation standards are required to minimise the potential for their to be adverse effects on the health and amenity of residents and people carrying out activities within the Zone. With respect to outdoor amenity the provisions seek to reduce noise effects to the expect practical but will not protect residents from noise disturbance.</i></p> <p>Failure to comply with these standards is a prohibited activity – refer proposed rule 20.7.6(ii)</p>
Rule 20.7.7	Amendment required if Plan Change is accepted	The rules within Plan Change 13 obviously do not provide for all activities. Given that it is considered important to include an acoustic insulation standard for all buildings so that it is clear that this issue must be addressed for any activity, not only those specifically	<p>Add new standard to 20.7.7</p> <p><b><i>“Acoustic Insulation of buildings</i></b>  <i>Any building shall be constructed to comply with 40 dB <math>D_{tr,2m,nT} + C_{tr}</math></i></p> <p><i>The buildings will require a ventilation system that enables windows and doors to remain</i></p>

		provided for in the zone.	<p><i>closed in order to achieve the sound insulation performance specified above. An acoustic design report shall be submitted by an appropriately qualified and experienced acoustic specialist confirming that the building design achieves the sound level difference prior to the issue of building consent</i></p> <p><i>Outdoor amenity area – Location</i>  <i>Any outdoor amenity area shall be on the opposite side of the buildings from Highlands Motorsport Park/Cromwell Speedway so that there is solid built form between the outdoor amenity area and the Highlands Motorsport Park/Cromwell Speedway.”</i></p> <p>Consequential amendment to Rule 20.7.4(i) to exclude the above standard and amendment to Rule 20.7.5 to include a breach of the above standard as a non-complying activity.</p>
Rule 20.7.7(viii)	Amendment required if Plan Change is accepted	<p>As highlighted above Central Speedway consider the proposed residential development to be incompatible with the existing activities surrounding the plan change site. This renders the site inappropriate for the development of the type proposed. If the Plan Change is to proceed a full suite of provisions is required to recognise and protect Highlands from reverse sensitivity including explicit acknowledgement of the fact that there are some effects that cannot be mitigated. A covenant is required to assist in managing reverse sensitivity, but does not avoid it. Significant improvement to Rule 20.7.7(viii) is required before it can be considered an appropriate method.</p> <p>The proposed rule essentially freezes Central Speedway in time and may prevent it from being able to evolve it’s activities. The issue relates to noise effects, therefore complaints should be prohibited against all activities that occur at Central Speedway that have the same effects as existing activities.</p>	<p>Rule 20.7.7 amended to address the following:</p> <ul style="list-style-type: none"> <li>a. prohibit complaints with respect to any activities that have the same effects as existing Speedway activities</li> <li>b. Requires all complaints to be made to a River Terraces Residents Association in the first instance. Only if there is evidence of a breach of the conditions of Speedway’s consent can the residents association then make a complaint to Central Speedway.</li> <li>c. If any complaints are unfounded the covenant include a penalty regime.</li> <li>d. Provision preventing any resident (directly or by proxy) from objecting to any Plan Change or new resource consent for activities that Central Speedway may seek, so long as effects are the same as the existing consented activity.</li> </ul> <p>The form and terms of the Covenant must be produced and included as an Appendix to the Zone so as to avoid potential for disagreement about the terms when implementing the plan change.</p>