

**BEFORE THE ENVIRONMENT COURT**

Decision No. [2013] NZEnvC 184

**IN THE MATTER** of the Resource Management Act 1991 (**the Act**) and of a direct referral pursuant to section 87G of the Act

**BETWEEN** CANTERBURY CRICKET ASSOCIATION INCORPORATED

(ENV-2013-CHC-0019)

Applicant

Hearing: at Christchurch on 4-7 June, 10-14 June, 26-28 June  
1-2 July, 4-5 July, 8 July 2013

Court: Environment Judge J E Borthwick  
Environment Commissioner D J Bunting  
Environment Commissioner A C E Leijnen

Appearances: P A Steven for Canterbury Cricket Association Incorporated  
R M Dunningham for Christchurch City Council  
M Perpick and K Wyss for Hands Off Hagley Incorporated  
P Noble for Canterbury Earthquake Recovery Authority  
R Hayward on behalf of D White, for New Zealand Cricket  
I McKendry for Sports Turf Association of New Zealand  
A J McCully for Canterbury Horticultural Society  
A J Lobb for Te Ngāi Tūāhuriri Rūnanga  
C M Mulcock for Deans Avenue Precinct Society  
C P Graham for Friends of Botanic Gardens Incorporated  
T Minehan for Inner City West Neighbourhood Incorporated

S Williams, D O Fox, K L Henderson, A A Ross, A J Nuttall,  
S E Rolleston, R Christian, C A Stachurski, L R Eagle, A M Ford,  
D G Goring, K D Hitchon, C C Kissling, P M Heffernan,  
A H Mander, G A Moore, A J Reid, R A Sherlock, J P Harney,  
B N Alexander, M Meehan, J A Meehan, M Lovell-Smith,  
D J Maclure, W L Carswell, P K Orme, L T Matchett,  
D Kingi-Patterson, C J Burrows (in person)

Date of Decision: 13 August 2013

Date of Issue: 14 August 2013



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## INTERIM DECISION OF THE ENVIRONMENT COURT

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A: The application for resource consent by Canterbury Cricket Association Incorporated is granted subject to the amended conditions attached to and forming part of this decision and secondly, the directions to amend the Access Management Strategy.

The conditions approved by the court include:

- (i) there shall be no more than 13 match days allocated to major fixtures within any cricket season;
- (ii) the total number of days that temporary facilities and structures associated with major fixtures may occupy the Oval are not to exceed 40 days per season;
- (iii) two or more major fixtures may be scheduled within the same week (the match group), provided that on each occasion this occurs the total number of days that temporary facilities and structures may occupy the Oval shall not exceed 14 consecutive days;
- (iv) no more than two fixtures exceeding 12,000 spectators may be scheduled in any three year period;
- (v) 2015 World Cup matches are not to be counted within the 13 match days; the condition limiting the use of temporary grandstands is not to apply to any fixtures that are scheduled as part of the 2015 World Cup, two World Cup fixtures may be scheduled Monday-Thursday inclusive, otherwise the fixtures are to be scheduled Friday-Sunday inclusive;<sup>1</sup> and
- (vi) the light headframes are to be removed at the end of the cricket season.



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<sup>1</sup> Steven Transcript at 1709.

- B: For the avoidance of doubt, we record that this decision is final in respect of the grant of the resource consent, but that it is interim in respect of the wording of the conditions. Any party who wishes to file a submission on the wording of the conditions (including any corrections required) is to do so by **Friday 30 August 2013**. A final decision will then issue.
- C: Costs are reserved.

## Contents

Part 1:	Introduction.....	3
Part 2:	Statutory Context for the Application.....	10
Part 3:	The effects of the activity on the environment.....	41
Topic A:	Noise .....	41
Topic B:	The effects of glare and lighting overspill.....	57
Topic C:	Traffic Management and Parking.....	65
Topic D:	Construction Management .....	89
Topic E:	Park landscape and amenity.....	90
Part 4:	Planning Instruments and other relevant documents .....	122
Part 5:	Threshold Tests – section 104D RMA.....	140
Part 6:	Section 104 RMA .....	142
Part 7:	Part 2 of the Act.....	157

## REASONS

### Part 1: Introduction

[1] Cricket has been played at the Oval in Hagley Park for nearly 150 years.

[2] Until recently the Oval was home to the St Albans, Riccarton and Christchurch Old Boys Collegians cricket clubs. Playing host to both domestic and international fixtures, the Oval is a venue that is highly valued by persons who enjoy the game.

[3] Given its location within Hagley Park, the Oval and its surrounds are equally valued for reasons that have nothing whatsoever to do with cricket. This resource consent application by Canterbury Cricket Association Inc for an International Cricket Venue at Hagley Park has put in tension the values held by public for this place in a way not previously encountered.



## The Proposal

[4] The purpose of the consent is to authorise the development of Hagley Oval. Consent would enable the following activities:

- construction of a grass embankment with a maximum height of 2.5m sufficient to accommodate 12,000 spectators;
- construction of a new two-storey Pavilion with covered exterior spectator seating for a maximum of 440 persons;
- installation and operation of four lighting towers of 30.9m in height when retracted, and 48.9m in height when extended;
- installation of various temporary facilities and structures e.g. temporary grandstands to seat up to 8,000 spectators, scaffolding for televised events, toilets, ticketing booths, signage, food and beverage and merchandising outlets, and cycle parking;
- installation of a temporary picket fence, with a maximum height of 1.2m, around the inside of the embankment;
- installation of temporary fencing around the outside of the Oval to exclude public access during major fixtures;
- use of the Polo Grounds in South Hagley Park for parking for up to 2,000 cars during major fixtures;
- major fixtures to be played for up to 20 match days each season; and
- demolition of the Christchurch Old Boys Collegians Pavilion and a storage building (with a combined floor area of 296m<sup>2</sup>).<sup>2</sup>

[5] There are two broad categories of events to be held at the proposed International Cricket Venue. These are:



<sup>2</sup> Draft conditions of consent dated 3 July 2013.

- (a) typical events including club matches, junior cricket, and Plunket Shield to be held, on average, 120 days each season;<sup>3</sup> and
- (b) major fixtures comprising International Twenty/20 (**T20**) matches, One Day Internationals (**ODI**), HRV Cup matches and International Test Matches. Consent is sought for 20 match days per season, four of which may attract in excess of 12,000 spectators.

[6] The number of match days is pivotal to an understanding of the effects stemming from the use of International Cricket Venue (including the use of the Oval and the Polo Grounds). We summarise in Table 1 our understanding of the frequency of cricket matches sought by Canterbury Cricket to be played at the Oval and, related to this, the scale and duration of activities associated with the different fixtures.

**Table 1:**  
**Frequency of games, scale and duration of activities associated with games**

	Typical events	Major Fixtures	International Fixtures	2015 World Cup
Number of spectators	0-2000	2,000-12,000	12,000-20,000	12,000-20,000
Number of days play per cricket season	120 <sup>4</sup>	up to 20 match days	Up to 4 out of 20 match days for major fixtures	Unknown, but counted within four days estimated for International Fixtures. <sup>5,6</sup>
Number of match days	1 day match	Either one match day or five day test	One day match	One day match
Reserve day <sup>7</sup>	Unknown	No	No	Unknown
Pack in/pack out of TV scaffolding or grandstands	Unclear	2 + 2 days where TV scaffolding in use	3 + 3 days where temporary grandstands in use.  Otherwise 2 + 2	3 + 3 days where temporary grandstands in use <sup>8</sup>  Otherwise 2 + 2

<sup>3</sup> Germon EiC at [10.3]. We note that the estimate of frequency of matches given by Mr Germon differs from that provided in Ms Steven's table appended to her Opening Submission.

<sup>4</sup> Germon EiC at [10.5].

<sup>5</sup> Steven Transcript at 1201-2.

<sup>6</sup> Steven Transcript at 1684.

<sup>7</sup> Steven Transcript at 1824-1825.

<sup>8</sup> Grandstands may be erected for a World Cup test match, but not for any other test match. Germon Transcript at 128.



Pack in/out of perimeter fencing to restrict entry into Hagley Oval <sup>9</sup>	No	Yes. 1 + 1 day	Yes. 1 + 1 day	Yes. 1 + 1 day
Pack in/out of perimeter fencing temporary security lighting at the Polo Grounds <sup>10</sup>	No	Maybe 1 + 1 day	Yes. 1 + 1 day	Yes. 1 + 1 day
Use of grandstand seating	No	No	Yes	Yes
Use of temporary facilities and structures (replay screen, TV cameras and scaffolding, tents, toilets food and beverage)	Possibly tents and food and beverages.	Yes	Yes	Yes
Use of Polo Grounds for car parking	No <sup>11</sup>	Yes except for domestic T20s on Friday evening/weekend <sup>12</sup>	Yes	Yes
Use of PA/ amplified sound	No	Yes	Yes	Yes
Use of lighting	No	Yes	Yes	Yes
Payment required for entry	No	Yes	Yes	Yes
Time of day game played	During daylight	<p><b>ODI</b> 2pm to 10pm, Usually Fridays and weekends.</p> <p><b>Domestic T20</b> 2pm to 5pm or 7pm to 10pm Usually Fridays, weekends and holidays.</p> <p><b>Test match</b> 10.30am to 5.30pm Weekdays and weekend</p>	<p><b>ODI/T20s</b> 7pm to 10pm Fridays</p> <p>or</p> <p>On weekends.<sup>13</sup></p>	Unknown, but no more than two fixtures to be played on weekdays other than a Friday. <sup>14</sup>

<sup>9</sup> Condition 6(j) dated 3 July 2013 requires perimeter fencing to be erected no earlier than one day before the fixture and removed no later than one day after the fixture.

<sup>10</sup> The conditions of consent do not address the pack in/out of fencing and lighting at the Polo Grounds but we understand what was intended was in line with condition 6(j) dated 3 July 2013.

<sup>11</sup> Access Management Strategy at [10.5].

<sup>12</sup> Access Management Strategy at [10.5].

<sup>13</sup> Condition 6(d) dated 3 July 2013.

<sup>14</sup> Steven Transcript at 1201.



[7] Canterbury Cricket's proposed conditions governing the frequency of fixtures at the Oval follow:

- (a) major fixtures are those fixtures attracting in excess of 2,000 spectators;<sup>15</sup>
- (b) the cricket season is a seven month period from 15 September to 15 April;<sup>16</sup>
- (c) for major fixtures consent is sought for up to 20 match days each season;
- (d) four of the 20 match days may be for games attracting up to 20,000 spectators;
- (e) no more than five contiguous match days are to be played in any one period; and
- (f) the number of match days each season for fixtures that are not major fixtures is unrestricted.

#### **The location of the proposal**

[8] The subject site is commonly known as the Hagley Oval and is the existing cricket ground located within South Hagley Park. Hagley Park is a recreation reserve administered by the Christchurch City Council under the Reserves Act 1977 and is zoned Open Space 2 in the District Plan.

[9] Hagley Park comprises 165 hectares of land and is made up of three areas – Little Hagley Park, North Hagley Park and South Hagley Park. North Hagley Park is located adjacent to the 21 hectare Christchurch Botanic Gardens. South Hagley Park comprises some 70.5045 hectares.<sup>17</sup>

[10] Located within the central city, South Hagley Park is bounded by four avenues being: Riccarton Avenue, Deans Avenue, Moorhouse Avenue and Hagley Avenue. Riccarton Avenue has an additional important function as it provides a main access to Christchurch Hospital and Christchurch Women's Hospital.<sup>18</sup>



<sup>15</sup> Draft conditions of consent dated 3 July 2013.

<sup>16</sup> Draft conditions of consent dated 3 July 2013.

<sup>17</sup> AEE at [3.1].

<sup>18</sup> Hayes EiC at [2.4-2.5].

[11] Notable activities occurring within the immediate area include the hospitals located some short distance away on the opposite side of Riccarton Avenue and Hagley Community College located on the opposite side of Hagley Avenue. There is also the Special Events Area located in North Hagley Park on Park Terrace.

[12] Surrounding the Oval are the club rooms for St Albans, Riccarton, Christchurch Old Boys Collegians cricket clubs, the Cricket Umpires Pavilion and the Christ's College cricket Pavilion.<sup>19</sup> Close by is the Horticultural Hall which was originally built as an indoor cricket facility and administrative centre but is now used by the Canterbury Horticultural Society. In addition there are two dwellings occupied by groundsmen and a number of small accessory buildings.<sup>20</sup>

[13] Elsewhere within South Hagley Park are sports fields catering for many sporting activities including football, rugby, softball, hockey, cricket and netball at both club and school sports level.<sup>21</sup> The usual accoutrement associated with sports fields are present including lighting masts, toilet blocks, and an assortment of goal posts required by the individual sporting codes. One of the more intensive organised sports facilities lying to the east of the Oval is the Christchurch Netball Centre. This is described as the largest netball centre in New Zealand with its 43 courts and purpose built Pavilion catering for players from around the City.<sup>22</sup>

### **The Parties**

[14] A total of 289 submissions were lodged in response to the application; of these 113 were in support, 172 opposed and four were neutral. Forty-three submitters gave notice pursuant to section 274 of the Resource Management Act 1991 (the **RMA**) to become a party to the application following its referral to the Environment Court and most gave evidence and/or made submissions in support of their relief.

[15] We have considered all of the submissions from both the parties and submitters. Likewise we have heard and considered evidence given on behalf of all of the parties.



<sup>19</sup> Application at [3.1] advises Old Boys Collegians club has now relocated to Elmwood Park.

<sup>20</sup> Nixon EiC at [1.9].

<sup>21</sup> Application at [3.2.8].

<sup>22</sup> Application at [3.2.4].

[16] It is not practical to summarise what has been said on behalf of each party, nor do we think that it is necessary to do so as we respond to submissions and evidence through the broadly defined topics addressed in this decision.

**Documents attached to this decision**

[17] Attached to this decision are the following documents:

- (a) Annexure 1 - copies of the Gantt charts; and
- (b) Annexure 2 – the conditions of consent.



## Part 2: Statutory Context for the Application

### Overview

[18] The City Council agreed to directly refer the application for resource consent to the Environment Court following its lodgment with the Council in November 2012. The Environment Court accepted Canterbury Cricket's notice of motion that the application be determined by the court and granted the application a priority hearing.

[19] Being a direct referral, this application falls to be determined under section 87G of the RMA. Section 87G(6) provides that when considering an application for resource consent the court must apply sections 104 to 112, and 138A as if it were the consent authority.

[20] All parties agree that the proposal is to be considered as a non-complying activity. Section 104D therefore applies which provides:

- (1) Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either -
  - (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii)] applies) will be minor; or
  - (b) the application is for an activity that will not be contrary to the objectives and policies of
    - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
    - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
    - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.
- (2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.

[21] For reasons that we will give shortly, as the application passes one of the section 104D threshold tests we have gone on to consider it under section 104 and 104B RMA.



Section 104(1) requires that, subject to Part 2, we must have regard to the following matters:

- (a) any actual and potential effects on the environment of allowing the activity;
- (b) the relevant provisions of the following plans:
  - (i) the Canterbury Regional Policy Statement; and
  - (ii) the District Plan.
- (c) the relevant provisions of the Recovery Plan read together with and forming part of the Hagley Park Management Plan (**HPMP**).<sup>23</sup>

[22] Part 2 contains the purpose and principles of the RMA and these are set out in sections 5-8.

[23] Section 6(g) requires us to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development.

[24] Section 7 provides that we are to have particular regard to the following matters (relevantly):

- ...
- (b) the efficient use and development of natural and physical resources;
- (c) the maintenance and enhancement of amenity values;
- ...
- (f) maintenance and enhancement of the quality of the environment:

[25] And finally, we are to take into account the principles of the Treaty of Waitangi, in accordance with section 8.

[26] The purpose of the RMA is given in section 5, and this section requires natural and physical resources to be managed:

... in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:



<sup>23</sup> Section 26(3) CER Act, section 104(1)(c) RMA.

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

[27] For the purpose of this application, three key terms are defined by the RMA. First, “environment” includes:

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) all natural and physical resources; and
- (c) amenity values; and
- (d) the social, economic, aesthetic and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.<sup>24</sup>

[28] Unless the context requires otherwise, “effect” includes –

- (a) Any positive or adverse effect; and
- (b) Any temporary or permanent effect; and
- (c) Any past, present, or future effect; and
- (d) Any cumulative effect which arises over time or in combination with other effects—

regardless of the scale, intensity, duration, or frequency of the effect, and also includes—

- (e) Any potential effect of high probability; and
- (f) Any potential effect of low probability which has a high potential impact.<sup>25</sup>

[29] “Amenity values”, which are of particular importance in this case, mean:

those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.<sup>26</sup>




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<sup>24</sup> Section 2.

<sup>25</sup> Section 3.

<sup>26</sup> Section 2.

[30] Before we embark on our analysis we set out our findings in relation to preliminary legal issues raised by the parties, as these set the context for everything else that follows.

### **Preliminary Legal Issues**

[31] The following legal issues arise and are addressed in turn:

- (a) how is the court to interpret and apply section 23(1) of the Canterbury Earthquake Recovery Act 2011 (**CER Act**) which provides that this decision must not be inconsistent with the Recovery Plan?
- (b) does section 26(3) of the CER Act apply to the HPMP?
- (c) is there a baseline of adverse effects on the environment arising in relation to activities that are permitted under the District Plan and if so, should the court exercise its discretion and disregard those effects?
- (d) is consent sought for activities that are outside the scope of the notified application?
- (e) was adequate consideration given by Canterbury Cricket to alternative locations?
- (f) what is the relevance of approvals required from other agencies?
- (g) who approves or certifies the management plans?
- (h) are some of the matters raised by parties not relevant to our decision?

**Issue: How is the court to interpret and apply section 23(1) of the Canterbury Earthquake Recovery Act 2011 which provides that its decision must not be inconsistent with the Recovery Plan?**

[32] The question of interpretation first arose following Canterbury Cricket's opening submission that the effect of section 23(1) of the CER Act is that the court cannot refuse an application for consent that accords generally with the description given for the relevant anchor project in the Recovery Plan.<sup>27</sup> Canterbury Cricket modified its position in its closing submissions when, along with the other parties, it submitted that the court may grant consent (with or without conditions) or refuse the application.<sup>28</sup>



<sup>27</sup> Steven Transcript at 64.

<sup>28</sup> CCA Closing Submissions at [45].

[33] Canterbury Cricket and the City Council submit that it is not open to the court to refuse consent solely upon the grounds that the location of the anchor project is inappropriate as such a decision would be inconsistent with the Recovery Plan. Nor can the court grant consent for a proposal other than the anchor project identified for Hagley Oval. In arriving at their respective positions Canterbury Cricket and the City Council made far reaching submissions concerning the interpretation of section 23 CER Act and its relationship with the RMA, in particular sections 104D, 104 and Part 2 of the RMA. The different interpretations include:

- (a) Canterbury Cricket's submission that section 104D RMA is subject to section 23 CER Act to the effect that even if an application fails the threshold tests the court has jurisdiction to grant consent;<sup>29</sup>
- (b) Canterbury Cricket's and the City Council's submission that section 5 RMA is subject to section 23 CER Act;<sup>30</sup>
- (c) Canterbury Cricket's submission that Part 2 RMA is subject to the Recovery Plan;<sup>31</sup> and
- (d) the City Council's submission section 23 CER Act may direct the outcome of a decision notwithstanding a full assessment of the proposal under section 104 and Part 2 of the RMA.<sup>32</sup>

[34] Counsel for Canterbury Cricket and the City Council did not specifically address whether the relevant provisions of the CER Act and RMA are in conflict and yet conflict is implicit in their submissions.

[35] In contrast, Hands Off Hagley and CERA submit that the application is to be considered under the RMA in the usual way – the consideration of the application is subject to Part 2 RMA. CERA further submits the Recovery Plan is to be read together and forms part of the HPMP.<sup>33</sup>

<sup>29</sup> Steven Transcript at 2045.

<sup>30</sup> Dunningham Transcript at 2029; CCC Closing Submissions at [50-52]; Steven Transcript at 2048.

<sup>31</sup> Steven Transcript at 2049.

<sup>32</sup> CCC Closing Submissions [40].

<sup>33</sup> Hands Off Hagley Closing Submissions at [28]; Ms Noble Transcript at 111. CERA Opening Submissions dated 17 May 2013 at [16].



*Statutory interpretation principles*

[36] On the topic of statutory interpretation the Court of Appeal decision *Canterbury Regional Council v Independent Fisheries Ltd and ors* [2012] NZCA 601 at [12] comments:

In interpreting the relevant provisions of the Act, we are to ascertain their meaning from their text and in light of their purpose.<sup>34</sup> In determining purpose we have regard to both the immediate and general legislative context, as well as the social, commercial and other objectives of the Act.<sup>35</sup> We also recognise that the legislation should be interpreted in a realistic and practical way in order to make it work.<sup>36</sup>

[37] Sometimes, as appears to be the case here, the provisions of two different Acts may appear to be in conflict. Where that is the case it is the function of the court to determine what the provisions mean. In doing so, the courts have rarely found two pieces of legislation to be inconsistent. Instead the courts endeavour to find a construction that reconciles the apparent inconsistency and allows the different provisions to stand together.<sup>37</sup>

[38] Where the purpose of an Act is clear, its text is to be interpreted to give effect to that purpose. There are cases, however, where the purpose of the Act is of little assistance when interpreting one of its provisions, in which case the provision is to be interpreted to advance its own purpose.<sup>38</sup> That said, while it is the court's task to interpret the text of an Act; the court does not rewrite the Act. The court cannot give the text a meaning that it is incapable of bearing, and nor can the court write into an Act what Parliament has not sought fit to include.<sup>39</sup>

[39] In circumstances where the provisions of two different Acts are in conflict, the court may take into account common law principles of construction. These principles are applied as an aid to ascertaining the meaning of an enactment and not as inflexible rules.

<sup>34</sup> Interpretation Act 1999, section 5.

<sup>35</sup> *Commerce Commission v Fonterra Co-operative Group Ltd* [2007] NZSC 36, [2007] 3 NZLR 767 at [22].

<sup>36</sup> *Northland Milk Vendors Association Inc v Northern Milk Ltd* [1988] 1 NZLR 530 (CA); and J F Burrows and R I Carter *Statute Law in New Zealand* (4<sup>th</sup> Ed, LexisNexis, Wellington, 2009) at 205.

<sup>37</sup> Burrows, *Statute Law in New Zealand* 4<sup>th</sup> Ed at 450.

<sup>38</sup> Burrows, *Statute Law in New Zealand* 4<sup>th</sup> Ed at 223-224.

<sup>39</sup> *Northland Milk Vendors Assoc. Inc. v Northern Milk Ltd* [1988] 1 NZLR 530.



[40] In this case we approached the interpretation of section 23 CER Act and the relevant RMA provisions in the following way:

- (a) first, ascertain whether there is conflict between section 23 CER Act and provisions in the RMA;
- (b) if there is conflict, to identify the nature of the conflict; and
- (c) (if possible) interpret the conflicting provisions in a way that gives effect to the respective purposes.

***Sub-issue: Is there conflict between section 23 CER Act and provisions in the RMA?***

[41] Section 23(1) of CER Act provides (relevantly):

- (1) On and from the notification of a Recovery Plan in the *Gazette*, any person exercising functions or powers under the Resource Management Act 1991 must not make a decision or recommendation that is inconsistent with the Recovery Plan on any of the following matters under the Resource Management Act 1991:
  - (a) an application for a resource consent for a restricted discretionary, discretionary, or non-complying activity (whether or not the application was first lodged after the Recovery Plan was gazetted):

[42] This court is a person exercising powers and functions under the RMA. Under that Act we are considering an application for resource consent for a non-complying activity. Section 104D RMA applies to non-complying activities with the effect that the court is conferred with jurisdiction to grant a resource consent only if it is satisfied that one or other of the section's gateway tests are met. If the court is satisfied of this, then, following an assessment of the application under section 104 and subject to Part 2 of the Act, the court may grant consent (with or without conditions) or refuse the application under section 104B RMA.

[43] Section 23(1) CER Act and section 104B are in apparent conflict as the former limits the ambit of the court's decision making powers under section 104B. That is to say, section 23(1) provides that the court is not able to grant consent where to do so would be inconsistent with the Recovery Plan. In contrast, the discretionary power to grant or refuse consent under section 104B RMA is not constrained in this way.



***Sub-issue: What is the nature of the conflict?***

[44] The meaning of the phrase “inconsistent with the Recovery Plan” in section 23(1) CER Act is to be ascertained from the text and in light of its purpose. The text of section 23(1) concerns a decision to be made under the RMA that is inconsistent with the Recovery Plan.

[45] Before we consider the Recovery Plan, we briefly traverse the purpose of the CER Act and again seek guidance from the Court of Appeal in *Canterbury Regional Council v Independent Fisheries Ltd and ors* at [71]:

[71] We are satisfied from our analysis of the relevant statutory provisions that:

- (a) The overarching purpose of the Act is to impose obligations and confer adequate powers on the Executive to achieve in a timely and expeditious manner the full social, economic, cultural and environmental recovery of greater Christchurch.
- (b) To implement this overarching purpose, a range of obligations is imposed and powers conferred on the Executive, including the obligation to develop the Recovery Strategy, which is the primary focus of the Act; and the ancillary discretionary power conferred on the Minister by s 27, which may, depending on the circumstances, need to be exercised before, during or after the development of the Recovery Strategy.
- (c) There is also a range of safeguards in the Act relating to these obligations and powers, including in particular: the constraints imposed by s 10; the provisions relating to community participation, which include, in the case of the Recovery Strategy and Recovery Plans, public notification and hearings; the requirements for reporting; and the availability of judicial review proceedings.
- (d) The consequences of the valid compliance with the obligations and exercise of the various powers include the removal of RMA processes and council and Environment Court hearings.

[46] We do not understand any party to say that the District Plan is inconsistent with the Recovery Strategy, and so while we have considered its provisions they are not discussed in this decision.



[47] Promulgated under section 17 CER Act, the Christchurch Central Recovery Plan is an approved Recovery Plan.<sup>40</sup> The Recovery Plan incorporates a spatial Blueprint Plan describing the form in which the central city can be rebuilt as a whole, and defines the locations of certain ‘anchor projects’, which are to stimulate further development.<sup>41</sup> The term ‘anchor project’ is not defined by the CER Act or the Recovery Plan; its meaning is left to be ascertained from the broad description given to these activities in the Recovery Plan.

[48] We assume (as we are required to do) that in approving the Recovery Plan the Minister was exercising powers for the purposes of the CER Act.<sup>42</sup> And that the Minister’s approval of the Recovery Plan under section 21(2) of the CER Act was in accordance with the purposes of that Act.

[49] The purpose of the CER Act is of little assistance when interpreting section 23(1), as this has already been given effect by the Minister approving the Recovery Plan. Instead, section 23(1) is to be interpreted in a way that advances the purpose of that particular section. To do that the content of the Recovery Plan must be considered.

[50] The Recovery Plan identifies and describes a number of anchor projects, including the enhancement of the Oval. The Recovery Plan makes various statements about the anchor projects, including the statements which follow:

- a series of anchor projects will help optimise the development and layout of a revitalised centre. The location of these projects will allow private investors to undertake development opportunities;<sup>43</sup>
- these projects are to reflect the communities’ wishes, replace facilities that have been destroyed, stimulate other development, attract people and regeneration and improve urban form of the City; and



<sup>40</sup> CER Act, section 4 and section 21(2). The Court of Appeal in *Canterbury Regional Council v Independent Fisheries Ltd* set out at [59-60] the process to develop a Recovery Plan, the Court of Appeal.

<sup>41</sup> Recovery Plan at 33.

<sup>42</sup> CER Act, sections 10 and 21.

<sup>43</sup> Recovery Plan at 33.

- having certainty around the location of these projects will enable the private sector to plan related facilities and invest with confidence.

[51] When used in section 23(1) “inconsistent” is a standard (or, if you like, a measure). Whether a decision is inconsistent with the Recovery Plan is a question of scale and degree and is to be judged in the particular circumstances of the case.

[52] To put all this in context, a grant of consent may be inconsistent with the Recovery Plan if it is for a proposal other than an anchor project and the grant of consent affects the opportunity to develop the anchor project. A refusal of consent may be inconsistent with the Recovery Plan if the sole reason for doing so is that the location of the anchor project is inappropriate.

***Sub-issue: How may conflicting provisions be interpreted in a way that gives effect to their respective purposes?***

[53] There is no ambiguity in the language of section 23(1) CER Act that would permit this provision being reconciled with section 104B RMA in a way that both are able to be given full effect in accordance with their purposes. Parliament has seen fit to give a mandatory direction to persons exercising functions or powers under the Resource Management Act 1991. Section 23(1) is therefore to be considered the leading provision overriding section 104B where there is inconsistency between a grant or refusal of consent and the Recovery Plan. This means that there is no jurisdiction under section 104B RMA to grant consent where there is inconsistency with the Recovery Plan.

[54] Section 23(1) CER Act has no wider effect as argued by some of the parties. Section 23(1) concerns a decision on an application and not the application *per se* or its assessment. That is to say, section 23(1) does not override the statutory purpose and principles of the RMA. There is nothing in the CER Act or the Recovery Plan which indicates this purpose and we consider such an interpretation to be both untenable, and wholly unworkable in practice.

[55] Finally, section 23(1) does not override section 104D RMA as a proposal may be consistent with the Recovery Plan insofar as it is a proposal for an anchor project, but otherwise it does not meet the threshold tests under that section. If a proposal for an



anchor project may be declined (as all parties agree), then this interpretation must be correct.

[56] We suspect that underlying Canterbury Cricket's submission that section 23(1) CER Act overrides section 104D of the RMA is the anxiety that the *location* of the anchor project at the Hagley Oval is contrary to the District Plan's objectives and policies. The Recovery Plan did not direct amendment to the District Plan to make provision for this anchor project at this location. As we discuss more fully in Part 4, we doubt that any locational issue would arise where the District Plan takes an effects-based approach to managing natural and physical resources.

### **Outcome**

[57] Section 23(1) CER Act overrides section 104B RMA where a decision to grant or refuse resource consent is inconsistent with the Recovery Plan.

### **Issue: Does section 26(3) apply to the Hagley Park Management Plan?**

[58] All parties agree that the HPMP is a relevant document for the court to consider under section 104(1)(c) RMA. At issue is whether section 26(1) CER Act applies to the HPMP.

[59] The Recovery Plan did not direct any amendments to be made to the HPMP.

[60] Hands Off Hagley submit section 26(1) CER Act is intended to control the production of instruments which come into being after a Recovery Plan; that is, the section does not apply to instruments that existed before a Recovery Plan was notified. Existing instruments are to be amended pursuant to section 26(4) CER Act. As the Recovery Plan did not direct the City Council to amend the HPMP pursuant to section 26(4), Hands Off Hagley's argument is that the HPMP is to be considered without regard to the Recovery Plan.

### ***Discussion and findings***

[61] Certain instruments, including management plans approved under section 41 of the Reserves Act, cannot be inconsistent with a Recovery Plan (section 26(1) and (2) CER Act). The HPMP is a management plan approved under section 41 of the Reserves



Act. The City Council is the administering body of the HPMP and is required to comply with the HPMP (section 41(11)). The HPMP is inconsistent with the Recovery Plan in that its objectives and policies, amongst other matters, exclude the building and structures that are the subject of this application.

[62] If the Hands Off Hagley submission is correct and section 26(1) applies to instruments produced after a Recovery Plan, then section 26(3) is ineffective. That is because instruments produced after a Recovery Plan are not to be inconsistent with a Recovery Plan (section 26(1)). On Hands Off Hagley's approach existing instruments that are inconsistent with a Recovery Plan may be amended but only if this is directed in a Recovery Plan (section 26(4)).

[63] We find section 26 is capable of being interpreted in a way that does not render one of its sub-clauses ineffective. The text of section 26(1) does not support the reading down of its ambit to apply to instruments that come into existence after a Recovery Plan. The purpose of the provision is to remove inconsistencies between the named instruments and a Recovery Plan. This can be achieved in one of two ways: either the Recovery Plan directs amendment to the instrument to give effect to its provision (section 26(4)), or the Recovery Plan is to be read together with and forms part of the instrument and prevails where there is any inconsistency between it and the instrument (section 26(3)).

### **Outcome**

[64] Section 26(3) of the CER Act applies with the effect that the Recovery Plan is to be read together with and forms part of the HPMP and the Recovery Plan prevails where there is any inconsistency between it and the HPMP.



**Issue: Is there a baseline of adverse effects on the environment arising in relation to activities that are permitted under the District Plan and, if so, should the court exercise its discretion and disregard those effects?**

### **Introduction**

[65] By virtue of sections 104D(2) and 104(2) RMA, the permitted baseline may be considered both in the context of an assessment for a non-complying activity and, if the application passes one or other of the threshold tests, then under section 104(1).<sup>44</sup>

[66] Section 104(2) provides (relevantly):

When forming an opinion for the purposes of subsection 1(a) a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

### **The parties' positions**

[67] The application of the permitted baseline issue was extensively canvassed in evidence. However, by the close of the hearing Canterbury Cricket requested that the application be considered as if the permitted baseline did not apply.<sup>45</sup>

[68] On the other hand the City Council says that, while its witnesses do not rely on the application of the permitted baseline to support the proposal, there is a baseline of adverse effects and that it is open to the court to disregard these effects when considering the effects of the proposal on the environment. If applied this would remove from the court's consideration many of the contended adverse effects arising in relation to this proposal – including those effects arising in relation to the scale, frequency and duration of major fixtures.<sup>46</sup>

[69] The City Council submits that a range of activities may be permitted, including those arising in relation to:

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<sup>44</sup> The plan referred to in section 104(2) is the District Plan, see section 2 and section 43AA definition of 'plan'.

<sup>45</sup> Transcript at 2087.

<sup>46</sup> We have not had regard to evidence given by Canterbury Cricket witnesses, as we were not assisted by them in identifying the effects of a range of activities that were said to be permitted.



- (a) the application of the temporary events rule to certain activities proposed by Canterbury Cricket;<sup>47</sup> or
- (b) the application of the temporary events rule to hypothetical (non-fanciful) activities within Hagley Oval and more generally South Hagley Park;<sup>48</sup> and/or
- (c) the proposal's compliance with community, development and critical standards of the District Plan.<sup>49</sup>

[70] CERA and Hands Off Hagley take a different approach to the City Council, both submitting that major cricket fixtures are not “events” for the purpose of the temporary events rule. That is because cricket fixtures cannot be held in the absence of the proposed International Cricket Venue for which consents are sought.<sup>50</sup> While consent is not required for cricket fixtures, for the purpose of assessing effects under section 104D(1)(a) and 104, they say that the effects of the use of the International Cricket Venue are to be considered.

[71] As it is important to this discussion we set out the temporary events rule relied on by the Council's planning witness, Mr D Mountfort, to establish a baseline of adverse effects.

### **Rule 2.2.3(b) – the temporary events rule**

[72] Rule 2.2.3(b) of the District Plan is one of a number of rules pertaining to temporary buildings and activities. The rule was inserted into the District Plan in 2012 pursuant to a statutory direction given in the Christchurch Central Recovery Plan.<sup>51</sup> Located within Volume 3, Part 9 of the District Plan under the section “General City Rules”, rule 2.2.3(b) states (relevantly):

Notwithstanding anything to the contrary in this Plan, and except as set out in Clause 2.2.4, the following shall be permitted activities in any zone in the Central City:

<sup>47</sup> CCC Opening Submissions at [17(e)]; Mountfort EiC at [15] where he says the temporary events rule “seems” to apply to aspects of the proposal.

<sup>48</sup> CCC Closing Submissions at [64].

<sup>49</sup> CCC Closing Submissions at [58].

<sup>50</sup> Hands Off Hagley Opening Submissions at [5]. CERA Opening Submissions dated 5 June 2013 at [9-10].

<sup>51</sup> Christchurch Central Recovery Plan at [106].



- (a) ...
- (b) Any temporary event or public meeting, including associated parking and ancillary buildings and structures, provided that such activities shall not operate from a site for more than four consecutive weeks and buildings shall not remain on the site any longer than eight weeks.

Resource consent applications for non-compliance with this Rule will only be assessed against the matters contained in Clause 2.2.5.

[73] At the same time the District Plan was amended to include a definition of “event” as follows:

In relation to the Temporary Buildings and Activities rules, means any temporary and organised activity including but not limited to organised gatherings, parades, festivals, film shoots, concerts, celebrations, multi-venue sports events of significant scale including fun runs, marathons, duathlons, triathlons.<sup>52</sup>

[74] The temporary events rule does not follow the scheme of the District Plan which adopts an effects-based model of rules to control activities. Rather, it permits any temporary event or public meeting, including associated parking and ancillary buildings and structures, and does so “notwithstanding anything to the contrary in this Plan”. The City Council says the words “notwithstanding anything to the contrary in this Plan” gives rise to interpretation issues when the rule is considered together with other rules inserted into the District Plan pursuant to the statutory directions. However, this is not a matter we need resolve given: (a) Canterbury Cricket no longer relies on the permitted baseline; and (b) CERA acknowledges that it is currently reviewing the Recovery Plan because there are difficulties with the drafting of some of its provisions.

#### **Approach to District Plan interpretation**

[75] As we are concerned with a rule in a District Plan which has the effect of a regulation, section 5 of the Interpretation Act 1999 applies and so the meaning of the rule must be ascertained from its text and in light of its purpose.




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<sup>52</sup> Volume 3, Part 1, Definitions.

[76] In *Powell v Dunedin City Council* the Court of Appeal explained its approach to District Plan interpretation.<sup>53</sup>

While we accept it is appropriate to seek the plain meaning of a rule from the words themselves, it is not appropriate to undertake that exercise in a vacuum. As this Court made clear in *Ratray*, regard must be had to the immediate context (which in this case would include the objectives and policies and methods set out in section 20) and, where any obscurity or ambiguity arises, it may be necessary to refer to the other sections of the plan and the objectives and policies of the plan itself. Interpreting a rule by a rigid adherence to the wording of the particular rule itself would not, in our view, be consistent with a judgment of this Court in *Ratray* or with the requirements of the Interpretation Act.

[77] Thus where a rule is ambiguous it should not be interpreted in isolation, and nor should it be interpreted by a rigid adherence to its words where this would be inconsistent with the requirements of the Interpretation Act 1999.<sup>54</sup>

[78] We keep in mind what the permitted baseline concept is designed to achieve. About this matter the Court of Appeal in *Queenstown Lakes District Council v Hawthorn Estate Ltd*<sup>55</sup> from [65] explained:

[65] ... In essence, its purpose is to isolate, and make irrelevant, effects of activities on the environment that are permitted by a district plan, or have already been consented to. Such effects cannot then be taken into account when assessing the effects of a particular resource consent application. As Tipping J said in *Arrigato* at [29]:

Thus, if the activity permitted by the plan will create some adverse effect on the environment, that adverse effect does not count in the ss 104 and 105 assessments. It is part of the permitted baseline in the sense that it is deemed to be already affecting the environment or, if you like, it is not a relevant adverse effect. The consequence is that only other or further adverse effects emanating from the proposal under consideration are brought to account.

[66] Where it applies, therefore, the “permitted baseline” analysis removes certain effects from consideration under s 104(1)(a) of the Act. That idea is very different, conceptually, from the issue of whether the receiving environment (beyond the subject site) to be considered under s

<sup>53</sup> [2004] 3 NZLR 721; (2004) 11 ELRNZ 144; [2005] NZRMA 174 (CA). The approach is consistent with the later enactment of the Interpretation Act.

<sup>54</sup> *Lovegrove v Waikato District Council* [2010] NZEnvC 54 at [11].

<sup>55</sup> [2006] NZRMA 424 (CA).



104(1)(a), can include the future environment. The previous decisions of this Court do not decide or even comment on that issue.

***Sub-Issue: Does the temporary events rule apply to activities proposed by Canterbury Cricket?***

[79] The City Council opened its case by submitting “... the major events proposed by the applicant are covered by the definition of temporary event”<sup>56</sup> and the evidence of its planning witness was that the temporary events rule “seems” to apply to aspects of the proposal.<sup>57</sup>

[80] It seems trite to observe that the purpose of the temporary events rule is to permit events that are temporary. An event is a “temporary event” if it does not exceed the time limitation stated in the rule. An event that is a temporary event *may* be carried on in association with temporary parking and ancillary buildings and structures.

[81] “Ancillary” is not defined by the District Plan but, looking at its plain meaning, it is described as:

- (a) providing necessary support to the primary activities or operation of an organisation, system;<sup>58</sup> or
- (b) subsidiary, auxiliary or supplementary.<sup>59</sup>

[82] The rule does not contemplate that other resource consents may be required, as is the case here, in order to authorise the activity – the temporary event is after all *permitted*. In this case consent is sought for buildings and structures because first class fixtures cannot be played without these facilities.<sup>60</sup>

[83] This interpretation is supported by the other temporary events rules in the same part of the District Plan (see rule 2.2.2, 2.2.3(a) and 2.2.4).

[84] There is little assistance to be derived from the context of the District Plan and Recovery Plan. The District Plan contains statements about the purpose and reasons for the temporary events rules, both of which are in tension with the new rule.

<sup>56</sup> CCC Opening Submissions at [17(e)].

<sup>57</sup> Mountfort EiC at [15].

<sup>58</sup> Oxford Dictionary.

<sup>59</sup> Collins Dictionary.

<sup>60</sup> Germon EiC at [6.1-6.4].



[85] We were not directed by the City Council to any objectives and policies in the wider context of the Open Space 2 Zone, or more generally the objectives and policies of the District Plan, which rule 2.2.3(b) is said to achieve. In the even broader context of the Recovery Plan, the City Council did not refer the court to any specific provision that may assist with interpretation of this rule other than to note that in the chapter introducing the statutory directions a statement is made that the Recovery Plan outlines a vision for a distinctive central city by including “places and spaces that attract people from throughout the greater Christchurch area and beyond”.<sup>61</sup> Having derived no assistance from this statement, we do not discuss it further.

### **Outcome**

[86] We accept the Hands Off Hagley and CERA submissions that the temporary events rule does not apply to activities proposed by Canterbury Cricket and it follows that the rule does not establish any baseline of effects.

#### ***Sub-Issue: Does the temporary events rule apply to hypothetical (but non-fanciful) activities within Hagley Park?***

[87] The court may isolate and disregard the effects of permitted hypothetical (but non-fanciful) activities when assessing the proposal under sections 104D and 104 of the RMA. The City Council submits that the adverse effects of hypothetical events may establish a baseline.<sup>62</sup>

[88] In that regard Mr Mountfort lists activities he says are permitted under the temporary events rule.<sup>63</sup> During the course of the hearing he expands on this list by identifying effects associated with large crowds, such as ‘traffic’ and ‘damage to turf’.<sup>64</sup> (Large crowds are one of the activities that he says are permitted under the rule.)

[89] We decline to exercise our discretion and disregard the adverse effects of activities permitted under the District Plan for the following reasons:



<sup>61</sup> CCC Closing Submissions at [66], Christchurch Central Recovery Plan at [103].

<sup>62</sup> CCC Closing Submissions at [64].

<sup>63</sup> Mountfort EIC at [52-56].

<sup>64</sup> Transcript at 1865.

- (a) the effects of the temporary events rule are unquantified and unquantifiable:
- they are unquantified in the sense that the adverse effects of the activity on the environment have not been identified and then isolated. This was not done by the City Council. It is not enough to list activities that may be permitted or identify effects by broad topic areas.
  - by unquantifiable, we mean the scale, frequency and duration of the temporary events permitted under rule 2.2.3(b) and, it follows, the adverse effects on the environment are unknown and could in practice vary significantly.
- (b) the permitted baseline does not apply to those effects that are to be managed by conditions of consent, as such effects are not disregarded. The proposed conditions purport in varying degrees to manage the effects that the City Council says are to be disregarded;
- (c) given the activities that presently take place within Hagley Oval and the Polo Grounds it is fanciful to assume that up to 20 other temporary events could occur within the cricket season; and
- (d) we do not know whether Hagley Oval is a suitable ground for events other than cricket fixtures given the recent upgrade of its playing surface to a first class standard.

### ***Outcome***

[90] For all of the foregoing reasons we decline to apply the permitted baseline in relation to hypothetical activities that may be permitted under the temporary events rule.

### ***Sub-Issue: The proposal's compliance with community, development and critical standards of the District Plan***

[91] The City Council adopted Canterbury Cricket's list of activities that are not otherwise controlled by a standard in the Plan and are therefore permitted.<sup>65</sup>



<sup>65</sup> See CCC Closing Submissions at [57].

[92] The Environment Court has previously remarked that the application of the permitted baseline is not easily accommodated within the philosophical approach of this District Plan: *Kinzett v Christchurch City Council*.<sup>66</sup>

***Outcome***

[93] We decline to exercise our discretion and disregard the effects of activities that are not otherwise controlled by the community, development or critical standards of the District Plan for the reasons set out at paragraph [90](a and b) above.

**Issue: Is consent sought for activities that are outside the scope of the notified application?**

[94] Hands Off Hagley submits, without elaboration, that the following activities fall outside the scope of the original application:

- (a) the application stated no trees would be removed;
- (b) the application asserted that the noise limits in the District Plan would be complied with;
- (c) the application provided no detail as to vertical lux spill and the horizontal lux spill at 1.5m;
- (d) the application stated that parking for all spectators attending major fixtures could be accommodated within the Polo Grounds and that there would be no parking demand made upon surrounding roads;
- (e) the application grossly misrepresented the effects of major events on traffic flows by applying an unrealistically low modal split;
- (f) the application did not state that car parks located at the Horticultural Hall would not be available for public use during major cricket events;
- (g) the application misrepresented the location and scale of the disabled parking; and
- (h) the application did not state that the Polo Grounds would be fenced to keep vehicles away from trees and off the existing cricket wickets.<sup>67</sup>



<sup>66</sup> Decision No: C9/07, 30 January 2007, Judge Smith.

<sup>67</sup> Hands Off Hagley Closing Submissions at [38].

[95] As will be apparent from this list, the Hands Off Hagley's submission concerns both the scope of the application and separately whether adequate information was provided in the application and its assessment of environmental effects (AEE).

[96] Canterbury Cricket disputes that the proposal extends beyond the ambit of the application or that the information provided in the application for resource consent was inadequate.

[97] The case law that has developed in response to the legal issues was recently summarised by the Environment Court in *Simons Hill Station Ltd and Simons Pass Station Ltd and ors v Canterbury Regional Council*:<sup>68</sup>

[20] The relevant case law addressed by the parties is uncontroversial; a consent authority has no jurisdiction to grant a consent which extends beyond the ambit of the consent application: *Shell Oil New Zealand Ltd v Porirua City Council*.<sup>69</sup> Every resource consent is limited by the terms of the original application and any documents incorporated in it by reference which defines the scope of the consent authority's jurisdiction: *Darroch v Whangarei District Council*.<sup>70</sup> A consent which purports to grant more than what is sought in the application is ultra vires to that extent: *Manners-Wood v Queenstown Lakes District Council*.<sup>71</sup>

[21] When considering what was sought it is the substance or gist of the application that counts. Regard must be had to the circumstances that existed at the time the application was made and relevant also is the basis that the application was received and dealt with by the consent authority: *Sutton v Moule*.<sup>72</sup>

[22] As to how much detail must be contained in an application and AEE the Planning Tribunal in *AFFCO NZ Ltd v Far North District Council* held:<sup>73</sup>

From those provisions we infer that it is intended that the proposed activity the subject of the resource consent application is to be described with sufficient particularity to enable those various functions to be performed. The proposed activity has to be described in detail sufficient to enable the effects of carrying it on to be assessed in the way described by the Fourth Schedule. The description is intended to include whatever information is required for a consent authority to understand its nature and the effects that it would have on the environment. The description is expected to be full enough that a would-be

<sup>68</sup> [2013] NZEnvC 62 at [20].

<sup>69</sup> CA 57/05, 19 May 2005 at [5].

<sup>70</sup> Planning Tribunal, Judge Sheppard, A18/93 at [27].

<sup>71</sup> Environment Court Judge Dwyer, W077/07 at [22].

<sup>72</sup> Court of Appeal (1992) 2 NZRMA 41.

<sup>73</sup> [1994] NZRMA 224 at 14.



submitter could give reasons for a submission about it and state the general nature of conditions sought.

The application needs to have such particulars that the consent authority would need to be able to have regard to the effects of allowing the activity, and to decide what conditions to impose to avoid, remedy or mitigate adverse effects without abdicating from its duty by postponing consideration of details or delegating them to officials. (The limits on delegation were authoritatively described in *Turner v Wilson* [1971] NZLR 833; 4 NZTPA 104 (CA).)

[23] (not relevant)

[24] An application may be amended following notification, however the amendments cannot alter the substance of the application: *Waitakere City Council v Estate Homes Ltd.*<sup>74</sup> The Supreme Court decision was the latest in a series of cases which affirm the proposition that amendments are permissible if they are within the scope defined by the original application. The most well known of these being the decision of *Darroch v Whangarei District Council* where Judge Sheppard stated:

... In appropriate cases, where consistent with fairness, amendments to design and other details of an application may be made up to the close of a hearing. However they are only permissible if they are within the scope defined by the original application. If they go beyond that scope by increasing the scale or intensity of the activity or proposed building or by significantly altering the character or effects of the proposal, they cannot be permitted as an amendment to the original application. A fresh application would be required.

[98] We address next, each matter raised by Hands Off Hagley in turn.

### ***Errors in the application***

[99] Canterbury Cricket admits errors were made in relation to the matters identified at [95] (b) noise and (e) modal split but says these errors do not render the application a nullity. Canterbury Cricket submits that the errors do not alter the scope or ambit of the proposal either in regard to (a) the scale or intensity of the proposed activity; or (b) the proposal's character or effects. In both instances, the errors were corrected in evidence.

[100] While the modal split stated at paragraph [2.1.4] in the application is simply wrong, the application does not assert that all spectator vehicles will park in the Polo

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<sup>74</sup> [2006] NZSC 112.



Grounds as contended by Hands Off Hagley. The application considers the effects on the surrounding road network “*if* all these vehicles were to park within the temporary car parking in South Hagley Park ...”<sup>75</sup> [emphasis added] and goes on to discuss from [5.2ff] parking (including on-street parking) in association with various types of major fixtures, and from [6.2ff] considers the extent of off-street car parking within walking distance of the subject site.

[101] Like the Environment Court in *Atkin v Napier City Council*<sup>76</sup> we do not accept that every assertion as to fact or opinion made in a consent application is required to be incontrovertibly correct. All assertions are open to challenge and the topics of the effects on on-street car parking supply, the road network and noise were extensively challenged by submitters.

[102] In this case, the application does not constrain car parking to the location of the Polo Grounds as suggested by Hands Off Hagley. Furthermore, at their conference, all traffic experts agreed that “... because of the earthquakes the traffic flow in the roads around surrounding [sic] South Hagley Park is difficult if not impossible to reliably predict”.<sup>77</sup> Nevertheless the experts concluded that with appropriate traffic management the surrounding street network will be able to accommodate the event traffic. Given the position reached by the traffic experts, the submission that traffic flows were “grossly misrepresented” is untenable.

[103] We were told in closing submissions that the error as to noise arose because Dr Trevathan, the applicant’s noise expert, had an incorrect understanding of the subject site.<sup>78</sup> Dr Trevathan said that it was only on closer inspection of the zoning and the rules, that he identified that the Botanic Gardens were zoned differently from Hagley Park as a whole whereas his original understanding was that Hagley Park was the site.<sup>79</sup>

[104] The statement made about compliance with the noise limits in the District Plan is correct if Hagley Park is assumed to be the subject site. It follows that (a) the scale or intensity of the proposed activity or (b) the proposal’s character or effects does not change as a consequence of assessing noise correctly in relation to the subject site.

<sup>75</sup> Application and AEE at [5.1.4].

<sup>76</sup> At [16].

<sup>77</sup> Statement of Traffic Experts dated 21 May 2013 at [4].

<sup>78</sup> CCA Closing Submissions at [182-184].

<sup>79</sup> Transcript at 345.



[105] Dr Trevathan confirmed that his later assessment of the effects of noise in the Botanic Gardens with the correct zoning was undertaken on the basis that the effects were non-complying.

*Tree removal*

[106] Up to two trees may be removed to provide access from Deans Ave to the Polo Grounds. The trees affected include one cherry tree planted after the application was lodged and one sapling.

[107] At the time the application was lodged access onto the Polo Grounds was to be from a former construction access used by the City Council for sewer repairs. The applicant proposes to use another access located south of the construction access. No party has submitted that the relocation of the access is beyond the scope of the original application. Had they of done, our view would be that the amendment made to the access is within scope.

[108] We are satisfied that the statement made in the application that no trees would be removed pertains to the subject site, and not the area of the Polo Grounds.<sup>80</sup> The subject site is shown on the Locality Plan appended to the application and generally is Hagley Oval and its immediate environs. The application does not contain a statement about tree removal within the vicinity of the Polo Grounds (at least none that we could find).

[109] While resource consent is not required to remove the trees, permission must be obtained from the City Council under the Reserves Act for this to occur. That said, the effect of tree removal is a matter able to be considered when assessing this application.

[110] It is unreasonable to suggest that an issue as to scope could arise where the cherry tree was planted after the application was lodged. As for the sapling, it is not yet known whether this will be removed but we consider the potential for its removal in the context of the effects on the environment.



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<sup>80</sup> Application and AEE at [2.37].

***Horticultural Hall car parking***

[111] Canterbury Cricket submits that as the Horticultural Hall is located within the subject site, and the use of its associated car parks was identified in the application, there is no scope issue. Having reviewed the application, and in particular paragraphs 15 and 27 which describe the use of the Horticultural Hall's car parks, we are satisfied that no scope issue arises.

***Sufficiency of information provided in the application***

[112] While the application did not provide an assessment of vertical lux or disabled car parking this information has since been provided. The fencing off of trees and the Polo Ground's cricket wickets was a condition proffered by the applicant during the course of the hearing for the purpose of avoiding adverse effects on existing landscaping and Park facilities. We set out elsewhere in this decision our findings on the height to be used for assessing the vertical lux overspill.

[113] For now we record that the failure to provide these details in the application does not alter in a material way the scale or intensity of the proposed activity or the proposal's character or effects.

**Outcome**

[114] We reject the submission that Canterbury Cricket is seeking consent for activities that fall outside the scope of the original application or that the application for consent is in any sense a nullity because of inaccurate or insufficient information.

**Issue: Was adequate consideration given to alternative locations?**

[115] Hands Off Hagley and some of the other parties submitted that the applicant gave either no consideration or inadequate consideration of alternative locations for the proposal.

[116] Under clause 1(b) of the Fourth Schedule to the RMA, where it is likely that an activity will result in significant adverse effects on the environment, an application for



resource consent is to describe any possible alternative locations or methods for undertaking the activity.<sup>81</sup>

[117] The attention given to the topic of alternative locations in the application<sup>82</sup> and also in the evidence-in-chief of Mr Germon,<sup>83</sup> the CEO of Canterbury Cricket, was limited. No doubt this is a reflection of Canterbury Cricket's belief that the proposal would not result in significant adverse effects.

[118] It is relevant to record here that planning for the enhancement of the Oval precedes the 2010 and 2011 earthquakes; at that time Canterbury Cricket conceived of the Oval playing host to domestic cricket and test matches with international ODI and T20 fixtures to be held at the AMI stadium. The earthquakes caused extensive damage to AMI stadium and as a consequence the Oval was then considered as a possible venue for international ODI and T20 fixtures. It follows that any alternative location for international fixtures needed to be considered under the relevant criteria set by New Zealand Cricket and the International Cricket Council.

[119] While it is the finding of this court that the proposal will have adverse effects on the environment that are more than minor, having regard to the evidence, including that of Mr Germon and planning witnesses Messrs Mountfort<sup>84</sup> and Nixon,<sup>85</sup> the evidence of various parties as to possible alternative locations and to the extensive cross-examination on this topic, we are satisfied that the applicant did adequately consider alternative locations for the proposal.

**Issue: What is the relevance of required approvals from other agencies?**

[120] This court has an overarching responsibility to satisfy itself that it has jurisdiction to grant consent and secondly, that a grant of consent will achieve the purpose of the Act. When considering the application the court is able to consider the effects of the proposal and to impose such conditions as it thinks appropriate under section 108 RMA to avoid, remedy or mitigate the adverse effects of the proposal.

<sup>81</sup> Clause 1(b) of the First Schedule, RMA.

<sup>82</sup> Application at [6.38-6.88].

<sup>83</sup> Germon EiC at [2.3].

<sup>84</sup> Mountfort EiC at [99-105].

<sup>85</sup> Nixon EiC at [12.1-13.5].



[121] Before consent can be exercised other permits and/or approvals (we refer to these as **approvals**) may be required from the City Council and the Minister of Conservation under the Reserves Act 1977 and the Christchurch City Council (Reserves) Empowering Act 1971 respectively. The court has been asked to consider the effects of activities that would be the subject matter of approvals from these two agencies. In particular:

- (a) the removal of two trees in the vicinity of the Polo Grounds access and the upgrade of the access;
- (b) the use of the Hagley Oval grounds generally, including for major fixtures;
- (c) the use of permanent car parks within South Hagley Park during major fixtures; and
- (d) car parking within the Polo Grounds.

[122] With the possible exception of the car parking within the Polo Grounds, all approvals are required from the City Council.

[123] Hands Off Hagley submit these approvals are required in order to mitigate the adverse effects of the proposal.<sup>86</sup> Thus the court can have no certainty as to whether effects on the environment are able to be managed.

[124] However, we do not perceive that there is any difficulty in granting consent in the knowledge that approvals are or may<sup>87</sup> be required from other agencies. If approvals are not forthcoming, the conditions are crafted so that either the consent will not be able to be exercised or Canterbury Cricket will not be able to hold a scheduled major fixture as the case may be. If approvals are required, these will be determined by the other agencies in accordance with the relevant statutory criteria.

**Issue: Who approves or certifies the management plans?**

[125] Where management plans are proposed, as is the case here, it is imperative that conditions of consent identify the performance standards that are to be met and that the management plans identify how those standards are able to be achieved: *Board of*



<sup>86</sup> Hands Off Hagley Closing Submissions at [37].

<sup>87</sup> The parties were not agreed whether approval from the relevant Minister is required for car-parking in the Polo Grounds.

*Inquiry: MacKays to Peka Peka Extension.* The Board comments that if this is done, then generally speaking management plan conditions are acceptable.<sup>88</sup>

[126] While a condition of consent may leave the certifying of detail to another person (typically a Council officer) using that person's skill and experience, the court cannot delegate the making of substantive decisions: *Royal Forest and Bird Protection Society Inc v Gisborne District Council*.<sup>89</sup> See also *Turner v Allison* (1970) 4 NZTPA 104 at 128 where the Court of Appeal held judicial duties cannot be delegated.

[127] The conditions proposed by the applicant effectively delegated parts of the decision-making on this application to the City Council. It appears that Canterbury Cricket and the City Council considered this an appropriate process because the City Council administers the Park and for events proposed for North Hagley Park the City Council requires management plans to be prepared before a permit to hold the event is issued.<sup>90</sup>

[128] This process may be appropriate where the activities in question do not require resource consent and are to be located within HPMP's Special Events Area set aside for these types of activities. However, that is not the situation here and despite the court raising concerns with the proposed conditions of consent in a Minute issued before the hearing commenced and at the pre-hearing conference, Canterbury Cricket did not lead evidence on how the adverse effects of the proposal could be managed in relation to traffic and construction. In a similar fashion Canterbury Cricket left the accidental discovery protocol to be worked up at a later time and provided to the City Council (Condition 32) and proposed a condition that the City Council could, at its own discretion, relocate the access to the Polo Grounds (Condition 17).<sup>91</sup>

[129] As a consequence the full range of actual and potential effects of this proposal were not adequately considered in evidence-in-chief, including those arising in relation to:

<sup>88</sup> Final Report and Decision of the Board of Inquiry on the Mackays to Peka Peka proposal, 12 April 2013 at [211-213].

<sup>89</sup> Decision W26/2009.

<sup>90</sup> Steven Transcript at 326. Nixon Transcript at 1659.

<sup>91</sup> Draft conditions dated 17 May 2013.



- the displacement of users from the permanent car parks;
- interaction between spectators (including spectator traffic) and access to the public hospital by emergency vehicles, patients, visitors and staff;
- the cumulative effect on the road network of two or more major events being held at Hagley Park or in combination with other events occurring in the locality;
- the management of the site and the site access during the construction phase;
- the cumulative effect of major fixtures being held together with citywide school sports programme held on weekdays at South Hagley Park or more generally with other sports and recreational users of the Park; and
- the location and design of the access into the Polo Grounds.

[130] Where management plans are proposed, it is our expectation that the applicant lead evidence demonstrating how the effects of the activity are to be managed (a) under the management plans' objectives and (b) in broad terms how those objectives are to be achieved. Without evidence, on what basis can the court be satisfied that the proposed conditions are appropriate?

[131] During the course of the hearing the court granted leave for Canterbury Cricket to produce, as it turned out, a detailed Access Management Strategy (AMS) and Construction Management Plan together with supporting evidence addressing these matters.

**Issue: Matters raised by parties that do not bear on the outcome**

[132] The following matters do not bear on the outcome of this decision:

**(a) General matters**

- (i) many submitters are critical of the decision by the Christchurch City Council to refer the application to the Environment Court for determination. However, once the Environment Court is seized of jurisdiction it is to hear the application;



- (ii) the use of the Pavilion for activities outside the scope of the application. As the conditions of consent now expressly acknowledge, consent is required for these activities;
- (iii) Canterbury Cricket's intention to charge an entrance fee for major fixtures is a matter for the City Council to consider under the HPMP and the Reserves Act. We have not had regard to the charging of an entrance fee as it is not a matter regulated under the District Plan and of itself does not give rise to any effect on the environment.

**(b) *Inclusion of the Cricket Oval in the Recovery Plan***

Submitters are critical of the provision for an anchor project located at the Oval, Hagley Park. It was their evidence that the anchor project was not included in the draft Recovery Plan and therefore was not a matter on which members of the public could make comment (see section 20 CER Act). However, unless reviewed by the High Court, we are required to consider the Recovery Plan as it stands.

**(c) *Precedent***

Several submitters were concerned that a grant of consent would set a precedent for other like development within Hagley Park. Whether a grant of consent sets a precedent may be a relevant consideration under section 104(3) RMA. The Court of Appeal in *Dye v Auckland Regional Council*<sup>92</sup> observed that the granting of a resource consent has no precedent effect in the strict sense – a consent authority is not formally bound by a previous decision of the same or another authority. The court goes on to say that:

The most that can be said is that the granting of one consent may well have an influence on how another application should be dealt with. The extent of that influence will obviously depend on the extent of the similarities.

Consistency of treatment, in the absence of a reason justifying inconsistency, is generally regarded as an important aspect of good public administration: *Norwood Lodge v Upper Hutt City Council*.<sup>93</sup> A decision-



<sup>92</sup> [2002] 1 NZLR 337 at [32].

<sup>93</sup> CA37/06, 4 July 2006 at [15-16].

maker may but is not obliged to consider an earlier broadly similar decision: *Murphy v Rodney District Council*.<sup>94</sup>

Every decision is to be read within its own context and in this case the context of the application is unique. First, the enhancements to the Oval are identified as an anchor project in the Recovery Plan. Secondly, section 26(3) CER Act applies with the effect that the Recovery Plan is to be read together with and forms part of the HPMP and the Recovery Plan prevails where there is any inconsistency. Thirdly, section 23(1) provides that any persons exercising functions or powers under the RMA must not make a decision on an application for a resource consent that is inconsistent with the Recovery Plan.

Finally, we doubt this decision is precedent setting given that the use of Hagley Park is a matter that requires authorisation under the Reserves Act 1977 from the City Council as the administering body of the Park. When authorising the use of Hagley Park, the City Council is to comply with the management plan. We are not aware of any provision in the HPMP that would authorise any broadly similar activity. For these reasons, the issue of precedence does not arise.

[133] Having addressed these preliminary legal issues we go on to assess the application in accordance with the RMA, commencing with the effects of the activity on the environment.



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<sup>94</sup> [2004] 3 NZLR 421 at 39.

### **Part 3: The effects of the activity on the environment**

[134] In this part of the decision we set out our findings as to the effects of the activity on the environment. Effects arise under five broad topics:

- (a) noise;
- (b) lighting;
- (c) traffic management and parking;
- (d) construction; and
- (e) Park landscape and amenity.

[135] As this is a direct referral, we have endeavoured to respond fully to the concerns raised by persons opposing the application.

#### **Topic A: Noise**

##### **Introduction**

[136] Expert evidence on noise was provided by Dr J Trevathan (for Canterbury Cricket) and Mr R Malthus (for CCC).

[137] The experts have approached their assessments on the basis that the temporary events rule does not apply.<sup>95</sup> We agree with this approach and our evaluation of these effects has been undertaken on the same basis.

[138] The District Plan noise metric used in the noise modelling is dB LA<sub>eq(15min)</sub>(1 hour assessment period) in the Central City Area and dB LA<sub>eq(1 hour)</sub> in the Living 3 Zone west of Hagley Park. Where these metrics are used in this decision, for ease of reading we have shortened each of them to dB.

##### **Key Issues**

[139] The key issues concern the cumulative effect of noise on the amenity of Hagley Park, the Botanic Gardens and the Hospital.



<sup>95</sup> Malthus EiC at [26] and Trevathan EiC at [3.1].

### *Noise Modelling*

[140] In his evidence, Dr Trevathan included a report prepared by his firm titled *Attachment 1 – Acoustic Engineering Services Ltd – International Cricket Venue Hagley Oval, Riccarton Avenue, Christchurch: Assessment of Environmental Noise Effects dated 14 February 2013*. The introduction to this report notes that it has been prepared to provide acoustic engineering advice in relation to the application for the resource consent. In particular it describes the modelling undertaken for predicting the effects of noise emissions from cricket fixtures.

[141] We have identified minor inconsistencies between some of the predicted noise levels in Dr Trevathan’s primary evidence and those contained in the report. For the most part we have relied on the levels contained in the primary evidence. We note, however, that any differences between the two documents are small (less than 1 or 2 dB), and that nothing hinges on these differences.

[142] Mr Malthus accepted that the modelling was robust and that it provided an accurate basis for the prediction of noise emissions from cricketing fixtures.<sup>96</sup> None of this was disputed although Mr Ford, a section 274 party who lives just west of Deans Avenue, queried whether the modelling had accounted for the effects of differing atmospheric conditions and the openness of the terrain between the Oval and Deans Avenue. In response to this particular matter, Dr Trevathan confirmed that the modelling had accounted for the worst case downwind conditions without vegetation or terrain shielding<sup>97</sup> and that this would give the worst case predictions of noise levels.

### **What are the current ambient noise levels in Hagley Park and its surrounds and what are the sources of this noise?**

[143] Key locations of concern identified from the noise modelling are at the hospital boundary, the Botanic Gardens, the area west of Deans Avenue opposite the Polo Grounds car park entrance, the two groundsmen’s houses and the Horticultural Hall. Mr



<sup>96</sup> Malthus EiC at [29].

<sup>97</sup> Trevathan Rebuttal [3.2 3.3].

Christian, a section 274 party, also expressed a concern about the effects of noise on the general tranquility of Hagley Park.

[144] The attachment<sup>98</sup> to Dr Trevathan's evidence contains details of the current ambient noise levels, with the primary sources of these being: traffic using the roads around the Park; sirens and horns from emergency vehicles accessing the hospital; and during the day, equipment such as mowers being used for the maintenance of the Park.

[145] Daytime (7.00am to 10.00pm) ambient noise levels immediately adjacent to the Oval are in the range of 50 – 55 dB with the quietest levels being near the City Council groundsman's house.

[146] Daytime ambient noise levels in front of the hospital range from 60 – 70 dB; outside of the residential dwellings and Hagley College on Hagley Avenue, 50 – 65 dB; in the Conservation 2 Zone in the Botanic Gardens within 165m of Riccarton Avenue including the Band Rotunda, 45 – 60 dB; and on the west side of Deans Avenue, 60 – 70 dB.<sup>99</sup>

[147] Night-time (10.00pm – 7.00am) ambient noise levels outside of the hospital are in the range 55 – 65 dB; outside of the residential dwellings and Hagley College on Hagley Avenue, 45 – 60 dB and on the west side of Deans Avenue, 55 – 65 dB.

[148] Dr Trevathan advised that he had not measured the night-time ambient noise levels in the Botanic Gardens (including the Band Rotunda) as the gardens are closed and unoccupied after 10.00pm.<sup>100</sup>

**What are the sources of noise which will be generated by cricket fixtures played on Hagley Oval?**

[149] Dr Trevathan told us that noise from announcements and music on the PA (public address) system will be the dominant source of noise from cricketing fixtures on



<sup>98</sup> Trevathan EiC, Attachment 1 at [2.3].

<sup>99</sup> Trevathan EiC [4.2].

<sup>100</sup> Trevathan EiC [4.2].

Hagley Oval, with crowd noise making only a minimal contribution irrespective of the numbers in attendance.<sup>101</sup>

[150] The predicted noise levels from the PA system will be in the range of 65 – 75 dB at the Horticultural Hall and groundsman's houses; 55 – 62 dB over a portion of the Conservation 2 Zone within 165m of Riccarton Avenue (the Botanic Gardens and the Band Rotunda) and 54 dB at the closest point of the Special Purpose Hospital Zone with noise levels at all other locations beyond the boundaries of Hagley Park being less than 55 dB.

[151] For comparison, the night-time ambient noise levels at the hospital (from road traffic) are in the range 55 – 65 dB.

[152] The noise levels predicted to occur at the boundary of the old sale yards' site in the Living Zone on the west of Deans Avenue caused by traffic exiting the Polo Grounds car park are 50 dB for a 5,000 spectator event and 56 dB for a 20,000 spectator event.

**Are there any special audible characteristics in this cricket fixture noise?**

[153] NZS6802:2008 states that where the sound being assessed has a distinctive character which may affect its subjective acceptability, the representative sound level shall be adjusted to take this into account. In cases where such special audible characteristics (SACs) are confirmed to be present, a +5 dB adjustment is to be made.<sup>102</sup>

[154] In response to a question from the court, Dr Trevathan said that PA system music during cricket fixtures was expected to be different from dance music which normally had a heavy base element. While it was unlikely that SACs would be present in the PA system music, a 5 dB penalty had been included in the noise modelling.<sup>103</sup> He pointed out that this was not required in the District Plan.



<sup>101</sup> Trevathan, EiC [5.3] and Attachment 1, [3.4.2].

<sup>102</sup> Trevathan EiC Attachment 1 at [2.6].

<sup>103</sup> Transcript at 353.

**What are the District Plan noise limits at locations which would be affected by noise from cricket fixtures?**

[155] The relevant District Plan noise limits are as follows:<sup>104</sup>

**Table 2**  
**District Plan Noise Limits**

Location	dB LAeq	dB LAmax
<b>Within Central City Area</b>		
Daytime (7.00am to 10.00pm)	55	85
Night-time (10.00pm to 7.00am)	45	75
<b>Adjoining Living Zone Areas Outside Central City Area (i.e. West of Deans Avenue)</b>		
<i>Development Noise Standards</i>		
Daytime (7.00am to 10.00pm)	50	75
Night-time (10.00pm to 7.00am)	41	65
<i>Critical Noise Standards</i>		
Daytime (7.00am to 10.00pm)	57	85
Night-time (10.00pm to 7.00am)	49	75

[156] Dr Trevathan confirmed that in the District Plan in Volume 3: Part II Health and Safety: 1.2 General Rules: 1.2.3 Exclusions, the rules at Clauses 1.3.1, 1.3.2 and Table 1 do not apply to road traffic noise.<sup>105</sup>

*Summary of Noise Level Data*

[157] For ease of reference, in the following table we have drawn together the key noise level data modeled by Dr Trevathan. In doing so, while we have had to interpolate to some extent from the range of the information provided, we are satisfied that the table represents a reasonable summary of the noise environment described by Dr Trevathan in his evidence.



<sup>104</sup> Trevathan EiC at [3.1] and [3.2].

<sup>105</sup> Trevathan EiC Attachment 1 at [2.2.2].

**Table 3**  
**Summary of District Plan, Ambient and Predicted Noise Levels**

Location	Noise levels (dB LAeq)				
	Daytime		Night-time		Day and Night
	District Plan	Ambient <sup>106</sup>	District Plan	Ambient <sup>107</sup>	From Cricket Fixtures
<b>Central City Area</b>					
Hospital	55	66	45	63	54
Band Rotunda	55	59	45	55 <sup>108</sup>	55
Botanic Gardens (by Avon River)	55	52	45	49 <sup>109</sup>	59
Hagley College	55	68	45	61	50
Hagley Avenue Residential	50	51	41	48	50
Horticultural Hall and Groundsmen's Houses	55	55	45	Not stated	66
<b>Living Zone<sup>110</sup></b>					
Deans Avenue Residential	50	70	41	64	40
Deans Avenue Saleyards <sup>111</sup>	50	62	41	70	56 <sup>112</sup>

[158] In the report attached to his evidence<sup>113</sup> Dr Trevathan provides guidance on recommended noise limits from a number of sources. For example NZS 6802:2008 *Acoustics – Environmental Noise* provides a daytime guideline limit of 55 dB LAeq(15min) and a night-time limit of 45 dB LAeq(15min) for the reasonable protection of health and amenity for the use of land for residential purposes.

<sup>106</sup> Trevathan EiC Attachment 1 at Fig 2.1.

<sup>107</sup> Trevathan EiC Attachment 1 at Fig 2.1. While not stated by Dr Trevathan, based on the comparison of the daytime and nighttime ambient noise levels the hospital, the night-time ambient noise levels at the Band Rotunda and the Botanic Gardens could be expected to be in the order of 55 and 49 dB respectively.

<sup>108</sup> Interpolated from comparison with reduction in daytime/night-time ambient levels at hospital.

<sup>109</sup> Ibid.

<sup>110</sup> District Plan is Development Standard.

<sup>111</sup> From Polo Grounds traffic.

<sup>112</sup> For 20,000 spectator event, reducing to 50 dB for 5,000 spectator event.

<sup>113</sup> Trevathan EiC, Attachment 1 [2.4-2.6].



[159] The World Health Organisation (**WHO**) recommends a guideline limit of 55 dB  $LA_{eq(16 \text{ hours})}$  to prevent serious annoyance, 50 dB  $LA_{eq(16 \text{ hours})}$  to prevent moderate annoyance and a night-time limit of 45 dB  $LA_{eq}$  to allow occupants to sleep with windows open. This same section of Dr Trevathan's report goes on to note that the District Plan noise limits (which measure noise over 15 minutes) are more stringent than these WHO guidelines (which measure noise over 16 hours).

[160] While every person's response to sound or noise may be different, the noise controls in district plans endeavour to take account of a wide range of factors in order to provide a reasonable environment for the general population. Dr Trevathan said that noise management in district plans and the RMA is aimed at providing a reasonable outcome for the majority of people.<sup>114</sup> Expanding on this, Dr Trevathan explained that in its guidelines on noise management, as well as considering people with hearing disabilities WHO also took account of other groups including people who are blind, babies, young children and the elderly. Such groups are recognised as making up a significant proportion of the population and form part of the annoyance response and other research which goes into formulating the rules and controls in planning documents.<sup>115</sup>

### *Dr Trevathan's Assessment of Effects*

[161] Dr Trevathan's assessments of effects of noise from the Oval during major fixtures and from traffic exiting the Polo Grounds after these fixtures are set out in the following paragraphs.

[162] Starting with the hospital, the maximum cricket fixture noise level at the hospital boundary is predicted to be 54 dB. This compares with the District Plan daytime limit of 55 dB and the night-time limit of 45 dB. Provided evening cricket fixtures finish by the scheduled 10.00pm, compliance with the District Plan will be achieved. In the rare event that an eliminating over was required in a T20 game, this would extend the finish time past 10.00pm to 10.30pm, and there would be non-compliance for this 30 minute period.



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<sup>114</sup> Trevathan Rebuttal [3.12].

<sup>115</sup> Trevathan Transcript 379.

[163] Dr Trevathan points out that the night-time ambient noise level from road traffic of 63 dB (which is to be disregarded under the District Plan) is well in excess of the predicted cricket noise at the hospital boundary.

[164] For these reasons, and with a proposed condition limiting the number of times to a maximum of three per year when games might extend to 10.30pm with a corresponding short period of non-compliance with the District Plan night-time noise limits,<sup>116</sup> Dr Trevathan is of the opinion that the effects of any non-compliances at the hospital boundary would be no more than minor. His proposed condition, slightly modified in Canterbury Cricket's final condition set is:

Noise emissions from cricketing fixtures on Hagley Oval (excluding noise from vehicles using the Polo Grounds access) shall not exceed the levels shown of the projected 55 dB LA<sub>eq</sub> noise contours shown on Figure 3.3 in the report by Acoustic Engineering Services Limited dated 4 February 2013 included in the information provided in response to a Section 92 RMA request dated 8 March 2013 as referred to in Condition 1. Notwithstanding this, on up to three occasions per year up until 2230 hours where noise levels shall not exceed 55 dB LA<sub>eq</sub> and 85 dB LA<sub>max</sub> when measured at the boundary of the Special Purpose (Hospital) Zone and any Living Zone.<sup>117</sup>

[165] In assessing the effects of noise generated by Hagley Oval cricket fixtures in the Conservation 2 Zone (which includes the Botanic Gardens and the Band Rotunda), Dr Trevathan concludes that the proposed condition for limiting noise at the hospital boundary will provide adequate protection for the Conservation 2 Zone with no special additional control being required.<sup>118</sup> His conclusion is (relevantly) based on the predicted noise levels from cricket fixtures in this area being more or less the same as the ambient noise levels from traffic and the limited frequency of cricketing fixtures.

[166] Turning now to the two groundsmen's houses and the Horticultural Hall, where cricket fixture noise levels of 66 dB are predicted (well in excess of the District Plan limits), Dr Trevathan was of the opinion that if Canterbury Cricket was unable to reach agreements with the affected parties for noise level exemptions at these locations, the

<sup>116</sup> Dr Trevathan notes the advice given to him by Mr Germon that even one event per season affected by these circumstances would be extremely rare, EiC [6.6].

<sup>117</sup> We note that table at [3.1] of Dr Trevathan's EiC confirms District Plan daytime noise limit of 85 dB LA<sub>max</sub> which is to apply for all fixtures irrespective of finishing time.

<sup>118</sup> Trevathan EiC [6.9-6.11].



noise effects would be only minor.<sup>119</sup> He based this opinion (relevantly) on the low frequency of the fixtures.

[167] We note that after Dr Trevathan had prepared his evidence, Canterbury Cricket offered tailored consent conditions relating to the way in which the non-complying noise levels at both of the groundsmen's houses are to be managed.

[168] Finally, at the Living Zone boundary opposite the Polo Grounds, while the maximum predicted noise level is 56 dB from vehicles exiting the car park, Dr Trevathan states that this will occur only for the largest matches when the parking on the Polo Grounds is fully utilised. His assessment for a 5,000 spectator event, with say 450 vehicles using the car park, is that the predicted noise level would be 50 dB. With the night-time ambient noise levels from normal road traffic being as high as 55 – 65 dB coupled with intermittent rail noise, Dr Trevathan considers that the noise from vehicles exiting the car park will not have a significant adverse effect even if the currently vacant ex-saleyards site in the Living Zone is eventually developed for residential use.

[169] Dr Trevathan added that the District Plan requires that any residences built on this site are to be designed to accommodate the attenuation of noise levels from outside to inside such that the maximum internal noise level in the bedrooms do not exceed 30 dB. In this context, the noise levels from traffic using Deans Avenue would determine the design as opposed to the noise levels generated by the traffic exiting the Polo Grounds.<sup>120</sup>

[170] Mr Christian, a section 274 party who has a hearing disability, posed a series of questions to Dr Trevathan about the characteristics of cricket fixture noise and its effects on the enjoyment of people using Hagley Park for recreational purposes as well as those with hearing disabilities.<sup>121</sup> Dr Trevathan's response was that he did not consider that the areas that would be most affected by cricket fixture noise could be classified as being tranquil or quiet as they were already subjected to relatively high ambient noise levels from normal road traffic. In addition, he pointed out that the cricket fixtures

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<sup>119</sup> Trevathan EiC [6.3-6.5].

<sup>120</sup> Trevathan Rebuttal [2.10].

<sup>121</sup> Trevathan at 373.



would be of limited frequency and duration with no cricket fixture noise occurring on 345 days of the year.<sup>122</sup>

[171] Dr Trevathan was of the view that only a limited area of Hagley Park would be affected by cricket noise and if people were seeking relative peace and quiet there will always be other areas available which have lower levels of ambient noise.<sup>123</sup> Overall, it is Dr Trevathan's opinion that WHO noise guidelines for health and wellbeing would not be compromised by the predicted noise levels from cricket fixtures.<sup>124</sup>

***Mr Malthus' Assessment of Effects***

[172] Mr Malthus, on behalf of the City Council, said that he was generally in agreement with Dr Trevathan's assessment of effects. He added that noise levels in the Botanic Gardens would be consistent with the existing ambient noise levels and lower than those that would be experienced at the north end of the gardens from concerts and other events in North Hagley Park.<sup>125</sup>

[173] Counsel for Hands Off Hagley asked Mr Malthus about the cumulative effect of combining cricket noise and traffic noise, for example if traffic noise at the Band Rotunda was say 62 dB and cricket noise was 55 dB. Mr Malthus calculated this as being 63 dB which was only a 1 dB increase (because of the metric in which noise is measured) with any increase below 3 dB being considered as not significant.<sup>126</sup>

[174] Mr Malthus was cross-examined about noise levels in the area of the Botanic Gardens a short distance north of the Band Rotunda, where Dr Trevathan's evidence showed an ambient noise level of 52 dB.<sup>127</sup> He agreed with counsel that between 8pm and 9pm, when there would be lower traffic volumes, this ambient level might reduce to around 49 dB. He was also cross-examined about the significance of the difference between 49 dB and the predicted cricket fixture noise level of 55 dB at this location and about the significance of noise in the vicinity of the netball courts where the ambient noise level of 49 dB could be overlain by a cricket fixture noise level of 55 dB.

<sup>122</sup> Trevathan at 373.

<sup>123</sup> Trevathan Rebuttal [3.13].

<sup>124</sup> Trevathan EiC [6.7].

<sup>125</sup> Malthus at [35].

<sup>126</sup> Malthus Transcript at 973.

<sup>127</sup> Trevathan EiC Attachment Fig 2.1.



[175] Mr Malthus agreed that such noise differences could be significant although he qualified this by saying that such a finding was influenced by the time of day, frequency of occurrence, the nature of the receiving environment, and the likelihood of someone being present who might be disturbed.<sup>128</sup>

**What is proposed for measuring and monitoring cricket fixture noise?**

[176] Dr Trevathan told us that when undertaking the compliance monitoring of cricket fixture noise the person responsible would need to make a subjective judgment as to whether or not SACs were present.<sup>129</sup>

[177] In addition, as road traffic noise is excluded from consideration under the District Plan noise standards, adjustments would also need to be made to the measured noise levels to exclude the impact of traffic noise.<sup>130</sup> The person undertaking the monitoring would therefore need to have the necessary qualifications and experience to make such judgments.

[178] The court asked Dr Trevathan if he accepted that there might be concerns raised about independence if someone from the sound system company was to undertake the monitoring. Dr Trevathan agreed that the noise monitoring is best undertaken by someone who was independent.<sup>131</sup> We note that this was subsequently reflected in the conditions of consent offered by Canterbury Cricket which require that the noise monitoring be undertaken by an independent qualified expert approved by the City Council.

***Pavilion***

[179] Questions were asked of the two experts about the way in which it was proposed to manage noise at the times when the Pavilion was being used for non-cricketing purposes. The answers to this did not fully emerge until Canterbury Cricket submitted its final set of conditions. These conditions require that any activities undertaken in the Pavilion must comply with the relevant noise provisions of the District Plan; that at the consenting stage, a suitably qualified and experienced acoustic consultant must certify

<sup>128</sup> Malthus Transcript at 977.

<sup>129</sup> Transcript at 354.

<sup>130</sup> Transcript at 357.

<sup>131</sup> Transcript at 356.



that the building and external plant have been designed to meet these provisions and that no activities are to be undertaken within any outdoor areas of the Pavilion after 10.00pm from Sunday to Thursday and after 12.00am on Friday and Saturday.

### ***Construction Noise***

[180] Brief evidence on construction noise was provided by Dr Trevathan,<sup>132</sup> although this was not questioned by any party during the hearing. Dr Trevathan recommended that the applicant adopts best practice procedures to reduce the likelihood of annoyance, nuisance and adverse health effects to people in the vicinity of construction work. His recommendation on the control of construction noise has been carried forward to Canterbury Cricket's final set of conditions.<sup>133</sup>

### ***Complaints Procedures***

[181] Dr Trevathan was asked a number of questions by counsel for Hands Off Hagley as to the way in which complaints about noise were to be managed if consent was to be granted. We note that the Noise Management Plan is to include the procedure for recording and responding to any noise complaints made by members of the public.<sup>134</sup>

### **Discussion and findings**

[182] Not surprisingly, the District Plan has more stringent noise limits after 10.00pm (night-time) than before 10.00pm (daytime). As all evening cricket fixtures are scheduled to finish by 10.00pm, with two exceptions our assessments of the noise effects from the Oval have been made against the daytime rather than the night-time noise limits.

[183] The first exception is where Canterbury Cricket has proposed a condition which on three occasions per season would allow play to extend beyond 10.00pm to no later than 10.30pm if an elimination over is required to produce a definitive result. The second is at the Polo Grounds where traffic from evening events will be departing after 10.00pm.



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<sup>132</sup> Trevathan EiC Attachment at [5.0].

<sup>133</sup> Condition 69.

<sup>134</sup> Condition 51(c).

[184] The noise contours in Figure 3.3 of the report attached to Dr Trevathan's evidence show that within the 55 dB contour there will be a substantial area of South Hagley Park and a small area of the Botanic Gardens with cricket fixture noise levels in excess of the District Plan daytime noise limit of 55 dB.

[185] The effects of the exceedances within South Hagley Park itself (excluding the two groundsmen's houses and the Horticultural Hall) were not assessed by the expert witnesses as they are of the opinion that the District Plan standards<sup>135</sup> require the noise levels are to be measured at the closest zone boundaries rather than within the zone itself. However, we found the rule to be poorly expressed and this interpretation is not certain.

[186] That said, the experts have assessed the noise levels for their effects at locations where District Plan daytime limits are exceeded at the worst affected neighbouring properties;<sup>136</sup> being at the Hospital, the Band Rotunda, a small area of the Botanic Gardens nearest to Riccarton Road, a small section of the boundary of the residential area in Hagley Avenue, the two groundsmen's houses, the Horticultural Centre and the boundary of the Living Zone immediately opposite the entrance to the Polo Grounds car park. These locations were not contested and we accept that they are comprehensive for our assessment of noise effects during daytime (7.00am to 10.00pm).

[187] Putting to one side for the moment the noise levels at the two groundsmen's houses and the Horticultural Hall, apart from a small area of the Botanic Gardens all of the predicted cricket fixture noise levels are less than the measured daytime ambient levels at the worst affected neighbouring properties.

[188] Again excluding the two groundsmen's houses and the Horticultural Hall, with two exceptions, all of the predicted levels comply with the District Plan daytime limits.

[189] The first exception is that there will be a minor non-compliance in a small area of the Botanic Gardens where the predicted noise level of 59 dB compares with the Plan daytime limit of 55 dB. The second is that at the Living Zone boundary opposite the entrance to the Polo Grounds car park, at the times when the car park is being fully utilised exiting traffic noise levels are predicted to be 56 dB compared with the Plan



<sup>135</sup> Volume 3, Part 11: Health and Safety, standard 1.3.4. and Table 2.

<sup>136</sup> Trevathan Attachment at [3.4.2].

limit of 50 dB. For completeness, we note that the noise level for exiting traffic for 5,000 spectator fixtures is predicted at only 50 dB.

[190] While the experts' assessments of noise in the immediate neighbourhood of Hagley Oval are based on amplified music from the PA system stopping at the same time as the cricket fixtures conclude (at 10.00pm), as noted above there is the infrequent exception of a fixture needing to extend beyond 10.00pm to no later than 10.30pm if an elimination over is required.

[191] Canterbury Cricket's proposed conditions limit these exceptions to a maximum of three times per year for a total period of 30 minutes on each occasion. We accept that with this condition in place, the effects of the resulting non-compliances with District Plan night-time limits at the hospital boundary, at the Band Rotunda, within the Botanic Gardens and at boundary on the south side of Hagley Avenue would be no more than minor. However, this is on the basis of an extra condition the court has added to make clear that the playing of music on the PA system is to finish no later than 10.00pm on all other occasions. This court's condition is in line with the application.

[192] In assessing the non-complying noise levels at the Living Zone boundary opposite the Polo Grounds (daytime and night-time), we accept that, for the reasons given by Dr Trevathan, there will be no significant adverse noise effects at this location even if the currently vacant saleyards site is eventually developed for residential use. We note in particular Dr Trevathan's advice that the District Plan requires any residences built on this site to be designed to accommodate the attenuation of noise levels from outside to inside so that the maximum internal noise level in the bedrooms do not exceed 30 dB and that it would be the noise levels from traffic using Deans Avenue (night-time ambient of 70 dB) which would determine this design as opposed to the noise levels generated by traffic exiting the Polo Grounds (56 dB). We therefore conclude that the non-complying noise effects at the Living Zone boundary from traffic exiting the Polo Grounds will be less than minor.

[193] Finally, we have considered the effects of cricket fixture noise on the two groundsman's houses and the Horticultural Centre. Starting with Christ's College, Mr Nixon produced copies of two documents each titled "Approval By a Person Affected



by a Resource Consent Application,<sup>137</sup> one from the Secretary of the Christ's College Board and the other from the occupier of the Christ's College groundsman's house. The approval having been given we have not had regard to the occupier of this dwelling.<sup>138</sup> In relation to the second dwelling, Canterbury Cricket offered a condition under which the occupant of the City Council groundsman's house will be offered alternative accommodation at Canterbury Cricket's expense prior to any major cricket fixture.<sup>139</sup> Given the infrequency of the matches, we consider this to be an appropriate response.

[194] Mr A McCully, a board member of the Canterbury Horticultural Society, on behalf of the owners of the Horticultural Society Building stated that:<sup>140</sup>

Our current concerns are firstly security of our premises with the additional public activity in the area. Secondly ensuring that unimpeded access for staff, members and users of our building is maintained with no exceptional noise interruption at all times when it would be reasonable to expect that our building would be in normal use. That is nine to five daily plus weekday evenings and thirdly ensuring that no issues arise for those who hire our facility. To this end our position is that of endeavouring to ensure that any potential adverse effects on the Canterbury Horticultural Society are recognised and mitigated.

[195] Mr McCully's evidence was that the proposed conditions of consent and the Event Management Plan addressed the concerns of the Canterbury Horticultural Society. On that basis the court understood that any issues on the effects of noise on the Horticultural Hall from cricket fixtures can be addressed and resolved through the consultation strategy in the consent conditions.<sup>141</sup> This is on the basis of the proposed condition<sup>142</sup> that the noise levels do not exceed the levels shown on the projected 55 dB contours shown on Figure 3.3 of the Acoustic Engineering Services Limited Report dated 4 February 2013.

[196] For these reasons, we have assessed that the effects of the noise levels predicted at the two groundsman's houses and at the Horticultural Hall during cricket fixtures will be no more than minor.

<sup>137</sup> Transcript at 1525.

<sup>138</sup> Section 104(3)(a)(ii) RMA.

<sup>139</sup> Condition 48.

<sup>140</sup> Transcript at 660-663.

<sup>141</sup> Transcript at 661-663.

<sup>142</sup> CCA proposed conditions dated 3 July 2013, condition 45.



***Cumulative Effects and Overall Finding***

[197] Having assessed the noise received at each individual location as being no more than minor, we now move on to assess these noise effects on a cumulative basis.

[198] Each location of non-compliance with the District Plan is distinct from the others and our findings that the effects at each location are less than minor are based on the particular circumstances which apply at that location. For example there is the condition around the maximum thirty minute three per season exceedances at the Hospital, the infrequent exceedance in only a small area of the Botanic Gardens, the specific conditions agreed for managing noise at the two groundsman's houses and at the Horticultural Hall and the dominance of road traffic noise coupled with the District Plan new home noise attenuation requirements at the Living Zone boundary opposite the Polo Grounds.

[199] We note also the advice from Dr Trevathan that the operation of the PA system during cricket fixtures will not be continuous such that the predicted noise levels used for the evaluation of effects would be those experienced over the worst case 15 minute period with the average being some 3 – 5 dB lower.<sup>143</sup> As well, the measured noise levels could be expected to be less than those used in the evaluation as these include a 5 dB penalty for SACs when SACs are unlikely to be present in the type of music normally played during cricket fixtures.

[200] We are satisfied that the cumulative effects of noise from Hagley Oval cricket fixtures and from traffic exiting the Polo Grounds car park will be no more than minor given the constraints on the production and level of noise and the proposed conditions of consent.

***Proposed conditions to manage noise arising in relation to construction and the Pavilion***

[201] We accept that Canterbury Cricket's proposed conditions are appropriate for controlling noise during construction of the proposed new facilities and for controlling noise during any non-cricket events held in the cricket Pavilion.



<sup>143</sup> Trevathan EiC Attachment [3.3.2].

**Topic B: The effects of glare and lighting overspill**

[202] Our evaluation of the lighting proposed for Hagley Oval comes under two headings. Firstly, the effects of the towers and lighting heads on the landscape and visual amenity of the Park and secondly, the effects of light overspill and glare when the lights are in use. It is the second of these which we address in this section of our decision.

**Introduction**

[203] Expert evidence on lighting was provided on behalf of Canterbury Cricket by Mr J Anthony, Export Sales Director of UK firm Abacus Lighting and planners Mr R Nixon for Canterbury Cricket and Mr R Malthus for CCC who each provided an assessment of the effects of the lighting.

[204] Four lighting towers are to be spaced at equal centres around the perimeter of the Oval with the base of each tower being set into the outside edge of the proposed earth embankment. Each tower will be telescopic with a fully extended height of 48.9m and a retracted height of 30.9m. There will be a rectangular shaped lighting headframe at the top of each tower 10.8m wide and 5.8m deep with the top of the headframe being at the same level as the top of the tower.

[205] While the lights will be used primarily for night fixtures, if daytime natural light levels fall below a certain threshold determined by the umpires, the lights will be turned on so that play can continue without disruption.

[206] Mr Malthus has undertaken his assessment of lighting effects against the normal District Plan rules and standards whereas Mr Nixon, while comparing the light overspill levels against these same rules and standards, also assessed their effects against the temporary events' rule of the Plan.<sup>144</sup>

[207] Consistent with our approach in other sections of this decision, we have disregarded the temporary events' rule and agree with Mr Malthus that the assessment of lighting effects should be undertaken against the normal District Plan rules and standards.




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<sup>144</sup> Nixon EiC at [5.86, 5.87].

***District Plan Rules and Standards***

[208] The District Plan rules, standards, assessment matters and reasons relating to glare and lighting are set out in Volume 3, Part 11 at 2.2, 2.3, 2.4 and 2.5. Key provisions which we have identified as being relevant to this proposal are:

- (a) all exterior lighting is to be directed away from adjacent properties and roads (cl 2.2.1);
- (b) lighting measurements are to be undertaken at a point 2m inside the boundary or at the closest window, whichever is the nearer (cl 2.2.2);
- (c) light levels in the Special Purpose (Hospital Zone) exceeding 4 lux spill (horizontal and vertical) are to be assessed as a discretionary activity (cl 2.3.2);
- (d) light levels in all Conservation Zones exceeding 4 lux spill (horizontal and vertical) are to be assessed as a discretionary activity (cl 2.3.2);
- (e) light levels in all Open Space Zones except Open Space 1 and Open Space 3C, exceeding 10 lux spill (horizontal and vertical) are to be assessed as a discretionary activity (cl 2.3.3);
- (f) any activity which results in light spill (horizontal or vertical) exceeding 2.5 lux spill on an arterial road is to be assessed as a non-complying activity (cl 2.3.5);
- (g) assessment matters (not an exhaustive list) are the extent to which the lighting may affect the occupation of residential properties; the potential for lighting to distract motorists; measures proposed to control the direction and spill of the lighting; and any screening to shield properties from lighting (cl 2.4.2); and
- (h) under reasons of the rules, glare from sports fields is identified as a known form of nuisance (cl 2.5).

***The expert evidence***

[209] While Mr Anthony's evidence has a primary focus on ensuring that the chosen lighting system will satisfy international broadcasting requirements for high definition



television, it includes horizontal and vertical illuminance lighting overspill contours for the areas around the Oval. Mr Anthony advised that particular attention had been paid in the design of the lighting system to minimise the extent of light spill and glare. This would be achieved by fitting cowls to the lights so that the focus of the lighting was downwards and into the Oval.<sup>145</sup>

[210] The horizontal and vertical light spill contours that he provided have been used by the planners for their assessments of lighting effects. These contours do not take account of any screening from the trees around the Oval. However, Mr Anthony was able to demonstrate in a diagram that, notwithstanding the absence of screening effects in his light contours, the trees between Hagley Oval and Riccarton Avenue will in fact provide shade which will reduce the light spill levels received on Riccarton Avenue and in the Botanic Gardens.

[211] Horizontal overspill light levels are measured at ground level while vertical overspill is measured at a given height above the round. The unit of measurement is the lux. We note that the District Plan is silent on the issue of the height at which the vertical overspill is to be measured.

[212] Mr Anthony advised that it is accepted practice in the UK for the vertical overspill light levels to be measured at a height of 3m above the ground. This is the height of a bedroom window in a typical two-storey house where vertical light spill might impact on a person sleeping in the room with the window open.<sup>146</sup>

[213] Mr Anthony also told us that while the vertical light spill contours provided by Abacus for Hagley Oval have been calculated for the 3m height, it would be a simple matter to produce contours for a height of 1.5m which would be at about eye level for a person of average height.

[214] In any event, as we were not provided with 1.5m contours, the evaluations of the effects of the lighting undertaken by Mr Nixon, Mr Malthus and ourselves have been based on the 3m contours. We accept Mr Anthony's advice that while the 1.5m



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<sup>145</sup> Anthony EiC at [26].

<sup>146</sup> Transcript at 385.

contours would be slightly worse than the 3m contours, the difference would not be significant.<sup>147</sup>

### *Light Spill Assessments*

[215] Mr Nixon's assessment of light spill is summarised as follows:

- the predicted lighting intensity around the edge of the embankment of 50 lux will exceed the zone standard of any site in the city which, at its most liberal, is 20 lux;<sup>148</sup>
- the nearest Living Zone properties are over 300m away and the light spill at this distance will be much less than the District Plan standard of 4 lux applicable within the boundary of the nearest Living Zone;
- a triangle of land within a depth of approximately 30m within the south-eastern corner of the Special Purpose (Hospital) Zone fronting Riccarton Avenue will experience a predicted light spill of between 4 and 5 lux. While this is 1 lux above the zone standard, this will not extend as far as Christchurch Women's Hospital;
- the District Plan lux levels will be substantially exceeded at the groundsmen's houses and at the Horticultural Hall;
- the vertical light spill will exceed the 2.5 lux standard for Riccarton Avenue as an arterial route but this is not expected to create a distraction for motorists.

[216] Mr Nixon emphasised that the light spill contours prepared by Mr Anthony are overly conservative as they do not include the effects of the shading from the many trees which surround Hagley Oval.

[217] While we have not accepted Mr Nixon's assessment of the effects of light spill as it is predicated upon the application of the temporary events rule, we note that under cross-examination Mr Nixon stated that he would feel "comfortable defending the

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<sup>147</sup> Transcript at 385.

<sup>148</sup> Nixon EiC at [5.73].



proposal on the basis of looking at the effects of it as a non-complying activity”.<sup>149</sup> He did not, however, provide us with any revised assessment of the lighting effects on this basis.

[218] Unlike Mr Nixon, Mr Malthus disregarded the temporary events rule and undertook his assessment against the relevant provisions of the District Plan. His assessment is as follows:

- any property which is not occupied during the hours of darkness, which would include the open spaces of Hagley Park and the Botanic Gardens, is not affected and can be disregarded for the assessment of light spill;<sup>150</sup>
- in the Open Space 2 Zone which includes Hagley Oval, the two groundsmen’s houses and the Horticultural Hall, the 10 lux standard of Volume 3, Part II, clause 2.3.3 of the Plan will apply;
- the District Plan limit for light spill into Riccarton Avenue is 2.5 lux;
- by way of comparison, the Australian/New Zealand Standard *AS/NZS 1158- Road Lighting Standard* specifies a minimum lighting level for road safety but unlike the District Plan, does not specify a maximum;<sup>151</sup>
- while Mr Anthony’s light contours indicate that the light levels will be about 10 lux horizontal and between 25 and 50 lux vertical on Riccarton Avenue, these levels of road lighting are not unusual. For example he has measured light levels at a nearby busy intersection as high as 30-45 lux horizontal and 20-30 lux vertical;
- the actual light levels on Riccarton Road will be less than those shown on the contours if the screening of trees is taken into account, although how much less has not been assessed;
- the District Plan lux limit will be complied with at all Living Zones in the vicinity of Hagley Park;<sup>152</sup>
- while a small area of the Special Purpose (Hospital) Zone will receive a level of 5 lux, which is 1 lux above the District Plan limit of 4 lux, this level of exceedance would be imperceptible in the context of the adjoining

<sup>149</sup> Transcript at 1560.

<sup>150</sup> Malthus EIC at [51].

<sup>151</sup> Malthus EIC at [54].

<sup>152</sup> Malthus EIC at [60].



street lighting and in any case the actual level would be less than 5 lux once the screening effect of the trees is taken into account;<sup>153</sup>

- the effects of the high light levels at the two groundsmen's houses and the Horticultural Hall can be mitigated to the levels recommended by the UK Institution of Lighting Professionals for limiting light intrusion through conditions of consent requiring the lighting levels to be reduced in two stages, the first a 50% reduction after 10.00pm (the scheduled finish time of evening games, with this level being chosen to allow for the safe evacuation of spectators), and the second, a further reduction to 10% from 11.00pm to allow the completion of security checks with full turn off to occur no later than midnight.<sup>154</sup>

[219] Taken overall, Mr Malthus concludes that the non-compliances of the lighting with the District Plan “would not cause more than minor adverse effects at any sensitive location.”<sup>155</sup>

[220] Mr Malthus was questioned by counsel for Hands Off Hagley on his assessment that the open spaces of Hagley Park and the Botanic Gardens should be disregarded for the assessment of light spill. In particular, he was asked whether people outside of buildings should be protected from light spill.<sup>156</sup>

[221] Counsel then put to Mr Malthus that if the District Plan includes lux spill standards for the Botanic Gardens (as it does), even though no people live there, should these standards still apply?<sup>157</sup> Mr Malthus advised that he did not think that light spill effects in open spaces was something that was enforced in any way by the Council and there was no reference point as to how those sorts of situations are treated.<sup>158</sup>

[222] We consider this further when we come to our own assessment of lighting effects.

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<sup>153</sup> Malthus EIC at [61].

<sup>154</sup> Malthus EIC at [65-66].

<sup>155</sup> Malthus EIC at [68].

<sup>156</sup> Transcript at 983.

<sup>157</sup> Transcript at 985.

<sup>158</sup> Transcript at 986.



*Glare*

[223] Mr Malthus told us that there are no provisions in the District Plan or in any New Zealand standard for controlling the effects of glare although the UK Institution of Lighting Professionals recommends that glare be kept to a minimum by ensuring that the main beam angle of all lights directed towards any potential observer is kept below 70 degrees.<sup>159</sup> In his opinion the lighting configuration proposed would not cause annoying or distracting bright point sources against the night sky.<sup>160</sup>

*Replay Screen*

[224] Mr Rolleston, a section 274 party, questioned Mr Malthus about the effects of lighting and glare emissions from the Oval replay screen. Mr Malthus responded that it was his understanding that the screen would be oriented such that it would be visible from within the Oval but not from Riccarton Avenue.<sup>161</sup> The drawings attached to Mr Watt's evidence confirm Mr Malthus' understanding with the screen shown as being located at the north-western side of the Oval facing inwards towards the Pavilion.<sup>162</sup>

**Discussion and Findings**

[225] Consistent with our approach in other sections of this decision, we have disregarded the temporary events rule for the assessment of lighting effects and agree with Mr Malthus that the assessments should be undertaken against the relevant District Plan rules and standards.

[226] We also agree with Mr Malthus' assessment that the effects of light spill will be less than minor in Riccarton Avenue, the Special Purpose (Hospital) Zone, and the Living Zone.

[227] We note that "all conservation zones" are listed under standard 2.3.2 of the District Plan under which any activity which results in a greater than 4.0 lux spill (horizontal and vertical) of light shall be a discretionary activity. The schedule of assessment matters which the Council shall have regard to is set out in 2.4.2 of the Plan

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<sup>159</sup> Malthus EiC at [67].

<sup>160</sup> Malthus EiC at [67].

<sup>161</sup> Transcript at 997.

<sup>162</sup> Watt EiC Attachment Match Management Plan 2.



and includes “(a), the extent to which additional light may adversely affect occupation of residential properties, particularly at night.” We note that there are no residential properties in the Botanic Gardens.

[228] Mr Malthus advised that natural light levels can range from in excess of 100,000 lux on a bright summer’s day to 5,000 lux on an overcast winter’s day.<sup>163</sup> With evening cricket matches being played during summer months and with daylight saving extending light into the evening, natural light levels up until 9pm (when the Botanic Gardens close) could be expected to be well in excess of the maximum levels received (i.e. less than 20 lux) at the Gardens. A similar situation would apply where the vertical overspill contour on Hagley Park just outside the oval is 50 lux.

[229] We support Mr Malthus’ proposed consent condition for a two stage reduction in lighting levels following the completion of evening games as a way of mitigating the effects of light spill at the groundsman’s houses and the Horticultural Hall.

[230] For completeness we would add that for the effects of the non-complying light spill on these premises to be assessed as being no more than minor, this condition should be read alongside the written approvals which have been received from the Christ’s College Board and the occupier of the College’s groundsman’s house; the condition which has been offered by Canterbury Cricket under which the occupant of the City Council groundsman’s house will be offered alternative accommodation at Canterbury Cricket’s expense prior to any major cricket fixture; and our understanding that any issues on the effects of major fixtures on the Canterbury Horticultural Society have been addressed to their satisfaction.

[231] With these conditions in place for these facilities, for the reasons given in our assessment of the open space areas, and for the reasons given by Mr Malthus for the other light sensitive locations, we find that the effects of the levels of non-complying light spill will be no more than minor.

[232] In the absence of any evidence to the contrary, we accept Mr Malthus’ assessment that with the configuration proposed, the Hagley Oval lights will not cause annoying or distracting bright point sources against the night sky.

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<sup>163</sup> Malthus EIC at [51].



### *Conditions of Consent*

[233] Canterbury Cricket’s final condition set includes seven conditions for lighting management. Subject to the amendments we have made, we are in general agreement with each of these conditions as they relate to the effects of light overspill and glare when the lights are in use.

[234] In the two conditions which refer to the vertical light spill, plan LS20332/4b is to be replaced with the later version of the plan annotated LS20332/4d and dated 24 May 2013. A condition is to be added requiring monitoring for compliance with the vertical light spill contours to be undertaken at a height of 3m above ground level.

### **Topic C: Traffic Management and Parking**

#### **Introduction**

[235] The time taken for the consideration of traffic management and parking matters during the hearing extended well beyond what we might have expected at the outset. This resulted primarily from the traffic experts relying on yet to be developed Temporary Traffic Management Plans (TTMPs) as the panacea for solving any traffic management and parking issues that might arise from the proposal.

[236] To respond to the deficiencies in the original evidence, and following leave granted by the court to Canterbury Cricket, Mr Carr produced a document titled *Proposed Hagley Park Oval Access Management Strategy (AMS)*. This was “devised to set out the overall objectives and key parameters for managing spectator movements (by all modes of transport) associated with cricket matches at the Oval”.<sup>164</sup> Mr Carr also gave supporting evidence in relation to the Construction Management Plan that was produced by Mr Nixon.




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<sup>164</sup> AMS at [1.3].

## Key Issues

[237] The key traffic management issues which we have identified for our consideration and evaluation are:

- (a) is the carrying capacity of the local road network, including Deans Avenue, exceeded? If so what are the implications of this?
- (b) what effect will the movement of construction vehicles have on the road network?
- (c) will emergency access to the hospital be maintained?
- (d) will there be adequate on-street parking available for hospital visitors and staff and for visitors to the Park during a cricket fixture?
- (e) what effects arise in relation to the use of the Polo Grounds for parking?  
and
- (f) will the proposed AMS provide for the continued safe operation of the road network during major cricket fixtures?

[238] Expert evidence on traffic was provided on behalf of Canterbury Cricket by Mr B Hayes and Mr A Carr; on behalf of the Council by Mr L Dowdle and on behalf of Hands Off Hagley by Mr M Smith. Mr S Hodges provided evidence on the City Council's processes for preparing and approving TTMPs.

[239] In addition, among the wide ranging submissions and evidence on traffic matters received from section 274 parties were those from Emeritus Professor C Kissling (who is a specialist in land use planning and transport), Mr L Eagle (a retired City Council road and traffic engineer) and Mr D Meates, the Chief Executive of the Canterbury District Health Board.

[240] As we have already noted, many of the actual and potential traffic related effects had not been adequately considered in evidence and it was only after Canterbury Cricket's AMS and Construction Management Plan (**CMP**) had been provided that meaningful headway was able to be made with the evaluation of the traffic and parking effects.



***Canterbury Cricket's Proposed Access Management Strategy***

[241] Mr Carr advised that where road conditions are changed on a temporary basis (such as would occur during a major cricket fixture at Hagley Oval) the management of the effects of such a change is undertaken in a TTMP, as required by Section A7.1.1 of the New Zealand Transport Agency Code of Temporary Traffic Management (CoPTTM).<sup>165</sup> He went on to point out that the inherent weakness in this approach is that in order to reflect current conditions, TTMPs can only be produced a short time before the traffic management measures are implemented and, it follows, after the development is consented. A second weakness is that the contractor preparing the TTMP may not be aware of the particular effects that the TTMP is required to mitigate.<sup>166</sup>

[242] To get around these problems, an overarching strategy document is sometimes prepared setting out the objectives, key parameters and other important matters to be taken account of in the preparation of the TTMP. This was done here and the AMS addresses the approach for the management of traffic for each fixture type as summarised in the following table.<sup>167</sup>



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<sup>165</sup> Carr EiC at [2.4].

<sup>166</sup> Carr EiC at [2.12].

<sup>167</sup> AMS at [Table 5].

**Table 4**  
**Polo Grounds Car Parking Requirements**

Fixture Type	Spectators	Timing	Frequency <sup>168</sup>	Polo Grounds Parking
<b>International T20/ODI</b>	12,000 – 20,000	Friday and Weekends 7pm – 10pm	1 in every 3 seasons	2,000 cars
<b>International ODI Day/Night</b>	5,000 – 12,000	Friday and Weekends Occasional Weekday 2pm – 9.45pm	2 per season	2,000 cars
<b>International Test</b>	2,000 – 5,000	Thursday – Monday 10.30am – 5.30pm	1 per season	Up to 2,000 cars
<b>Domestic T20</b>	Less than 2,000, or 2,000 – 5,000	Friday 7pm – 10pm, or Weekend 2pm – 5 pm or 7pm – 10pm, or Summer Weekdays	A total of 6 domestic T20s with up to 5 of 6 fixtures per season being played on Friday evenings or weekends and up to 2 being played on summer weekdays.	Up to 2,000 cars but not required for Friday evening and weekend fixtures
<b>Local (club) matches</b>	Less than 500	Mainly weekends, occasional weekdays 10:30am – 6:30pm	120 days per season	Not required

[243] The strategy might at first glance appear to be overly long (74 pages), but as Mr Carr points out that this is because the full requirements for each fixture type have been grouped together in discrete sections of the document. While this has resulted in extensive repetition, when a TTMP is being prepared it will allow all of the required

<sup>168</sup> Source not stated but likely from Germon EIC at [10.2]. Some totals are less than those included in Canterbury Cricket final condition set.



access management strategy information for that fixture type to be easily lifted from the relevant section of the document.

[244] The AMS sets out the key objectives and elements which are to be included in the TTMP for each type of fixture.<sup>169</sup> In abbreviated form, the key objectives are:<sup>170</sup>

- through consultation, to obtain the inputs of key affected parties prior to the preparation of a TTMP;
- to integrate the TTMPs with the hospital's emerging traffic management plans;
- to minimise the use of Riccarton Avenue so that hospital users are not adversely affected by cricket traffic;
- to support a choice of transport modes for spectators;
- to minimise disruption to the surrounding community;
- to minimise the effects on passing traffic of vehicles entering and exiting the Polo Grounds car park;
- to maintain the optimum efficiency and safe operation of the surrounding road network; and
- for each TTMP to be updated and refined following formal reviews after each match.

[245] Also in abbreviated form, the key elements to be provided in each TTMP are:

- one week before the fixture day variable message signs are to be placed at key locations around Hagley Park advising of the upcoming fixture;
- parking for a maximum of 2,000 cars is to be provided on the Polo Grounds with access restricted to those with pre-purchased tickets;<sup>171 & 172</sup>
- access to the Polo Grounds is to be 60m south of the redundant Blenheim Road roundabout;
- traffic cones are to be used extensively on Deans Avenue to separate through traffic from traffic turning into and out of the Polo Grounds;

<sup>169</sup> Canterbury Cricket, final condition set, condition 18.

<sup>170</sup> AMS at [2.10, 2.11].

<sup>171</sup> The Polo Grounds car park will not operate on Friday evening or weekend domestic T20 fixtures.

<sup>172</sup> Pre-purchased tickets will not be required during test matches because of lower demand and more spread out arrivals/departures.



- a dedicated parking area is to be provided on the Polo Grounds adjacent to the Oval for the mobility impaired;<sup>173</sup>
- a request is to be made for the Christchurch Traffic Operations Centre to amend signal timings at the Deans Avenue/Moorhouse Avenue intersection to facilitate traffic flows before and after each fixture;
- should the Polo Grounds become unavailable, an identified alternative parking site with shuttle buses to provide transport for spectators to/from the Oval;
- about half of the Hagley Oval car park is to be reserved for the use of up to four television broadcast vehicles, with these expected to arrive at least seven hours before a fixture commences and to depart the day after the match;
- the balance of the Hagley Oval car park (20 parks) is to be reserved for half of the expected 40 cricket officials and support staff with the remaining 20 spaces to be reserved spaces in the Polo Grounds or in the Horticultural Hall car park;
- the remaining Horticultural Hall car parks are to be set aside for taxi set downs and pick-ups;<sup>174</sup>
- depending on the type of fixture, a total of between 16 to 26 park and ride buses are to operate on four routes to the north, the south, the east and the west;<sup>175</sup>
- drop-off/pick-up points are to be provided for on the northbound side of Hagley Avenue (displacing 22 car parking spaces for the pick-ups) and on the south-bound carriageway of Deans Avenue just south of the Polo Grounds access point (displacing 22 car parking spaces for the pick-ups);
- locations near to Hagley Park are to be provided for where the park and ride buses will wait to be called (via two way radio) to the pick-up points;
- normally scheduled bus services are to provide passenger transport in addition to the park and ride buses;

<sup>173</sup> For Friday evenings and weekend domestic T20s, when Polo Grounds car park is not in use and with reduced demand for taxis, mobility impaired parking will be in Horticultural Centre car park.

<sup>174</sup> This car park to be shared with mobility parking during Friday evening and weekend T20 fixtures when Polo Grounds car park is not in use.

<sup>175</sup> With much reduced demand, park and ride buses will not operate during test matches.



- marshals are to assist with pedestrian control at road crossings; at the entrances to the Hagley Oval, Horticultural Hall and Polo Grounds car parks; at each of the signalised intersections near to the Oval; at the Riccarton Avenue/Deans Avenue/Riccarton Road intersection, and at the park and ride bus stops;<sup>176</sup>
- road cones are to be placed along the centre line of Riccarton Avenue opposite the southern-most Hagley Avenue car park access and the Horticultural Hall car park access to direct exiting pedestrians along rather than across Riccarton Avenue; and
- a total of up to 370<sup>177</sup> temporary cycle stands are to be located in the vicinity of each entry gate with a security marshal to be stationed at each.

### *The Evidence – general approach*

[246] By the time the hearing had commenced, the traffic engineers had resolved most matters on which they had been in disagreement – these matters are largely ones of a technical nature such as the modal split for the transportation used by spectators, classification of the roads under the District Plan and traffic flows. What remained outstanding was the strategy to manage traffic and parking associated with events held at the Oval.

[247] We agree with the traffic experts that because of the earthquakes, predictions of traffic flows on the roads surrounding South Hagley Park are difficult if not impossible to make.<sup>178</sup> These predictions will be affected not just by the development of the proposed International Cricket Venue but also by future changes to the road network as well as by the development of other anchor projects within the immediate vicinity such as the Health Precinct, the new Metro Sports Facility and the Justice and Emergency Services Precinct.

[248] An overarching priority is that safe and efficient access to the hospital must be maintained now and into the future. This means that, while the AMS must provide a sound basis for the management of traffic generated by cricket fixtures and car parking

<sup>176</sup> With much lower numbers and spread of arrivals/departures, pedestrian marshals and the use of road cones on Riccarton Avenue will not be provided during test matches.

<sup>177</sup> Up to 70 cycle stands for test matches.

<sup>178</sup> Traffic Joint Witness Statement 21 May 2103 at [7].



demand in the short to medium term, it will need to be kept under review so that it responds to changes in traffic flows as the anchor projects come on stream and as changes are made to the wider road network.

[249] We have collated the concerns held by submitters and the parties into six issues for determination. Most of the matters addressed here arose during cross-examination – the parties largely responding to the AMS. Before we get to those issues, we summarise the evidence of Mr D Meates, the Chief Executive for Canterbury District Health and Dr R Spearing, from the Medical Staff Association Executive as they expand upon the receiving environment in which the proposal is set.

***Mr D Meates for Hands Off Hagley***

[250] We heard from Mr Meates that the original DHB submission on the proposal was restricted to the issues of traffic flows, parking and alcohol management. The DHB did not formally join the proceeding as a section 274 party as it did not deem this to be necessary and that the DHB neither supports nor opposes the proposal.<sup>179</sup>

[251] We summarise Mr Meates evidence on the topic of traffic and parking:<sup>180</sup>

- prior to the earthquakes the hospital had 1516 car parking spaces on four sites, 916 for staff and 600 for patients;
- the hospital's 500 space multi storey Antigua Street car park was badly damaged in the earthquakes, is not currently in use, and is to be either repaired or replaced by about September/December 2014;
- a second multi storey hospital car park was damaged and closed for 12 months but is now operating;
- the 316 space car park on Hagley Park behind the Horticultural Hall is a temporary facility, which has now been open past its originally expected closure date and from the hospital's perspective has only a limited impact on its parking planning;



<sup>179</sup> Meates Transcript at 871.

<sup>180</sup> Meates Transcript at 870-888.

- the loss of the Antigua Street car park and the addition of the temporary Hagley Oval car park has resulted in around 200 less spaces being available for hospital parking than before the earthquakes;
- the DHB intends to construct a helipad on the top of the new clinical services building (to be completed in 2018) with the existing Hagley Park pad as a back-up should the new pad be unavailable for any reason;
- in association with the development of the hospital site, an additional 380 car parks will be formed on site;
- the hospital shift changeover times are 6.30am to 7.30am, 2.30pm to 3.30pm, and 10.30pm to 11.00pm;
- on average each day there are around 232 presentations to the hospital's emergency department, 71 ambulance trips and between 30 to 50 hospital transfers;
- the hospital employs approximately 4,500 people over a 24 hour period. If the anchor project for the health precinct is developed, the number of persons employed within the immediate area is expected to increase to 6,500;<sup>181</sup>
- due to existing levels of traffic, access to the hospital by emergency vehicles and by the public has been an on-going issue over a number of years. The redesign/rebuilding of the hospital existing services is in response to this issue;<sup>182</sup>
- there is the need for a co-ordinated traffic and parking plan involving the hospital, the Health Precinct, the Metro Centre and others to prevent "a real mess around the site";<sup>183</sup>
- there is the need for a planned and deliberate parking strategy covering the whole area and involving all affected parties; and
- there have been no specific discussions with Canterbury Cricket on these traffic and parking planning matters.



<sup>181</sup> Meates Transcript at 879 and 884. Patients and staff were not included in these numbers.

<sup>182</sup> Meates Transcript at 884.

<sup>183</sup> Meates Transcript at 883.

[252] In response to a question from the court about the adequacy of the parking arrangements prior to the earthquakes, Mr Meates said that staff and public would have different views about what was adequate and what was not. He then went on to stress the need for better integration among affected parties in the forward planning for traffic and parking.

***Dr R Spearing for Hands Off Hagley***

[253] Dr R Spearing was also asked for her opinion as to the adequacy of the parking now and before the earthquakes. She responded that current levels were inadequate but before the earthquakes "... never enough but it has been reasonable".<sup>184</sup>

**Discussion and Findings on Key Issues**

**Issue: Is the carrying capacity of the local road network, including Deans Avenue, exceeded? If so, what are the implications of this?**

[254] The modal split between different forms of transport for spectators travelling to cricket fixtures is required in order to assess whether an increase in vehicles associated with the proposed International Cricket Venue causes the carrying capacity of a road to be met or exceeded. If the carrying capacity is exceeded then major delays could be expected with the movement of traffic through the network. Secondly, the modal split is used in the calculation of the number of car parks required by a particular activity.

[255] The *Greater Christchurch Travel Demand Management Strategy and Action Plan 2009* states that 85% of all trips made by people in Christchurch, Selwyn and Waimakariri are made by car. However, in the application for resource consent, Canterbury Cricket stated that only 21% of spectators would travel to the Oval by car. In the section 87F report prepared Mr Dowdle for the City Council, he undertakes an analysis based on a figure of 50% which he agreed under cross-examination did not have any basis other than this percentage is about halfway between 21 and 85%.

[256] When assessed at or below 50%, the carrying capacity of Deans Avenue would not exceed the carrying capacity threshold of 1,200 vehicle per hour per lane (the Austroads threshold); whereas an 85% split or a 76% modal split as agreed at the

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<sup>184</sup> Spearing Transcript at 891.



experts' conference, would. That said, all of the traffic experts were of the view that "... because of the earthquakes the traffic flow in the roads around surrounding [sic] South Hagley Park is difficult if not impossible to reliably predict" but nevertheless with appropriate traffic management, the surrounding street network will be able to accommodate the event traffic with a 76% modal split for cars and this modal split was appropriate in the circumstances.

[257] In the end, 76% modal split was used in the preparation of the AMS.

**Issue: What effect will the movement of construction vehicles have on the road network?**

[258] An issue arose as to whether the estimates given by Mr Carr for either 1,045 truck and trailer loads or 2,300 truck loads would be sufficient for the delivery of all of the embankment fill material.<sup>185</sup> Mr Eagle, a section 274 party, submitted that Mr Carr had underestimated the bulk volume of the fill material and its density and that as a consequence he had also underestimated the actual number of heavy vehicles. It was his submission higher numbers would have a detrimental effect on the traffic flow on Riccarton Avenue.<sup>186</sup>

[259] Mr Carr's advice was that even if the number of heavy vehicles required was underestimated, the number would still be in the range from 0.2% to 0.4% of the prevailing traffic flow which is well within the normal variation of a road that a driver experiences every day.<sup>187</sup> The District Plan hierarchy provides for arterial roads to carry heavy vehicles and using Riccarton Avenue for the transport of the embankment fill material is consistent with this.

[260] During the course of the hearing Canterbury Cricket produced a Construction Management Plan and proposed conditions governing its implementation. We note in particular the requirement for all earthworks' haulage vehicles to enter and exit the Oval from the west so as to prevent these vehicles from travelling past the hospital and through the adjacent busy intersection and secondly, the conditions restricting the times that construction traffic can access the Park to avoid peak hour traffic.

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<sup>185</sup> Carr EiC at [5.4].

<sup>186</sup> Carr Transcript at 1095.

<sup>187</sup> Carr Transcript at 1100.



[261] As recorded elsewhere we are satisfied with what is proposed for the management and control of construction effects, including the objectives to be achieved in the Construction Management Plan. We accept Mr Carr's evidence that construction traffic can be satisfactorily managed so as to avoid adverse effects on the road network.

**Issue: Will emergency access to the hospital be maintained?**

[262] Concerns were raised by a number of parties (and also by the court) about the potential impact of cricket related traffic on the maintenance of emergency access to the hospital.

[263] Messrs Carr and Hodges both considered the AMS could be improved by providing for better controls to address spectators spilling out from the Oval and on to the traffic lanes of Riccarton Avenue. Mr Hodges said low pedestrian fencing or pedestrian bars should be considered in addition to the proposed road cones and recommended that this be recorded in the AMS.<sup>188</sup> This would both enhance safety for spectators and keep at least one lane of Riccarton Avenue relatively clear of spectators to facilitate access to the hospital for emergency vehicles.<sup>189</sup> Mr Hodges was otherwise satisfied that the provisions in the proposed AMS would ensure unimpeded access to the hospital for emergency vehicles.<sup>190</sup>

[264] Mr Carr emphasised that the provision of access for all emergency services was a priority in all TTMPs and that he was confident that motorists would always respond to the passage of emergency vehicles by making way for them to pass. We take this advice to include the transport of patients from the helipad in South Hagley Park to the hospital. In Mr Hodges' opinion the level of risk around maintaining emergency access to the hospital would be about equal for events held in South Hagley Park and North Hagley Park.<sup>191</sup>

[265] We accept Mr Hodges and Mr Carr's evidence on these matters.



<sup>188</sup> Hodges Transcript at 1429 and 1449.

<sup>189</sup> Hodges Transcript at 1441.

<sup>190</sup> Hodges Transcript at 1441.

<sup>191</sup> Hodges Transcript at 1417.

**Issue: Will there be adequate on-street parking available for hospital visitors and staff and for visitors to the Park during a cricket fixture?**

*The expert evidence*

[266] The adequacy of on-street car parking was a major concern for many submitters and the parties to this proceeding. The concerns arise in relation to:

- (a) the unavailability of the Hagley Oval and Horticultural Hall car parks for major fixtures;
- (b) the closure of the hospital's temporary car park facility located in South Hagley Park;
- (c) the parking demands of the schools' sports programme for both on-street car parking and parking within Hagley Park; and
- (d) the occupation of time restricted and unrestricted on-street car parks within the immediate vicinity of the Oval by cricket spectators.

[267] Mr Carr was reliant on the accuracy of two surveys conducted by Emeritus Professor Kissling for Hands Off Hagley and by Mr Hayes for Canterbury Cricket to establish the availability of on-street car parks for cricket spectators. Based on these surveys, Mr Carr calculated the total number of parks within 2 km of the Oval to be between 11,000 and 12,600 parks.

[268] For major fixtures, where spectators are likely to exceed 12,000, using Professor Kissling's survey, Mr Carr estimated for an afternoon game 22% of this total would be available to meet spectator demand for 2,560 car parks (or between 20% to 23% of the total available parking).<sup>192</sup> For evening games where up to 60% of car parks are likely to be available, spectator demand is in the range of 2,560 and 5,600 parks (or between 20% and 51% of the total available parks).<sup>193</sup>

[269] Between them Hagley Oval and the Horticultural Hall provide 188 time-restricted car parks, and there are a further 203 time-restricted parks on the roads surrounding South Hagley Park; 62 of which are located on Hagley and Riccarton Avenues.

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<sup>192</sup> AMS at [7.19].

<sup>193</sup> AMS at [6.19, 6.20].



[270] The court asked Mr Carr whether there should be an alternative car parking provision made for some major fixtures. Mr Carr agreed that if this was available it would address the potential for the adverse effect arising from the displacement of vehicles which normally use car parks at Hagley Oval and the Horticultural Hall and also the on-street car parks within the immediate vicinity. He went on to say that from the evidence he had seen, these spaces are only about 50% full in the afternoon so he would suggest that there be 50% of those, or 200 parks, to be provided elsewhere for users of these spaces.<sup>194</sup> That said, Mr Carr did not consider that the court was required to respond to the potential loss of the hospital's 316 space car park behind the Horticultural Hall as this was a temporary facility which could close at any time.<sup>195</sup> This is consistent with Mr Meates' advice.

[271] We accept the evidence from a number of parties, Mr K Henderson in particular, that when school sports are being played at South Hagley Park there is a high level of demand for on-street parking and also parking within Hagley Park. We come back to this when we consider how the AMS and the conditions of consent respond to demand for car parks by the school sports programme.

[272] Mr Smith, the traffic expert for Hands Off Hagley, was questioned about the availability of parking for cricket fixtures. He advised that he did not have any concerns about availability for Friday evening or weekend fixtures. He did, however, consider that for some daytime fixtures there could be a shortfall of up to 1,000 spaces in the availability of on-street and off-street parking spaces. His estimates of the parking shortage differ from Mr Carr who had assessed a much higher availability of private off-street parking.<sup>196</sup>

[273] Mr Smith was asked if he was concerned that hospital visitors could be displaced from the Hagley Oval and Horticultural Hall car parks during cricket fixtures and, if so, was it likely that those persons who are displaced will be able to find alternative car parking within the vicinity of the hospital and should Canterbury Cricket be required to provide parking (as suggested by Mr Carr)? Pragmatically, Mr Smith said that he did

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<sup>194</sup> Carr Transcript at 1257 and 1258.

<sup>195</sup> Carr Transcript at 1256.

<sup>196</sup> Smith Transcript at 1497.



not consider that the absence of alternative car parking should stand in the way of granting consent. Once the hospital was able to replace its lost car parks (which hopefully would be in the short-term rather than the long-term) then this would not be an issue.<sup>197</sup> He agreed with counsel for Canterbury Cricket that a communication strategy advising that car parking could be difficult would encourage patrons to car pool or to take alternative modes of transport.

[274] Mr Smith's overall conclusion was that while there would be some pressure on the availability of daytime parking, this was probably manageable for the odd times that it would occur.<sup>198</sup>

### *Discussion and findings*

[275] In her closing submission, counsel for Canterbury Cricket argued for the proposition that it is not within the court's purview to consider the adverse effects of any decision by the City Council under the Reserves Act to prevent public access to car parks within Hagley Park, including the Horticultural Hall and Hagley Oval car parks and secondly, to prevent access to the Polo Grounds. We consider that these decisions directly arise out of the exercise of the consent by Canterbury Cricket and so any consequential effects on the environment are able to be considered under the RMA.<sup>199</sup>

#### *Closure of the hospital's temporary car park at Hagley Park*

[276] Mr Meates' advice was that the DHB's off-street car parks are expected to be restored to their pre-quake level of 1,500 car parks by the end of 2014 (about the planned time for the enhanced Oval to come into use). We take this to mean that the DHB will be able to meet a reasonable proportion of the demand for hospital staff and visitor parking through its own provision for off-street parking by the time Hagley Oval is in use for major cricket fixtures. Therefore we do not need to concern ourselves with the effects of the loss of this temporary car park.

[277] Fixtures played on weekdays (from Table 5 in the AMS) would involve an occasional ODI, the test matches and domestic T20s (actual number undefined). The

<sup>197</sup> Smith Transcript at 1506.

<sup>198</sup> Smith Transcript at 1499.

<sup>199</sup> Steven Transcript at 2091 and 2100.



ODI (2.00pm to 9.45pm) could be expected to attract between 5,000 and 12,000 spectators, the test (10.30am to 5.30pm) between 2,000 and 5,000 on each day and domestic T20s (2.00pm to 5.00pm) between 2,000 and 5,000 spectators.

*Visitors to the Hospital*

[278] There are 62 P120 parks in Hagley Avenue and Riccarton Avenue with a two hour time restriction and all of these could be expected to remain available at all times for short-term hospital visitors irrespective of the type of cricket fixture being played.

*For Friday evening and weekend fixtures*

[279] There was general acceptance that that there would be adequate parking available for all users during cricket fixtures played on Friday evenings and at weekends.

*For weekday domestic T20 and test matches*

[280] Coming back to hospital staff who do not find parks in the hospital's parking facilities, we were told that the hospital shift changeover times are between 6.30am to 7.30am, 2.30pm to 3.30pm and 10.30pm to 11.00pm.

[281] The AMS states that for test matches, only 125 parking spaces are required for cricket spectators outside of the Polo Grounds.<sup>200</sup> We were also told that because of the numbers attending and the spread out nature of arrivals and departures, test patrons wishing to park at the Polo Grounds would not need to pre-purchase parking tickets. There should, therefore, be no obvious difficulty around hospital staff finding parks in the vicinity of the hospital during test matches as these matches start at 10.30am and finish well clear of the shift change times.

*For weekday International ODI and T20 fixtures*

[282] This then leaves the occasional weekday ODI and T20 matches which start at 2.00pm. Cricket spectators could put pressure on parking availability for arriving afternoon hospital staff and for hospital visitors who might have otherwise used the Hagley Oval and Horticultural Hall car parks or on-street parking.

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<sup>200</sup> AMS at [8.5]



[283] On the evidence provided, the scheduling of major fixtures on a weekday may occur at most two or three times a season. Those potentially affected by the displacement will receive early warning of the likely upcoming shortfall in parking through the information to be provided on the variable message signs located around the park at least one week before a planned cricket fixture. And, as noted, by 2014 the DHB is likely to have replaced its off-street car parks.

[284] It is our assessment that the effect on on-street car parking supply is minor. As part of the consultative process the conditions of consent provide for the identification of any concerns with respect to traffic and parking, and if necessary for provision to be made for additional parking. These conditions are broad enough to respond to the issue of the DHB not having replaced its car parks. We consider the proposed conditions, together with the review clauses, will adequately respond to any under-supply.

**Issue: What effects arise in relation to the use of the Polo Grounds for parking?**

*The evidence*

[285] There are a number of concerns raised over:

- (a) what is to happen if the Polo Grounds become unavailable for parking? and
- (b) integration of car parking traffic with traffic using Deans Avenue, and the surrounding network.

*What is to happen if the Polo Grounds become unavailable for parking?*

[286] Mr Carr had not turned his mind to the possibility that the Polo Grounds may not be available for parking (say due to ground conditions). In this eventuality he suggested putting on more park and ride buses with the possibility of spectators parking at the CBS Arena which has 1500 spaces and at the Addington Raceway's 750 spaces. He went on to say that if alternative provision of 2,000 off-road car park spaces could not be found then the event should be cancelled. Indeed, it was his evidence that it was unlikely there were 2,000 additional car parking spaces available within a walking distance of 2 km.<sup>201</sup>




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<sup>201</sup> Carr Transcript at 1183.

*Integration of car parking traffic with traffic using Deans Avenue, and the surrounding network*

[287] Dr C Stachurski, a submitter who lives in the area to the west of Deans Avenue, has various concerns about temporary traffic management, a number of which are shared by other residents who live in this area; and these she put to Mr Carr. These include the potential constraints on lane changes posed by the traffic cones to be placed on Deans Avenue near the Polo Grounds access, the legibility of any directional advisory signs and access for emergency vehicles to the residential areas to the west of Deans Avenue.

[288] Mr Carr advised that the gaps between the cones would be more than adequate for vehicles to change lanes and that in any case he would expect normal driver courtesy to prevail in accommodating motorists who wished to change lanes. The advisory signs would be placed in positions where they would be easy to read. If there was an emergency, one of the statutory duties of the person controlling the site would be to direct traffic so as to allow access for emergency vehicles. This would need to be accompanied by motorists pulling over to facilitate access as happens in normal situations when motorists encounter the approach of an emergency vehicle with its sirens sounding and lights flashing.

[289] In response to a question from Mr Hitchon, a section 274 party, as to where out-of-town buses would set down and pick up passengers, Mr Carr said that while this mode of travel had not been considered by the traffic experts, he expected that such buses could use the park and ride bus stops. The provision for out-of-town bus stops was also raised by Mr Smith, Hands Off Hagley's traffic expert. He pointed out that while drop-offs for spectators are straight forward, pick-ups could be problematic as the buses would need to wait until all of their out-of-town passengers had found their way to the pick-up point and boarded before leaving.

[290] Mr Smith's primary concern was what he saw as the conflict between traffic leaving the Polo Grounds car park and buses using the proposed park and ride bus stop at the southern end of Deans Avenue. This would be exacerbated by the need for out-of-town buses to have to park and wait while all passengers arrived and boarded after a game. He agreed with Mr Carr that while there was sufficient width to accommodate two lines of buses (the spaces in this area accommodate diagonal parking), he was



concerned about buses pulling out into the travelling lane. This would be a particular conflict point and in his opinion it needed to be demonstrated that it would work properly and safely.<sup>202</sup>

[291] As to where the commencement of park and ride facilities would be based, this is yet to be determined. Mr Carr expected that park and ride commuters would either park cars or walk to their local shopping mall and catch a park and ride bus from there.<sup>203</sup> He noted that there are equivalent services operating from shopping malls for rugby games held at the AMI stadium. For weekday games he acknowledged the conditions of consent for malls may preclude this option.<sup>204</sup>

[292] Mr Carr advised that the Polo Grounds access point had been chosen because it was opposite the vacant saleyards site rather than along the existing residential area on Deans Avenue. This location will minimise the potential for conflicts between residential traffic and Polo Grounds parkers. If and when the saleyards site was developed, the TTMP would need to be reviewed as part of the overall traffic planning for the development.<sup>205</sup>

### **Discussion and findings on the use of the Polo Grounds for car parking**

[293] We were told that there is sufficient width in the bus stop area to accommodate two lines of buses; including both the park and ride and the out-of-town buses. On the face of it, if any conflict did arise, sufficient room would appear to be available to craft a workable solution to resolve the conflict. However, given Mr Smith's concern, we would expect those responsible for the TTMP to pay particular attention to this potential conflict area including allocating a number of traffic marshals to the park and ride stop. It should also be a focus in the TTMP review process to consider on an on-going basis the adequacy of the traffic arrangements in this area and if there have been problems, then to identify an alternative location.

[294] That aside, we accept the advice of Mr Carr that access into and out of the Polo Grounds can be safely managed with the proposed Deans Avenue traffic management elements in place as provided for in the AMS. There is a potential for north bound cars

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<sup>202</sup> Smith Transcript at 1482, 1483.

<sup>203</sup> Carr Transcript at 1217.

<sup>204</sup> Carr Transcript at 1218.

<sup>205</sup> Carr Transcript at 1162.



accessing the Polo Grounds to tail back into Moorhouse Avenue. However, we accept Mr Hodges' advice this too can be managed by stopping the south bound traffic on Deans Avenue for a short period to allow the Polo Grounds traffic to clear and/or adjustments could be made to the traffic signals at Moorhouse Avenue.

[295] Under the provisions of the AMS, the Polo Grounds are not to be used for parking for domestic T20 fixtures played on Friday evenings and weekends. This is now reflected in a condition of consent. For all other fixtures, the AMS provides for the Polo Grounds car parks to be fully utilised.

[296] Mr Carr concluded that if alternative off-road parking to replace the Polo Grounds cannot be found and the Polo Grounds are not available for parking then the event should either be rescheduled or cancelled. Canterbury Cricket's proposed conditions require the consent holder to have contingency arrangements in place for an alternative car park to replace the 2,000 Polo Grounds car parks should the Polo Grounds become unexpectedly unavailable.

[297] We were not persuaded by Mr Carr that park and ride was a viable alternative to parking at the Polo Grounds for up to 2,000 cars. This would be in addition to the park and ride services already provided for in the AMS, and the take up of this service is unsupported by evidence on the modal split.

[298] It may be that new off-road parking facilities will be developed in the vicinity of the Oval. To allow for this possibility, each year Canterbury Cricket is to carry out an evaluation as to whether 2,000 off-street car parks are available should the Polo Grounds become unavailable for any reason. This is to be provided to the Council together with the draft schedule for major fixtures.

[299] It is our finding that if the full number of off-street replacement parks has not been identified by the start of each cricket season, and the Polo Grounds are not available for a major fixture, then the affected fixture is not to be held at the Oval. Canterbury Cricket's proposed conditions are to be amended to this effect.



**Issue: Will the proposed Access Management Strategy provide for the continued safe operation of the road network during major cricket fixtures?**

[300] The AMS was the subject of detailed scrutiny, with Mr Carr being extensively cross-examined by counsel and by a number of unrepresented parties. Further to this, the court had its own questions. What follows is our evaluation of the key objectives set out in the AMS.

[301] Before submitting a draft schedule for major fixtures to the City Council, Canterbury Cricket is to consult with a number of persons with a view to identifying whether the proposed fixture dates clash with other events being held in and around the Park.<sup>206</sup> The AMS also highlights this requirement.<sup>207</sup> Following the submission of its draft schedule of major fixtures to the City Council, Canterbury Cricket is to lodge a draft TTMP, also with the Council, 12 weeks in advance of any fixture.<sup>208</sup> The draft TTMP is to be informed by the views of the community and Canterbury Cricket is required to consult over any issues and concerns held by the community in respect to traffic and parking.<sup>209</sup>

[302] The AMS identifies Emergency Service providers (Fire Service, St John Ambulance and the Police) and also Canterbury District Health Board, amongst others, as persons who are to be consulted.

[303] Mr Carr advised good practice suggests that the hospital should have been consulted to ascertain their needs and also that a user survey ought to have been undertaken of parking requirements in the area affected by Canterbury Cricket's proposal. We acknowledge Mr Carr's candor in this regard and record that he was briefed by Canterbury Cricket during the course of the hearing and so did not have an opportunity to do this. Prior to giving his evidence, Mr Carr advised that he had made four attempts to contact the hospital but that he had not received a response. Thus to date there has been no consultation between Canterbury Cricket and the hospital as to how the planning of traffic management and parking for the proposed cricket fixtures

<sup>206</sup> Condition 2 – Conditions dated 3 July 2013.

<sup>207</sup> AMS at [5.1].

<sup>208</sup> Hodges Transcript at 1407.

<sup>209</sup> Condition 21 - Conditions dated 3 July 2013.



will integrate with the hospital's emergency traffic management plans – as required under an AMS objective.

[304] This has left us in the difficult position of having to evaluate how this integration might work in practice and having to rely primarily on Canterbury Cricket's evidence which has not been tested against the hospital's plans, nor against any parking surveys in the vicinity of the hospital. We observe that initiation of the consultation with the hospital on these matters is required as a matter of urgency.

[305] We accept Mr Carr's advice that the AMS requirement for early consultation with the director of the school sports' programme will provide an opportunity to co-ordinate the individual needs of these two parties and that if the school sports' programme cannot find a suitable alternative to the Polo Grounds, then Canterbury Cricket is to reschedule its fixture. Canterbury Cricket has now offered this as a condition of consent.<sup>210</sup>

[306] Overall, we are satisfied that the consultation provisions in the AMS will give all affected parties the necessary opportunity to have input into the scheduling of cricket fixtures and for the preparation of the individual TTMPs. To the extent that we have any lingering doubt over what is proposed, this is addressed in the review conditions and the AMS monitoring strategy.

[307] We are also satisfied with the provisions made in the AMS (and the Construction Management Plan) for minimising the use of Riccarton Avenue so that hospital users are not adversely affected by cricket traffic. The proposed communications strategy and the reservation of the Hagley Oval and Horticultural Hall car parks for official cricket use should discourage cricket patrons from using Riccarton Avenue; the AMS has a requirement that park and ride buses are to avoid using Riccarton Avenue.

[308] The four park and ride bus routes for major fixtures should provide cricket patrons with a sound alternative to car travel, as should the planned arrangements for taxi services. The AMS is to include a provision to establish that adequate parking will be available at the locations where the park and ride buses are to commence their journeys.

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<sup>210</sup> Steven Transcript at 2107.



[309] Inevitably cricket fixture traffic will impact on the surrounding communities. However, we are satisfied that the AMS, as conceived, will minimise to the fullest extent possible the disruption to these communities provided that Canterbury Cricket commits to meaningful consultation with these communities (and vice versa).

[310] We rely on the evidence of the traffic experts that the measures proposed in the AMS will provide for the optimum efficiency and safe operation of the surrounding road network at the times of the cricket fixtures. We have noted in particular Mr Hodges' advice on behalf of the City Council that there is no reason why the impacts of a cricket fixture at Hagley Oval could not be managed through a TTMP.<sup>211</sup>

[311] We are otherwise satisfied with the provisions in the AMS. The conditions of consent for each TTMP are to be updated and refined following formal reviews after each match. On this basis we conclude that the traffic effects will be minor.

### **Overall Findings on Traffic Management and Parking**

[312] In our evaluation of each of the key issues we have identified a small number of amendments which are to be made to Canterbury Cricket's Proposed AMS. The AMS is to be amended to include a provision:

- (a) requiring urgent consultation with the hospital to ensure that the AMS objectives and elements are properly integrated with the hospital's traffic management and parking planning;
- (b) establishing that adequate parking will be available at the locations where the park and ride buses are to commence their journeys;
- (c) requiring particular attention to be paid to the potential conflict between traffic exiting the Polo Grounds and buses using the Deans Avenue park and ride bus stop just south of the exit;
- (d) requiring more extensive measures to be used than just road cones for controlling spectators exiting on to Riccarton Avenue at the end of fixtures;
- (e) the AMS monitoring strategy at [13.4] is to be amended to provide as follows:

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<sup>211</sup> Hodges Transcript at 1447.



- (i) monitoring shall be carried out by an independent suitably qualified expert and the results presented in a report to be submitted to the City Council in a timely manner after the conclusion of the relevant event;
- (ii) a monitoring methodology that includes:
- the monitoring of the network performance of intersections including the methods and locations to be employed to obtain this information;
  - the monitoring of the take up and effectiveness of the methods for encouraging spectators to use alternative modes of transport to the private motor car – including the methods for obtaining this information;
  - the monitoring of the park and ride site locations and practicality of these locations both in terms of the parking site and the arrangements for drop off and collection;
  - the monitoring for the effectiveness of pedestrian management on the road; and
  - the effectiveness of the placement of signage, use of marshals, operation of traffic control systems and the regime for obtaining this information.
- (iii) based on the information obtained from the monitoring, the monitoring report shall provide recommendations for improvements to the methodologies used for traffic management.

[313] There is to be a condition that the Polo Grounds are not to be used for parking for domestic T20 fixtures played on Friday evenings and weekends.

[314] There is to be a condition that if an additional 2,000 off-street replacement parks has not been identified by the start of each cricket season, then should the Polo Grounds become unexpectedly unavailable for parking for any major cricket fixture, the affected fixture is not to be held at the Oval. This condition is to replace the relevant conditions



proposed by Canterbury Cricket. Clause 6.18 of the AMS should be amended to give effect to this condition.

**Topic D: Construction Management**

**Introduction**

[315] In his evidence, Canterbury Cricket's architect Mr Watt described the processes and rationale used in the design of the proposed cricket venue. While he provided some information on construction matters, it became clear from questions raised during the hearing by a number of parties and also by the court that more specific detail was required to enable a proper evaluation of construction effects.

**Key Issues**

[316] Issues of concern raised include:

- (a) the measures proposed to protect the health and safety of traffic and pedestrians using Riccarton Avenue and the Park accessways during the passage of construction vehicles;
- (b) the measures proposed to protect the health and safety of park users during construction;
- (c) the access arrangements for construction vehicles entering and leaving the site from Riccarton Avenue;
- (d) the number of vehicles required for the haulage of embankment fill material and the potential impacts of these vehicles on normal road traffic;
- (e) the protection of the trees and tree roots from damage during the construction of the Pavilion and the lighting tower foundations and the embankment;
- (f) the avoidance of damage to trees during the passage of construction vehicles entering and leaving the site along and through tree lines;
- (g) the potential for damage to the historic Umpires Pavilion from vibration arising from the compaction of the embankments and the lighting tower foundations;
- (h) the details of any sediment and stormwater control measures proposed to protect water quality in the Park's streams and drains;



- (i) the parking arrangements proposed for contractor vehicles;
- (j) the ongoing maintenance and repair of any park accessways and parking areas damaged by construction vehicles; and
- (k) the need for measures to be provided for preventing mud and other debris being deposited on Riccarton Road by construction vehicles exiting the Park.

[317] Canterbury Cricket eventually responded on each of these issues in the Construction Management Plan produced by Mr Nixon at the time he gave his evidence, this plan having been prepared primarily by himself and Mr Watt.<sup>212</sup>

[318] Canterbury Cricket's final condition set also includes a series of conditions for the management and control of construction effects including the objectives to be achieved in the Construction Management Plan.

[319] While there is a degree of overlap and repetition in the two documents, from our evaluation of both we have concluded that provided construction of the Oval facilities is undertaken in accordance with the provisions they contain, the effects will be less than minor.

[320] We have addressed the overlaps and repetitions in the two documents in the section of our decision on proposed conditions and management plans.

**Topic E: Park landscape and amenity**

**Introduction**

[321] We heard from four expert witnesses on the topics of Park landscape and visual amenity: Mr W Field for CCA; Mr S Brown for the City Council; and Ms D Lucas and Ms E Briggs for Hands Off Hagley. From a related field of expertise we heard from Mr



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<sup>212</sup> Nixon Transcript at 1524.

N Drain, formerly the City Council's Assistant Director of Parks (now retired) who gave evidence on park management on behalf of Hands Off Hagley. Finally, we have considered the various images (photographs and montages) produced by Ms Lucas, Mr Field, and Mr Watt and Ms Pollard.

[322] Many of the section 274 parties gave evidence and made submissions concerning the amenity accorded by the Park. Their frequent use of superlatives when describing the Park and its amenity is evidence of the deep attachment held for this place.

[323] We visited the site several times, walking around the Oval and South Hagley Park. At the suggestion of the parties, we also visited adjoining neighbourhoods and other places of interest.

### **Key issues**

[324] The proposal presents the following landscape and amenity issues:

- (a) does Hagley Park have historic heritage that is to be recognised and provided for as a matter of national importance (as per section 6(f) RMA)?
- (b) what are the effects of the proposal on Park's historic heritage, character and its amenity values including the effects arising in relation to the:
  - (i) permanent buildings and structures;
  - (ii) temporary facilities and structures;
  - (iii) the effects associated with parking in Polo Grounds; and
  - (iv) the cumulative effects of the proposal on the environment?

[325] Before considering the effects we describe the receiving environment including the amenity values attributed to the Park. In doing so we have noted Ms Steven's submission that the Oval is to be regarded as both the subject site and receiving environment for uniquely the site would remain recreation reserve notwithstanding a grant of consent.



### The Receiving Environment

[326] Hagley Park has been an integral feature of Christchurch since the 1850s when its boundaries were first defined in the original city plan.

[327] Laid out and planted in the late 1880s, the Park is acknowledged as Christchurch's foremost city park. The HPMP states that the Park's English heritage style woodland and open space landscape character is to be protected and enhanced, while at the same time representing New Zealand landscapes.

[328] Ms Lucas' evidence describes in detail the Park's heritage style; the design of which is said to be in keeping with the traditions of the English landscape school. South Hagley Park has six large open space areas created by rows of trees that cut across the parkland. Enclosing the Oval are plantings of trees and to the Oval's east a small woodland extends along most of its border. This woodland merges with the perimeter planting of large deciduous trees that encircle South Hagley Park. Along Riccarton Ave the perimeter planting is reinforced by tall hedging. Ms Lucas identifies the key attribute of this particular style of landscaping as its permeability – the defined open spaces are visually and physically interconnected.<sup>213</sup> Appended to Ms Lucas's evidence is a map from HPMP (**Map 1**), which we reproduce for reference below.

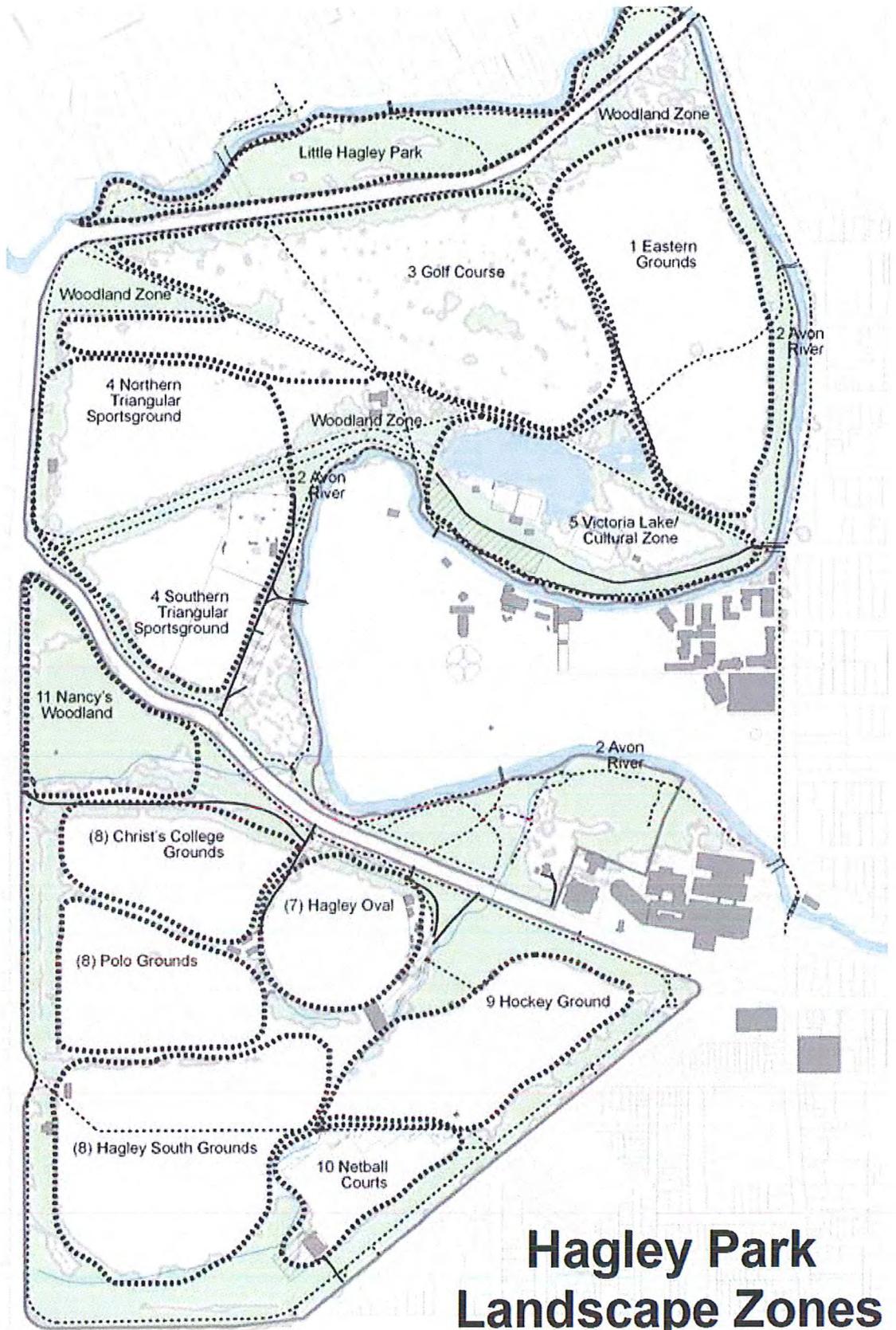
[329] Mr Brown considered that Ms Lucas' contextual analysis to be valuable, offering insightful and reasoned analysis of the evolution of Hagley Park, explaining the relationship between the Park's spatial structure and the design ethos and values that have underpinned it.<sup>214</sup> We agree; Ms Lucas' evidence is particularly important when considering the effects of this proposal in relation to the historic heritage of the Park and the Park's character.



<sup>213</sup> Lucas EiC at [26-29].

<sup>214</sup> Brown EiC at [73].

Map 1



# Hagley Park Landscape Zones



[330] All four landscape witnesses were agreed that South Hagley Park has heritage value. The values are derived from four elements (the first three were said to be of significance):

- the established framework of historic tree planting within and around the Park and the pattern and character of open space derived from that framework;
- the historic Umpires Pavilion;
- the historic form and open/green space character of Hagley Park as it contributes to the urban form and fabric of the central City (as part of the original town plan); and
- the intangible landscape heritage attributes may also include personal and collective memories such as social, cultural and spiritual values and experiences associated with past events in Hagley Park.<sup>215</sup>

[331] Without further analysis, the landscape experts were also agreed that South Hagley Park contributes to the historic heritage of Hagley Park in terms of section 6(f) of the RMA.

[332] Of the 15 sports club buildings in existence in 2007, the HPMP records that eight of these are located in South Hagley Park. The largest concentration of buildings is in and around the Oval with its five cricket Pavilions, two caretaker's houses, the Horticultural Hall and an assortment of sheds and utility buildings. The HPMP states that many of the Hagley Park structures do not relate well together and do little to enhance the Park.<sup>216</sup> Mr Brown picks up on this and says that the current Oval is "blighted by this assortment of building and structures, which show little relationship to one another or even a strong sense of connection to the Oval".<sup>217</sup> He considered the presence of these other buildings reduces the visual demeanour and aesthetic character of South Hagley Park as a whole.<sup>218</sup> Ms Lucas strongly disagreed with his views.<sup>219</sup>

<sup>215</sup> Landscape Witness Expert Conferencing Joint Statement for 29 May 2013 at [1].

<sup>216</sup> HPMP at 62.

<sup>217</sup> Brown EiC at [25].

<sup>218</sup> Brown EiC at [26].

<sup>219</sup> Lucas Transcript at 470.



[333] The important role that the whole of the Park plays as host for a wide range of sports and recreation is undisputed; South Hagley Park alone has 43.6 hectares of sports grounds.<sup>220</sup> The HPMP comments that it is one of Christchurch's most important Parks for local competition sports. Its vast sports ground area and centralised location ensure that Hagley Park is a major ground, for both summer and winter sports, including soccer, rugby union, softball, cricket, touch rugby and netball.<sup>221</sup>

### **South Hagley Park's amenity values**

[334] In this section we describe the Park's amenity values. As we are considering the natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes, inevitably this topic overlaps with noise, glare and traffic issues which are discussed elsewhere.

[335] While many submitters and parties made reference to the place of Hagley Park in the heritage of the City, we commence with the evidence of Ms A Lobb, on behalf of Te Ngāi Tūāhuriri Rūnanga, who talked about the area's pre-European heritage and its cultural and spiritual significance to Ngāi Tūāhuriri in particular. Commenting on the displacement of values held by mana whenua, she observed:

... The vision of the European settlers for their new land was to re-create it in the image of the homeland they had left – a pastoral and cultivated landscape with familiar plants and animals. Thus, the natural wetlands and forest, and the indigenous habitats and species they supported, gave way to a modified European landscape. The creation of a familiar English landscape was especially evident in the development of the Canterbury Association's planned settlement of Christchurch, which included the major public space of Hagley Park. The boundaries of Hagley Park were defined when the city was first planned and laid out prior to the arrival of the Canterbury Association settlers. The planting of introduced tree species to create an essentially English landscape of open parkland and woodland, began in the 1850s and continued into the 1900s.




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<sup>220</sup> HPMP at 59.

<sup>221</sup> HPMP at 51.

[336] For Ms J Harney the Park's heritage resides precisely in its English landscape design. It is a remnant of the City's heritage and is all the more valuable given the losses sustained by City as a consequence of the devastating earthquakes.<sup>222</sup>

[337] Ms M Lovell-Smith describes the amenity afforded by the Park in detail. She said:

With its strongly contrasting landscape of flat open spaces and tall mature trees, Hagley Park is above all a place of extraordinary natural beauty, a visual feast of colour and form. In the openness of this large space we can appreciate the full extent of our wonderful Canterbury skies. It is a place where one can re-connect with the natural world, where birdsong can be heard and the flight of birds such as the kereru, can be observed. The park is a place of quietness and fresh air, in sharp contrast with the noise and exhaust fumes of the busy adjoining streets. To enter the park is to enter a place of safety, and peace. Here you can relax, gain refreshment and take solace from the tranquility and beauty of your surroundings.

[338] While featuring broad open spaces and perimeter woodlands, the character of South Hagley Park is distinct from North Hagley Park. As to the differences, the HPMP has this to say:

Where North Hagley Park has the Avon River and the lakes within its boundaries, South Hagley Park has a different character. In comparison with North Hagley Park, it consists of broader and more open spaces from which the surrounding land uses are more conspicuous. For example, the noise produced by the busy roads and industrial areas, which surround the southern end of the park, is very noticeable from this part of Hagley Park.

South Hagley Park is, though, a popular venue for many organised sporting activities. The predominantly flat landform accommodates a large proportion of the Hagley Park sports grounds.<sup>223</sup>

[339] Mr D Goring described organised and informal sports held at South Hagley Park in these terms:

... one of the pleasures I get is to see the Polo Grounds smothered with school children playing cricket in the summer – there are 4 concrete cricket strips – or soccer in the winter. This seems to

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<sup>222</sup> Harney Submission.

<sup>223</sup> HPMP at 32.



me to be exactly what our city fathers imagined for Hagley Park when they set it aside as a reserve....

Immigrant groups also use the Polo Grounds, especially in summer when large groups gather to play kilikiti – a Pacific version of cricket. I don't understand the game, but there appears to be a score[r] or so in each team, men and women, old and young, all dressed in bright clothes. Meanwhile, in the shade, under the oak trees, the team that is batting celebrates with singing and dancing.<sup>224</sup>

[340] The character of the Oval, derived in part from its long association with cricket, was commented upon by supporters and detractors alike. For Mr D Fox “Hagley Oval epitomises everything that one could think about if one was designing a venue for cricket – green spaces, English trees and a tranquil setting.”<sup>225</sup> As to the wider setting of the Oval amongst sports fields he asks:

Save Hagley Park – save it from what? The netball courts are a buzz of activity on winter mornings and that is great to see.<sup>226</sup>

[341] A similar submission was made by Mr I McKendry, on behalf of Sports Turf Association of NZ, who points out elsewhere cricket venues are located in botanical gardens and recreational settings. He illustrates this with reference to New Plymouth's Pukekura Park, Invercargill's Queens Park, Palmerston North's Fitzherbert Park and Melbourne's Albert Park.

[342] That said, many parties are concerned that the amenity of the Oval and the contribution it makes to the Park's character will be undermined by this proposal. As Mr B Alexander observes:

However, any proposed increase in activity of the “use” of the park and erection of structures will undermined [sic] its tranquil environmental and visual qualities intended to be preserved and enjoyed by the people of Christchurch and Canterbury and visitors for all time.<sup>227</sup>

[343] Ms S Williams was concerned, along with many others, that if consent is granted the present day intensity of activity at the Oval will change and become “a structure-

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<sup>224</sup> Goring EiC at [13].

<sup>225</sup> Fox EiC at 4.

<sup>226</sup> Fox EiC at 5.

<sup>227</sup> Alexander EiC at [12.2].



dominated, commercial, entertainment focused” and ultimately an exclusive experience.<sup>228</sup>

[344] In counterpoint, Ms A Ross, a party supporting the application, submitted if some development of the area is required to benefit the cricketing fraternity of Canterbury without causing major disruption to the quotidian<sup>229</sup> activities of the Park, then the application should succeed. As for change she submitted:

... the Park is an asset for all now and in the future.<sup>230</sup>

**Issue: Does Hagley Park have historic heritage that is to be recognised and provided for as a matter of national importance (section 6(f) RMA)?**

[345] Section 6(f) of the RMA provides that the recognition and protection of historic heritage from inappropriate development is a matter of national importance. Historic heritage is defined by section 2 of the Act as follows:

**historic heritage -**

- (a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
  - (i) archaeological;
  - (ii) architectural;
  - (iii) cultural;
  - (iv) historic;
  - (v) scientific;
  - (vi) technological; and
- (b) includes—
  - (i) historic sites, structures, places, and areas; and
  - (ii) archaeological sites; and
  - (iii) sites of significance to Maori, including wahi tapu; and
  - (iv) surroundings associated with the natural and physical resources.



<sup>228</sup> Williams EIC at [6].

<sup>229</sup> Commonplace or activities done on a daily basis.

<sup>230</sup> See page 8 of the submission.

[346] We accept Mr Drain's evidence that this Park stands out from an historic and cultural perspective and secondly, that it is unique (at least in Christchurch) in having its own founding legislation.<sup>231</sup>

[347] The landscape experts were of the view that the protection of the historic heritage of the Park from inappropriate subdivision, use, and development was a matter of national importance. We agree with them to the extent that the area's historic and cultural heritage is evidenced in the Park's landscaping. While the heritage of the Park is not a matter recognised through the District Plan's zoning, it is recognised in the HPMP which provides that English heritage style woodland and open space landscape character is to be protected and enhanced. The Park is to reflect contemporary values, but its valued historic form is to be retained.<sup>232</sup>

### ***Outcome***

[348] For the purposes of section 6(f) RMA we find Hagley Park is an area of historic and cultural heritage derived from its landscape design.

**Issue:           What are the effects of the activity on the Park's historic heritage, character and amenity values?**

[349] We discuss first the permanent elements of the proposal, addressing the embankment together with the new Pavilion, and then we consider the lighting structures.

### **Description of the permanent buildings and structures**

[350] The permanent elements of the proposal are comprised of the embankment, a new Pavilion and lighting towers. While criticised by many, a full description of the proposal was given in evidence by Canterbury Cricket's witnesses and we are satisfied with the level of detail provided.



<sup>231</sup> Drain EiC at [9]. The Canterbury Association Reserves Ordinance 1855 reserved Hagley Park forever as a public park open for the recreation and enjoyment of the public.

<sup>232</sup> HPMP at 6.

[351] Commencing with the design brief for the embankment, the ground set-out is to comply with ICC specifications, and we understand that this has been achieved. The embankment is designed to accommodate up to 12,000 spectators. For crowds in excess of 12,000 spectators, temporary grandstand seating is to be erected on top of the embankment and will seat up to 8,000 additional people. Due to changes in ground level, the embankment will vary in height between 2.05m to 2.5m with an average height of 2.2m. The embankment's inside slope is designed to accommodate deck chairs<sup>233</sup> and its outside slope, while steeper, will be comfortable to walk and sit on.<sup>234</sup>

[352] The design of the embankment specifically caters for a visual link between the Oval and the historic Umpires Pavilion; through an opening in the grass embankment a view of the entire Pavilion will be secured. The upper storey of the Umpires Pavilion will be visible anywhere within the embankment.

[353] Partly set into the embankment, the new Pavilion comprises four building elements, being:

- (a) a ground floor set into the proposed embankment which will house the storage, toilet, changing functional aspects of the building;
- (b) first floor – this is the main part of Pavilion and will house the match official, media, players, function lounge and viewing facilities.<sup>235</sup> Clad in glass its north-west frontage offers unrestricted viewing of the Oval. The first floor will overhang the rear of the building providing a covered colonnade facing onto the car parking area adjoining the Horticultural Society building;
- (c) a tent like canopy roof shade extending over a tiered outdoor seating area facing into the Oval. This seating sleeves the ground floor level on the Oval side of the building for its full length (68m); and
- (d) the building entry points are from the Horticultural Hall car park area.

[354] More specifically the dimensions of the proposed Pavilion are as follows:



<sup>233</sup> Watt EIC at [10].

<sup>234</sup> Transcript at 421.

<sup>235</sup> Nixon EIC at [2.12-2.14] and Watt EIC [9.69.9] and Appendix A1 [P13, P14 and P15].

- the two storey enclosed building volume reaches a height of 6.7m above ground level;
- it will comprise:
  - (i) a ground floor footprint of 775m<sup>2</sup>; and
  - (ii) a first floor area of 980m<sup>2</sup>.
- the outdoor spectator seating area will provide 440 seats;
- the roof to the building is a key feature of its architectural design and comprises a tension fabric canopy that will cover an area of 1785m<sup>2</sup>;
- the roof features five bays, the apex of each will peak 12.2m above ground level. Supporting poles then extend beyond each peak to a maximum of 15.2m above ground level.

[355] As a point of reference the District Plan permits buildings up to 8m in height with a maximum area of building coverage of 100m<sup>2</sup> and a maximum percentage of net area of any site covered by a building coverage of 1%.<sup>236</sup> There was some debate about the location of the subject site for the purpose of applying the building coverage standards. Canterbury Cricket has taken a conservative approach and applied the relevant standard as if the Oval, as opposed to Hagley Park, is the subject site. The calculated result, taking into account two buildings to be demolished, was a net building coverage of 4.9%. We consider this approach appropriate.<sup>237</sup> Needless to say that this exceeds the maximum area permitted under the standard.

### *The expert evidence*

[356] The experts' opinions as to the effect on the Park's historic heritage, character and amenity values were polarised.

[357] Ms Briggs and Ms Lucas considered the embankment would:<sup>238</sup>

- (a) alter park users' perception of the Oval's physical nature and landscape;
- (b) reduce the open space area and character of the Oval;

<sup>236</sup> Volume 3; Part 6 Open Space Zones: cl 2.3 Community standards; cl 2.3.1 Buildings and green space.

<sup>237</sup> We do not agree with the ultimate figure relied upon by Mr Nixon for the Pavilion coverage (775m<sup>2</sup>) because the extent of building by reference to the definition of building in the Plan would be that encompassed by the roof (1785m<sup>2</sup>) which we noted was Ms Briggs' understanding.

<sup>238</sup> Joint Witness Statement at [5].



- (c) enclose the Oval space and associate it exclusively with the new Pavilion;
- (d) reduce the perceived accessibility and visibility of the Oval;
- (e) separate the Oval space from its traditional associated buildings; and
- (f) not retain the spatial association with the Oval (including the Umpires Pavilion) and the rest of South Hagley Park.

[358] They were concerned that the scale of the new Pavilion would be excessive and secondly, the Pavilion's forward position set within the traditional space of an Oval was not appropriate.<sup>239</sup> In Ms Briggs' opinion the Pavilion would dominate the Oval and look incongruous next to the existing buildings. Ms Lucas said that the size and whiteness of the Pavilion meant that it would be highly visible, and its visual effects would not be confined to the Oval.<sup>240</sup> Not only would the Pavilion dominate the Oval, it would command control of the vistas and spatial relationships beyond.<sup>241</sup> However, Ms Lucas' opinion on this matter was not as clear as it could have been. We found opinions that the Pavilion would be "somewhat visible" and "corralled in the Oval" difficult to reconcile with her conclusion that the Pavilion would command control of the vistas and spatial relationships beyond.<sup>242</sup>

[359] Needless to say that these opinions were not shared by Messrs Field and Brown.

### *Discussion and findings*

[360] More than any other part of South Hagley Park the Oval is defined and visually contained by its landscaping and built form. This is the result of its regular shape and the placement of buildings and the trees encircling the Oval.

[361] The Pavilion will introduce a much greater scale and presence of building structure to the Oval and to South Hagley Park in general. However, this is necessary to achieve the functional purpose of the building including uses beyond hosting major fixtures. We heard no evidence to suggest the range of functions could be accommodated within a smaller building.



<sup>239</sup> Joint Witness Statement at [4].

<sup>240</sup> Lucas EiC at [94].

<sup>241</sup> Lucas EiC at [94].

<sup>242</sup> Lucas EiC at [93].

[362] Being partially set into the embankment, when viewed from the Oval the Pavilion will present as a single storey building rising above the level of the embankment. The placement of the Pavilion grouped together with the Horticultural Hall and the backdrop of woodlands will attenuate the Pavilion's height and bulk from most viewpoints.<sup>243</sup>

[363] While it is clear that the Pavilion's roof structure leads to the exceedance of the height standards, it is precisely this feature which links the Pavilion to the Oval. The historic Umpires Pavilion is an important heritage feature, and the Pavilion will reinforce the character of the Oval and its long association with cricket.

[364] The embankment will reduce the opportunity to view the historic Umpires Pavilion building from other visually connected spaces within the Park. In saying that these opportunities are already restricted by the presence of buildings clustered around the Oval and also by the hedging and trees. Views from the south and east, in particular, are screened by the Horticultural Hall and a small woodland.

[365] The most open view of the Oval from within the Park is gained from the Christ's College cricket grounds where trees are planted at widely spaced intervals permitting good views between these spaces. The diminishment of this view was a particular concern for Ms Briggs. That said we find this view, or indeed any view, will not be read on its own and the embankment, Pavilion and lights will provide an obvious link to the function of the Oval.

[366] From most vantage points outside of the Park views of the Umpires Pavilion are across a distance of several hundred metres. The closest views are from Riccarton Avenue, and even these are partially obscured by hedging and the perimeter planting of trees. From the relative heights depicted in Ms Lucas' LiDAR images in her Attachment 11, the Oval is situated on lower ground relative to other parts of South Hagley Park. This height difference will facilitate long views across the Park towards the Oval and the Umpires Pavilion and because of this we accept Mr Watt's evidence that from a distance views will be maintained over the embankment to the buildings and trees beyond.<sup>244</sup>

<sup>243</sup> Nixon EiC at [5.14] and Brown EiC at [36, 39].

<sup>244</sup> Watt Rebuttal at [1.52-1.53].



[367] The embankment will not present itself as a wall as suggested by Ms Briggs and Ms Lucas.<sup>245</sup> It is self-evident that when standing in close proximity at the base of the embankment the public will not be able to see over its top. Mr Field's evidence was that the visual appearance of the grass embankment will be consistent with the colour and texture of surrounding grass playing fields. Thus any perception of a reduction of open space, and we add any discontinuity in the visual and physical linkages between the Park's open spaces, will be minimal and only mildly discernible in the context of the large scale and character of Hagley Park.<sup>246</sup> This opinion was shared by Mr Brown who also questioned whether the embankment would be obvious given its linearity, simple grassed profile and the visual filtering by surrounding trees.<sup>247</sup>

[368] With the outside slope being a gentle climb for anyone wanting to gain access to the Oval, we agree with Mr Brown's view that the embankment could become a feature for this part of the Park.<sup>248</sup>

I actually think the embankment during times when the cricket Oval is not being used a lot of people will probably just want to walk up it because it will be a feature of interest. It'll be something which entices them to go and have a look at it. It'll give them a degree of, you know, standing on a small promontory. They can look at the form of the Oval as a whole. They can look back into South Hagley Park. So I think actually I don't see it as something which will exclude, I see it as something which will probably attract attention and use.

[369] The existing Oval will be reduced in size and this reduction will be apparent in terms of the playing surface. However, the visual scale of the Oval will be retained, recognisable by the encircling large trees and existing buildings.

[370] As to whether the proposal will achieve the Recovery Plan's design ethos of a "village green", begs the question what is a "village green?" The concept of a village green is capable of being imagined in different ways by different people - particularly with regard to its location within the city centre. Responding to this Mr Drain said the Recovery Plan's concept of a village green styled anchor project is an oxymoron.<sup>249</sup> He may very well be right in this and on reflection we think that the "village green" concept is best understood here by the relationship of built form to open space. In that regard we

<sup>245</sup> Briggs EiC at [25], Transcript at 598, Lucas EiC at [107].

<sup>246</sup> Field Rebuttal at [3.3].

<sup>247</sup> Brown EiC at [40].

<sup>248</sup> Brown Transcript at 405.

<sup>249</sup> Drain Transcript at 894-5.



accept what Mr Brown had to say on this topic about a cohesion and continuity of character being implied in the design.<sup>250</sup>

[371] It is indisputable that the Pavilion is a more attractive proposition than the existing Horticultural Hall. The Pavilion's architectural style and placement will serve to mitigate the utilitarian appearance of the Horticultural Hall. We find that the embankment, together with the proposed Pavilion, will unify the mixed and somewhat spatially disjointed collection of existing buildings and that it will strengthen the Oval's existing character as a "village green".

[372] In conclusion we prefer Mr Brown's evidence as to the effect on the Park's historic heritage, character and visual amenity. We conclude that the views of the Umpires Pavilion will change, but that this change does not undermine the contribution made by the historic Pavilion to the character of the Park or its amenity. We are satisfied that the relationship between the open spaces within South Hagley Park will be minimally affected visually (or functionally) by the enclosure of the Oval within an embankment or by the presence of the Pavilion.

[373] Having considered all of the evidence, we find that the embankment and new Pavilion will not detract from the landscape design of the Park or diminish the Park's character. For some people the visual amenity they have enjoyed in the past will change, however, that change and its consequential effects are not significant.

### **Lighting structures**

[374] The key elements of the lighting structures were outlined by Mr Anthony and are discussed from paragraph [204]. A full description of the lights is given in that section, addressing light-spill and glare, so we will not repeat what was said here. It is sufficient to say that the proposal consists of four light towers and headframes to be placed equidistant around the Oval. The lights have been designed to optimise illumination for TV broadcasting purposes.<sup>251</sup>

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<sup>250</sup> Brown Transcript at 394-395.

<sup>251</sup> Anthony EiC at [10 and 24] and Anthony Supplementary at [3].



[375] Each tower will achieve an overall height (inclusive of headframe) of 48.9m. When retracted the overall height of the mast (including its headframe) is 30.9m.<sup>252</sup> Unless required for play (or for maintenance reasons) the headframes are to be in their retracted position. The frequency and duration of use of the lights in their fully extended position depends on the scheduling of major fixtures and the daylight conditions on any given day – their use being a matter for an umpire to determine subject to the proposed conditions of consent.

[376] The towers are supported in each case by a substantial footing (some 120m<sup>2</sup>) buried in the ground of the embankment. In their retracted position the towers will rise 28.4m above the level of the top of the embankment.<sup>253</sup>

### *The expert evidence*

[377] The permanent structures for the lighting created the greatest level of concern for both the experts and the parties. We found the opinions of the experts at times difficult to understand as they addressed, without distinction, the effects on the Park’s historic heritage, character and amenity. While these topics overlap, we have found that the Park’s historic heritage is concerned with its particular landscape design. Standing back and looking at their opinions, we concluded these are best understood as concerning the effect on the character of the Park and, it follows, the amenity derived from the same.

[378] The concerns held by many of the parties concerning the lights are succinctly stated in the following statement from Mr Brown:<sup>254</sup>

More visually apparent and distinctive, however, will be the four light towers proposed around the oval’s perimeter. As with all such lighting, each tower would be very tall and topped by a sizeable gantry of lights and support / maintenance structures. All four towers would overtop the surrounding trees, especially when fully extended, and will be clearly visible from a range of vantage points. As with other such structures, like wind turbines, I agree that a simple mono-pole structure is likely to be the least intrusive, perhaps even the most ‘sculptural and elegant’, option; certainly preferable to alternatives that involve multiple towers or lattice structure.



<sup>252</sup> Anthony Transcript at 384.

<sup>253</sup> Watt Supplementary at [1.12].

<sup>254</sup> Brown EiC at [45-46].

Nevertheless, I also agree with some submissions that the proposed light towers would be ‘hard to ignore’; inevitably, they would have an impact on South Hagley Park as a whole, if only by shining a ‘spotlight’ on the cricket Oval that doesn’t exist at present. It is also questionable whether their monopole form and industrialised head gear are compatible with the pseudo-heritage profile of the Pavilion and embankments. Indeed, even though their retraction when not in use would help to limit their intrusiveness, it would also – somewhat paradoxically – make them appear more squat and less slender. Although I therefore accept that the proposed lights and towers are necessary components of the modern, international cricket game, they are also likely to be the most incongruous, and visually intrusive, components of the current application.

[379] Mr Brown gave a thorough analysis of views of the lights and concluded that the light towers would likely generate a moderate to high level of visual effect. This level of effect approaches the high end of his assessment when the lights are in use, and this is so despite their relative isolation from nearby residential catchments. In his view the lights would have a moderate effect when retracted.<sup>255</sup>

[380] Ms Briggs and Ms Lucas also considered that the light towers would have an adverse effect on the character and visual amenity of South Hagley Park because of their height, overall scale and modern architectural profile (when both retracted and extended).<sup>256</sup> The lights would serve to highlight a different scale and intensity of activity at the Oval when compared with the rest of South Hagley Park. Ms Briggs said “when people see it they would assume there’s an international stadium along with all the other paraphernalia that goes with it”.

[381] Mr Field concludes that the effects of the lights on character and visual amenity are adverse but that these effects are acceptable in context.<sup>257</sup>

[382] There was agreement between the experts that the lights would have less impact in their retracted position and this would be their position most of the time. By way of further mitigation the court explored with the experts the possibility of removing headframes between cricket seasons. If that was done the masts would be left in their retracted position and would appear around the Oval as a series of four large masts.



<sup>255</sup> Brown EiC at [51-59].

<sup>256</sup> Joint Witness Statement at [6].

<sup>257</sup> Field Rebuttal at [9.3]

[383] Mr Anthony advised that the headframes could be removed, taken away and stored. The same lights are used at Lords, London, where the headframes are removed at the end of the season and stored at the base of the towers. This process does not affect the alignment of the lights on the headframe.<sup>258</sup> Mr Germon ventured to say that the costs of removing the headlights between seasons would be prohibitive, although because this possibility was not identified by Canterbury Cricket, no evidence on costings provided. That said, it does not appear that Canterbury Cricket has taken advice from Abacus on this matter and Mr Germon confirmed that Canterbury Cricket would proceed with the development if a grant of consent required the removal of the headframes.<sup>259</sup>

[384] None of the landscape experts had been alerted to the fact that the headframes were removable and so their views were mixed and not well considered. Some suggested that the towers without their headframes would be difficult to interpret in terms of their purpose and thus look “odd”, as Mr Brown put it. Ms Briggs and Mr Field considered the lack of functional clarity meant that the headframes were better left in place. Mr Field felt that the Oval would not convey its function as an International Cricket Venue if the headframes were removed.<sup>260</sup> Ms Lucas alone demurred and thought that the headframes should be removed.<sup>261</sup> One of the planning witnesses, while agreeing that for amenity reasons the headframes should be removed, felt considerations of practicality and cost outweighed amenity considerations.<sup>262</sup>

### *Discussion and findings*

[385] Given the sheer height of the towers and size of the headframes, the lights will be able to be viewed outside of the Oval. Even in their retracted position the headframes will sit above many of the trees. They will be visible from viewpoints around South Hagley Park, along Riccarton Avenue and to a lesser degree along Deans, Moorhouse and Hagley Avenues. The level of visibility and consequentially the effect on views will change relative to the viewing point and the season.



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<sup>258</sup> Anthony Transcript at 270.

<sup>259</sup> Germon Transcript at 153.

<sup>260</sup> Field Transcript at 514.

<sup>261</sup> Lucas Transcript at 483.

<sup>262</sup> Mountfort Transcript at 1890.

[386] Although the Recovery Plan provides for lights suitable for an International Broadcast standard, the lights jar with the Recovery Plan's "village green" ethos which the enhanced Cricket Oval is to achieve. The lights will change the present day character of both the Oval and South Hagley Park which features extensive recreational use, particularly for local organised sports. That is because the lights' aesthetic would be associated with an intensive use of the Park, for purposes other than passive recreation and local organised sport. This change in character will reduce the visual amenity of South Hagley Park and is an adverse effect.

[387] As noted, the headframes partially extend above the deciduous tree canopy. In summer the tree canopy will assist in ameliorating the squatness of their bulk and form when viewed in a retracted position; however that will not be the case in winter. A simple mast without headframes would have less visual effect and we conclude that the removal of the headframes at the end of the cricket season will mitigate those effects for the broadest viewing audience. The diminishment in any functional aesthetic, legibility and coherence of the lighting structures due to their removal, we judge to be of lesser impact and importance than the visual effect of the headframes remaining in place during winter.

[388] While it was a point of concern for many submitters/parties, we accept the landscape witnesses' opinion that the visual effect of lights when extended is not significant. Given the frequency of this occurrence, we do not share their concerns.

[389] Ms Steven in her closing submission advised that it was for the Court to balance the competing considerations such as the costs associated with the headframe removal, additional truck movements to and from the Park with amenity effects considered within the enhanced Oval.<sup>263</sup> On the topic of costs associated with the headframe removal we have no evidence and are not prepared to enter into speculation. Truck movements we think can reasonably expect to be minimal. On the evidence provided, we find that there will be an adverse effect on amenity if the headframes are not removed during the winter months.

[390] We accept that the proffered conditions to address the use and management of the extension of the light towers will minimise adverse visual effects during the cricket

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<sup>263</sup> Steven Transcript at 2080.



season and are appropriate. However, outside of the cricket season, when the Oval reverts to a more passive role in order to maintain the collective character of the Park, the light headframes are to be removed and stored out of sight.

### **Botanic Gardens**

[391] The effects of the proposal when experienced at the location of the Botanic Gardens were of some moment for submitters and parties alike. This includes effects arising in relation to noise, light-spill and the visibility of the lighting structures. We acknowledge in particular, the evidence and submissions from Mr Christian and Mr Graham for Friends of the Christchurch Botanic Gardens Incorporated who spent some time addressing these matters.

[392] As we have already noted, the effects of noise and light spill are dealt with elsewhere in this decision. To the extent that there are adverse effects, those effects are not of any significance either to the character of the Botanic Gardens or its amenity.

[393] The lighting structures (extended or retracted) may be viewed from the Botanical Gardens however any view is likely to be isolated. The effect of the lighting structures on views from the Gardens was given careful consideration by Mr Brown. Mr Brown concluded that no matter how fleeting the glance, there would be a discernible impact on the experience of persons visiting the south-western corner of the Botanic Gardens. Given the attributes of the Botanic Gardens these fleeting views may be regarded as disruptive and unwelcome. However, the actual degree of effect would be dependent on a number of variables.<sup>264</sup> With the intervening planting (particularly during the summer season) and a backdrop of distant assorted hospital buildings, we conclude any effect on the visual amenity of parts of the Botanic Gardens will be minor and would be resolved during the off-season with the headframes removed.



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<sup>264</sup> Brown EiC at [56-57]. He listed the variables as being the time of day; the time of year; whether the cricket ground is being used and the towers extended, or not; viewing angles; and the visual acuity of individual visitors to the botanic gardens.

**Issue: What are cumulative effects of the permanent elements of the proposal on the environment?**

[394] Overall we conclude that the embankment and Pavilion will not have an adverse effect on the character and visual amenity of South Hagley Park. We find that the embankment will enhance that area of the Park by making more legible the purpose of the buildings clustered around the Oval. The character of the Oval and its immediate surrounds will change, but not overly so, and the effects of the change will be largely benign. The historic heritage values of the Park's landscape design are recognised and provided for in the proposal; in particular the Park's open spaces will remain legible and their physical and visual connectedness will be retained.

[395] Lighting is part of the paraphernalia for organised sports in the wider Park. However, the height of the masts and size of the headframes proposed for the Oval do not fit comfortably with the character of South Hagley Park. The removal of the headframes at the end of the cricket season would address the adverse visual effects of the lights during winter when there would be no leaves on the trees.

[396] During the cricket season the effects of the lights can be practicably mitigated when the headframes are in their retracted position when not in use. However, an adverse effect remains, which when considered in the context of the perimeter planting and the background of the adjoining woodland and the planting around the Oval, we assess to be minor.

**Temporary structures and activities**

[397] We consider next the cumulative effect of the temporary facilities and structures of which there are a number of different types varying in their placement on the site as well as the length of time they will be present.<sup>265</sup> These include:

- (a) temporary perimeter fencing;
- (b) temporary grandstands (when used) will sit atop the embankment. The use of these increases the spectator capacity of the venue from 12,000 to up to 20,000 persons;<sup>266</sup>



<sup>265</sup> Canterbury Cricket Proposed Consent Documents Bundle Appendix 1: Match Management Plans.

<sup>266</sup> Consent Conditions version 3 July 2013 condition 6(c) including (i) and (ii) and condition 6(f).

- (c) temporary scaffolds for televising major fixtures. These vary in number and height. For international matches they comprise up to seven scaffolding structures one of which would be 15m high, two 10m high and four 4m high. This arrangement would only be employed for international matches and according to Mr Nixon this would typically entail about eight match days. In addition, domestic matches would require two 10m high structures and one 4m high structure, on an average of five match days;<sup>267</sup>
- (d) a 1.2m high picket fence located around the playing area located inside the embankment, and two moveable sight screens with dimensions up to 5.4m high x 6.3m wide<sup>268</sup> or 5.5m high x 12m wide.<sup>269</sup> These features will generally be left in place for the duration of the cricket season;<sup>270</sup>
- (e) tents and temporary structures for concessions, merchandising, portable toilets, the scoreboard, screen (we assume video - dimensions not specified), media centre, press box, venue operations centre, public medical facilities, ticket sales and a sports presentation control room;<sup>271</sup> and
- (f) advertising signage located within the Oval.

[398] The scope of the operation of temporary facilities and structures is described in the draft Events and Venue Management Plan<sup>272</sup> and the three match Management Plans attached to Appendix 2 of that document. Many of the temporary elements sit on top of the embankment (e.g. the TV camera scaffolds, tents, the screen, scoreboard and the temporary structures to house the sports presentation control room).<sup>273</sup>

### *Discussion and findings*

[399] The scale and intensity of temporary facilities and structures occurring at the Oval depends on the type of game played and in turn the number of spectators expected to attend.

<sup>267</sup> Nixon EiC at 10 [2.28].

<sup>268</sup> Field EiC at [3.7].

<sup>269</sup> Germon EiC Annexure A at [6.0].

<sup>270</sup> Germon Transcript at 150.

<sup>271</sup> Germon EiC Annexure C Major Fixture Ground Plans – various Match Management Plans.

<sup>272</sup> Canterbury Cricket Proposed Consent Documents Bundle Tab 3.

<sup>273</sup> Watts EiC Attachment 1: Appendix A1, P10 and P20.



[400] The proposed consent conditions restrict the use of the Oval for games attracting over 12,000 spectators to four match days per season. These games can only occur on Fridays from 7.00pm or on weekends. Temporary seating is required to accommodate crowds in excess of 12,000 people. Match days for major fixtures are limited to 20 days per season; this includes the four fixtures with more than 12,000 spectators.

[401] In addition, a wide range of smaller cricket fixtures are planned for the Oval. The number of these “typical events” is not controlled by the proposed conditions of consent and Mr Germon estimated these could be up to 120 match days per season. Some of these may also be supported by temporary structures, such as tents, presumably on a similar basis to what already takes place.

[402] As noted, the maximum ground capacity is 20,000 spectators. For the four largest fixtures where the crowd is expected to exceed 12,000 people, temporary grandstand seating will be used to accommodate up to 8,000 people. The pack-in and pack-out time for the temporary seating is a maximum duration of three days before the event and three days after the event. Thus, for a single one day fixture where the ground capacity is 20,000, grandstand seating will be at the Oval (erected or in the process of being erected or dismantled) for a period of up to seven days.

[403] All major fixtures may be televised with pack-in and pack-out time for the scaffold towers being two days before the event and two days after the event. Television tower scaffolds may be present in the Oval (erected or in the process of being erected or dismantled) for a period of at least five days (in the case of a one day fixture) or nine days (for a five day test). Where two fixtures are held within one week of each other, the period for the television scaffold to be in place would extend for up to 12 days (for two one day fixtures) or 16 days (for a one day fixture and a test match).

[404] In addition to the seating and television scaffolds a range of other temporary facilities and structures are required to support major fixtures. All of these are to be packed in and out of the ground within one day either side of the fixture.

***Condition 6(g)***

[405] Proposed Condition 6(g) applies to the television towers and states (relevantly):



If major fixtures are played within 1 week of each other then the scaffolding can remain in place provided that this does not occur more than twice in any season, and provided further that those two occasions shall not be consecutively” [sic].

[406] Mr Nixon advised that the purpose of condition 6(g) is to limit the continuous use or occupation of the Park by the television tower scaffolds while at the same time providing a degree of flexibility required by Canterbury Cricket to keep these structures in place.<sup>274</sup> The condition responds to concerns raised by Mr Brown regarding the effect on amenity if these large structures remain at the Oval for extended periods.

[407] At the court’s direction Mr Nixon produced two Gantt charts testing condition 6(g) by simulating what we understood to be two likely scenarios for sequencing major fixtures over a hypothetical season. These are **attached** to the decision and marked Annexure 1. The test directed by the court did not successfully demonstrate the efficacy of condition 6(g).<sup>275</sup> Instead the Gantt charts demonstrated the potential for the Oval to be occupied by temporary facilities and structures in some form or another for a significant portion of the cricket season.

[408] As noted, all major fixtures would be televised. If 20 one day fixtures were played then television towers could be present (being erected, used for televising or being dismantled) for up to 100 days per season (i.e. five times 20). Put another way, the Oval and its immediate environs would be occupied for around 50% of the season.<sup>276</sup> There is nothing in the conditions prevents this from occurring.

[409] On the same basis, access to the Oval and its immediate environs would be fully restricted by the perimeter fencing for up to 20 days each season and partially restricted for up to 60 days when the fencing is being erected and dismantled.

[410] We understand there is some likelihood of holding two fixtures within a week of each other for the practical consideration of cost associated with the pack-in and the pack-out of the television scaffolds. The effect of scheduling two or more games within one week is to reduce the total number of days that the Oval is occupied by the television towers in any one season. In doing this, as the Gantt charts demonstrate, the period of continuous occupation in one period by these temporary structures is extended.

<sup>274</sup> Nixon Transcript at 1671-1675; 1852. 1855.

<sup>275</sup> Nixon Transcript at 1851.

<sup>276</sup> Five times 20 one day fixtures – 100 days.



The key issue which arises – which was not given adequate consideration by the applicant – is where to strike the balance between the length of continuous occupation for major fixtures in any season and the frequency of the use.

[411] While Mr Brown thought that condition 6(g) addressed his concerns over the duration the broadcast towers would remain in place<sup>277</sup> – the testing of this condition (which came after Mr Brown had given his evidence) shows his confidence to be misplaced.

[412] The court requested the Gantt charts to obtain a clearer picture of the sequencing of major fixtures and the occupation of the Oval for temporary structures. It was of some concern to hear Mr Nixon say that he had not (nor anyone else that he was aware) undertaken the exercise of considering the number of match days together with the occupation of Hagley Oval by all temporary facilities and structures.<sup>278</sup> Mr Meehan, a party opposing the application, did attempt this task although was partly frustrated in this by the applicant's draft Event Management Plan wrongly including reserve days.

**Issue: What are the effects of temporary facilities and structures?**

*The expert evidence*

[413] In their joint witness statement, the experts for Canterbury Cricket and the City Council advised that the temporary facilities and structures could potentially have an adverse effect because of their scale and form (television scaffolds); type and extent of use (car parking); exclusion of general public access (fencing) and their inherent intrusion into the Park.<sup>279</sup>

[414] Mr Field concludes that the effects generated by the temporary facilities and structures would not be more than minor because the majority of persons seeing them will be attending a cricket match; cricket events are consistent with sports events and the active recreational character of South Hagley Park and finally the conditions of consent appropriately manage their appearance. Perplexingly he (together with Mr Brown)

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<sup>277</sup> Brown Transcript at 419.

<sup>278</sup> Nixon Transcript at 1675.

<sup>279</sup> At [8].



advised that the intrusion of these temporary facilities and structures would be limited to “20 days per annum”.

[415] On the other hand in his evidence-in-chief Mr Brown likened the television scaffolds to industrial or commercial structures bearing no visual relationship with the Oval or activities within South Hagley Park. In Mr Brown’s opinion the level of intrusion and nuisance created by these structures outside of fixture days would be significant.<sup>280</sup> He considered that the scaffolds should not remain on site longer than nine consecutive days in any one period (which corresponds to a test match), and up to two such periods per season.<sup>281</sup>

[416] Mr Field in response suggested that a condition be imposed by limiting the pack-in/out times for television towers and secondly, that television towers be designed specifically for the site (no design was proffered by the applicant).<sup>282</sup>

[417] Neither Mr Field nor Mr Brown offered considered analysis of the cumulative effect of all of the temporary facilities and structures. However, on these matters Ms Briggs and Ms Lucas held definite views. In their opinion the temporary elements would have an adverse effect on Park amenity; they would add visual clutter and obscure views across the Oval. Their evidence was that the adverse effects are substantial and cannot be mitigated.<sup>283</sup>

### ***Discussion and findings***

[418] Hands Off Hagley and many other parties opposing the grant of consent are concerned about the effect of this proposal on Park character and amenity; and we think justifiably so.

[419] For a significant portion of the cricket season, corresponding to spring and summer of each year, there will be an intense level of activity at the Oval. However, it is not possible to accurately predict the level of use and consequential effects as this is subject to the scheduling of major fixtures.



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<sup>280</sup> Brown EiC at [60-61].

<sup>281</sup> Brown Transcript at 429.

<sup>282</sup> Field EiC at [9.6].

<sup>283</sup> Briggs EiC at [46-47], Lucas EiC at [123].

[420] We are in no doubt that the Park's character and amenity, including visual amenity of the Oval, will change if consent is granted. The character of South Hagley Park will change due to (a) the intensity of use associated with major fixtures and (b) the fact that public access to the Oval will be restricted for domestic T20 games and all international games.<sup>284</sup> The frequency, scale and duration of temporary facilities and structures at the Oval bears no congruence with local organised sports taking place at South Hagley Park. Under the proposed conditions of consent it is possible that there will be frequent periods of intense use over the duration of the cricket season. If this occurs this will be an adverse effect, which is more than minor.

[421] This level of proposed use does not occur anywhere else in South Hagley Park. The fact that it may occur in North Hagley Park is irrelevant to our consideration of effects as this has been approved under the HPMP and there are rules supporting this use in the District Plan. We find too much reliance has been placed on the ability of the Park's landscaping (as a whole) to mitigate the cumulative effects of the proposal.

***Other temporary structures - picket fence, sight screens and advertising signage***

[422] Two other temporary elements were commented upon by parties and submitters; namely the picket fence and the two sight screens. While these structures will remain in place over the season, they are common features at any cricket Oval and we find they are not visually intrusive elements.

[423] Advertising may be placed on the picket fence during major fixtures. We are satisfied the effects can be adequately controlled by the proffered consent conditions.

**Issue:           What are the effects associated with parking in the Polo Grounds?**

[424] The proposal includes the use of the Polo Grounds for parking of up to 2,000 spectator vehicles. The Polo Grounds are in South Hagley Park immediately to the south-west of the Oval.

[425] The Polo Grounds are playing fields used for summer and winter sports codes, as well as for passive recreation. The area is permanently grassed and edged by mature

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<sup>284</sup> Germon Transcript at 133.



trees. Access from Deans Avenue to the Polo Grounds is described in greater detail in the part concerned with traffic.

[426] We heard extensive submissions and evidence as to whether the car parking was temporary or permanent. While this may be of some moment under the Christchurch City Council (Reserves) Empowering Act 1971, for our purposes nothing turns on the description temporary or permanent. While the use of the Polo Grounds for car parking is a necessary operational requirement for hosting major fixtures, the use does not require resource consent. That said, all of the effects of the proposed activity are to be considered and this includes effects associated with the use of the Polo Grounds.

[427] The amenity effects arising from the use of the Polo Grounds concern:

- (a) the removal of a recently planted cherry tree along the Deans Ave frontage;
- (b) the possible removal of a sapling planted along the access route;
- (c) damage to the playing surfaces;
- (d) the displacement of other Park users, in particular, including the city wide schools sports programme;
- (e) car parking to accommodate up to a maximum of 2,000 vehicles;
- (f) the use of devices, probably tape, to control vehicle access to Park landscaping and cricket wickets; and
- (g) the creation of a two lane vehicle access to the Polo Grounds.

[428] The effects of the use of the Polo Grounds for car parking had not been considered by the witnesses called on behalf of Canterbury Cricket or the City Council and we were left with the impression that because on-field car parking takes place at North Hagley Park, then the effects must be acceptable here. Why that should necessarily be so was not explained.

[429] As the case proceeded, Canterbury Cricket and the City Council witnesses were required to respond to a range of effects arising from the use of the Polo Grounds.

[430] We conclude that the use of the Polo Grounds will have an adverse effect on the character and amenity of South Hagley Park. While adverse, these effects are not significant for the following reasons:



- (a) at the location of the accessway, the removal of the recently planted cherry tree and the one sapling within the mature perimeter planting near the Grounds will not be overtly discernible and will not affect the integrity of the Park's landscape design;
- (b) for fixtures other than the largest international events, vehicles expected to park at the Polo Grounds will be considerably less than ground capacity. There is room to rotate car parking in a way that avoids adverse effect on sports turf. Remediation of any damage to the Polo Grounds turf is adequately addressed in the conditions of consent. The City Council retains a power to cancel the use of the Polo Grounds if ground conditions are not suitable for that purpose;
- (c) the potential displacement of the school's sports programme from the Polo Grounds is addressed by a condition that requires Canterbury Cricket to reschedule major fixtures if an alternative ground for the schools' sports programme cannot be found;
- (d) the use of the Polo Grounds for car parking for up to 20 days per season will have an adverse effect on the character and visual amenity of South Hagley Park, particularly from views within the Park. However, that effect is dependent on the number of days and vehicles likely to use the grounds and secondly, views from outside the Polo Grounds are filtered by Park landscaping;
- (e) the use of devices such as tape to control vehicle access to protect Park landscaping and cricket wickets will be imperceptible outside of the Park and negligible from within; and
- (f) changes to the entrance to accommodate the two lanes and turning vehicles will be visually mitigated by the retention of a raised kerb similar to other maintenance entrances we observed around the edge of the Park.



### **Overall conclusion on character and amenity effects**

[431] We are required to consider any actual and potential effect of the activity on the environment. We may disregard an adverse effect where the District Plan permits an activity with that effect. However, we have concluded that there is no baseline of effects that can be relied upon. Instead we have considered all of the effects on the environment.

[432] We are not concerned with the effects arising in relation to cricket fixtures that are not major fixtures. While these may take place up to 120 days per season, the scale and intensity of these events is in keeping with the use of the South Hagley Park for local organised sports.

[433] It is difficult to obtain a clear understanding of effects arising in relation to major fixtures where the scale and intensity of these events will vary season to season depending on the scheduling of these events. However, on the basis that up to 20 match days may be scheduled, we are satisfied that the intensity of activities associated with these fixtures is likely to be greater than that which can be absorbed by South Hagley Park, and will adversely affect the character and amenity of the Park.

[434] This change is summed up best by Mr Brown when he talks about the somewhat frenetic nature of the proposal:<sup>285</sup>

... for the most part, the Oval would remain relatively subdued and sit quietly within its wider, mostly passive, park setting; however, for up to 20 days of each year it would taken on a much more busy, even frenetic, character with its presence spotlighted by the extended light towers (and their use), car parking, temporary broadcast facilities, temporary Pavilions and pedestrian traffic /activity.

[435] We agree with Mr Brown's assessment as far as it goes. Our concerns are wider than his and we conclude that these effects will extend beyond 20 days per year as they include the set up and dismantling of the temporary structures. We are not satisfied that the effects can be mitigated through the conditions as proposed by the applicant.




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<sup>285</sup> Brown EiC at [94].

[436] There would be an adverse visual effect that is more than minor if the headframes were able to be viewed outside of the cricket season.



## **Part 4 Planning Instruments and other relevant documents**

[437] We heard from three planning witnesses: Mr Nixon for Canterbury Cricket, Mr Mountfort for the City Council and Ms Briggs for Hands Off Hagley. While not a planner, Ms Lucas commented on the Regional Policy Statement on behalf of Hands Off Hagley.

### **Regional Policy Statement (RPS)**

[438] Two objectives in the RPS address the heritage attributes of landscapes: Chapter 12 – Landscape, Objective 12.2.2 which concerns the protection of amenity, historic and cultural landscapes and Chapter 13 – Historic heritage, Objective 13.2.2 which requires:

Recognition that cultural and heritage values are often expressed in a landscape setting and to make provision for the protection of such landscapes from inappropriate subdivision, use and development.

[439] The RPS became operative in 2013 after the District Plan. It was Mr Nixon's and Mr Mountfort's opinion that the District Plan, including those parts amended by the Recovery Plan, gives effect to the RPS. Whether the District Plan does so is not a matter that we need to decide and we understand that the City Council has yet to review the District Plan in light of the RPS. That said, we are satisfied that the Park's landscape has historic and cultural heritage that is recognised and provided for under this proposal and that the proposal is not contrary to these objectives.

[440] While we were referred to and have considered, other provisions in the RPS, given their scant discussion in evidence we conclude that these provisions are of peripheral relevance to the proposal. As we are satisfied that the proposal is not in tension with these provisions we do not discuss them further.



### **District Plan**

[441] The relevant objectives and policies are contained in four sections of the District Plan:

- (a) Section 4 - City Identity;
- (b) Section 12 – Business;
- (c) Section 14 - Recreation and open space; and
- (d) Section 7 – Transport.

[442] Section 4: City Identity sets the broad context for much of the detail of the Plan. The introduction to Section 4 states that the City’s identity is defined through three principal elements: form, amenity and heritage.

[443] The overarching objective for the City is as follows:

A distinctive city where form, amenity and heritage values are maintained and enhanced.

[444] Related to this is the objective that the City is “a pleasant and attractive City” (Objective 4.2). Policies provide how this is to be achieved by:

- (i) recognising and promoting the "Garden City" identity, heritage and character of Christchurch (Policy 4.2.2);
- (ii) ensuring the development and protection of the quality of public open spaces (Policy 4.2.4);
- (iii) achieving a low ambient level of noise in the City and the protection of the environment from noise that can disturb the peace, comfort, or repose of people to the extent necessary (Policy 4.2.9); and
- (iv) addressing the adverse effects of glare caused by lighting on the amenities of the surrounding environment (Policy 4.2.14).

[445] Hagley Park is located within the Central City and so Objective 12.2 is relevant. This reads:



To restore and enhance the Central City as Christchurch's principal focus for a diversity of business, accommodation, community and cultural activities, while managing adverse effects arising from the intended mix of activities.

[446] More specifically, Hagley Park is zoned Open Space 2. The District Plan makes provision for three Open Space Zones and these zones include most of the City's parks and reserves. The Open Space Zones are areas set aside for recreation. They include areas where public use or organised recreation is the predominant activity. This is in contrast to land zoned Conservation where natural or heritage values predominant.<sup>286</sup> The District Plan describes the Open Space 2 Zone in the following way:

The Open Space 2 Zone comprises primarily large areas of public open space for active recreation, which serve a suburban or district-wide function. Scattered across the city, they are generally of two hectares or more in area although some, such as Hagley Park, are considerably larger, and some smaller. They can generally be described as areas where both informal and formal (particularly sports) recreation activities are undertaken.<sup>287</sup>

[447] The District Plan elaborates on this description, articulating the purpose of the zone as follows:

Many parks in the Open Space 2 Zone have substantial physical resources within them such as clubrooms, changing sheds and toilet facilities. As well as these, recreation facilities such as tennis courts, goal posts, cycle and walkways, are common in this zone. Some parks also contain community facilities of value to the local neighbourhood or district e.g. the library at New Brighton.

It is important that a high level of open space is maintained in these areas, as they will often serve both district and local functions. The level of private use of public recreation space is therefore subject to assessment where general public use may be excluded.

As these areas often have high levels of public use on weekends and weekday evenings, provisions are included to protect the surrounding community from the adverse environmental effects of public use. This includes factors such as lighting, noise, increased traffic and safety issues. These areas may also contain sites with natural, ecological and/or historic values. The pressure of high public use on any natural, ecological and historic values must therefore be taken



<sup>286</sup> Volume 3, Part 6: Open Space Zone, clause 1.1.

<sup>287</sup> Volume 3, Part 6: Open Space Zone, clause 1.1.

into account in management of areas in the zone. Three sites within the zone have been identified for their ecological heritage values (refer Part 4, Appendix 2).<sup>288</sup>

[448] The environmental results anticipated for this zone are as follows:

**Environmental results anticipated (relevantly)**

- (a) Provision for a high level of public use of open spaces and recreation areas within the zone.
- (b) The provision of buildings and facilities necessary to facilitate both formal and informal recreation, consistent with overall maintenance of an open space character which is not dominated by buildings and hard surfacing.
- (c) The maintenance of a system of large areas of public open space for recreation throughout the city, which are well distributed and readily accessible to people in all parts of the urban area.
- (d) Enhancement of city amenities by the presence and further development of green open space and opportunities for tree planting.
- (e) The exclusion or mitigation of activities and buildings which cause adverse environmental effects in terms of the Environmental results anticipated in the surrounding living zones.

<sup>289</sup>

[449] The overarching objective for the Open Space Zone is to provide for:<sup>290</sup>

Quality open space and a range of recreational opportunities in the City.

[450] Three broadly stated objectives address the actual provision of recreation and open space facilities, which are:

- (a) to be equitably distributed and conveniently located throughout the City and that there is diversity in their type and size to meet local, district, regional and nationwide needs (Objective 14.1). Related policies being:
  - to recognise the contribution of existing areas of open space to the City including private open space, and where appropriate maintain the open space function of such areas (Policy 14.1.5); and



<sup>288</sup> Volume 3, Part 6: Open Space Zone, clause 1.3.

<sup>289</sup> Volume 3, Part 6: Open Space Zone, clause 1.3.

<sup>290</sup> Volume 2, Section 14, Recreation and Open Space.

- to develop or facilitate the development of metropolitan, regional or national recreational open space and facilities (Policy 14.1.7).
- (b) to be used in an efficient and effective way to meet the recreational needs of the community and there is to be enhanced public awareness and enjoyment of the City's open spaces and recreational facilities (Objective 14.2). The related policies follow:
- to recognise and overcome conflicts which exist between different types of recreational activities, whilst at the same time encouraging the multiple use of open space and recreational facilities, wherever possible and practical (Policy 14.2.1); and
  - to encourage increased use of private open space and recreational facilities by the public in order to help meet the recreational needs of the community (Policy 14.2.2).
- (c) to be sympathetic to the scale and character of the surrounding environment, and to the particular characteristics of the area itself (Objective 14.3). How this is to be achieved is explained in the following policies:
- the design of the parks and facilities are to incorporate the area's natural, cultural and scenic values in a way that enhances and promotes those values (Policy 14.3.1); and
  - that planting which complements the "Garden City" image is protected, maintained and extended (Policy 14.3.2).

[451] For the purposes of this case Objective 14.4 is a key objective. That provides:

That the establishment or development of open space and recreational facilities is undertaken in a manner which enables adverse effects on amenity values to be avoided, mitigated or remedied.

To achieve this objective the policies give the following directions:



- to ensure that activities associated with open space and recreational facilities do not have the effect of giving rise to adverse effects (noise, glare, visual detraction) including through incremental increases in scale and intensity, without separation or mitigation measures (Policy 14.4.1);
- that building development in association with parks is to maintain or enhance the amenity values of the local area (Policy 14.4.2);
- the extent of associated building and parking facilities is to be provided and controlled ensuring public open spaces retain an open character and remain available for recreational use by the public (Policy 14.4.3); and
- to ensure that the development and use of open space and recreational facilities does not detract from the operational efficiency and safety of the roading network, or the amenity values of adjoining streets (Policy 14.4.4).

[452] Transport related provisions are picked up again in Section 7 of the District Plan. The overarching objective is that there is:

An efficient, safe and sustainable transport system in the City which provides for ease of accessibility for people and goods.

[453] More specifically, Objective 7.2 requires:

An efficient and effective road network that allows the City to function and develop with minimal conflict between land uses, traffic and people.

The relevant policies follow:

- To protect the function of the road network and the environment of adjacent land uses from the adverse effects of high traffic generators (Policy 7.2.2.); and
- To control the establishment of land use activities to achieve compatibility with the roads they front by avoiding, remedying or mitigating the effects which each have on the other (Policy 7.2.5).

[454] Following the Canterbury earthquakes, included in the District Plan is a new objective that provides there is to be “an accessible Central City for all people no matter how they choose to travel” (Objective 7.9). Cryptically the District Plan provides that



the road network in the Central City is to be managed on an interim basis (begging the question what is meant by interim and what the future holds) as follows:

7.9.1 Policy: Transport Environments within the Central City

To provide for the interim management of the road network in the Central City by way of a differentiated network which recognises how the different transportation environments accommodate different modes of travel (Inner Core, Outer Core, Distributor, Avenue)

[455] Given the concerns held by many about the adequacy of on-street parking, we set Policy 7.9.4 out in full:

7.9.4 Policy: Parking provided by activities in the Central City

To enable activities to provide vehicle and cycle parking, and loading facilities, to support the recovery of the Central City while minimising any negative effects on the efficiency and safety of the transportation networks of all road users.

[456] The District Plan's standard for controlling the number of car parking spaces for all zones within the Central City (except within the Core) is as follows:

Other than disabled parking provided in accordance with Rule 2.4.3, no on-site car parking is required in the Central City. If parking is provided, the Parking Area of a site shall be no greater than 50% of the Gross Leasable Floor Area of the buildings on the site.<sup>291</sup>

[457] The planners were not agreed on whether the proposal was exempt from assessment under the high traffic generator rule (rule 2.3.8).<sup>292</sup> As the proposal is not a permitted activity, the rule applies. The rule requires consent be obtained for any activity on a site which is not in the Central City Business Zone which generates more than 250 vehicle trips per day and/or provides more than 25 parking spaces.



<sup>291</sup> Volume 3 Part 13, clause 2.4 Development Standards and 2.6 Critical Standards.

<sup>292</sup> Volume 3, Part 13 Development Standards.

### *Discussion and findings*

[458] This application turns on whether the amenity effects are such that it can be said to be contrary to the objectives and policies of the District Plan.

[459] In Ms Briggs' opinion there is a hierarchy of Open Space Zones and she says that the proposal would be better placed within an Open Space 3 Zone. While the proposal could be located in an Open Space 3 Zone – assuming suitable land is available, the District Plan's higher order provisions (i.e. the objectives and policies) do not preclude consideration of this type of activity in the Open Space 2 Zone. With few exceptions, the general scheme of the District Plan is to take an effects-based approach to planning; the higher order provisions for this Zone are not directive as to the types of activities that may locate here. The District Plan uses standards to regulate effects and where those standards are breached assessment criteria guide the evaluation of resource consent applications for controlled, limited discretionary and discretionary activities.

[460] There is a policy that provides for development of metropolitan, regional or national recreation and open space facilities (Policy 14.1.7). The explanation for the policy observes that metropolitan facilities are usually built on land bought specifically for this purpose. However, there is nothing in this policy that directs metropolitan, regional or national facilities are only to be developed on private land or within the Open Space 3 Zone or that this is not to occur within the city's Parks.

[461] In Ms Briggs' opinion Hagley Park is a key component of the Garden City image, and the proposal would adversely affect this image.<sup>293</sup> We do not agree, and find that Objective 4.2 and Policy 4.2.2 are high level provisions that promote a concept for the character of the City overall. Hagley Park makes an important contribution to the Garden City image; but it is not the only contributor. The proposed development of the Oval is not of sufficient spatial extent and scale to impinge in any way upon this objective.



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<sup>293</sup> Briggs EiC at [75].

[462] Nor do we accept Ms Briggs opinion that the proposal is contrary to Policy 4.2.4 which is “[t]o ensure the development and protection of the quality of public open spaces”. The urban design outcomes in Policy 4.2.4 are relevant in the broadest sense, and in relation to the Open Space 2 Zone are addressed more directly by the objectives and policies set out in Section 14.

[463] Policy 14.1.5 provides that the contribution of existing areas of open space to the City is to be recognised and where appropriate, maintained. The explanation and reasons for this policy advises that open space and recreation areas serve many functions, including an amenity function in that they add to the pleasantness of the urban setting by creating visual relief from the repetitive appearance of City buildings and roads. It is our assessment that the proposal will not significantly diminish the open space character of South Hagley Park.

[464] Furthermore, we are satisfied that the Pavilion and new embankment are sympathetic to, and in keeping with, the particular characteristics of the Oval and of the surrounding area. To the extent that the design and appearance of the proposed lighting towers is out of scale with other activities in South Hagley Park the effects of this occur:

- (a) in winter where the mitigation afforded by the Park’s landscaping is reduced. This effect can be satisfactorily mitigated by requiring the removal of the headframes; and
- (b) in summer the headframes would appear as an incongruent element even when viewed in the context of the Oval. That is because the lights are out-of-scale with the Pavilion and the embankment, and would impart a different character when compared to other local organised sports that populate the adjacent playing fields. However, with the Park’s landscaping softening their stark form, the degree of incongruence is not such that the proposal is contrary to Objective 14.3 or its related policies.

[465] The topic of amenity values was hotly contested at this hearing. We are satisfied that no issue arises in relation to the proposed Pavilion, embankment, noise and the use of the lights (lux spill and glare). Accordingly, we are satisfied that the proposal is not contrary to Policies 4.2.9, 4.2.14, 14.2.1-.2, 14.4.2-.4 or their related objectives.



[466] There is no doubt that the proposal will increase the intensity of use of the Oval. In doing so, of most concern are the adverse effects associated with the temporary facilities and structures required to support major fixtures, and secondly – and to a lesser degree – the use of the Polo Grounds for car parking. These activities would impact on the Park’s character and amenity and the effects could be significant if not managed through appropriate conditions of consent. The scale of effects would vary seasonally and from week to week depending on the scheduling of major fixtures.

[467] In approaching Objective 14.4 and Policy 14.4.1 we have asked ourselves whether the development of the recreational facility can be undertaken in a manner which enables effects on amenity values to be avoided, mitigated or remedied. If the adverse effects can be avoided, mitigated or remedied then the activity cannot be said to be contrary to the relevant objective and policies.

[468] It is not the case that the adverse effects of this proposal cannot be managed – in our view they can be. However, it is clear to us that Canterbury Cricket failed to give adequate consideration to the proposed conditions of consent. This may be due to a rushed lodgment of the consent application or perhaps a desire to maintain flexibility around the use of the Park. Nevertheless we conclude that the proposal is not contrary to Objective 14.4 and Policy 14.4.1 or indeed the overarching objective in Section 14 of the District Plan which is to provide “[q]uality open space and a range of recreational opportunities in the City”.

[469] We accept Mr Nixon’s opinion that Hagley Oval is well located because of its proximity to the central city, its accessibility by scheduled bus services and that it is readily accessible by cycle and foot traffic. In that regard Mr Nixon also noted that “there are active plans to further enhance public transport, cycle and pedestrian facilities as part of the recovery of the central city”.<sup>294</sup>

[470] The effects on the operational efficiency and safety of the roading network can be managed (at least in the medium term). There may be an adverse amenity effect resulting from traffic management arrangements required to access the Polo Grounds on the adjoining streets, particularly Deans Ave. However, there is a balance to be had concerning the function of this street (as a major traffic route which we discuss below),

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<sup>294</sup> Nixon EiC at [7.38].



and the duration of these effects. The effects can be managed to the extent that they will be no more than minor depending on their frequency and intensity of occurrence.

[471] There is no requirement for Canterbury Cricket to provide car parking and the scheme of the District Plan is to encourage alternative modes of transport for accessing the Central City. That is not to say that the effect on existing stocks of car parks are irrelevant, instead we are saying that the proposal is not contrary to the direction given in this policy. Overall we find that the proposal is not contrary to the objectives and policies addressing the topic of transport.

### **Hagley Park Management Plan**

#### *Introduction*

[472] The HPMP is a relevant document and we have had regard to its provisions as it gives additional guidance as to the manner by which the City Council is to achieve the purpose of a recreation reserve.<sup>295</sup>

[473] Hagley Park differs in several respects from other parks in Christchurch. As Mr Drain said “it is notable due to its large size and range of recreational opportunities afforded, well beyond any other city park”.

[474] We acknowledge that Hagley Park:<sup>296</sup>

- stands out from an historic and cultural context;
- is unique in having its own founding legislation, the Reserve Ordinance 1855, which sets out the city founders' vision of a large public green space to be freely available for the benefit of all citizens for all time; and
- is the subject of Council governance under the Reserves Act 1977.

[475] In Mr Drain’s considerable experience managing parks on behalf of the City Council:

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<sup>295</sup> Section 17(1) of the Reserves Act sets out the purpose of a recreation reserve which is to provide...areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.

<sup>296</sup> Drain EiC at [9].



...successive administering bodies have always interpreted the intent and purpose of the original legislation as providing primarily for sport and recreation at the club/local level only (particularly with regard to leases), not for national or international level facilities, and acted accordingly.<sup>297</sup>

[476] While this may be the case, the District Plan provides for a much wider array of sporting activity. Secondly, the Recovery Plan is to be read together with and forms part of the HPMP. The Recovery Plan prevails where there is any inconsistency between the two documents (section 26(3) CER Act). There are inconsistencies between the Recovery Plan and HPMP and it is arguable that but for the CER Act the City Council, as the administering body of the Park, could not authorise the use of the Park for the purpose (at least) of constructing the Pavilion and the lighting towers.<sup>298</sup>

### **The Recovery Plan**

[477] The Recovery Plan states that the existing Oval is to be “enhanced providing central Christchurch with a venue capable of hosting domestic cricket matches and international tests”. The description of the project follows:

Additions will include a grass embankment, lighting and a replacement Pavilion. Full public access to the cricket oval will be maintained during non-event days. The essential village green character of Hagley Park will also be kept.

The regeneration of the Cricket Oval will stimulate activity in the area. International events will bring a demand for hotel accommodation and other services for victors.

The Cricket Oval will provide:

- A domestic and international purpose built cricket venue
- Grass embankments with spectator capacity of 15000 with the ability to expand to 20000 using temporary seating
- Training and coaching facilities with indoor and outdoor nets
- Sports lighting to international broadcast standards
- Pavilion with lounge and media facilities.

<sup>297</sup> Drain EiC at [10].

<sup>298</sup> See Objective 17, Policy 17.1(d) of the HPMP. These activities contravene the standards in the Open Space 2 Zone and require resource consent. City Council asserts that HPMP is a guideline only, however nothing in this decision should be taken as our acceptance of the correctness of that submission.



[478] We are satisfied that the proposal before us accords with the Recovery Plan's description of the anchor project. There are, however, details of the proposal which are not addressed in the Recovery Plan such as the frequency and duration of the major fixtures held at the Oval, the temporary facilities and structures that support major fixtures and the arrangements for car parking and traffic management.

[479] Unlike other anchor projects, the Recovery Plan did not direct changes to the District Plan either in regard to the activity status of any consent required to give effect to the anchor project or to provide direct support for the proposal in the relevant objectives and policies.<sup>299</sup>

***HPMP provisions***

[480] Part II of the HPMP sets out objectives and policies for the management of the Park under several general topic headings.

*Landscape and open space*

[481] There are two key objectives; Objective 1 reads as follows:

- (a) To protect the English heritage style landscape character, atmosphere and scenic amenity of Hagley Park and promote this as a major objective of the plan
- (b) To also develop, where appropriate, features that represent New Zealand landscapes.

[482] In summary relevant policies include:<sup>300</sup>

- the English heritage style landscape character of Hagley Park shall be protected and enhanced, but there shall also be, where appropriate, representation of New Zealand landscapes (Policy 1.1);
- preservation of the natural qualities and features of the landform, the open spaces, woodlands, waterways and meadowland areas (Policy 1.2);
- retention of the natural landform, where appropriate (Policy 1.3);
- retention of the peripheral woodland to provide screening from busy traffic routes (Policy 1.4); and



<sup>299</sup> CCRP page 107.

<sup>300</sup> HPMP Policies 1.2, 1.3, 1.4, 1.8.

- consent from the Council is required before clubs and organisations can change the landscape (Policy 1.8).<sup>301</sup>

[483] The commentary to Policy 1.1 includes the following statement which is consistent with much of the evidence we heard from both experts and from the parties concerning the landscape character of this Park:

Comment: “English heritage style landscape character” is used in this management plan to describe the particular landscape character of Hagley Park as reflecting a form derived from one or more models of park design in vogue in England at the time of settlement of Christchurch and development of the Park.

[484] A footnote to the commentary clarifies the use of the term “landscape character”. The description given bears a close relationship to the definition of the use of the term amenity values in the RMA and we reproduce the relevant part here:

Landscape is about the relationship between people and place. It provides the setting for our day-to-day lives...This is not just about visual perception, or how we see the land, but also how we hear, smell and feel our surroundings, and the feelings, memories or associations that they evoke. Landscape character, which is the pattern that arises from particular combinations of the different components, can provide a sense of place to our surroundings.

[485] We interpret “scenic amenity” referred to in objective 1 and its related policies as being the amenity that is derived from the Park’s landscaping. For reasons that we have discussed elsewhere, we have found that the Park’s English heritage style and open spaces are protected and are not challenged by this proposal.

[486] Objective 2 and its supporting policy is also important and provides:

Objective 2:

To protect the open spaces of Hagley Park and the visual amenity of the road users. To promote Hagley Park as a major feature of the open space system of the inner city.



<sup>301</sup> There was reference to a Design Specification Referenced by Mountfort EiC at [174] but not provided or relied upon.

## Policy 2.1

The Hagley Park open spaces...shall be retained as essential elements of the park

[487] The HPMP describes the open spaces as follows:

The spatial organisation of Hagley Park is tenuous as it leaks away and is easily fragmented. Open space is a dominant expression of the Park character. Spaces are of varying size and scale and defined by the elements of trees, river and roads. Some are well contained (for example, the Entertainment Zone), while others are large expanses (for example, the South Hagley Park playing fields). Hagley Oval is strongly defined by buildings.

and:

A wide skyscape is an important element of the experience one has in the larger open space areas within the Park. Therefore, it is desirable, on landscape grounds, that this is not further intruded into on the perimeter of the Park by tall buildings on adjacent land.

[488] It is this understanding of the Park's landscape character and the importance of its open spaces and amenity that is the basis for much of the opposition to this proposal.

[489] Canterbury Cricket submits, without further explanation, that the above objective and policy is amended by the Recovery Plan. We do not know what amendment counsel had in mind and it is difficult to conceive of any, particularly where the Recovery Plan has nothing to say about the frequency, timing and duration of matches to be played at the Oval. We conclude that there is likely to be significant adverse effect on visual amenity for temporary facilities and structures associated with Canterbury Cricket's proposed 20 match days. At the level proposed by Canterbury Cricket this would not achieve Objective 2.

*Organised recreation*

[490] Objective 13 seeks to "maximise the recreational potential of Hagley Park but limit ancillary developments such as buildings and car parking which detract from the parks landscape". The policies which follow address the allocation of the park grounds. The only permanent allocation of Park grounds proposed here is that related to the footprint of the Pavilion and the lighting towers.



[491] The use of the Oval for the game of cricket and the development of infrastructure required to support this game is in no sense different from other allocations made in the Park, for example netball. Further, cricket has a longstanding association with South Hagley Park.

[492] Responding to concerns that other users of the Park will be displaced when a major fixture is scheduled, during the course of the hearing Canterbury Cricket proposed conditions requiring that it consult with other users of the Park before submitting a draft schedule of major fixtures for the City Council's certification. This includes the requirement for Canterbury Cricket to reschedule a major fixture if an alternative ground for the schools' sports program cannot be found. These proposed conditions are as rigorous as they can be, ultimately it falls to the City Council to administer this objective and supporting policies.

[493] We agree with Mr Mountfort that Objective 15 should be read alongside Objective 13 and do not see any conflict with the proposal in respect of the allocation of the park for passive recreation.<sup>302</sup>

### *Buildings and structures*

[494] Objective 17 is:

To keep to a minimum the number of new buildings and structures on Hagley Park and to coordinate and integrate the existing Park buildings and structures into the Park environment. To protect historic buildings and structures within the Park.

#### Policy 17.1

Erection of new buildings or structures ... shall only be permitted where such provision is necessary for the use of Hagley Park for both informal and formal outdoor recreation, and the physical welfare and enjoyment of the public.

#### Policy 17.1

The development is to comply with the City Pan rules for the Open Space 2 zone. This proposal contravenes the rules in the City Plan.




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<sup>302</sup> Mountfort EiC at [178].

[495] Since the Recovery Plan is to be read into the HPMP the general concept of the proposed Pavilion, lighting towers and embankment is consistent with the HPMP. Canterbury Cricket has confirmed that the Pavilion will not be used to accommodate its administration offices. We note that the inclusion of a public toilet which can be accessed by the public generally will also fulfill the second part of Objective 17.

[496] Policy 17.1(c) requires that new buildings be consistent with the relevant objectives and policies of the District Plan and Policy 17.1 (d) requires that it comply with the Zone standards. We were not assisted by Ms Briggs' assessment in this regard which generally took no cognizance of the requirement in section 26(3) of the CER Act that the Recovery Plan is to prevail over the HPMP where there is an inconsistency.

#### *Car parking*

[497] Objective 21 restricts car parking to formal car parks and seeks to maximise the use, amenity value and safety of these parking areas for the convenience of park users. The use of the Polo Grounds is not an activity contemplated under the Recovery Plan.

[498] In spite of the apparent conflict with the use of park grounds for car parking, Mr Mountfort and Mr Nixon drew our attention to the fact that parking regularly takes place on the grounds in association with events held at North Hagley Park. It appears to be the view of Canterbury Cricket and the City Council that parking on Park grounds, or perhaps parking in association with an event held at the Park, is not managed under this objective or policies.

[499] It is clear from several references in the HPMP that car parking is a problem for visitors to the Park during peak periods. The HPMP refers to various attempts to address this, but the problem remains unresolved.<sup>303</sup> Overflow parking from events at the Horticultural Hall is accommodated on Park ground to the south of that building because "this only occurs only occasionally (two to three times per year at the most), the damage to Hagley Park grounds is minimal".<sup>304</sup> The HPMP talks about "coping with" significant volumes of people and cars associated with events held at North Hagley Park and how this creates a number of logistical problems. Notwithstanding Objective 21,



<sup>303</sup> HPMP at 69.

<sup>304</sup> HPMP at 68.

the HPMP acknowledges that Park grounds are utilised from time to time for parking.<sup>305</sup> Save to the extent allowed for Horticultural Hall activities, there is no policy support for parking on the grounds.

[500] Given the incoherency between the HPMP's recognition of parking within the grounds and the restriction in Objective 21 we place little weight on these provisions.

### **Overall Conclusion**

[501] While the proposal is in tension with the visual amenity objectives for the Park, overall we see no conflict arising with the key vision for the Park, which is for Hagley Park to be an iconic inner-city open space area for the city of Christchurch and to be a place for present and future residents and visitors to the city to visit, recreate in and appreciate. The proposal would not diminish the iconic value of the park and, given the nature of the events proposed to be held there, would boost its profile and potentially increase its use.



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<sup>305</sup> HPMP at 71.

## Part 5: Threshold Tests – section 104D RMA

[502] The court may consider an application for a non-complying activity, if the application can pass one of the threshold tests in section 104D of the RMA. An applicant must demonstrate either that the adverse effects of the activity on the environment will be minor or that the application is for an activity that will not be contrary to the objectives and policies of the relevant plan. If the application does not meet one of the threshold tests then the court does not have jurisdiction to grant consent.

[503] The High Court in *NZ Rail Ltd v Marlborough District Council*<sup>306</sup> observed that “[t]he consideration of this question starts from the point that the proposal is already a non-complying activity but cannot, for that reason alone, be said to be contrary. “Contrary” therefore means something more than just non-complying.” The High Court goes on to interpret “contrary” holding that, in context, “contrary” contemplates an activity that is opposed to in nature, different to, or opposite and also repugnant and antagonistic to the District Plan.

[504] When, as is the case here, the relevant objectives and policies take an effects-based, rather than activities-based approach to managing natural and physical resources, this will involve a consideration of the activity relative to the scheme of the District Plan as a whole. A narrow assessment of the proposal against individual objectives and policies is not appropriate, and indeed may be misleading. In this case there are no provisions with the strategic focus sufficient to override the general objectives and policies identified.

### *Section 104D(1)(a)*

[505] Having heard the evidence we have concluded that the adverse effects of the activity on the environment will be more than minor in relation to the temporary facilities and structures and lighting towers. It follows that the application cannot meet section 104D(1)(a) RMA. In reaching this decision the positive effects of the activity have not been considered as these are not relevant under section 104D(1)(a).

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<sup>306</sup> [1993] 2 NZLR 641, [1994] NZRMA 70.



*Section 104D(1)(b)(i)*

[506] We conclude that the proposal is not contrary to the objectives and policies of the District Plan; since it is not opposed to in nature, different to, opposite or repugnant and antagonistic to the District Plan. Further, we find that the adverse effects of the proposal are of a type and scale that are amenable to mitigation measures and warrant further consideration under section 104 of the RMA.

[507] In reaching this conclusion we have not had regard to the Regional Policy Statement or the HPMP.



## Part 6: Section 104 RMA

[508] Having found that the proposal passes one of the threshold tests we go on to consider the application under section 104 of the RMA.

### The effect of the activity on the environment – section 104(1)(a)

[509] The positive effects of the proposal are to be taken into account under section 104(1)(a).

#### *Positive effects*

[510] Cricket has the largest number of participants of any sport in the Canterbury region, comprising 22,000 players and a 16% growth since 2007.

[511] The new Pavilion and embankment will result in significantly enhanced facilities which will maximise the use of this cricket pitch for both men's and women's games at club level through to national level games. It will provide a long sought after facility for international matches.<sup>307</sup> In addition, the proposed lighting will enable games to be televised in high definition and broadcast to New Zealand audiences and to cricketing nations around the world.

[512] There are synergies between this venue and other facilities and services located in the City Centre. The Recovery Plan particularly sees this proposal as a mechanism for stimulating activity in the area and the international dimension will result in demand for hotel accommodation and other services for visitors. The proposal will contribute to the Christchurch earthquake recovery and promote the economic prosperity of Christchurch.<sup>308</sup> Many in Christchurch will also regard the upgraded Oval as a significant morale booster in that it will signal that the first of the proposed anchor projects is finally underway.

[513] It was suggested that the enhancement of the facilities will provide for other sports as well during the winter months. We note while the area available will be



<sup>307</sup> Steven Submissions at [19].

<sup>308</sup> Nixon EiC at [5.111 - 5.114].

reduced from the current arrangement, there will be the benefit of the raised embankment for spectators watching children’s football games being played on the Oval during winter. The embankment will also be enjoyed by children playing informal games in a similar way to those who play on the netball embankment.

[514] We have also noted the positive contribution anticipated from the staging of some of the Cricket World Cup (2015) events in Christchurch; although any benefit this may entail for the City is not a matter which we attach significant weight as these are permanent facilities with a use.

### *Adverse effects*

[515] The adverse effects of the proposal have been thoroughly traversed and, as we have already intimated, the effects are able to be mitigated. The question that remains is how is this to be done?

[516] It is our conclusion that the temporary facilities and activities associated with major fixtures will not maintain or enhance the amenity values of the Oval and South Hagley Park. There is a cumulative adverse effect on amenity associated with the temporary facilities and structures. This effect is the product of three variables:

- (a) the number of match days played each season;
- (b) the length of the interval between major fixtures; and
- (c) the duration that the Oval and Polo Grounds will be occupied by temporary facilities and structures required to support major fixtures.

[517] Ms Steven submits the Recovery Plan lacks detail, amongst other matters, around the frequency, timing and scale of matches to be played at the Oval and so there is “much scope for the court to exercise discretion over these matters”.<sup>309</sup> However, she goes on to say that the application may be declined if the frequency for a type of major match is “way beyond that which is reasonably associated with use of the Oval as contemplated under the Recovery Plan.”<sup>310</sup>

<sup>309</sup> CCA Closing Submissions at [48].

<sup>310</sup> CCA Closing Submissions at [59].



[518] The Recovery Plan introduces this particular anchor project, by stating that the enhanced Oval may be used for domestic cricket matches and international tests. If this proposal was limited to domestic cricket matches and international tests we would be confident that the amenity effects of the approximately 11 match days which would result could be managed through appropriately worded conditions.

[519] Notwithstanding its preamble, the Recovery Plan contemplates fixtures other than domestic matches and international tests, in that it specifically talks about the enhanced Oval hosting crowds of up to 20,000 spectators. These crowds are far in excess of that which would be expected at a domestic match or an international test. While the Recovery Plan gives an indication as to the type and therefore the scale of fixtures that could be held at the Oval, it has nothing to say about the number of match days or the length of occupation of the Oval.

*Number of match days*

[520] Consent is sought for up to 20 match days; these days are for either one day fixtures (ODIs or T20s) or five day tests. Canterbury Cricket did not produce in evidence its historical record of domestic and international fixtures held in Christchurch. Instead, Mr Germon presented evidence on the forecasting of fixtures in three different ways.

[521] First, Mr Germon described a typical season for New Zealand, with Christchurch capturing a proportion of scheduled international fixtures (the **typical season**). In his evidence the total number of match days for a typical season in Christchurch was 12 days, plus an additional international T20 game attracting over 12,000 spectators being played every two/three seasons. In summary, in a typical season including all of the one day fixtures there could be up to a maximum of 13 match days along the following lines:

- (a) one international test match (five day test);
- (b) two ODIs (one day match);
- (c) one international T20 every two/three seasons (one day match); and
- (d) five domestic T20s (one day match).



[522] Secondly, Mr Germon produced a draft schedule of prospective fixtures for the next six cricket seasons (the **prospective fixtures**).<sup>311</sup> This schedule is unconfirmed. From the schedule of prospective fixtures the median number of match days over the next six seasons is 13/14 days. For the 2014/15 season the prospective number of match days is seven days, and for 2015/16 the prospective number of match days is 17.<sup>312</sup> This schedule included three fixtures which might attract over the embankment capacity of 12,000 spectators.

[523] Thirdly, Mr Germon produced a sample schedule depicting the range of fixtures that could be played in any year (the **sample schedule**). This showed the following 13 fixtures made up as follows:

- (a) one international test match (five day test);
- (b) one ODI (one day match);
- (c) one international T20; and
- (d) six domestic T20s (one day match).

[524] Four comments can be made about all of the evidence concerning the forecasting of major fixtures:

- (a) there is no prospect of Christchurch attracting up to four fixtures exceeding 12,000 spectators in any season;
- (b) it is unlikely that two test matches will be scheduled in Christchurch in any season. While there is a chance of this occurring in the 2015/16 season when Zimbabwe and Australia are touring New Zealand the schedule of prospective fixtures is unconfirmed;
- (c) while the total for 2014/2015 is only seven fixtures, this would increase if allowance is made for World Cup fixtures; and
- (d) the 20 match days include an allowance for up to six HRV T20 fixtures to be played at the Oval.



<sup>311</sup> Germon EiC Attachment D.

<sup>312</sup> Germon EiC at Appendix D.

[525] The proposed 20 match days appear to allow for two tests and for growth in the number of fixtures being played in Christchurch. In addition, we note that Canterbury Cricket has assumed that all games, in particular the six HRV T20 games, will be played at the Oval and none will be set down at other venues in Canterbury as presently occurs.

*Duration of the fixtures and interval frequency*

[526] Condition 6(g) was proposed by Canterbury Cricket for the purpose of allowing it some flexibility to keep television scaffolds in place for a limited period when major fixtures are not being played. As noted previously, television scaffolds vary in number and height. The longer the scaffolds are in place the greater their adverse effect on Park character and amenity. That said, we have found that the effect on amenity of the temporary facilities and structures is wider than those effects arising in relation to the television scaffolds.

[527] The Gantt charts provided by Mr Nixon are instructive in that even when the scheduling of matches is grouped, the charts show major fixtures being played throughout most of the seven month season. As the conditions of consent do not require grouping of fixtures, major fixtures could be held at weekly intervals across the season.<sup>313</sup> Because Condition 6(g) was introduced during the course of the hearing, the expert witnesses were unable to give their considered response to the proposed condition. None of the witnesses considered the interval between each consecutive period, the number of consecutive periods in any one season or the total number of days in the season that the Oval could be occupied by temporary structures and facilities.

*Mitigating adverse effects*

[528] Reducing the number of match days alone would not address the adverse effects as the effects are the product of the length of the interval between major fixtures and the duration that the Oval and Polo Grounds will be occupied by temporary facilities and structures. There are advantages in the grouping of fixtures within a single period both to Canterbury Cricket in terms of costs and to the environment by extending the interval

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<sup>313</sup> i.e. if 20 match days were all one day fixtures then week on and week off.



between major fixtures. The disadvantage is that when fixtures are grouped the occupation of the Oval for these matches is extended.

[529] We are cognisant that, subject to the conditions of consent, the scheduling of major fixtures at the Oval will be determined by Canterbury Cricket together with New Zealand Cricket, the International Cricket Council and the City Council (as the administering body of the Park). Too many restrictions by way of consent conditions could frustrate its exercise; but left unrestricted the proposal would have unacceptable adverse effects.

[530] We make the point that at 20 match days per season, Canterbury Cricket has not demonstrated that it can comply with the condition it proposed to address the adverse effects arising in association with the television scaffolds. Indeed we find that the proposed condition is simply unworkable. Secondly, at 20 match days per season, the conditions generally would not address the effects on the Park's character and amenity; which effects are not solely visual amenity effects arising in relation to the television scaffolds.

[531] Having given the matter careful consideration we have decided to grant consent for 13 match days, the effects of which we are satisfied can be appropriately managed. These days correspond to the match days for a typical season. Our alternative decision would be to decline consent. Given that there is a consentable proposal, in our view declining the consent would be a drastic step to take; albeit it that it is the step urged upon us by many.

[532] It is our finding that the potential adverse effect on the Park's character and amenity outweighs any desire on Canterbury Cricket's part to future-proof this venue by providing a large contingency for growth in the number of events. Further, we heard no evidence that other venues currently used by Canterbury Cricket for major fixtures that are not subject to ICC requirements, such as HRV T20 cup, would not continue to be available should this number of match days prove insufficient in any one season. While reducing the match days to 13 may come at a financial cost to Canterbury Cricket, there is a greater albeit incommensurate cost to the environment if this is not done.



[533] It is our judgment that the total period that the Park may be occupied by temporary facilities and structures should not exceed 40 days in any season. Beyond that there would be a significant adverse effect that is unable to be mitigated. Subject to the consent conditions which we discuss next, we are satisfied that the adverse effects of the proposal can be adequately mitigated.

***Rationale for the restrictions***

[534] On the basis of 13 match days, we have assessed that with no grouping of fixtures, the Oval would be occupied for a maximum of 39 days in a season with a maximum continuous time of occupation of nine days (a test). In doing this we assume that the pack-in and pack-out for television scaffold required for domestic T20s can be completed in one day. With the long daylight hours during mid-summer, we would have thought this entirely practical. If not, then the number of match days able to be played will be less than 13. See Table 4 attached.

[535] We have considered combinations of individual fixtures and grouped matches, with the grouped matches having a maximum gap of six non-playing days between individual fixtures (to make up the “within one week” as requested by Canterbury Cricket). If a T20 (12,000+) is grouped with a test, then the continuous occupation time would be 17 days. If an ODI of less than 12,000 is grouped with a test then the continuous occupation time would be 16 days. If test matches are excluded from any grouping, then the maximum days of occupation from the grouping of an international T20 and an ODI, a test (non-grouped) and six domestic T20s would be 39 days with a maximum continuous time of occupation of the Oval of 13 days.

[536] With the objective of limiting occupation of the Oval by temporary structures and facilities to a level that we judge would result in an acceptable effect on Park character and amenity, we have concluded that the maximum days of occupation in a season should not exceed 40 days and that the maximum continuous time of occupation in any one period should not exceed 14 days.



[537] While we have not changed the condition allowing two days for the pack-in and out of television scaffolds for international fixtures, we observe that should this also be completed in one day this would allow even greater flexibility around scheduling. In particular, it would allow the continuous days of occupation for a grouping of a test and an ODI (of less than 12,000 spectators) to fall within the 14 day limit which we have set. This combination would also fall within the 40 day limit over the full season. However, unless the gap between the two fixtures is reduced to less than six days, this limit would not be achievable for the grouping of a test and a T20 (12,000+) as this is controlled by the three days required for the pack-in and pack-out of the temporary grandstands.





**Time Sequencing For Temporary Facilities and Structures Pack in and Pack Out**

Scenario (Based On One Day Pack in/Pack Out of TV Towers for Domestic T20 Fixtures and Two Days for International Fixtures)	Days						Number of Fixtures	Days Total
	Erect	Game	Gap	Game	Dismantle /Remove	Total Per Game		
<b>No Grouping</b>								
Test	2	5			2	9	1	9
T20 (12,000+)	3*	1			3*	7	1	7
ODI (Less than 12,000)	2	1			2	5	1	5
Domestic T20	1	1			1	3	6	18
							<b>Total</b>	<b>39</b>
<b>Grouping A</b>								
Test and T20 (12,000+)	2	5 (test)	6	1 (T20)	3*	17	2 fixtures in 1	17
ODI (Less than 12,000)	2	1			2	5	1	5
Domestic T20	1	1			1	3	6	18
							<b>Total</b>	<b>40</b>
<b>Grouping B</b>								
Test and ODI (Less than 12,000)	2	5 (test)	6	1 (ODI)	2	16	2 fixtures in 1	16
T20 (12,000+)	3*	1			3*	7	1	7
Domestic T20	1	1			1	3	6	18
							<b>Total</b>	<b>41</b>
<b>Grouping C</b>								
T20 and ODI	3*	1(T20)	6	1 (ODI)	2	13	2 fixtures in 1	13
Test	2	5			2	9	1	9
Domestic T20	1	1			1	3	6	18
							<b>Total</b>	<b>40</b>

**Note:** \* Days for T20 (12,000+) Grandstand Erect/Dismantle/Remove

*Conditions restricting the number of matches and the scheduling of fixtures*

[538] The 13 matches are to be subject to the following conditions:

- (a) the total number of days that temporary facilities and structures associated with major fixtures may occupy the Oval shall not exceed 40 days per season;
- (b) two or more major fixtures may be scheduled within the same week (the **match group**), provided that on each occasion this occurs the total number of days that temporary facilities and structures may occupy the Oval shall not exceed 14 consecutive days; and
- (c) no more than two fixtures exceeding 12,000 spectators may be scheduled in any three year period.

Note that:

- (d) Note 1 – from the AMS, although this is not in Mr Germon’s or Mr Nixon’s evidence, it appears fixtures other than major fixtures may be televised.<sup>314</sup> If this is correct then we heard no evidence as to the frequency that the Oval would be used for this purpose. The amenity effect of television scaffolds for fixtures other than major fixtures has not been assessed and are excluded under the conditions of consent;
- (e) Note 2 – the 40 days is the total time which all temporary facilities and structures may occupy the Oval, including their erection and dismantling;
- (f) Note 3 – we have assumed that television scaffolds for domestic fixtures may be erected and dismantled in one day, and not two as stated by the applicant. This should be feasible because there are considerably fewer scaffolds used at domestic fixtures. If it is not feasible then less matches will be able to be played;
- (g) Note 4 – the scheduling of major fixtures will change each season. The conditions assume that Canterbury Cricket’s evidence on the scheduling of major fixtures is correct and that the majority will be played on Friday evenings and over the weekends. The accuracy of this information was an

<sup>314</sup> AMS at [10.9]. Nixon Transcript at 1859.



important consideration when reaching our decision on traffic effects which was based on the scheduling set out in Table 5 of the Access Management Strategy.

- (h) Note 5 – the limitation of two fixtures exceeding 12,000 spectators in every three year period is based on the estimate provided by Canterbury Cricket;
- (i) Note 6 – the conditions of consent do not allocate match days to any type of fixture. We have assumed that only one test will be played each year. If the test is not played, then under the conditions of consent up to two additional one day fixtures could be played. The total number of fixtures will still be constrained by the total number of days that the Oval may be occupied by temporary facilities and structures;
- (j) Note 7 – 2015 World Cup matches are not to be counted within the 13 match days; the condition limiting the use of temporary grandstands is not to apply to any fixtures that are scheduled as part of the ICC Cricket World Cup 2015; two World Cup fixtures may be scheduled Monday-Thursday inclusive, otherwise the fixtures are to be scheduled Friday-Sunday inclusive.<sup>315</sup>

### **Canterbury Cricket’s Proposed Conditions of Consent**

[539] Mr Nixon produced Canterbury Cricket’s final version of its proposed conditions on 3 July 2013 and, having done so, was then subject to lengthy questioning in relation to their content. However, it was not until the hearing had finished that we had the opportunity to review these conditions in any detail.

[540] We are concerned that the conditions appear to have been prepared in something of a rush as they lack the refinement we would normally expect. For example, we have identified a number of areas of duplication particularly between their content and the related management plans which Canterbury Cricket has submitted. Secondly, not all of the conditions proffered by Canterbury Cricket, and none of the amendments recommended by Mr Nixon when giving evidence, have made their way into these conditions.

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<sup>315</sup> Steven Transcript at 1709.



[541] In the time available we have endeavoured to unravel some of this by putting together the condition set which is attached to this decision. In doing so we have included most of the conditions proposed by Canterbury Cricket, together with the amendments identified by their witnesses and by counsel. We have added to this the court's amendments. With the exception of the AMS, we do not include reference to the draft Management Plans provided by the applicant in the condition set. We are satisfied, however, that the conditions appropriately address the objectives of these plans.

[542] It is possible that in doing this we may have overlooked or omitted some matters. The parties are invited to submit their comments on these conditions. These comments are to be confined to matters of detail strictly within the context of the substantive findings of this decision. Any comments which fall outside of this parameter will not be considered.

[543] To assist, we summarise here the findings we have reached in the individual sections of our decision on the changes to be made to the conditions provided to us by Canterbury Cricket.

#### ***Noise Management***

[544] A new condition is to be added limiting the playing of music on the PA system to no later than 10.00pm except on the three occasions where exemptions are to apply for evening fixtures to continue to 10.30pm.

#### ***Lighting Management***

[545] A new condition is to be added for the lighting headframes to be removed at the end of each cricket season and stored out of sight.

[546] A new condition is to be added for the compliance monitoring of the vertical light spill contours, to be undertaken at a height of 3m above ground level.

[547] In the two conditions which refer to the vertical light spill, plan LS20332/4b is to be replaced with the later version of the plan annotated LS20332/4d and dated 24 May 2013.



[548] An amendment is to be made to the condition which specifies the measures to be adopted for the initial commissioning of the lighting to extend this to include each time the headframes are re-erected at the start of each cricket season.

***Traffic Management and Parking***

[549] A new condition is to be added stating that the Polo Grounds are not to be used for parking for domestic T20 fixtures played on Friday evenings and weekends.

[550] A new condition is to be added stating that if an additional 2,000 off-street replacement parks have not been identified by the start of each cricket season, then should the Polo Grounds become unexpectedly unavailable for parking for any major cricket fixture, the affected fixture is not to be played at the Oval. This condition is to replace the conditions in Canterbury Cricket's proposed condition set which relate to this matter.

**Amendments to Draft Access Management Strategy**

[551] The AMS is to be amended to include:

- (i) a provision for urgent and on-going consultation with the hospital to ensure that the AMS objectives and elements are properly integrated with the hospital's traffic management and parking planning;
- (ii) a provision for ensuring that adequate parking will be available at the locations where the park and ride buses are to commence their journeys;
- (iii) a provision that particular attention to be paid to the potential conflict between traffic exiting the Polo Grounds and buses using the Deans Avenue park and ride bus stop just south of the exit;
- (iv) a provision for more extensive measures to be used than just road cones for controlling spectators exiting on to Riccarton Avenue at the end of fixtures;
- (v) to bring clause 6.18 in line with the new condition requiring an additional 2,000 off-street replacement parks to be identified by the start of each cricket season.



[552] The AMS monitoring strategy at [13.4] is to be amended to provide as follows:

- (iv) monitoring shall be carried out by an independent suitably qualified expert and the results presented in a report to be submitted to the City Council in a timely manner after the conclusion of the relevant event.
- (v) a monitoring methodology that includes:
  - (a) the monitoring of the network performance of intersections including the methods and locations to be employed to obtain this information;
  - (b) the monitoring of the take up and effectiveness of the methods for encouraging spectators to use alternative modes of transport to the private motor car – including the methods for obtaining this information;
  - (c) the monitoring of the park and ride site locations and practicality of these locations both in terms of the parking site and the arrangements for drop off and collection;
  - (d) the monitoring for the effectiveness of pedestrian management on the road; and
  - (e) the effectiveness of the placement of signage, use of marshals, operation of traffic control systems and the regime for obtaining this information.
- (vi) based on the information obtained from the monitoring, the monitoring report shall provide recommendations for improvements to the methodologies used for traffic management.



[553] Finally, we have amended the review condition proposed by Canterbury Cricket, and supported by the City Council. Under the court's condition the City Council's attention is directed to what are likely to be significant changes to the environment as the central city recovers from the earthquakes including in particular, changes to the road network and parking supply as a consequence of other anchor projects within the immediate location being developed.

### **Overall conclusion**

[554] On the basis outlined above, we are satisfied that the adverse effects on the environment are adequately mitigated.

### **Policy and Planning Documents and other relevant documents – (section 104(1)(b) and (c))**

[555] These have already been discussed in detail, and subject to the mitigation that we have discussed above, we conclude that overall the proposal would be in general accordance with the objectives and policies set out in the Regional Policy Statement, District Plan and the HPMP.



**Part 7: Part 2 of the Act**

[556] Our consideration of this application is subject to Part 2 of the Act (sections 5-8 RMA). The final hurdle is section 5 – to be consented the application must promote the sustainable management of natural and physical resources.

***Section 6(f) RMA***

[557] For the reasons that we have already given, the proposal does not give us any concerns in relation to section 6(f) of the Act.

***Section 7(b) RMA***

[558] Subject to the imposition of appropriate conditions, we find that this proposal would make efficient use of Hagley Park as a recreation reserve. In arriving at this conclusion we bear in mind that the use of the Oval is over the spring – summer months. Public access to the Oval is restricted already when organised sports are being played. The Oval will continue to host local cricket fixtures; indeed that is said to be the majority of its use. The enhanced facilities will contribute to the continued use of the Oval for local, national and international fixtures, albeit at an increased frequency of use. To the extent that there is an additional restriction on public access, the public will be excluded from the Oval for up to 13 days. On days when temporary facilities and structures are being erected and dismantled there will be areas where the public cannot go – but the public will not generally be excluded from the Oval. Under the conditions of consent (as approved of the by court) access to the Polo Grounds could be restricted for up to 13 days when the area is used for car parking; although this number of days is unlikely given that the AMS excludes parking in association with some domestic HRV T20 games.



[559] The flat surface area of the Oval will be reduced in size by the embankments, and its redevelopment may displace some users. These changes present different and new opportunities and we do not regard them as resulting in an inefficient use of the Park.

***Section 7(f) RMA***

[560] In relation to section 7(f) RMA we hold no concerns for the quality of the environment as any effects on the nearby stream, the potential damage to turf, or damage to Park flora and fauna are matters that are adequately addressed in the proposed conditions of consent.

***Section 7(c) RMA***

[561] We find that the new Pavilion and embankment will maintain and enhance the amenity of the Oval and wider South Hagley Park. However, the lighting structures, while anticipated under the Recovery Plan, are not in keeping with the amenity of the environment that is anticipated under the District Plan and HPMP and we conclude are not in keeping with the Recovery Plan's village green design ethos. The lights' headframes would have an adverse effect on the visual amenity of views both from within and outside of South Hagley Park when viewed in winter. This effect would be mitigated by a condition requiring the removal of the headframes outside of the cricket season.

[562] It is our conclusion that for 20 match days the temporary facilities and structures required to support the major fixtures would not maintain or enhance the amenity values of the Oval and South Hagley Park. However, we find that these effects are acceptable if the number of matches is limited to 13 (which correspond to a typical season in Canterbury) and that the total length of time temporary facilities and structures may occupy the Park is controlled.



**Decision**

[563] Subject to these restrictions and the other amendments made to the conditions of the consent and to the AMS, we are satisfied that the proposal achieves the purpose of the Act.

[564] Leave is granted for the parties to comment on the wording of the proposed conditions. However, the parties are to bear in mind that any proposed amendments are to achieve the outcomes indicated in this decision.

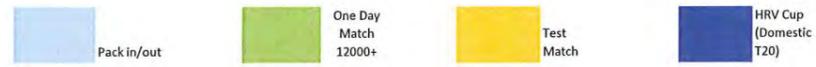
For the court:

  
\_\_\_\_\_  
**J E Borthwick**  
**Environment Judge**

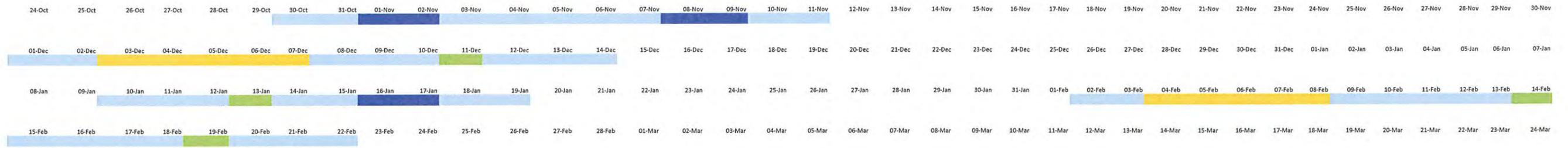


# Annexure 1





FULL SEASON PROGRAMME WITH "CLUMPED" FIXTURES



Assumptions

20 days consisting of 4 x one day matches at 12000+ spectators (Fri evening, Sat or Sun), 2 x test matches and 6 HRV Cup matches

All matches televised

HRV Cup matches coupled as per current schedule

3 touring teams

Total = 58 days of temporary structures

maximum number of consecutive days = 21, minimum break = 13 days

blocks

13 days on

19 days off

14 days on

26 days off

10 days on

13 days off

21 days on

seats = 28 days

scaffolding = 55 days





FULL SEASON PROGRAMME WITH "SPACED" FIXTURES



Assumptions

20 days consisting of 4 x one day matches at 12000+ spectators (Fri evening, Sat or Sun), 2 x test matches and 6 HRV Cup matches  
 All matches televised  
 HRV Cup matches coupled as per current schedule  
 3 touring teams

HRV Cup total = 20  
 Test match total = 18  
 One Day Match total = 28  
 Total = 66 days  
 maximum number of consecutive days = 9 minimum break = 8 days

Seats = 28 days  
 Scaffolding = 58 days



## Annexure 2

### CONDITIONS OF CONSENT

Consent Holder:	Canterbury Cricket Association Incorporated
Lapsing of Consent:	In accordance with section 125 RMA, this consent shall lapse five (5) years after the date on which it was granted unless it has been given effect to before the end of that period.
Purpose of Consent:	<p>To allow the development of facilities at Hagley Oval to enable domestic and international cricket matches to be undertaken including Tests, One Day Internationals, and Twenty/20 fixtures.</p> <p>The consent is to enable the Consent Holder to:</p> <ul style="list-style-type: none"> <li>• construct an embankment with a maximum height of 2.5m and average height of 2.2m sufficient to accommodate 12,000 spectators;</li> <li>• construct and operate a two-storey cricket Pavilion;</li> <li>• install and operate four lighting towers being 30.9m in height when retracted, and 48.9m in height when fully extended;</li> <li>• install temporary grandstands to accommodate up to 8000 spectators;</li> <li>• install temporary scaffolding for televised events;</li> <li>• install other temporary facilities and structures in the form of toilets, ticketing booths, signage, food and beverage and merchandising outlets, replay screen, PA system and cycle parking;</li> <li>• install two movable temporary sight screens one at each end of the playing field;</li> <li>• install a temporary picket fence a maximum of 1.2m in height around the inside of the embankment;</li> <li>• install temporary fencing around the outside of the Oval site for the purposes of excluding public access during major fixtures;</li> <li>• to use the Polo Grounds in South Hagley Park for car parking up to a maximum of 2,000 cars during major fixtures, with the access from Deans Avenue;</li> <li>• the use of the Venue for a maximum of up to 13 match days for major fixtures each cricket season, with a maximum ground capacity of 20,000 spectators;</li> <li>• to demolish the Christchurch Old Boys Collegians Pavilion and a storage building (with a combined floor area of 296m<sup>2</sup>).</li> </ul>



## General

### *Definitions of terms:*

- the term '**cricket season**' means the period from September 15<sup>th</sup> to the following April 15<sup>th</sup> (inclusive);
- the term '**major fixture**' means any cricket match at Hagley Oval where more than 2,000 spectators are present;
- the term '**World Cup Fixtures**' means any cricket match held as part of the 2015 ICC Cricket World Cup series event;
- the term '**Schedule of Major Fixtures**' means the schedule of major fixtures approved by the Christchurch City Council under conditions of this resource consent;
- the term '**match day**' means the actual day the fixture is scheduled to be played;
- the term '**match group**' means two or more major fixtures that are scheduled to be played within the same week;
- the term '**temporary facilities and structures**' means those facilities and structures brought onto the site for a limited number of days which are required to support a major fixture including scaffolding for television towers, all forms of temporary fencing, temporary grandstands, match replay screen, PA system, television cameras and related equipment, toilets, ticketing booths, signage, food and beverage and merchandising outlets, cycle parking and the like;
- the organisation '**City Council**' means the Christchurch City Council; and
- the site is that defined in the diagram 'Site Plan of the Hagley Cricket Oval' Issue ITP331601 dated 13/11/12 attached as '**Appendix 1**'.



### The consented activity

1. Except where varied by the conditions of this consent, the proposal shall be carried out in accordance with the information and details submitted with the application for resource consent numbered RMA 92021389 by the City Council and including:
  - the Application prepared by Planz Consultants Ltd dated December 2012 and attachments and appendices (Project number 13382);
  - the information provided in a response to section 92 RMA request for further information, dated 8 March 2013; and
  - the location, dimensions, materials and colours indicated in the application and as shown on:
    - 'Resource Consent Drawings, 30<sup>th</sup> November 2012 pages 10-22';
    - Lighting plan 'TEL-48.9-GA1', Revision A dated 13/2/2013;
    - Light contour drawings 'LS20332/4c Horizontal Light Spill', dated 21 May 2013 and 'LS20332/4d Vertical Light Spill' dated 24 May 2013; and
    - the Polo Grounds parking and access plan dated 3 July 2013.

– all attached as '**Appendix 2**'.

### Operational Conditions

2. There shall be no more than 13 match days scheduled for major fixtures during any cricket season. Fixtures may be played on consecutive days, provided that there shall be no more than 5 consecutive match days played in any one period.
3. The total number of days that temporary facilities and structures associated with major fixtures may occupy the site shall not exceed 40 days per cricket season. This condition is to be read in conjunction with condition 13.
4. No more than two major fixtures may be scheduled within the same week (the match group), provided that on each occasion this occurs the total number of days that temporary facilities and structures may occupy the site shall not exceed 14 consecutive days.



5. No more than two major fixtures exceeding 12,000 spectators may be scheduled in any three year period.
6. Major fixtures involving more than 12,000 spectators shall only be scheduled on Fridays from 7.00 pm, or on weekends.
7. By way of exception conditions 2-6 shall not apply to the ICC 2015 World Cup Fixtures held at the Hagley Oval. Two World Cup fixtures may be scheduled Monday-Thursday inclusive, otherwise the fixtures are to be scheduled Friday-Sunday inclusive.

### **Scheduling of Major Fixtures**

8. Prior to submitting a draft Schedule of Major Fixtures to the City Council, the Consent Holder shall consult with the following organisations to determine whether the proposed match days will coincide with other significant events or activities which can also be expected to affect traffic volumes in the area surrounding Hagley Park and/or the displacement of other activities planned for the use of the Polo Grounds:
  - i. Canterbury District Health Board;
  - ii. Canterbury Horticultural Centre;
  - iii. Christchurch City Council Transport and Greenspace Unit;
  - iv. The Director of the Schools Sports Programmes;
  - v. Christchurch Transport Operations;
  - vi. The proposed Traffic Management Contractor; and
  - vii. Stronger Christchurch Infrastructure Rebuild Team (or its successor).
9. The Consent Holder will keep records of all correspondence and meetings with persons consulted under condition 8 and will provide these records to the City Council when submitting the draft Schedule of Major Fixtures.
10. If it is established that the School Sports' Programme cannot find a suitable alternative to the Polo Grounds on the day(s) of a proposed major fixture, then the Consent Holder will reschedule the proposed fixture.



11. No major fixture shall take place on a day and at a time when another event is proposed within Hagley Park if the cumulative attendance at those events is anticipated to exceed 20,000 people.
12. The Consent Holder shall submit a draft Schedule for Major Fixtures for the forthcoming cricket season, together with the anticipated spectator numbers for each fixture, for certification by the Resource Consents Manager for the City Council that the schedule complies with conditions 2-11 (inclusive) of this consent. The draft Schedule for Major Fixtures shall also describe the type of major fixtures scheduled together with anticipated spectator numbers for each fixture.

### Management of temporary facilities and structures

13. Temporary facilities and structures shall be accommodated on site in accordance with the following table and with the conditions of this consent.

Temporary structure	Maximum days for pack-in and pack-out	Restrictions
Picket fence no more than 1.2m high and positioned within the interior of the embankment.	May remain in place for all of the cricket season.	When games are not being played, public access is to be maintained through the picket fence. The fence is to be removed and stored out of sight outside of cricket season.
Sight screens	As required.	No restriction.
Advertising signage	One day either side of major fixture.	To be restricted to within the embankment area and not readily visible outside of embankments.
Perimeter fencing around the edge of the site as shown in the Match Management Plans.	One day either side of major fixture.	Major fixtures only.  Public access to the site is restricted on the day of the major fixture only.
Television scaffolding	Two days either side of fixture or	Maximum of 40 days in



towers.	group match as the case may be.	season in accordance with condition 3. Pack out to commence at the western end of the Oval (adjacent to the Christ's College Grounds) and to continue around the Oval in a clockwise direction.
Temporary grandstands with a maximum spectator capacity of 8,000 persons.	Three days either side of a major fixture exceeding 12,000 spectators.	Not to be used for any test match.  Except for World Cup Fixtures use is restricted to two major fixtures every three seasons.  Pack out to commence at the western end of the Oval (adjacent to the Christ's College Grounds) and to continue around the Oval in a clockwise direction.
All temporary facilities and structures not otherwise controlled (i.e. portable toilets, food and beverage outlets etc).	One day either side of major fixture.	Major fixtures only.

14. The location of all temporary facilities and structures shall be generally as shown on the three Match Management Plans attached as '**Appendix 3**'.
15. Except for the sight screens all temporary facilities and structures shall be stored off-site when not in use, or internally out-of-sight within a building.

#### **Management Plans – General (Preparation and Review)**

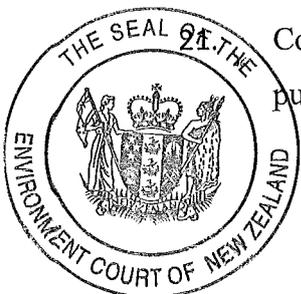
16. Each Management Plan and the Access Management Strategy (AMS), and review thereof, shall be certified by an independent suitably qualified and experienced person, who is approved of in writing by the City Council, to confirm that the activities undertaken in accordance with the Management Plan or AMS will achieve



compliance with the relevant consent conditions. Copies of the certification, along with any reviews of the Management Plans, and AMS shall be provided to the City Council. The Consent Holder shall meet the costs of the production, certification, monitoring and review of these documents.

17. Unless otherwise stated at least 3 months prior to undertaking any activities authorised by this consent, the Consent Holder shall provide to the Resource Consents Manager of the City Council for review acting in a technical certification capacity the following management plans:
  - a. Events Management Plan;
  - b. Pavilion Management Plan;
  - c. Construction Management Plan; and
  - d. Access Management Strategy.
  
18. All activities shall be undertaken in accordance with the latest version of the certified Management Plans and the certified Access Management Strategy.
  
19. The Event Management Plan, Pavilion Management Plan and Access Management Strategy shall be reviewed by the Consent Holder at least once every two years for the first eight years, and thereafter at least once every five years.
  
20. The review by the Consent Holder shall assess whether management practices are resulting in compliance with the conditions of these consents, and whether the objectives of the management plans and Access Management Strategy are being met through the actions and methods undertaken. The Consent Holder shall amend the Management Plans and the Access Management Strategy where this is necessary to better achieve the conditions of this consent and to respond appropriately to actions identified as a result of monitoring under the conditions of this consent. The Consent Holder shall provide any amended documents to the City Council for certification that it will achieve compliance with the relevant consent conditions. The Management Plans and Access Management Strategy shall not be amended in any way that contravenes the objectives set out for the respective documents.

Copies of the Management Plans and the Access Management Strategy shall be made publicly available on the Consent Holder's website.



## **Events Management – General Conditions**

22. All licences, permits and consents for liquor, food, trading, building consents and so forth are to be obtained at least six weeks prior to any major fixture in accordance with condition three of the Council's "Standard Terms of Conditions for the use of Christchurch City Council Parks, Reserves Squares and Streets for Events".

### ***Events Management Plan***

23. The overall objective of the Events Management Plan shall be to set out the practices and procedures to be adopted to ensure compliance with consent conditions and also to meet the following particular objectives:

- (a) that event managers have a full understanding of the management requirements associated with major fixtures on Hagley Oval;
- (b) that information relating to forthcoming major fixtures is communicated to nearby landowners/occupiers, by providing them at least two weeks advance knowledge of when major fixtures are to be held, and their related arrangements;
- (c) that information on travel and parking options to facilitate non-car modes of travel is effectively communicated to spectators. (At a minimum such communication is to be included as part of the ticket purchase process);
- (d) to ensure contractors engaged in the provision of temporary facilities and structures comply with pack-in and pack-out times stipulated in the conditions of this consent;
- (e) to ensure contractors engaged in the provision of temporary facilities and structures maintain public access to Hagley Oval and to the temporary hospital car park;
- (f) that temporary facilities and structures are located generally in accordance with the Match Management Plans attached;
- (g) to ensure food and beverage facilities are efficiently managed;



- (h) to provide waste facilities that are adequate to cope with the numbers of spectators expected to attend the fixture;
- (i) that rubbish is picked up throughout South Hagley Park and that portion of North Hagley Park between Riccarton Avenue and the Avon River by 10 am of the day following a major fixture;
- (j) to ensure crowd behaviour is effectively managed at all major fixtures through the provision of security personnel and marshals;
- (k) to ensure there is safe and orderly access to and from the Hagley Oval for officials, media, players, staff, contractors, and spectators;
- (l) to protect trees within the Park from potential damage caused by event activities; and
- (m) to maintain the grassed surface of the Polo Grounds to the standard required for hosting sports activities both during and following the cricket season.

24. The Events Management Plan shall include the following methods, measures and techniques to achieve the above objectives:

- (a) assigning roles and responsibilities, including appointment of a representative to be the primary contact person in regard to the management of events held at Hagley Oval;
- (b) a complaints procedure that specifies actions to be taken following receipt of a complaint, including records to be kept and responses to any complaints including remedial action taken; and
- (c) a monitoring regime to be employed for each major fixture for the purpose of evaluating compliance with the objectives of the Events Management Plan.

#### **The Pavilion – General Conditions**

25. The opening hours for the Pavilion shall be restricted so that the Pavilion will close no later than 10.00 pm Sunday – Thursday (inclusive) and 12.00 am on Friday or Saturday.



***Pavilion Management Plan***

26. The overall objective of the Pavilion Management Plan shall be to set out the practices and procedures to be adopted to ensure compliance with consent conditions and also to meet the following particular objectives:
- (a) the Pavilion is only to be used for recreation activities and accessory administrative, social, professional, and retail activities, unless a resource consent for other activities is obtained;
  - (b) the Pavilion is managed so that it is not used for functions which exceed more than 300 people;
  - (c) deliveries and glass recycling are to occur during business daytime hours and noise and disturbance associated with these activities is to be minimised;
  - (d) to ensure noise emissions associated with use of the Pavilion comply with the conditions of this consent. Such measures shall include a requirement that in order to minimise noise emissions all external windows and doors are to be closed after 10.00 pm hours except for the timely entry and exit of patrons;
  - (e) the operation of the Pavilion shall be carried out in accordance with any conditions of a lease granted by the City Council for use of the Pavilion; and
  - (f) the parking management regime ensures the safe and orderly arrival and departure of visitors.
27. The Pavilion Management Plan shall include the following methods, measures and techniques to achieve the above objectives:
- a) assigning roles and responsibilities, including appointment of a representative to be the primary contact person in regard to the management of the Pavilion;
  - b) a complaints procedure that specifies actions to be taken following receipt of a complaint, including records to be kept and responses to any complaints including remedial action taken;



- c) a monitoring regime to evaluate compliance with the objectives of the Pavilion Management Plan; and
- d) procedures for the use of the Pavilion by the community, including the private hire of the venue for events that are unrelated to cricket.

### **Pavilion environs**

- 28. Utility areas associated with the Pavilion are to be integrated into the design of the building so that they are not visible to the public.

### **Landscape Plan**

- 29. The Consent Holder shall prepare and submit to the City Council, a Landscape Plan for the existing car park to address the integration of the Pavilion and its access and to make good any damage caused during construction. The design of the planting proposed as part of this plan shall ensure views of the historic Umpires Pavilion are not obscured from any public place.
- 30. The Landscape Plan is to be certified by the Resource Consents Manager of the Christchurch City Council as meeting the requirements of conditions 28 and 29 prior to the implementation. The certified plan shall be implemented and the works completed prior to the occupation of the Pavilion.

### **Noise – General Conditions**

- 31. For the purposes of achieving compliance with the conditions of this consent, measurements shall be undertaken as follows:
  - (a) in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise;
  - (b) where an activity is located within the Central City (bounded by Harper, Moorhouse, Fitzgerald, and Bealey Avenues), and adjoins the boundary of a site included in another zone grouping outside the central City, the noise standards applicable at the boundary of the sites shall be those which apply



under the Christchurch City District Plan of the zone grouping that has the lower (more restrictive) specified noise standard; and

- (c) where the site on which the activity is located adjoins a Special Purpose (Road) Zone in the Christchurch City District Plan, any site in another zone grouping on the other side of the road that is directly opposite the activity site shall be regarded as the adjoining site.

### *Cricket Fixture Noise*

32. Noise emissions from cricketing fixtures on Hagley Oval (excluding noise from vehicles using the Polo Grounds access) shall not exceed the projected 55 dB  $LA_{eq}$  noise contours shown on Figure 3.3 in the report by Acoustic Engineering Services Limited dated 4 February 2013 and 85 dB  $LAF_{max}$ . Except that on three occasions each-cricket season up until 10.30 pm noise levels shall not exceed 55 dBA  $LA_{eq}$  and 85 dB  $LAF_{max}$  when measured at the boundary of the Special Purpose (Hospital) Zone and any Living Zone. On all other occasions the playing of music on the PA system shall not extend beyond 10.00 pm.
33. Noise monitoring shall be undertaken by an independent qualified expert approved by the City Council for at least two major fixtures (the events in each year are to be selected by the independent monitoring expert in consultation with the City Council) and the results shall be submitted to the City Council, with further monitoring being carried out as required by the City Council to confirm compliance with the conditions of this consent. The monitoring report shall include all measured noise levels and details of measurement equipment and calibration. The cost of such monitoring shall be borne by the Consent Holder.

### *Pavilion Noise*

34. Except during times when cricket is being played on Hagley Oval any activities undertaken within the Pavilion shall comply with the following noise standards:
- (a) Noise emitted shall not exceed the following levels when received at any other premises or site that is not within a Category 1 or 2 Entertainment and Hospitality Precinct:



$LA_{eq(15min)}$	Daytime	Night-time
	55 dB	45 dB
	(1 hour assessment period)	(1 hour assessment period)
$LAF_{max}$	85 dB	75 dB

35. No activities shall be undertaken within the outdoor areas after 10:00 pm Sunday to Thursday (inclusive) and 12:00 am Friday and Saturday.
36. Prior to the uplift of a Building Consent, the Consent Holder shall submit to the Resource Consents Manager at the City Council a report prepared by a qualified and experienced acoustic engineer confirming that the design of the Pavilion building, including all proposed external plant installations, is capable of ensuring any noise emissions from activities within the building and external plant will meet Condition 34.

***Council Groundsman's house***

37. Prior to any major fixture the Consent Holder shall make an offer to the occupant of the City Council Groundsman's house to provide alternative accommodation on the occasion of that fixture at the Consent Holder's expense.

***Noise Management Plan (NMP)***

38. Before every major fixture the Consent Holder shall have in place a specific NMP tailored to address the scale of that fixture.
39. The overall objective of each NMP shall be to set out in the practices and procedures to be adopted to ensure compliance with conditions of this consent. The Noise Management Plan shall include the following methods, measures and techniques to achieve this objective:
- a) a complaints procedure that specifies actions to be taken following receipt of a complaint, including records to be kept and responses to any complaints including remedial action taken;
  - a monitoring regime to evaluate compliance with the objectives of the Pavilion Management Plan;



- c) the process to manage noise from traffic, spectators, Public Address (PA) and music from the activity to ensure compliance with Condition 32;
- d) the method for testing the PA system including the set-up, speaker location, and operation;
- e) the locations of all measurement/monitoring sites and the noise measurements that are to be undertaken at those sites; and
- f) the process to review each successive NMP in order to respond to any specific issues that arise.

### ***Certifying requirements***

- 40. Prior to the commencement of the fixture the NMP is to be certified by the Resource Consents Manager at the Christchurch City Council as meeting the requirements of the conditions of this consent.

### **Lighting Management**

- 41. The lighting shall be installed and operated in accordance with the manufacturer's specifications.
- 42. At the start of each cricket season and before any major fixture is played in that season, light spill levels (in lux, horizontal and vertical) shall be measured and adjustments made so that the levels of light spill are consistent with the predictions in drawings LS20332/4c and LS20332/4d. The vertical light spill contours have been prepared for a height of 3m above ground level and all compliance monitoring is to be undertaken at this height.
- 43. The top of the lighting tower footings shall not extend above the finished ground level of any part of the embankment.
- 44. The use of the lights is confined to a maximum of 13 match days per cricket season. When in use for major fixtures:
  - (a) the lights shall be extended to their full height no earlier than two hours prior to the scheduled start of a major fixture; and



- (b) as soon as practicable following the conclusion of an evening match, the floodlights shall be reduced to 50% power for a period of up to one hour to allow spectators to leave the ground safely. They are then to be reduced to 10% power to enable final security checks to be undertaken with the lights to be switched off no later than midnight.
45. At all other times when the lights are not in use, the headframes shall be retracted so that the light tower structures do not exceed 30.9m in height.
46. The floodlights may be switched on and/or the towers extended for short periods on non-match days for testing and maintenance purposes.
47. Within one week of the end of the cricket season the lighting tower headframes shall be removed and stored out-of-sight and shall not be erected before 15 September the following year.
48. The Consent Holder shall appoint an independent suitably qualified expert approved by the City Council, to prepare a monitoring methodology to test whether the operation of the lights meets the conditions of this consent. The monitoring shall be undertaken at the start of each cricket season and then as required by the City Council. The monitoring methodology and subsequent report which shall be presented to the City Council and shall be agreed with the City Council prior to implementation. The cost of such monitoring shall be borne by the Consent Holder.

#### **Construction – General Conditions**

49. Construction activity shall be confined to the hours of 7:00 am to 6:00 pm. Heavy Goods Vehicles shall only access the site between the hours of 7:00 am to 7:30 am, and 9:30 am to 4:30 pm Monday to Friday, and 7:00 am to 6:00 pm Saturday and Sunday.
50. Heavy Goods Vehicles associated with the construction of the Pavilion shall enter/exit the site from Riccarton Avenue using the Horticultural Hall accessway and with "left turn in" and "left turn out" movements only.



51. Heavy Goods Vehicles associated with the construction of the embankment and lighting towers shall enter/exit the site from Riccarton Avenue using the Christ's College accessway and with "right turn in" and "left turn out" movements only.
52. All construction noise shall comply with NZS 6803:1999 Acoustics – Construction Noise so that construction noise does not exceed the limits in Table 2 of the Standard which are set out in Tables 3a and 3b of City Plan noise rule Volume 3, 11-1.3.4.
53. Prior to any construction activity commencing the Consent Holder shall engage a suitably experienced and qualified arborist approved by the City Council, to advise on measures to be implemented for the protection of trees during the construction work. The arborist shall be present on site to monitor and supervise works associated with: (a) the scraping of topsoil for the construction of the embankments; (b) works associated with constructing foundations for the light towers and the foundation of the Pavilion building and (c) the transportation of the lighting towers components onto the site. As a minimum there shall be no use of heavy machinery or the storage of equipment and materials within the drip lines of trees surrounding Hagley Oval.
54. The refuelling of plant and machinery shall not be undertaken within 50 metres of any tree or 20 metres of the Addington Drain.
55. The Umpires Pavilion shall be protected from damage from the effects of construction including vibration, and the placement and operation of construction plant and equipment.

### ***Construction Management Plan***

56. The overall objective of the Construction Management Plan shall be to set out the practices and procedures to be adopted to ensure compliance with consent conditions and also to meet the following particular objectives:
  - (a) construction activities shall be managed so that no sediment escapes from the site and into adjoining waterways from areas of exposed soil, excavated soil or stockpiled soil or from soil that is deposited on the site as part of the construction of the embankment, pavilion, and lighting towers;



- (b) construction activities shall be managed so that dust nuisance does not arise beyond the boundaries of the site;
- (c) the Consent Holder shall ensure that sediment/debris are not transported on to Riccarton Avenue;
- (d) any damage to the Park accessways caused by construction traffic is to be repaired by the Consent Holder;
- (e) the Consent Holder shall ensure that any part of the site subject to construction activity is securely fenced to protect public safety;
- (f) the Consent Holder shall ensure that the movement of heavy vehicles to and from the site is managed so as to avoid conflict between heavy vehicle movements entering and leaving the site, and with other vehicles accessing or leaving the car-parking area adjacent to Hagley Oval, the Horticultural Hall and the temporary hospital car park;
- (g) the Consent Holder shall ensure that access is maintained through the access point from Riccarton Avenue serving the Horticultural Hall through to the temporary hospital car park;
- (h) temporary fencing shall be installed to ensure that heavy machinery does not intrude within the drip line of surrounding trees, and that vehicles and the use and storage of vehicles and equipment does not cause damage to the Umpires Pavilion;
- (i) all temporary fencing is to be removed within one week of the completion of construction or when a hazard to public safety no longer exists; and
- (j) any machinery or materials associated with the construction of the embankment, lighting towers or pavilion should be contained within the site of the Oval itself and not obstruct access-ways or formed car parking areas. Space shall be made available within the Oval for the parking of all staff vehicles associated with construction activity.



57. The Construction Management Plan shall include the following methods, measures and techniques to achieve the above objectives:

- (a) assigning roles and responsibilities, including appointment of a representative to be the primary contact person in regard to construction management;
  - (b) a complaints procedure that specifies actions to be taken following receipt of a complaint, including records to be kept and responses to any complaints including remedial action taken;
  - (c) a monitoring regime for evaluating compliance with the objectives of the Construction Management Plan;
  - (d) measures to prevent nuisance from dust from construction activity;
  - (e) measures for ensuring that sediment/debris are not transported by construction vehicles on to Riccarton Avenue;
  - (f) measures for the ensuring the security of any fuel storage and the provision of emergency spill kits at all times during construction;
  - (g) methods for controlling and avoiding adverse effects from construction activity on trees and structures including the Umpires Pavilion;
  - (h) methods for the remediation of any damage caused to the Park, trees, car parking areas and to the Park accessways;
  - (i) procedures for the safe and efficient management of heavy vehicle movements to, from, and within the site including a communications regime to manage truck driver behaviour;
  - (j) procedures for the management of the movement of heavy construction vehicles to and from the site to avoid conflict between these vehicles and other vehicles using the Park accessways;
  - (k) specifications and placement for secure fencing to be provided around the perimeter of the construction site for the protection of public safety;
- methods for the protection of trees including:



- i. temporary fencing to ensure that heavy machinery does not intrude within the drip line of surrounding trees; and
  - ii. methods, and timing for works to be supervised by an arborist (works associated with the scraping of topsoil for the construction of the embankments, works associated with constructing foundations for the lighting towers the Pavilion building and the transportation of the lighting tower components);
- (m) methods for the protection of the Umpires Pavilion including:
- i. temporary fencing to be installed around the Umpires Pavilion throughout the construction period; and
  - ii. the washing down of the exterior of the Umpires Pavilion at the completion of construction;
- (n) provisions for the reinstatement of the site at the completion of the construction works;
- (o) procedures for complaint recording, resolution and feedback; and
- (p) procedures for the review and updating of the Construction Management Plan to address any effects issues.

#### **Access Management - General Conditions**

58. The Consent Holder shall ensure that traffic associated with major fixtures does not impede the passage of emergency services vehicles en route to Christchurch Hospital.
59. The Consent Holder shall maintain and promote a cricket fixture website. No later than four weeks prior to the start of each major fixture the website is updated to include details of travel options to the venue. This is to include any restrictions and information for facilitating travel and crowd management so as to minimise adverse effects on the street network and public places.

The Consent Holder shall have contingency arrangements in place at the start of each cricket season to ensure that alternative car parking for up to 2,000 cars is available in



the event of the Polo Grounds becoming unavailable at short notice prior to a major fixture (e.g. because of severe weather conditions). If contingency arrangements have not been put in place then the affected fixture shall not be held at the Oval.

***Polo Grounds temporary parking and access***

61. All parking within the Polo Grounds shall be confined to the holders of pre-purchased tickets except where parking is required for a test match when the requirement for pre-purchased tickets shall not apply.
62. The Polo Grounds are not to be used for car parking for any Domestic T20 fixtures held on Friday evenings or weekends.
63. Access to the parking area within the Polo Grounds shall be located off Deans Avenue approximately 370 metres north of the centre of the intersection of Deans Avenue and Moorhouse Avenue and shall be designed to provide for safe and efficient access to and from Deans Avenue. The design shall include a non-mountable kerb in keeping with the character of the existing kerb line.
64. Vehicles shall not be parked within the drip line of any trees or on any cricket wicket/block.
65. During the cricket season the Consent Holder shall, in consultation with the City Council, regularly monitor the condition of the grass surface within the Polo Grounds, and shall undertake such remedial measures as directed by the City Council.
66. The Consent Holder shall appoint an arborist approved by the City Council, who shall advise the traffic management expert on the layout of the car park including the alignment of its accessways for cars and pedestrians so as to ensure that vehicles are not parked within the drip line of any trees and to protect tree roots from damage.

***Certification requirements***

67. Prior to the use of the Polo Grounds for car parking the Resource Consents Manager at the City Council shall certify that the Consent Holder has met the requirements of the consent conditions as they pertain to:



- (a) the location and design of the proposed access reconstruction; and
- (b) the layout of the car park and the alignment of the access and egress.

68. The access shall be constructed in accordance with the City Council certified design at the expense of the Consent Holder.

### **Temporary Traffic Management Plan (TTMP)**

69. The Consent Holder shall not hold a major fixture unless the City Council has approved a TTMP for that fixture.

70. The objective of each TTMP shall be to set out the practices and procedures to be adopted to ensure compliance with consent conditions and the objectives of the AMS which are to:

- (a) minimise the use of Riccarton Avenue as far as is practical, in order to ensure that the passage of vehicles associated with the hospital (including but not limited to emergency services, staff and out-patients) are not adversely affected by match-related traffic;
- (b) support a choice of transport modes for spectators, and thereby minimise the effects of match-related travel as far as is practicable on travellers not associated with the match;
- (c) minimise disruption to the surrounding community immediately before, during and immediately after a match;
- (d) adhere to all relevant Acts, Regulations and Bylaws;
- (e) reflect best practice in managing spectator travel associated with a major fixture;
- (f) ensure the orderly and efficient movement of traffic entering and exiting the Polo Grounds car parking area (if used) without unduly affecting passing traffic;
- (g) integrate the requirements of the AMS with the emerging traffic and transportation management plans of the District Health Board;



- (h) ensure the optimum efficiency and safe operation of the roading network immediately before, during and immediately after a match;
- (i) provide for a TTMP to be prepared for each major fixture which is expected to attract more than 2,000 spectators;
- (j) provide for the monitoring, reporting and review of the TTMPs so that these Plans are continually refined and adapted to address any specific issues that arise. This to be undertaken by an independent expert with traffic management qualifications and technical experience. The extent of the monitoring, reporting and review is to be agreed with the City Council in advance of certification of the TTMP. The cost of meeting this condition is to be borne by the Consent Holder; and
- (k) provide for a communications strategy to include:
  - (i) paid media promotion for major fixtures which is to provide details of travel options available to spectators; and
  - (ii) for all spectators who pre-purchase tickets for major fixtures to be provided with details of transport options to the Oval, including a request to avoid the use of Riccarton Avenue and including (but not limited to) information regarding park and ride facilities, public transport and car parking arrangements.

### *Access Management Strategy*

71. The management of traffic and parking for each major fixture shall be undertaken in accordance with the draft AMS<sup>1</sup> attached as **Appendix 4**. The TTMP shall include the following methods, measures and techniques to achieve the above objectives:

- (a) not less than one month prior to the lodgement of the draft TTMP with the City Council, the Consent Holder shall consult with the following:

The AMS is to be amended to give effect to the Court's directions in the Interim Decision dated 13 August 2013.



- Emergency service providers (Fire Service, St John Ambulance and Police);
- Canterbury District Health Board;
- University of Otago School of Medicine;
- Canterbury Horticultural Centre;
- City Council Transport and Greenspace Unit (with regard to effects on roads, timing of other major events, and use of Hagley Park by other organisations);
- The Directors of the Schools Sports Programmes (with regard to the use of Hagley Park and the Polo Grounds);
- Christchurch Transport Operations Centre (with regard to any other TTMP in place in the immediate area);
- Deans Avenue Mosque and Islamic Centre;
- Stronger Christchurch Infrastructure Rebuild Team (or its successor); and
- Adjacent Residents' Associations.

- with the purpose of this consultation being to identify any issues and concerns held with respect to traffic and parking for the purpose of informing the draft TTMP.

72. If consultation identifies that additional parking and public transport provision is necessary, then the Consent Holder shall consult with the following persons for the purpose of providing additional parking and public transport:

- Hagley Community College, in respect of the potential use of their car parking area;
- Environment Canterbury, for the arrangement of additional scheduled bus services and park and ride buses;
- Taxi companies, with regard to the drop-off and pick-up arrangements;
- Business owners in the immediate area, to identify whether any private car parking areas could be made available; and
- Netball Centre, to identify whether any private car parking areas could be made available.



73. Every TTMP shall include a communications programme in accordance with the provisions of the Access Management Strategy.
74. The Consent Holder shall keep records of all correspondence relating to monitoring, including with stakeholders who have been consulted, and will provide these to the City Council.

#### **Certification requirements**

75. The Consent Holder will submit the draft TTMPs to the City Council for approval, together with a complete record of all communications between the Consent Holder and persons consulted under the conditions of this consent, no later than 12 weeks prior to the major fixture being held or as otherwise agreed between the Consent Holder and the City Council.
76. Within one month of a fixture ending, the Consent Holder shall provide a summary of the monitoring exercise to the Traffic Management Contractor, in order to inform development of any subsequent TTMP.

#### **Public access**

77. General public access shall only be restricted to the Hagley Oval on those days when major fixtures are being played. On these occasions restricted entry shall only apply to the area of the site shown as the red dashed line on the Match Management Plans attached as '**Appendix 3**'.

#### **Contaminated soil**

78. Prior to any excavation of the site or commencement of construction of any buildings, the Consent Holder shall obtain expert advice on soil contamination with regard to the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES') from a suitably qualified and experienced practitioner, and either:
- (a) submit a preliminary site investigation report to the City Council which conforms to the Ministry for the Environment Guideline No. 1 and establishes



that more likely than not there was no HAIL activity on the land or that levels of priority contaminants are below NES standard values;

or if that cannot be established, then:

- (b) apply separately to the City Council for resource consent under the NES to excavate the land and treat or manage any contaminants in accordance with MfE guidelines for contaminated soil.

### **Heritage**

- 79. No advertising hoardings shall be erected on the Umpires Pavilion or picket fence directly in front of the Umpires Pavilion.
- 80. No temporary facilities and structures (e.g. stands, tents, or stalls) shall be erected in front of the Umpires Pavilion.

### **Accidental Discovery Protocol**

- 81. The Consent Holder shall follow the requirements of the Accidental Discovery Protocol appended to these conditions as **Appendix 5**, which sets out the procedures that must be followed in the event that taonga (Māori artefacts), burial sites/kōiwi (human remains), or Māori archaeological sites are accidentally discovered. Prior to the commencement of any works, a copy of the Accidental Discovery Protocol shall be made available to all contractors working on the site.
- 82. This condition shall apply irrespective of whether an Archaeological Authority pursuant to the Historic Places Act 1993 has been obtained from the New Zealand Historic Places Trust prior to the construction activities commencing.

### **Review condition**

- 83. Pursuant to section 128 of the Resource Management Act, the City Council may, at any time, serve notice on the Consent Holder of its intention to review the conditions of consent in order to:
  - (a) respond to any adverse effect on the environment which may arise from exercise of the consent which, because of the redevelopment of the central city including



the Health Precinct, the Metro Sports Facility and the Justice and Emergency Services Precinct, it is appropriate to deal with at a later stage. The effects include those that arise in relation to any changes to the road network and parking supply and access;

- (b) to deal with any unanticipated adverse effects on the environment which may arise from the exercise of the consent, which is appropriate to deal with at a later stage;
- (c) to require the Consent Holder to adopt the best practicable option to mitigate any adverse effect on the environment; and
- (d) to ensure that the conditions are effective and appropriate in managing the effects of activities authorised by this consent including:
  - (i) the Access Management Strategy; and
  - (ii) the Management Plans.

**Advisory Notes:**

- 84. All TTMPs are to be submitted for review and approval by the Road Controlling Authority (the Christchurch City Council).
- 85. In the event that a proposed signage system has been developed as part of Objective 26 in the Hagley Park Management Plan 1997 before any permanent way-finding or naming signage associated with the new Hagley Oval Cricket Pavilion and Oval is installed, then such signage is to be designed in accordance with that system.
- 86. In the event that a proposed design specification for furniture has been developed as part of Objective 26 in the Hagley Park Management Plan 1997 before any park furniture associated with the new Hagley Oval Cricket Pavilion is installed, then such furniture is to be designed in accordance with that design specification.
- 87. This site is likely to be an archaeological site pursuant to the Historic Places Act 1993. The Consent Holder is encouraged to contact the New Zealand Historic Places Trust in this regard prior to commencing construction activities as an archaeological authority from the Trust may be required.



88. The consent of the City Council for the use of the Hagley Oval for any of the activities described in this consent is required under the Reserves Act 1977. Under the Reserves Act, the City Council may cancel the use of Hagley Oval and the Polo Grounds.
89. The consent of the City Council is required for the removal of any trees in order to facilitate access from Deans Avenue into South Hagley Park.

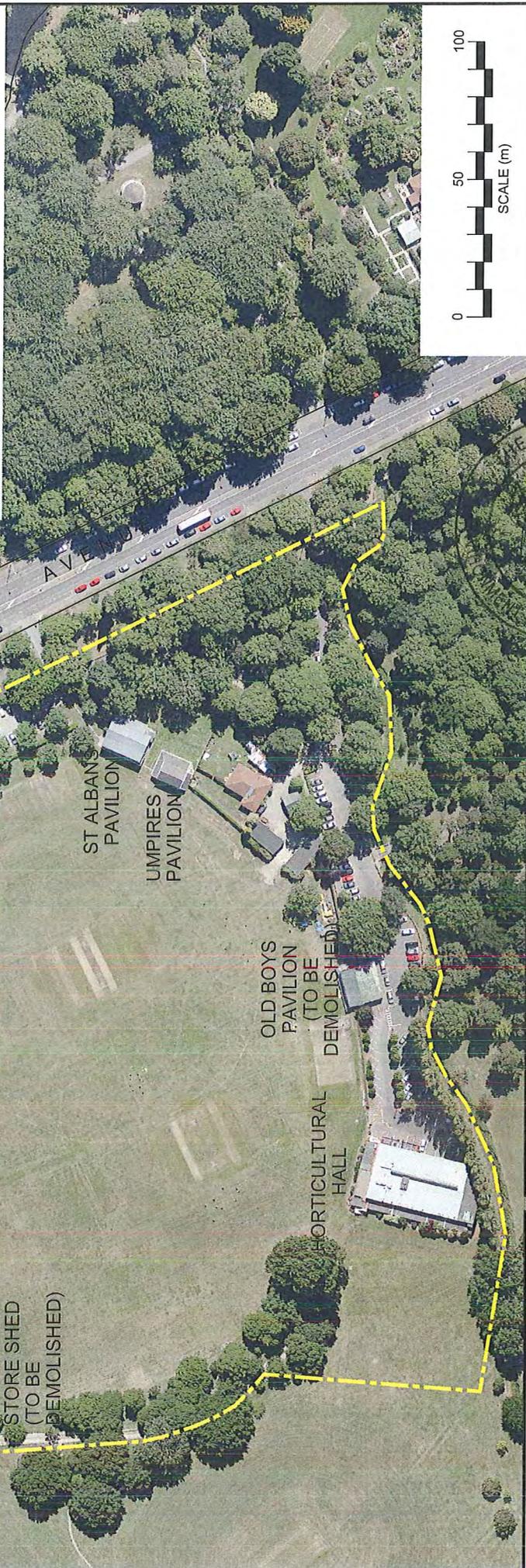
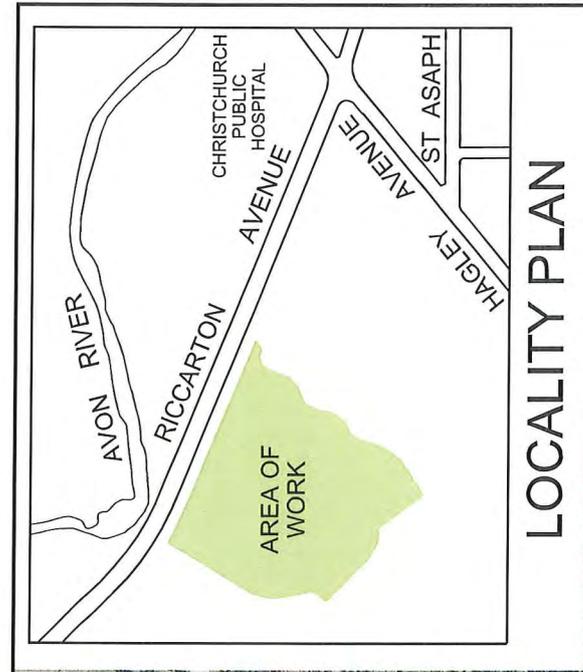
**List of Appendices:**

1. Site Plan
2. Plans (Condition 1)
3. Match Management Plans
4. Access Management Strategy
5. Accidental Discovery Protocol



# Appendix 1





Original Plan Size: A4  
ISSUE.1 13/11/12  
TP331601 JEP



**HAGLEY CRICKET OVAL**



## Appendix 2





Reference: 4188  
Date: 03/07/2013  
Scale: 1:1750 @ A3  
Prepared by: JB

Polo Ground Car Park / Access Layout  
South Hagley Park









**hagley oval site plan - enhanced**

The establishment of an international cricket venue at Hagley Oval includes the removal of the existing Old Boys Collegians Pavilion, the removal of the existing concrete block store sheds to the south western corner of the oval, and the creation of new cricket wicket block and outfield.

The basis of this resource consent involves the development of three key facilities to support international cricket at Hagley Oval: low rise grass embankments to the perimeter of the cricket boundary, four partially retractable light towers, and a pavilion to house the essential functions for hosting test cricket. Each of these three enhancements are shown in more detail in the body of this report, however in summary consist of the following:

**Hagley Oval Pavilion**

- Players changing, toilets and showers
- Players dining and viewing spaces
- Umpires changing, toilets and showers
- Match official office spaces
- Media spaces
- Member lounge and bar (150 seated, 300 standing)
- Groundsman store
- Public toilets
- Covered tiered seating

**Low Rise Grass Embankments**

- Fully grassed surfaces, no obstruction to travel through the park
- Maximum height 2.5m, average height 2.2m
- Similar in height and scale to the 2m high grass embankments currently within South Hagley park adjacent to the netball centre

**Light Towers**

- Four (4) light towers spaced at equal centres around the oval
- Telescopic towers: 31m height raised to 49m only for matches
- Similar in height to the existing 21m high light towers currently within South Hagley Park adjacent to Hagley Oval



hagley oval - proposed site plan  
 scale: 1:1500 @ A3 / 1:750 @ A1

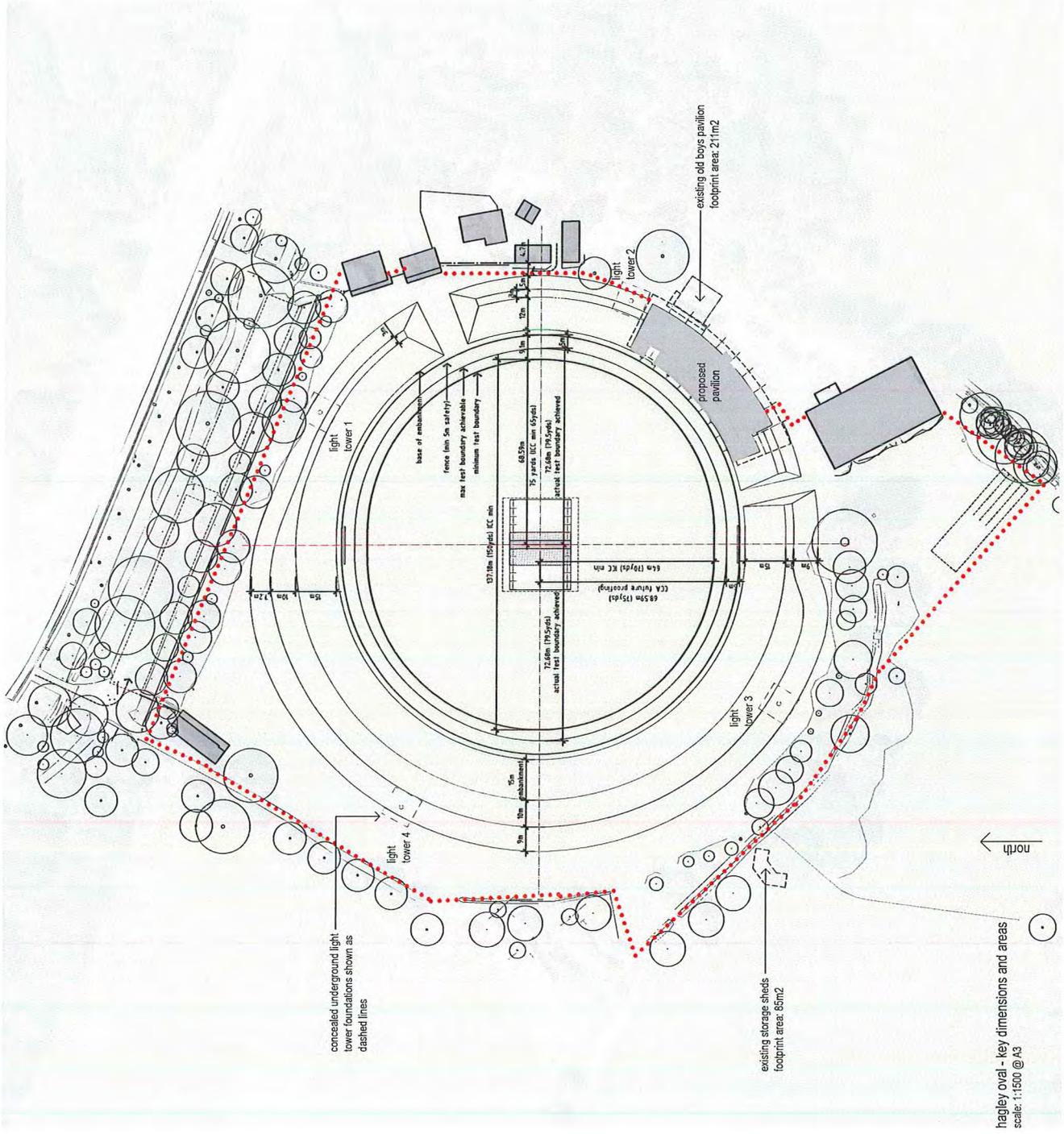


**hagley oval - dimensions and areas**

The accompanying drawing shows the dimensions and locations of the key features associated with the Hagley Oval enhancements.

The following table outlines the key areas (in m<sup>2</sup> areas) associated with each part of the developments:

Existing Hagley Oval cricket field area, approx:	43 500	m <sup>2</sup>
Existing buildings floor area, approx:	2868	m <sup>2</sup>
Existing buildings area to be demolished: (old boys pavilion + storage sheds)	296	m <sup>2</sup>
Existing impervious surfaces area, approx: (in addition to buildings within area of proposal)	2600	m <sup>2</sup>
Proposed test cricket playing surface area:	18 100	m <sup>2</sup>
Proposed grass embankment area:	14 450	m <sup>2</sup>
Proposed grass embankment volume, approx:	23 000	m <sup>3</sup>
Proposed maximum fenced area in use, approx: (incl. dedicated carpark areas and temporary ground uses during charge match days only)	59 000	m <sup>2</sup>
Proposed pavilion ground floor level footprint area:	775	m <sup>2</sup>
Proposed pavilion upper level floor area:	980	m <sup>2</sup>
Proposed pavilion fabric canopy roof, approx:	1785	m <sup>2</sup>
Proposed permanent outdoor seating area: (located directly in front of pavilion)	280	m <sup>2</sup>
Proposed footprint area of light towers, approx: (approx. 2.25m <sup>2</sup> area per tower at ground level)	9	m <sup>2</sup>
Proposed maximum extent of concealed underground light tower foundations, approx: (in addition to ground level light tower footprint area)	475	m <sup>2</sup>
Proposed additional impervious surfaces, approx: (paving to link rear of pavilion to existing carpark)	200	m <sup>2</sup>

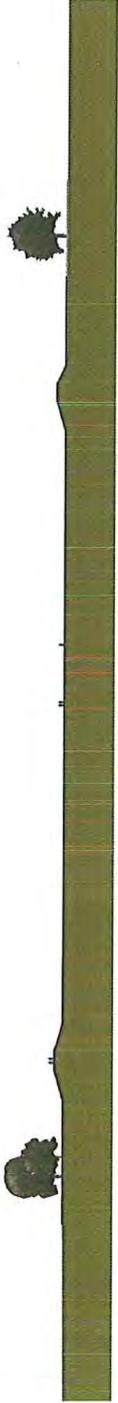


hagley oval - key dimensions and areas  
scale: 1:1500 @ A3





low rise grass embankments

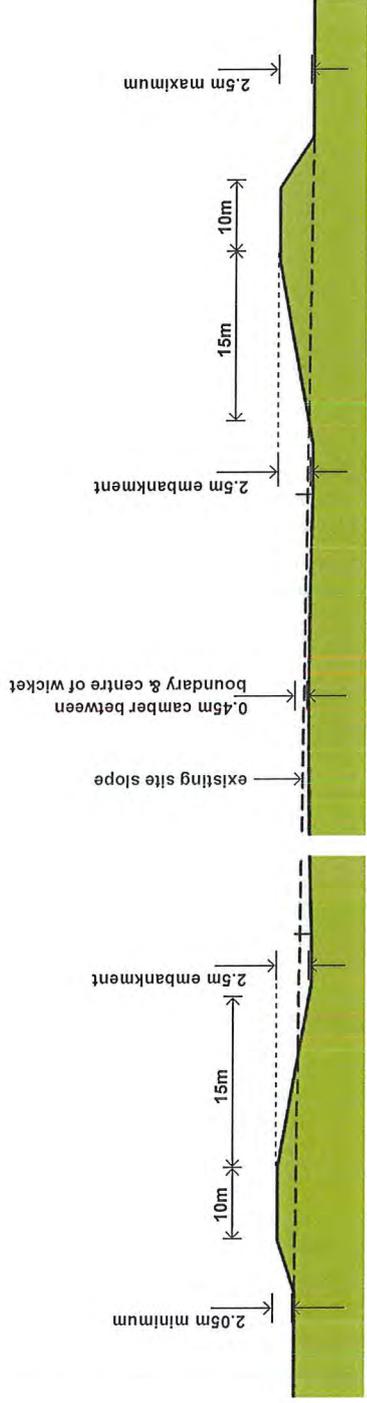


The establishment of an international cricket venue at Hagley Oval includes the addition of low rise grass embankments to the perimeter of the cricket boundary.

The proposed embankments will have grassed surfaces, and will not offer any obstructions to travel through the park. Due to the existing ground levels having a natural fall of approx. half a metre across the Hagley Oval cricket surface, the embankment height varies from between 2.05m to 2.5m in height, offering an average height of 2.2m.

This embankment height is similar in scale to the 2m high grass embankments currently within South Hagley park adjacent to the netball centre, or the 2.1m high grass embankments at the former village green cricket ground at Queen Elizabeth II Park (QEII).

hagley oval - proposed site section showing low-rise grass embankments  
scale: 1:1500 @ A3 / 1:750 @ A1

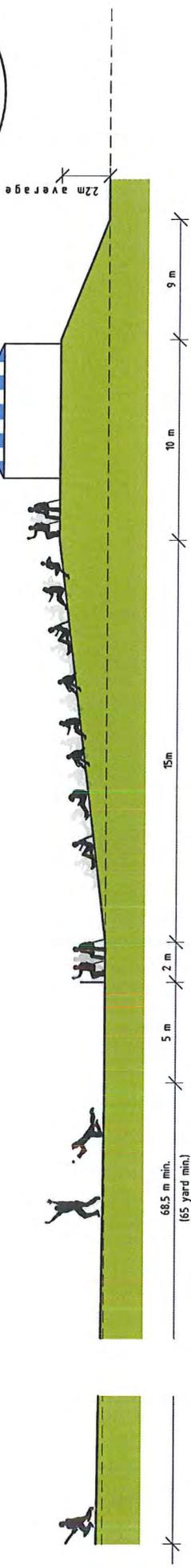


embankment height: 2.05m - 2.5m (2.2m average)

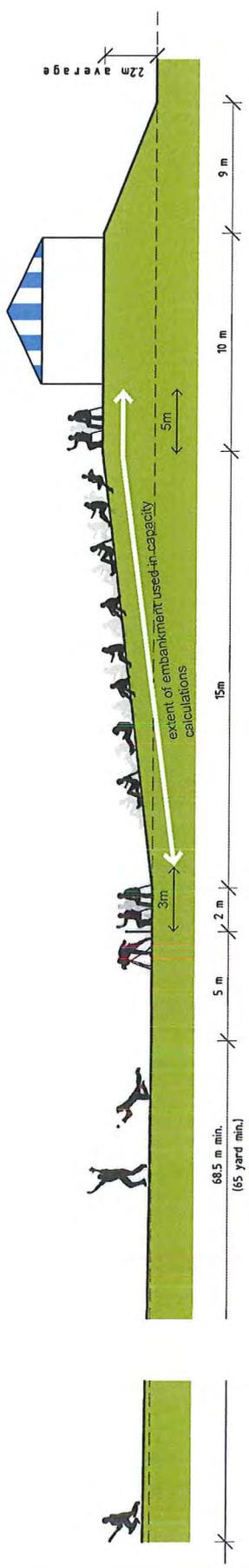
section drawing showing actual embankment heights taking into consideration existing slope and outfield construction levels  
scale: n/s @ A3



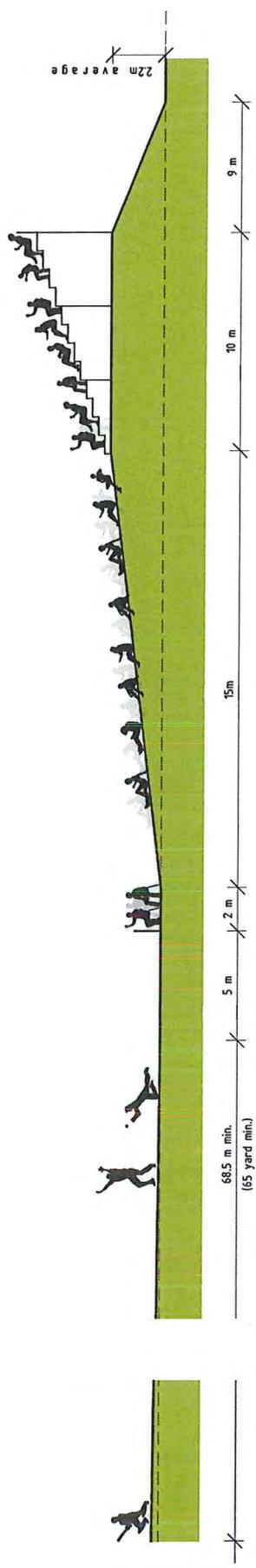
hagley oval / resource consent drawings



Embankment section - typical arrangement  
scale: 1:200 @ A3



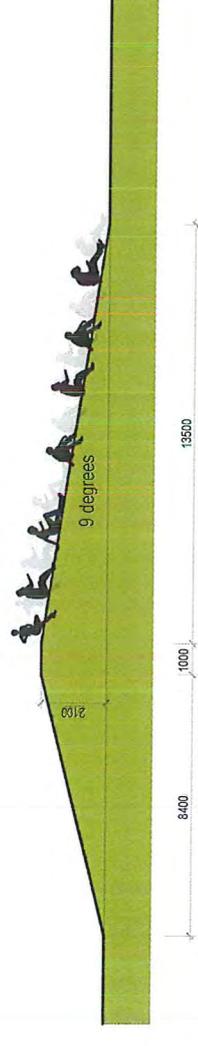
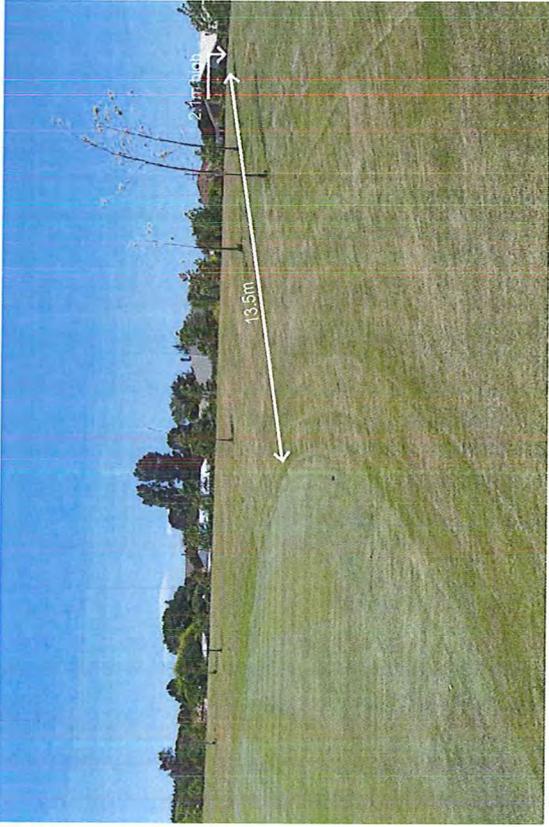
Embankment section - camera inside of boundary fence  
scale: 1:200 @ A3



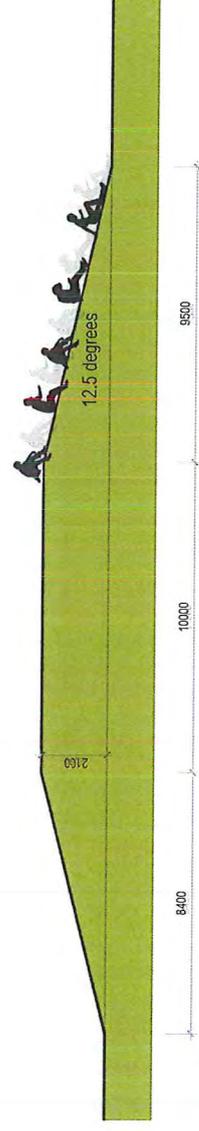
Embankment section - including temporary seats  
scale: 1:200 @ A3



hagley oval / resource consent drawings



QE2 East embankment  
embankment height: apx. 2.1m



QE2 South West embankment  
embankment height: apx. 2.1m

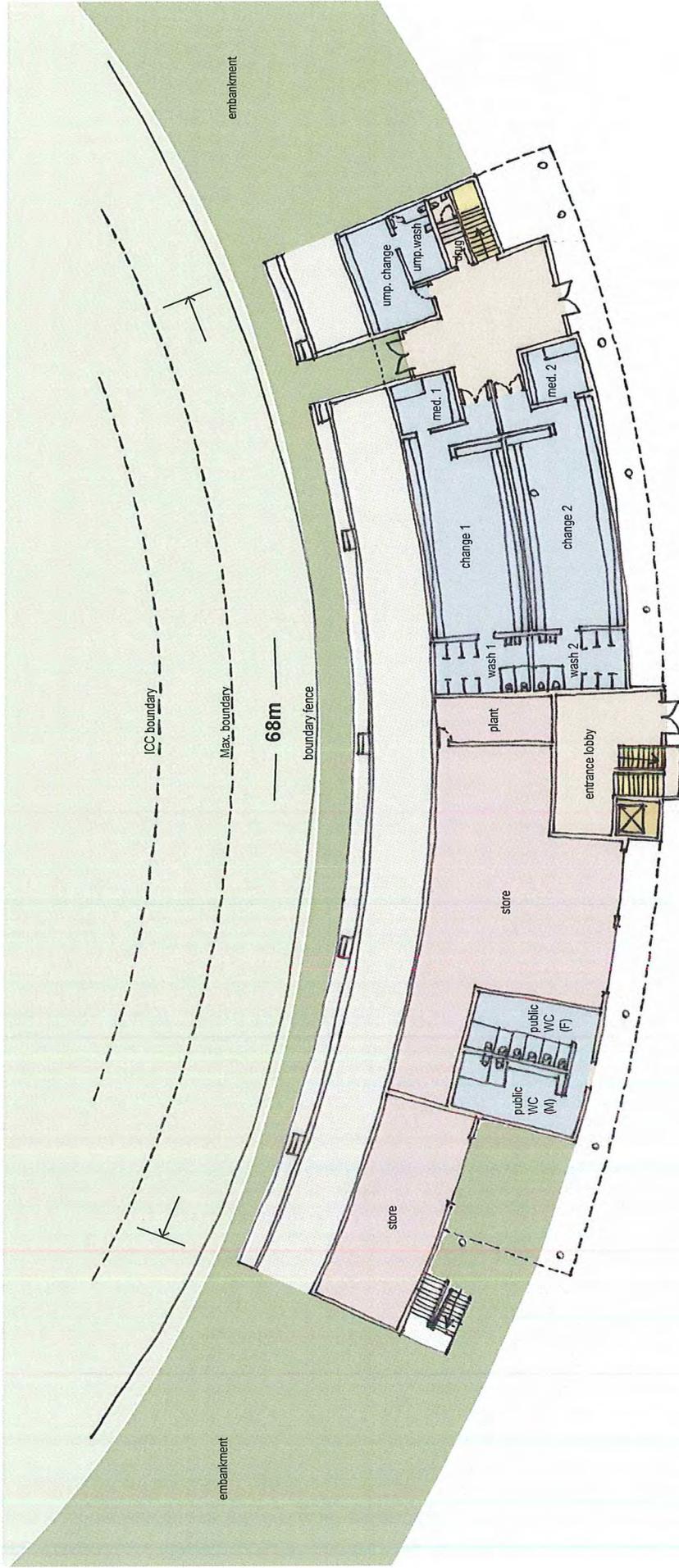
comparisons with QE2 village green cricket ground  
scale: nis @ A3







hagley oval pavilion

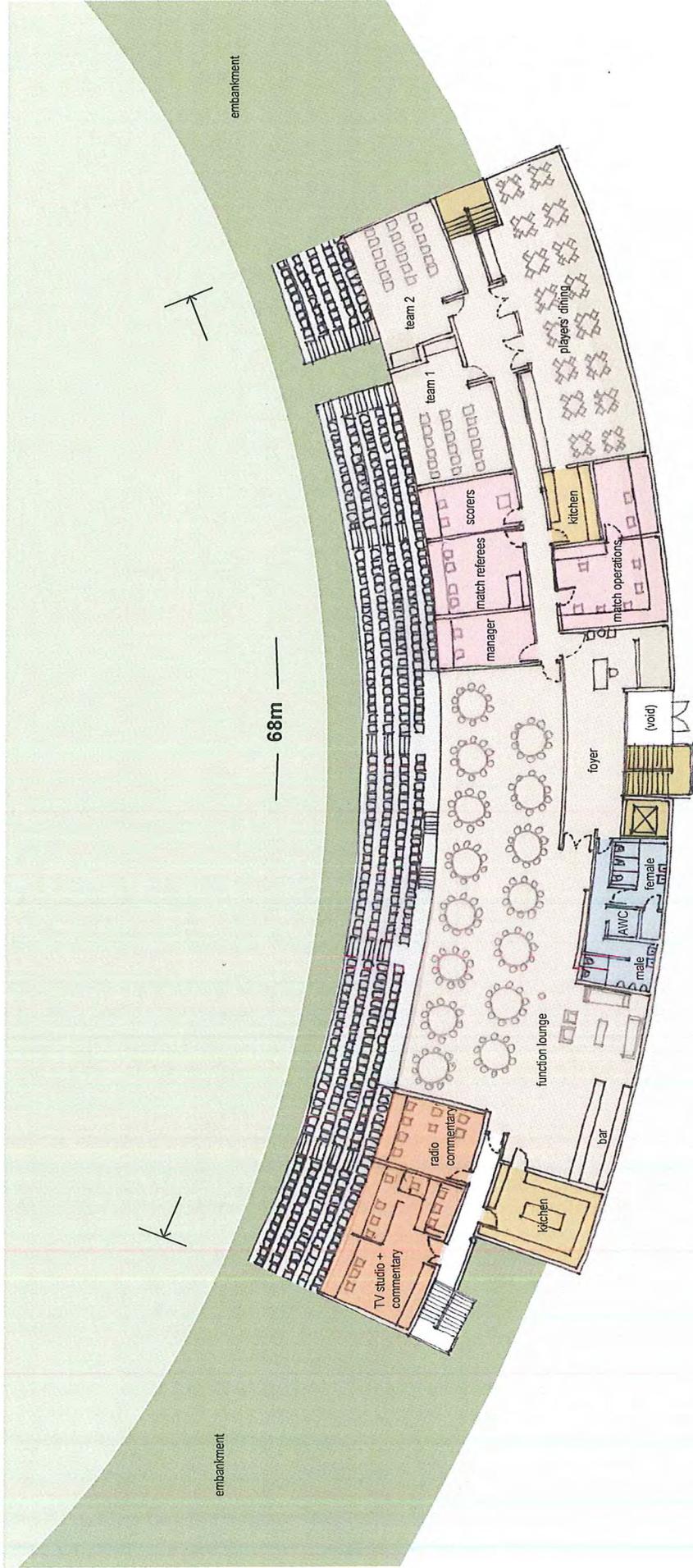


proposed pavilion - ground floor plan  
scale: 1:250 @ A3





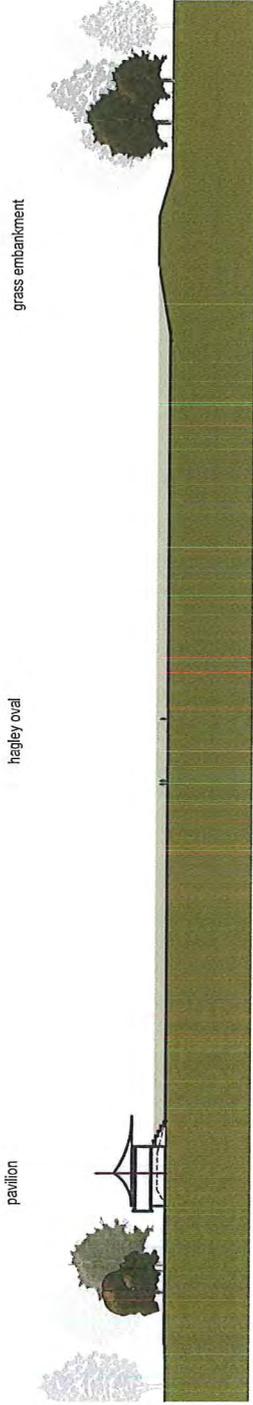
hagley oval pavilion



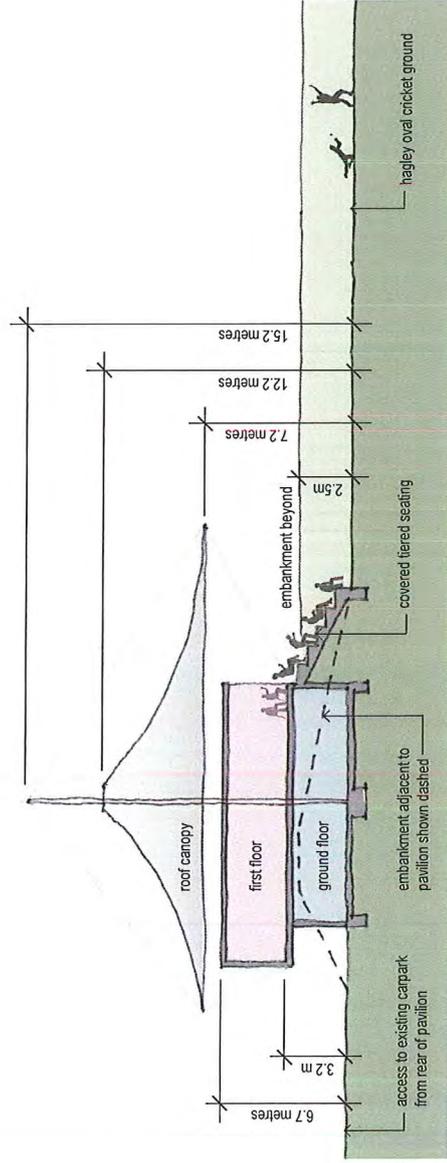
# hagley oval / resource consent drawings



## hagley oval pavilion

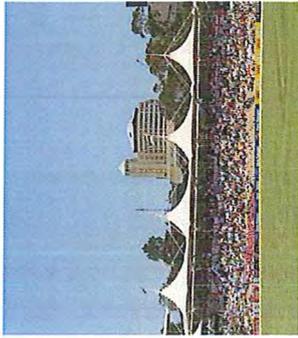


proposed pavilion - building and ground cross section  
scale: 1:1000 @ A3



proposed pavilion - building cross section  
scale: 1:250 @ A3

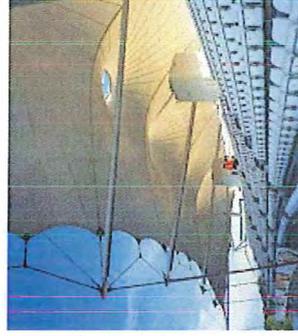




adelaide cricket ground



lords cricket ground, london



hampshire county cricket club, united kingdom

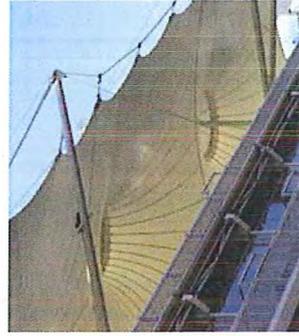


nursery pavilion, lords cricket ground, london

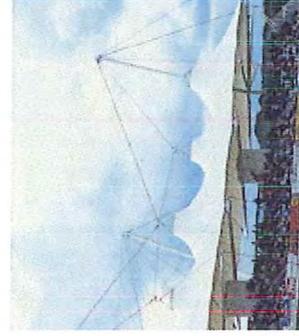
pavilion precedents



embankment - proposed bay oval development, tauranga



lords cricket ground, london



hampshire county cricket club, united kingdom



nursery pavilion, lords cricket ground, london



embankment - queenstown cricket ground



lords cricket ground, london



sponsors tents

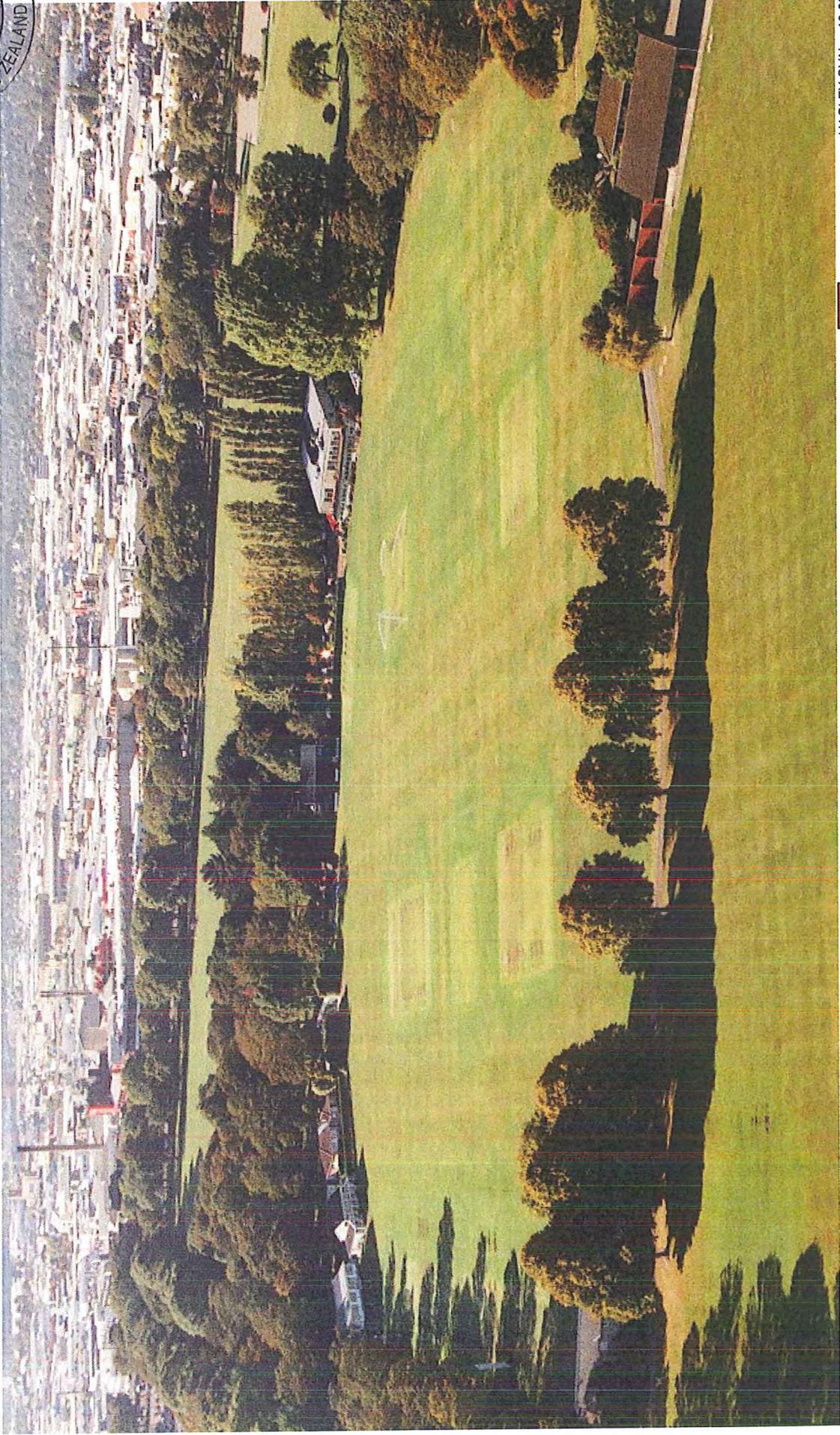


nursery pavilion, lords cricket ground, london



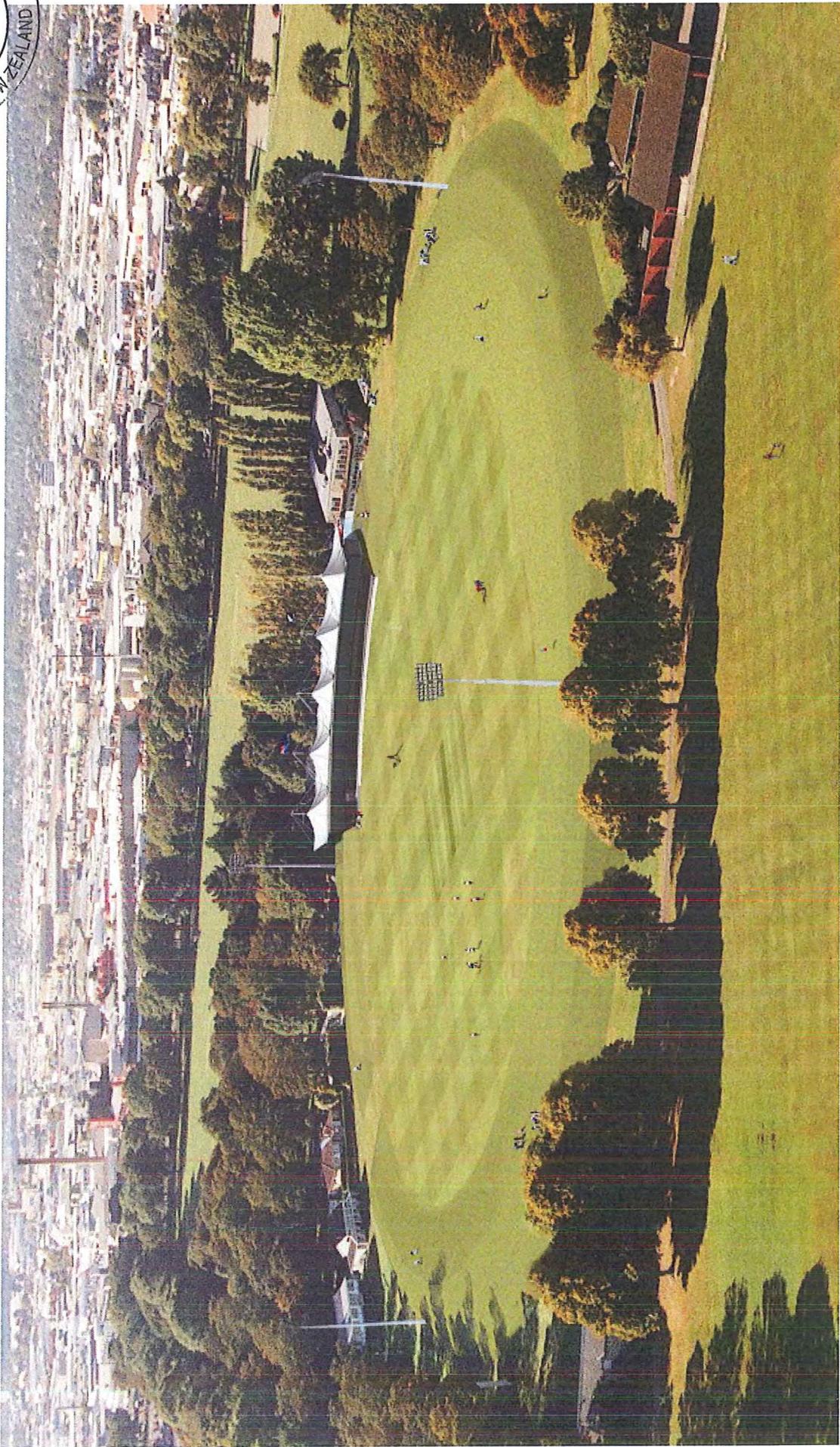


hagley oval / resource consent drawings



existing aerial view looking south-east to hagley oval  
scale: rts @ A3

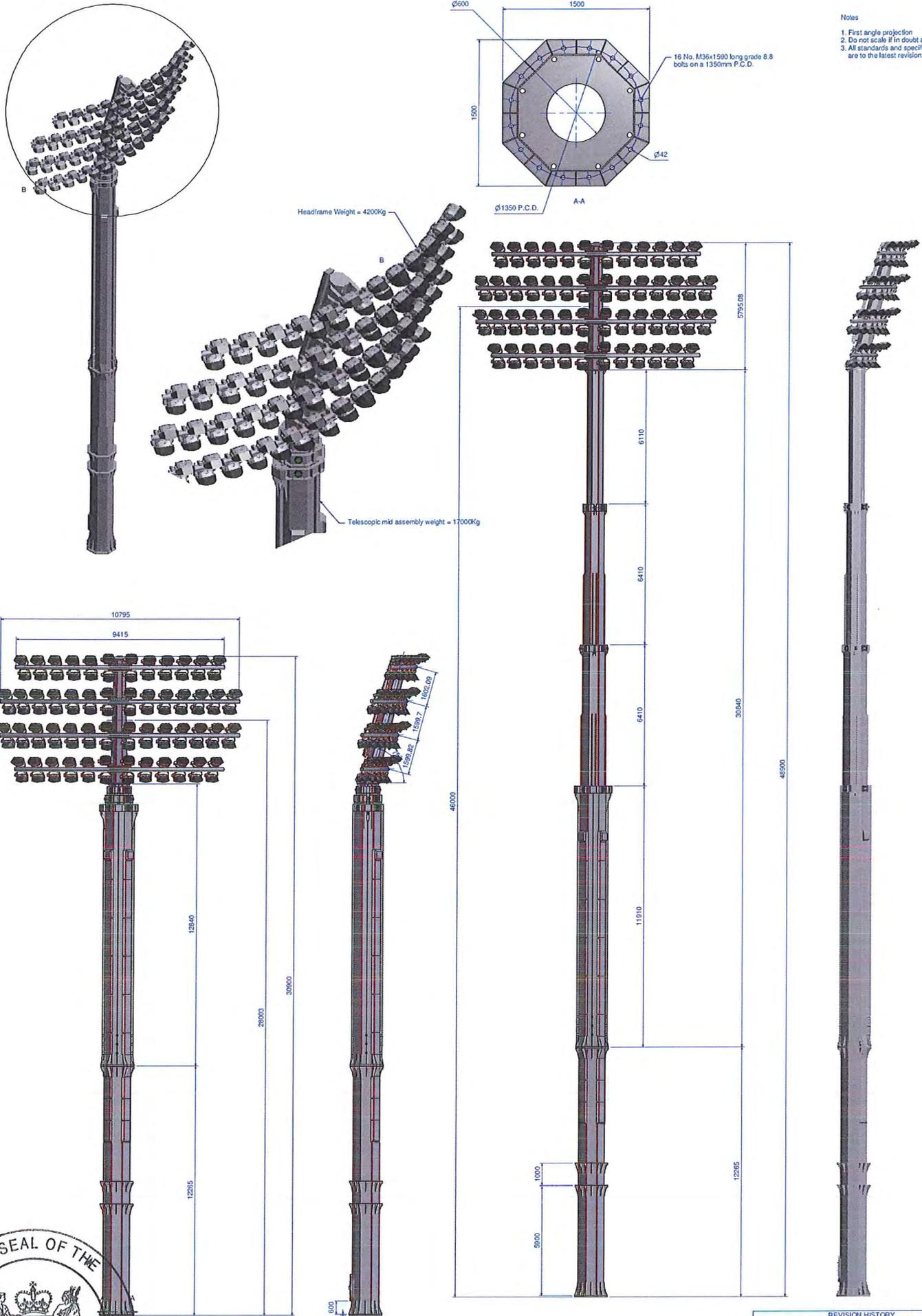




proposed aerial view looking south-east to Hagley Oval: non-match day (majority of year)  
scale: nts @A3



- Notes
1. First angle projection
  2. Do not scale if in doubt ask
  3. All standards and specifications are to the latest revision.



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General tolerances unless stated otherwise:  
 0mm-500mm ± 1.0  
 501mm-1000mm ± 1.5  
 Above ± 2.0

Drawn a booth  
 Checked g smith  
 Scale N.T.S.  
 Date 21/01/13

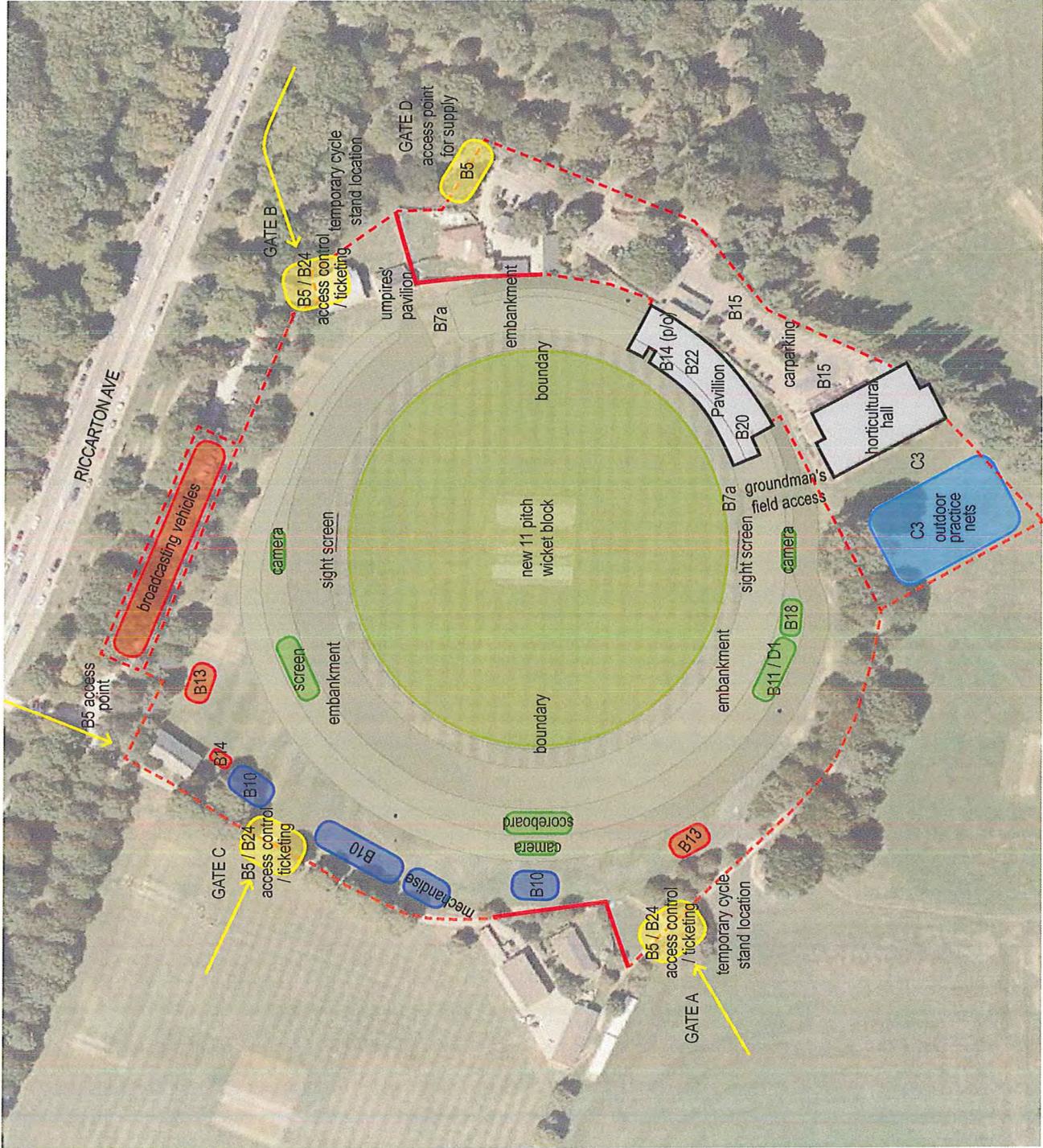
Title  
 Telescopic mast 30.9m to 48.9m to mount 96 Challenger 3 floodlights  
 Sales order No.

REVISION HISTORY				
BY	REV	DESCRIPTION	DATE	APPROVED
AS	A	COWL ADDED	13/2/13	LD

**Abacus**  
 LEADERS IN LIGHTING  
 Client  
 Dwg No. TEL-48.9-GA1

# Appendix 3





**A. Match Management Plan:  
Less Than 5000**

- B5: access control points
- B7a: disabled access / position
- B10: concessions
- B11: sports presentation control room
- B13: toilets
- B14: public medical facilities (temporary) and players / officials (in pavilion)
- B15: team / VIP / sponsors parking
- B18: venue operations centre
- B20: IT + Telco equipment room
- B22: office space/venue operations
- B24: ticket sales locations
- C3: Training / Match day warm up facilities
- D1: Media centre / press box

— existing fence  
- - - temporary fence

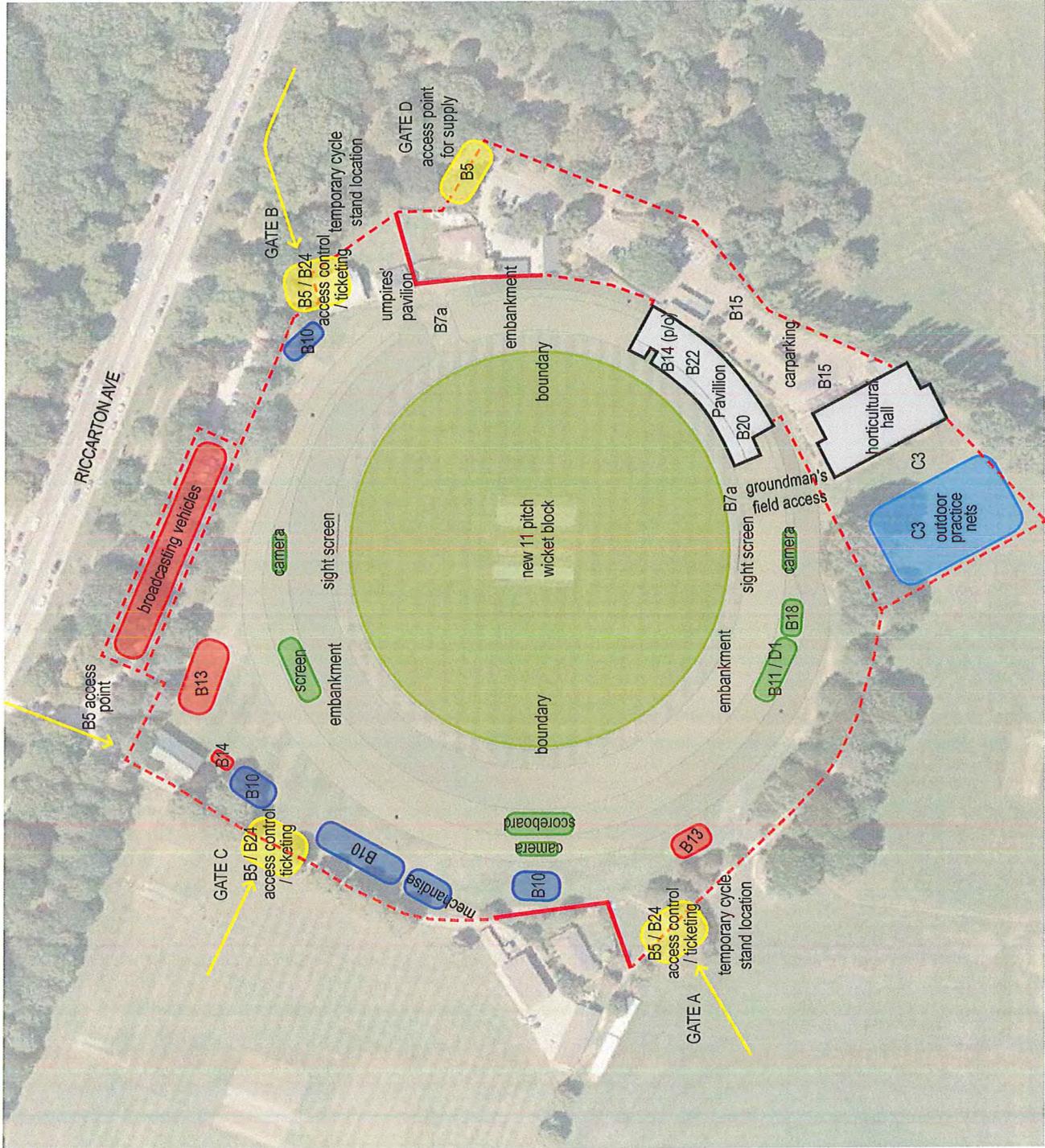




**B. Match Management Plan  
5000-12000**

- B5: access control points
  - B7a: disabled access / position
  - B10: concessions
  - B11: sports presentation control room
  - B13: toilets
  - B14: public medical facilities (temporary) and players / officials (in pavilion)
  - B15: team / VIP / sponsors parking
  - B18: venue operations centre
  - B20: IT + Telco equipment room
  - B22: office space/venue operations
  - B24: ticket sales locations
- 
- C3: Training / Match day warm up facilities
  - D1: Media centre / press box

- existing fence
- - - temporary fence



proposed site plan, revised  
scale: 1:1500 @ A3 / 1:750 @ A1





# Appendix 4



# Proposed Hagley Cricket Oval

## Access Management Strategy



Job No	Prepared by	Verified by	Approved by	Status	Issue No.	Date
<b>4188</b>	<b>BH/ADC</b>	<b>ADC</b>	<b>ADC</b>	<b>FINAL</b>	<b>1</b>	<b>13/6/13</b>

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# CONTENTS

1	<b>INTRODUCTION</b>	<b>5</b>
2	<b>OVERARCHING STRATEGY AND KEY OBJECTIVES</b>	<b>7</b>
3	<b>BACKGROUND INFORMATION</b>	<b>9</b>
	Traffic Volumes on the Surrounding Road Network	9
	On-Site Parking	9
	Off-Site Parking	9
	Bus Services	12
	Walking	14
	Cycling	14
	Changes to Land Use Patterns	14
4	<b>THE DIFFERING NATURE OF CRICKET MATCHES</b>	<b>15</b>
5	<b>CONSULTATION STRATEGY</b>	<b>17</b>
6	<b>ACCESS MANAGEMENT STRATEGY FOR MATCHES OF 12,000 TO 20,000 SPECTATORS</b>	<b>19</b>
	Match Characteristics	19
	Prior to Matches Commencing	19
	Car Parking for Spectators	19
	Car Parking for Operational Traffic	21
	Park and Ride	23
	Scheduled Bus Services	25
	Pedestrians	25
	Cyclists	26
	Taxis	26
	Emergency Vehicles	27
	Summary of Traffic Management Approaches	28
7	<b>ACCESS MANAGEMENT STRATEGY FOR MATCHES OF 5,000 TO 12,000 SPECTATORS</b>	<b>32</b>
	Match Characteristics	32
	Prior to Matches Commencing	32
	Car Parking for Spectators	32
	Car Parking for Operational Traffic	35
	Park and Ride	36
	Scheduled Bus Services	38
	Pedestrians	38
	Cyclists	39
	Taxis	39
	Emergency Vehicles	40



	Summary of Traffic Management Approaches	40
<b>8</b>	<b>ACCESS MANAGEMENT STRATEGY FOR TEST MATCHES AND WEEKDAY DAYTIME T20 MATCHES OF 2,000 TO 5,000 SPECTATORS</b>	<b>45</b>
	Match Characteristics	45
	Prior to Matches Commencing	45
	Car Parking for Spectators	45
	Car Parking for Operational Traffic	47
	Park and Ride	49
	Scheduled Bus Services	49
	Pedestrians	49
	Cyclists	49
	Taxis	49
	Emergency Vehicles	50
	Summary of Traffic Management Approaches	50
<b>9</b>	<b>ACCESS MANAGEMENT STRATEGY FOR EVENING AND WEEKEND T20 MATCHES OF 2,000 TO 5,000 SPECTATORS</b>	<b>54</b>
	Match Characteristics	54
	Prior to Matches Commencing	54
	Car Parking for Spectators	54
	Car Parking for Operational Traffic	55
	Park and Ride	56
	Scheduled Bus Services	56
	Pedestrians	57
	Cyclists	57
	Taxis	57
	Emergency Vehicles	58
	Summary of Traffic Management Approaches	58
<b>10</b>	<b>ACCESS MANAGEMENT STRATEGY FOR T20 MATCHES OF 500 TO 2,000 SPECTATORS</b>	<b>62</b>
	Match Characteristics	62
	Prior to Matches Commencing	62
	Car Parking for Spectators	62
	Car Parking for Operational Traffic	63
	Park and Ride	64
	Scheduled Bus Services	64
	Pedestrians	64
	Cyclists	65
	Taxis	65
	Emergency Vehicles	66
	Summary of Traffic Management Approaches	66
<b>11</b>	<b>ACCESS MANAGEMENT STRATEGY FOR CLUB MATCHES OF UP TO 500 SPECTATORS</b>	<b>70</b>



	Match Characteristics	70
	Prior to Matches Commencing	70
	Car Parking for Spectators	70
	Car Parking for Operational Traffic	71
	Park and Ride	71
	Scheduled Bus Services	71
	Pedestrians	71
	Cyclists	71
	Taxis	71
	Emergency Vehicles	71
	Summary of Traffic Management Measures	71
12	<b>COMMUNICATION STRATEGY</b>	<b>72</b>
13	<b>MONITORING STRATEGY</b>	<b>74</b>



## FIGURES

Figure 1	Site Location and Key Sites	5
Figure 2	On-Street Car Parking Locations within 2km of the Oval	10
Figure 3	Public Off-Street Car Parking Locations within 2km of the Oval and within the Four Avenues	11
Figure 4	Indicative Locations of Traffic Management Measures for 12,000 to 20,000 Spectators	28
Figure 5	Indicative Locations of Traffic Management Measures for 5,000 to 12,000 Spectators	41
Figure 6	Indicative Locations of Traffic Management Measures for Test Matches and Weekday Daytime T20 Matches of 2,000 to 5,000 Spectators	51
Figure 7	Indicative Locations of Traffic Management Measures for Evening and Weekend T20 Matches of 2,000 to 5,000 Spectators	59
Figure 8	Indicative Locations of Traffic Management Measures for T20 Matches of 500 to 2,000 Spectators	67

## TABLES

Table 1	Pre-earthquake Traffic Flows	9
Table 2	Bus Services on Riccarton Avenue	13
Table 3	Bus Services on Hagley Avenue	13
Table 4	Bus Services on Moorhouse Avenue	13
Table 5	Summary of Cricket Match Characteristics	16
Table 6	Projected Modal Split for Cricket Matches	16
Table 7	Summary of Match Characteristics of 12,000 to 20,000 Spectators	19
Table 8	Projected Modal Split for Cricket Matches of 12,000 to 20,000 Spectators	19
Table 9	Summary of Match Characteristics of 5,000 to 12,000 Spectators	32
Table 10	Projected Modal Split for Cricket Matches of 5,000 to 12,000 Spectators	32
Table 11	Summary of Match Characteristics of 2,000 to 5,000 Spectators (Tests and Weekday Daytime T20)	45
Table 12	Projected Modal Split for Cricket Matches of 2,000 to 5,000 Spectators (Tests and Weekday Daytime T20)	45
Table 13	Summary of Match Characteristics of 2,000 to 5,000 Spectators (Evening and Weekend T20)	54
Table 14	Projected Modal Split for Cricket Matches of 2,000 to 5,000 Spectators (Evening and Weekend T20)	54
Table 15	Summary of Match Characteristics of 500 to 2,000 Spectators	62
Table 16	Projected Modal Split for Cricket Matches of 500 to 2,000 Spectators	62
Table 17	Summary of Match Characteristics of up to 500 Spectators	70
Table 18	Projected Modal Split for Cricket Matches of up to 500 Spectators	70



# 1 INTRODUCTION

1.1 Abley Transportation Consultants Ltd has been commissioned by Canterbury Cricket Association to prepare an Access Management Strategy for the proposed Hagley Cricket Oval, located in Hagley Park, Christchurch. The location of the Oval and key sites in the immediate vicinity are shown on **Figure 1**.

**Figure 1 Site Location and Key Sites**



- 1.2 The current transport issues faced by Christchurch as a result of the earthquakes and the subsequent rebuild of the city will continue to change in future as the recovery takes effect. The management of traffic and transportation matters associated with the Oval therefore needs to be sufficiently flexible to ensure that effects are appropriately managed for each specific match held at the venue.
- 1.3 Accordingly, this Access Management Strategy has been devised to set out the overall objectives and key parameters for managing spectator movements (by all modes of transport) associated with cricket matches at the Oval. It also outlines the process that will be followed to develop the detailed Temporary Traffic Management Plans (TTMPs) which will appropriately control the specific effects of each match held at the Oval.
- 1.4 In view of the range of cricket matches that could be held at the Oval, a tiered approach has been taken which allows the measures used to manage spectator movements to be linked to the likely effects on the transport network. These tiers are:
- i. More than 12,000 spectators, (up to a capacity of 20,000 spectators);
  - ii. 5,000 to 12,000 spectators;
  - iii. 2,000 to 5,000 spectators;
  - iv. 500 to 2,000 spectators; and
  - v. Up to 500 spectators.
- 1.5 This approach ensures that traffic management measures can be scaled up/down according to spectator numbers and prevailing conditions on the road network.
- 1.6 This report is structured in a manner whereby each type of match and the associated the traffic management techniques and methodologies are contained within a discrete section. This means that each section is stand-alone, and no cross-referencing between sections is required.
- 1.7 Effective consultation, communication and monitoring are essential parts of any Access Management Strategy. Accordingly, specific sections are included within this report addressing these matters and these are applicable to all matches expected to attract more than 2,000 spectators irrespective of the type of match held.



## 2 OVERARCHING STRATEGY AND KEY OBJECTIVES

- 2.1 Immediately before, during and immediately after a cricket match, event-related traffic and pedestrian movements may give rise to temporarily changed conditions on the surrounding road network. Where conditions on the road network are changed in this manner, a TTMP is required by Section A7.1.1 of the Code of Practice for Temporary Traffic Management (COPTTM) as published by the New Zealand Transport Agency.
- 2.2 A TTMP sets out the detailed, physical measures that will be taken to control traffic in a safe and efficient manner. The format of a TTMP is not prescribed, but current practice is for it to be provided as a short written document describing the nature of the roads affected by the traffic management measures, together with a series of diagrams (often aerial photographs) showing the traffic management techniques to be utilised on affected roads. This may include approaches such as using traffic cones to channel traffic streams, marshals to direct vehicles, and directional or information signs.
- 2.3 For clarity, a TTMP cannot include measures that are not physical (for instance, a commitment to consult with an organisation). Nevertheless, an integral part of this Access Management Strategy is to facilitate appropriate liaison and consultation between Canterbury Cricket Association and key stakeholders.
- 2.4 The geographic area addressed by a TTMP is determined in conjunction with the Road Controlling Authority and can vary on a case-by-case basis. The greatest focus however is on the roading network surrounding a site and the immediate approach and departure routes. This is because the traffic effects of (any) activity are greatest in the immediate vicinity of the site with effects reducing as distance from the site increases due to vehicles dispersing over the wider road network.
- 2.5 The approach for production of TTMPs is set out in Section A7.2 of COPTTM and is a well understood and clearly defined process.
- 2.6 Traffic Management contractors are invariably retained by the event organisers to control traffic on the event day(s) and in practice these contractors will prepare the TTMP and submit it to the Road Controlling Authority. In accordance with COPTTM the person preparing the document must be appropriately qualified, with differing levels of qualification required depending on the nature of the road(s) affected.
- 2.7 Once prepared, the TTMP must be approved by the Road Controlling Authority which in this case is Christchurch City Council. For clarity, under Section A7.2 of COPTTM, if a TTMP is not approved by the Road Controlling Authority, then the activity that gives rise to the changed road conditions cannot proceed. A Road Controlling Authority is entitled to decline approval of a TTMP where it is *“unsafe, in contravention of COPTTM, or where reasonable alternatives may exist that may be safer or cause less traffic delay”* (Section A7.2 of COPTTM).
- 2.8 To be effective TTMPs must address the effects of the event on the surrounding road network. Accordingly they take into account matters such as roadworks, traffic flows, and other known events being held at the same time in the same area. For this reason they often cannot be produced significantly in advance of an event because the road conditions at the time of the event are not known.
- 2.9 Consequently, the approach taken in this overarching Access Management Plan is to set out the general approaches and philosophies that will be adopted in devising the TTMPs for matches at the Oval. This then allows the TTMPs to be developed and approved at the time of each match, taking account of the prevailing conditions and also the characteristics of the match (such as spectator numbers, and starting and



finishing times). This is a common approach to sporting or temporary event venues such as stadia (it is used at AMI Stadium in Addington for example) and ensures an appropriate combination of defined and flexible traffic management actions.

2.10 All TTMPs will be developed in accordance with the key objectives set out below (listed in no particular order):

- i. To appropriately consult with key stakeholders (including but not limited to the District Health Board) prior to a cricket match in respect of traffic and access issues; and
- ii. To ensure that the TTMPs are produced in a timely manner, and are updated and refined on an ongoing basis through a formal process of feedback after every match.

2.11 All TTMPs produced will meet the key objectives set out below (listed in no particular order):

- i. To minimise the use of Riccarton Avenue as far as is practical, in order to ensure that vehicles associated with the hospital (including but not limited to staff, emergency services and out-patients) are not adversely affected by match-related traffic;
- ii. To support a choice of transport modes for spectators, and thereby minimise the effects of match-related travel as far as is practicable on travellers not associated with the match;
- iii. To minimise disruption to the surrounding community immediately before, during and immediately after a match;
- iv. To adhere to all relevant Acts, Regulations and Bylaws;
- v. To reflect best practice in managing spectator travel associated with a sporting event;
- vi. To ensure the orderly and efficient movement of traffic entering and exiting the Polo Grounds car parking area without unduly affecting passing traffic;
- vii. To integrate with the emerging traffic and transportation management plans of the District Health Board; and
- viii. To ensure the optimum efficiency and safe operation of the roading network immediately before, during and immediately after a match.



### 3 BACKGROUND INFORMATION

#### Traffic Volumes on the Surrounding Road Network

3.1 Traffic flows in and around central Christchurch are presently distorted due to changed patterns of land use and road closures associated with earthquake recovery efforts. Consequently the volumes set out below relate to those which were observed prior to the earthquake events of 2010 and 2011, for times when the majority of cricket matches are likely to start and end:

**Table 1 Pre-earthquake Traffic Flows**

Location (survey data on week commencing)	Survey Date	Direction	No. of lanes	Evening period (4-5pm)	Evening period (6-7pm)	Evening period (10-11pm)
Riccarton Avenue	16 March 2009	Westbound	2	854	557	207
		Eastbound	2	820	560	230
Hagley Avenue	14 February 2009	Westbound	2	370	193	61
		Eastbound	2	1,111	580	182
Moorhouse Avenue	8 September 2009	Westbound	2	1,424	704	232
		Eastbound	2	1,472	787	213
Deans Avenue	15 May 2010	Northbound	1	548	258	58
		Southbound	1	371	247	70
Blenheim Road	14 February 2008	Eastbound	2	1,422	757	196
		Westbound	2	1,236	659	170

#### On-Site Parking

3.2 Hagley Oval provides 105 car parking spaces and these are located to the north of the Oval. There are a further 83 parking spaces within the adjacent Canterbury Horticultural Centre which lie to the southeast of the Oval, of which 2 are reserved for mobility impaired drivers and 6 are reserved for sole use of the Horticultural Society. These spaces will not be available during major matches because the area will be used by television outside broadcast vehicles, match officials and other personnel, and also by mobility impaired drivers and/or taxis. Restricting their use will also assist in minimising spectator traffic movements on Riccarton Avenue.

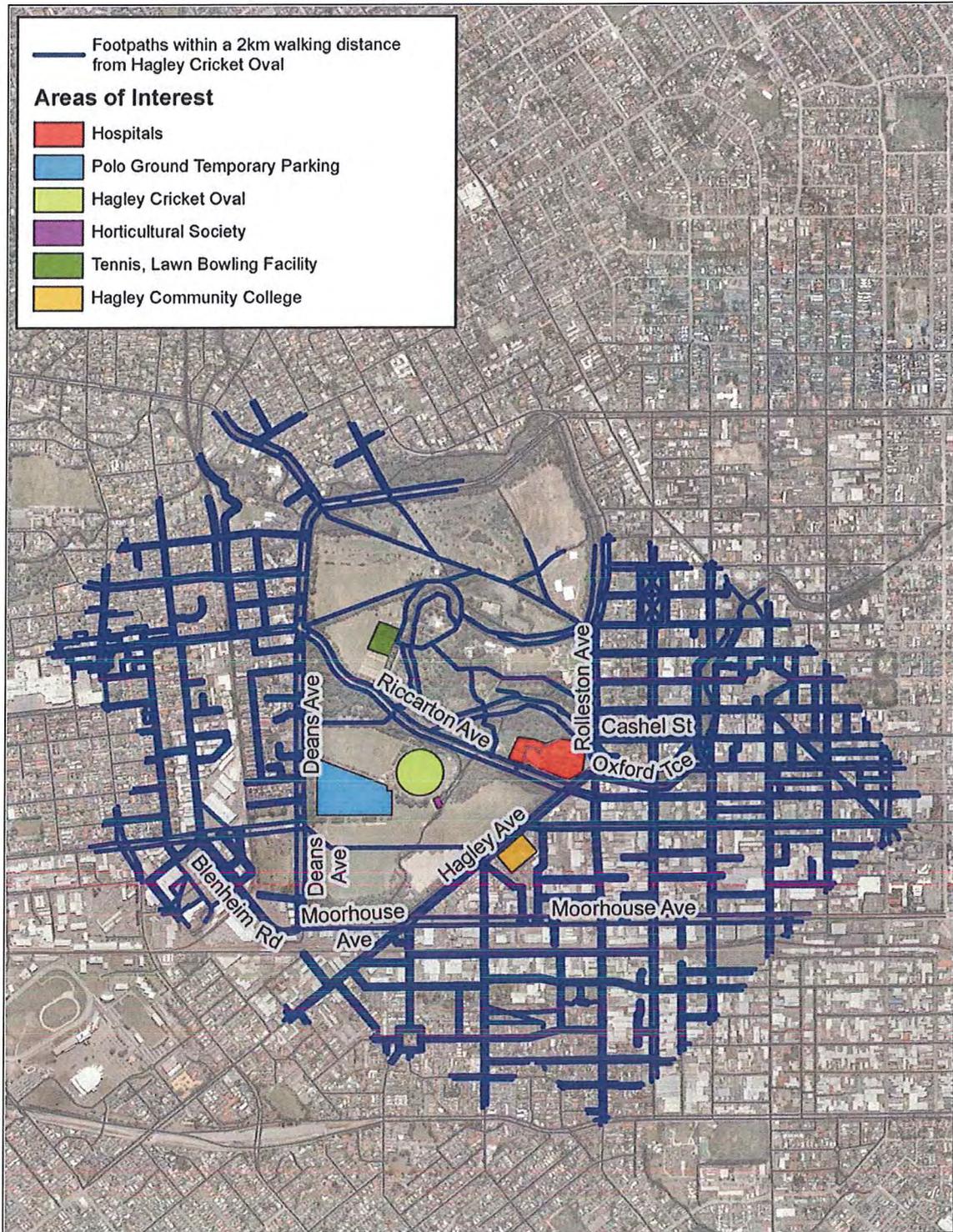
3.3 There is an area known as the 'Polo Grounds' located immediately southwest of the Oval. This is a large, flat, grassed area which has been used for parking associated with cricket matches in the past. It can accommodate approximately 2,000 vehicles. If this area is used for parking, access will be provided from Deans Avenue at a location 60m south of the redundant Blenheim Road roundabout.

#### Off-Site Parking

3.4 There are approximately 5,000 publically-available on-street parking spaces within a 2km walking distance of the Oval, as shown on **Figure 2**.



Figure 2 On-Street Car Parking Locations within 2km of the Oval



3.5 A survey undertaken on Tuesday 21 May 2013 showed that between 2pm to 3:30pm there were 1,120 available parking spaces (22% of the total). Given that several of these areas are dominated by employment uses, it is likely that as commuters depart additional car parking will become available after 5pm.



3.6 There are presently a further 2,400 publically-available off-street parking spaces within a 2km walking distance of the Oval and within the Four Avenues, as shown on Figure 3.

**Figure 3 Public Off-Street Car Parking Locations within 2km of the Oval and within the Four Avenues**



Source: <http://resources.ccc.govt.nz/files/CityLeisure/gettingaround/parking/OffstreetparkingApril2013.pdf>  
 accessed on 11 June 2013

A survey was carried out on Thursday 21 March 2013 between 5.30pm and 6.30pm of the six off-street car parks that are closest to the Oval, namely:



- i. Wilson car park on Cashel Street;
  - ii. Rolleston Avenue at Worcester Terrace;
  - iii. St. Andrews Wilson car park;
  - iv. Tournament car park on Oxford Terrace (Former Tillman's site);
  - v. Wilson car park on Oxford Terrace (Former Oxford Clinic site); and
  - vi. United car park (Tennis/Bowls/Croquet club area).
- 3.8 The survey showed that 207 of the 368 spaces (60%) were vacant in this period. This again indicates that parking in these areas is dominated by employment uses, and that parking availability after 5:30pm is generally good.
- 3.9 Additional to these, there are numerous locations within 2km of the Oval where private car parking areas are provided. For major events, it is common practice for parking to take place in these areas, either through an employee of the business using the car park outside of their usual working hours or through the owners of these areas making them available (often as a fund-raising activity). By way of example, the authorities of Hagley Community College have already expressed an interest in making their 100-space car park available.
- 3.10 Christchurch City Council's draft Parking Strategy (2002) sets out that the amount of publically available off-street parking within the Four Avenues represents just 13% of the total amount of off-street parking (Section 2.3), with private parking making up the balance (87%). If this proportion remains the same post-earthquake, then there would be 16,000 private parking spaces within a 2km walking distance of the Oval and within the Four Avenues. In practice, it is likely that this proportion will now be lower due to changed land uses post-quake, but any reduction will be offset by the presence of private car parks outside the Four Avenues and which are still within 2km of the Oval.
- 3.11 Although the use of private car parking areas cannot be guaranteed, it is not unreasonable to anticipate that conservatively, around a further 1,600 to 3,200 parking spaces (10% to 20% of the private off-street parking stock) would be available for spectators.
- 3.12 In total this means that there are presently in the order of 11,000 to 12,600 car parking spaces within 2km of the Oval and which could potentially be used by spectators:
- i. 2,000 parking spaces at the Polo Grounds;
  - ii. 5,000 on-street parking spaces;
  - iii. 2,400 public off-street parking spaces; and
  - iv. 1,600 to 3,200 private off-street parking spaces.
- 3.13 It is likely that the number and location of parking spaces will change in future in response to the recovery of the city from the recent earthquake events.

#### **Bus Services**

- 3.14 Scheduled bus services presently operate along Riccarton Avenue, Hagley Avenue and Moorhouse Avenue and which are within a viable walking distance of the Oval. On Riccarton Avenue there are 7 scheduled services to different suburbs of Christchurch as shown in Table 2. Five of these operate after 10pm on a weekday.



**Table 2 Bus Services on Riccarton Avenue**

Service	Termini locations	Approx Weekday Afternoon frequency in minutes in each direction (2pm-6pm)	Approx Weekday late evening frequency in minutes in each direction (10pm onwards)	Weekend frequency in minutes in each direction (2pm-6pm)
3	Airport/Sumner	15	30	30
5	Hornby/Southshore	15	30	15
23	Hyde Park/Woolston	30	No service	15
81	Lincoln/CPIT <sup>1</sup>	15	60	30
83	Hei Hei/CPIT	20	60	30
84	Russley/CPIT	30	60	30
88	Rolleston/CPIT	30	No service	30

3.15 On Hagley Avenue there are 3 scheduled services to different suburbs of Christchurch as shown in Table 3. All of these continue to operate after 10.00pm on a weekday.

**Table 3 Bus Services on Hagley Avenue**

Service	Termini locations	Approx. Weekday Afternoon frequency in minutes in each direction (2-6pm)	Approx. Weekday late evening frequency in minutes in each direction (10pm onwards)	Approx. Weekend frequency in minutes in each direction (2-6pm)
60	Hillmorton/Parklands	30	30	30
40	Northshore/Chch Hospital	30	30	30
7	Halswell/Queenspark	15	30	20

3.16 On Moorhouse Avenue, there are 2 scheduled services within a 10 minute walk of the existing Hagley Cricket Oval to different suburbs of Christchurch as shown in Table 4. Both services operate after 10pm on a weekday.

**Table 4 Bus Services on Moorhouse Avenue**

Service	Termini locations	Approx. Weekday Afternoon frequency in minutes in each direction (2-6pm)	Approx. Weekday late evening frequency in minutes in each direction (10pm onwards)	Weekend frequency in minutes in each direction (2-6pm)
21	Ilam/Mt Pleasant	30	60	30
40	Middleton/Wainoni	30	30	30

3.17 Patronage information for these services is confidential and therefore not available, although anecdotal information suggests low passenger numbers are present after the weekday evening peak hour.

<sup>1</sup> Christchurch Polytechnic Institute of Technology



- 3.18 The frequency and routing of bus services are likely to change in future in response to changed patterns of land use associated with the recovery of the city from the recent earthquake events.

### **Walking**

- 3.19 Within South Hagley Park there is a comprehensive network of footpaths and open park land that facilitate access to the Oval from most directions. Footpaths are flat and sealed, and lighting is intermittently provided. Outside Hagley Park, there are sealed footpaths on both sides of Riccarton Avenue, Hagley Avenue, Moorhouse Avenue and Deans Avenue. All four of these roads are well-illuminated.

- 3.20 Crossing facilities are situated at several locations including the intersections at each of the four corners of South Hagley Park. On Riccarton Avenue, there are pedestrian refuges located at the western and eastern entrances to the Hagley Oval car park. Pedestrian phases are provided on Riccarton Avenue at the traffic signals at Christchurch Women's Hospital entrance, and also at the Deans Avenue / Moorhouse Avenue, Moorhouse Avenue / Hagley Avenue, Hagley Avenue / St Asaph Street, and Hagley Avenue / Riccarton Avenue intersections. Dropped kerbs are provided at each of the approaches to the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout.

### **Cycling**

- 3.21 The footpaths within and around Hagley Park are shared facilities with cyclists, and therefore access can be attained to the Oval from most directions. In addition, there are two way off-street cycle paths within the Park that run parallel to Deans Avenue, Moorhouse Avenue, Hagley Avenue and Riccarton Avenue, enabling cyclists to travel the same journey length without risk of conflict with motor vehicles.

### **Changes to Land Use Patterns**

- 3.22 As a result of earthquake recovery initiatives, land uses within Christchurch city centre are likely to change in future. Of particular relevance is the redevelopment of the hospital, some 550m east of the Oval, where there are plans to provide additional car parking and to change access layouts for public access and for emergency vehicles. In view of the importance of this land use to the communities of Christchurch, specific requirements has been included within the objectives for the TTMPs, of consulting with the District Health Board and ensuring integration with the emerging traffic and transportation management plans of the District Health Board.



## 4 THE DIFFERING NATURE OF CRICKET MATCHES

- 4.1 The Oval may be used by a variety of different types of cricket match and there are distinct variations in the frequency, timing and popularity of each match.
- 4.2 Matches attracting more than 12,000 spectators and up to a capacity crowd of 20,000 spectators will be **International T20 games**. On average there is expected to be one of these matches every 3 seasons. These matches start at 7pm and end at 10pm, and spectator travel is therefore primarily expected to occur between 6pm to 7pm, and 10pm to 11pm. These matches take place on a Friday, Saturday or Sunday.
- 4.3 Matches attracting 5,000 to 12,000 spectators will be **One Day (Day/Night) Internationals**, of which there will be a maximum of 2 per season. These matches start at 2pm and end at 9:45pm, and spectator travel is therefore primarily expected to occur between 1pm to 2pm, and 9:45pm to 10:45pm. These matches may take place on a Friday, Saturday or Sunday, and infrequently on other weekdays.
- 4.4 **Test matches** are likely to attract between 2,000 to 5,000 spectators. It is expected there will be one of these matches each season, and the game typically has a five-day duration (expected attendance is 2,000 to 5,000 spectators per day). Test matches start at 10:30am and finish around 5:30pm. Each match takes place over a five-day period, Thursday to Monday. Because of the duration of the match, spectator arrivals are dispersed over an extended period although the majority of departures will occur between 5:30pm to 6:30pm.
- 4.5 **Domestic T20 matches** are typically expected to attract 500 to 2,000 spectators under normal circumstances, and there are 6 Domestic T20 matches each season. These matches are usually held on a Friday or at a weekend, and start at 7pm and end at 10pm for day/night matches but for weekend matches they can also occur between 2pm to 5pm.
- 4.6 Some Domestic T20 games will attract greater spectator numbers (2,000 to 5,000 spectators) and involve the more popular teams. These matches are typically held on Friday evenings or at weekends. Event organisers are skilled in predicting spectator numbers based on the popularity of the team(s) and/or the position of the team within the competition leaderboard.
- 4.7 Domestic T20 matches are sometimes scheduled during the summer holiday period, when they may take place on any day of the week, starting at 2pm and finishing at 5pm.
- 4.8 In all cases, spectator travel associated with Domestic T20 matches is primarily expected to occur in the hour immediately preceding and following a match.
- 4.9 **Local (club) matches** are expected to attract fewer than 500 spectators. There may be up to 100 local match days per season, and will primarily be limited over matches that are complete within one day. The vast majority will occur at weekends, but they may also occur between 10:30am to 6:30pm on weekdays.
- 4.10 A summary of the characteristics of each of these matches is set out overleaf:



**Table 5 Summary of Cricket Match Characteristics**

Event	Spectator Numbers	Days of Week	Start	End	Frequency
International T20	12,000 to 20,000	Fri / Sat / Sun	7pm	10pm	1 match every 3 seasons
ODI (Day/Night)	5,000 to 12,000	Mainly Fri and weekends, occasional weekday	2pm	9:45pm	2 matches per season
Test (5-day game)	2,000 to 5,000	Thu to Mon	10:30am	5:30pm	1 match per season
Domestic T20	Less than 2,000, or 2,000 to 5,000	Friday	7pm	10pm	6 matches per season
		Weekend	2pm or 7pm	5pm or 10pm	
		Summer weekday	2pm	5pm	
Local (club) match	Less than 500	Mainly weekends, occasional weekdays	10:30am	6:30pm	100 days per season

4.11 In order to take account of the different characteristics of each type of match, different traffic management techniques are required. As outlined earlier, match planning requires a prediction of the likely attendance at each game and this will be undertaken by Canterbury Cricket Association.

4.12 A modal split for travel to and from the Oval has been used to inform potential traffic management measures for each scenario. This is set out below.

**Table 6 Projected Modal Split for Cricket Matches**

Mode	Proportional of Spectator Travel
Scheduled Bus	8%
Cycle	2%
Walk, drop-off, taxi	5%
Park and Ride	9% (if provided)
Car	85% (or 76% if Park and Ride provided)

4.13 For the convenience of mobility impaired spectators, provision of parking spaces for these road users has been based on the total parking demand expected at a match, and not on the amount of parking spaces provided on-site.

4.14 A car occupancy of 2 has been allowed for within each assessment, based on observations made at a previous cricket match held at Hagley Oval.



## 5 CONSULTATION STRATEGY

5.1 Within one month of Canterbury Cricket Association receiving a list of fixtures for the forthcoming season, and prior to submitting this to the City Council, consultation will be held with the following organisations in order to determine if expected match days will coincide with other, significant events or activities being held which can also be expected to affect traffic volumes in the area surrounding Hagley Park:

- i. Canterbury District Health Board;
- ii. Canterbury Horticultural Centre;
- iii. Christchurch City Council Transport and Greenspace Team (with regard to effects on roads, timing of other major events, and use of Hagley Park by other organisations);
- iv. The Directors of the Schools Sports Programmes (with regard to the use of Hagley Park and the Polo Grounds);
- v. Christchurch Transport Operations Centre (with regard to any other TTMPs in place in the immediate area);
- vi. The proposed Traffic Management Contractor; and
- vii. Stronger Christchurch Infrastructure Rebuild Team (or its successor).

5.2 In the event that a cricket match is anticipated to take place on a day and at a time when another event is proposed within Hagley Park, and a cumulative total of more than 20,000 spectators/attendees is expected, Canterbury Cricket Association will reschedule the cricket match.

5.3 Once the schedule of cricket matches is finalised, this will be submitted to the City Council.

5.4 Consultation will also take place as part of preparing the TTMP before every match expected to attract more than 2,000 spectators. Consultation will take place with each of the following organisations, and will be completed at least 13 weeks prior to the match commencing:

- i. Emergency service providers (Fire Service, St John Ambulance and Police);
- ii. Canterbury District Health Board;
- iii. University of Otago School of Medicine;
- iv. Canterbury Horticultural Centre;
- v. Christchurch City Council Transport and Greenspace Team (with regard to effects on roads, timing of other major events, and use of Hagley Park by other organisations);
- vi. The Directors of the Schools Sports Programmes (with regard to the use of Hagley Park and the Polo Grounds);
- vii. Christchurch Transport Operations Centre (with regard to any other TTMPs in place in the immediate area);
- viii. Deans Avenue Mosque and Islamic Centre;
- ix. Stronger Christchurch Infrastructure Rebuild Team (or its successor); and



- x. Adjacent Residents' Associations.

5.5 Consultation may also take place with the following organisations, dependent upon the nature of the traffic management activities that are expected to be arranged:

- i. Hagley Community College, in respect of the potential use of their car parking area;
- ii. Environment Canterbury, for the arrangement of additional scheduled bus services and Park and Ride buses;
- iii. Taxi companies, with regard to the drop-off and pick-up arrangements;
- iv. Business owners in the immediate area, to identify whether any private car parking areas could be made available; and
- v. Netball Centre, to identify whether any private car parking areas could be made available.

5.6 The draft TTMP will be prepared subsequent to the consultation set out above, and will be submitted to Christchurch City Council as the Road Controlling Authority for approval no later than four weeks prior to a match commencing. Under the Council's present procedures, the draft TTMP must be submitted no later than 12 weeks prior to the event occurring.

5.7 Canterbury Cricket Association will keep records of all correspondence with stakeholders that have been consulted prior to preparation of the TTMP, and will provide these to Christchurch City Council upon request.



## 6 ACCESS MANAGEMENT STRATEGY FOR MATCHES OF 12,000 TO 20,000 SPECTATORS

### Match Characteristics

6.1 A summary of the key characteristics of the match is set out below.

**Table 7 Summary of Match Characteristics of 12,000 to 20,000 Spectators**

Event	Spectator Numbers	Days of Week	Start	End	Frequency
International T20	12,000 to 20,000	Fri / Sat / Sun	7pm	10pm	1 match every 3 seasons

6.2 Applying the modal split set out earlier to a crowd of 12,000 to 20,000 spectators gives rise to the following travel pattern:

**Table 8 Projected Modal Split for Cricket Matches of 12,000 to 20,000 Spectators**

Mode	Spectator Numbers
Scheduled Bus	960-1,600
Cycle	240-400
Walk, drop-off, taxi	600-1,000
Park and Ride	1,080-1,800
Car	9,120-15,200

### Prior to Matches Commencing

6.3 Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval. Signage will be erected one week prior to the match commencing, with sign locations and text to be determined as part of the TTMP.

### Car Parking for Spectators

6.4 Allowing for an occupancy of 2 people per vehicle, a total of 9,120-15,200 vehicle movements will be generated by a match of this size (4,560-7,600 vehicles arriving prior to a match and 4,560-7,600 vehicles departing post-match). The Polo Grounds will therefore be required for parking purposes. However this location is only able to accommodate 2,000 parked cars which will result in 2,560-5,600 vehicles being dispersed over the wider roading network.

### *Polo Grounds and Immediate Approaches*

6.5 All drivers wishing to use the Polo Grounds must apply for a parking pass for the match. A key communication message is that parking is not freely available at the Polo Grounds but only pass-holders may park in this location.

6.6 As the Polo Grounds will not provide sufficient parking for all of the potential demand it will be necessary to manage driver expectations. Pre-match communications and advertising will be used to ensure that spectators are aware that all parking at the Polo Grounds will be pre-allocated and accordingly a pass must be shown to enable



entry. This will ensure that drivers do not speculatively arrive in the hope of being able to park, and consequently disrupting traffic flows in the immediate area when they are turned away. This approach has been shown to work very effectively at the AMI Stadium where the CBS Arena car park is also managed in this way.

- 6.7 Some 50% of traffic travelling to the Polo Grounds is likely to approach from Deans Avenue (south) with 50% of vehicles from Deans Avenue (north). Thus in the hour prior to a match commencing, 1,000 additional vehicles will be present on the northbound and southbound carriageways as well as passing traffic. It is therefore considered that temporary traffic management will be required on Deans Avenue between Moorhouse Avenue and the redundant Blenheim Road roundabout to ensure that these vehicles are directed and managed efficiently.
- 6.8 The Polo Grounds access will be located 60m south of the redundant Blenheim Road roundabout, and approximately 350m north of Moorhouse Avenue. North of the access, and as far as the redundant roundabout, traffic cones will be used to form two southbound traffic lanes and separate through traffic from vehicles turning left into the car parking area.
- 6.9 For vehicles approaching from the south, the width of Deans Avenue is sufficient for a right-turn lane into the Polo Grounds to be created by means of traffic cones from a point just north of the turning lane into Lester Lane as far as the access itself. This lane would be approximately 200m long and therefore could accommodate up to 30 cars before the queue interfered with northbound through traffic on Deans Avenue. In order to create this lane, and also to enable the provision of a drop-off area for Park and Ride buses (discussed below), the parking on the southbound carriageway of Deans Avenue south of the access would be temporarily removed.
- 6.10 The arrangement allows for two streams of traffic to enter the Polo Grounds simultaneously and hence reduces the potential for queues of northbound vehicles on Deans Avenue to extend as far as Moorhouse Avenue.
- 6.11 The Deans Avenue / Moorhouse Avenue signalised intersection will play an important role for arriving spectators. In order to avoid extensive queuing on Moorhouse Avenue, a request will be made to the Christchurch Traffic Operations Centre (CTOC) to amend the signal timings such that the right-turn at the intersection (east to north) is given additional green time for the hour prior to a match starting.
- 6.12 The location of the cones and appropriate advance signage to alert drivers to the revised arrangements on Deans Avenue will be determined as part of developing the TTMP.
- 6.13 Prior to a match ending, the traffic management arrangements will be changed. The cones delineating the left-turn lane for southbound vehicles on Deans Avenue will be removed, as will the right-turn lane for northbound drivers entering the Polo Grounds, and vehicles will no longer be able to enter the car park at this location. Instead, cones will be used to delineate the northbound lane for through traffic, thereby preventing drivers from turning right out of the Polo Grounds.
- 6.14 In the southbound direction, two traffic lanes will be provided. One of these will be a dedicated lane to accommodate left-turning vehicles emerging from the Polo Grounds. The second lane will also be provided for vehicles emerging from the Polo Grounds and turning left but emerging drivers will be expected to give-way to southbound through traffic on Deans Avenue.

The operation of the access as 'left-out only' at the end of a match means that all traffic will pass through the Deans Avenue / Moorhouse Avenue intersection. Again, a request will be made to CTOC to amend the signal timings such that the southbound



traffic flow on Deans Avenue is given additional green time for the hour following a match ending.

- 6.16 This intersection has a southern approach, Detroit Avenue, which predominately serves several car dealerships. Given that use of this road will be very limited post-match, and as it has its own green phase, one technique that could be used by CTOC is to reallocate a proportion of this green time to Deans Avenue approach instead.
- 6.17 Signage will be provided to direct drivers to the Polo Grounds and to provide appropriate directions for exiting vehicles. Prior to a match, directional signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue. This will not only show the directions to the Polo Grounds but will also indicate 'no match traffic' or similar wording in the direction of Riccarton Avenue, to minimise the number of drivers attempting to use this route. Following a match, directional signage will be provided on Deans Avenue on the approach to Moorhouse Avenue. The locations and signfaces will be determined during development of the TTMP.
- 6.18 It is unlikely that the Polo Grounds will become unexpectedly unavailable at short notice, since many of the factors that affect the availability of the Polo Grounds (such as severe weather and natural disasters) will also result in the cancellation of the match. However Canterbury Cricket Association will identify an alternative parking location for use if the Polo Grounds are unexpectedly unavailable, and will provide shuttle buses to transport spectators between this location and the Oval.

#### *Off-Site Car Parking*

- 6.19 A match of this scale could create a parking demand for 2,560-5,600 off-site car parking spaces, representing 20% to 51% of the available parking stock of 11,000 to 12,600 car parking spaces available within 2km of the Oval.
- 6.20 Surveys show that after 5:30pm, 60% of the parking spaces in a sample of off-street public car parking areas were observed to be vacant, likely to be due to a significant reduction in commuter car parking activity. Extrapolating the figure of 60% to all off-site parking, means that the parking demand can easily be satisfied even for the largest match.

#### *Mobility Impaired Drivers*

- 6.21 Allowing for an overall parking demand of 4,560-7,600 car parking spaces, then applying the ratio set out in the City Plan suggests that 92-152 spaces will be provided for the mobility impaired. It is proposed that these will be provided within the Polo Grounds, as close to the entry gates of the Oval as possible.
- 6.22 Appropriate signage will be provided to direct mobility impaired drivers into these locations. The signface and wording to be used will be determined through the development of the TTMP.

#### **Car Parking for Operational Traffic**

- 6.23 Since matches of this nature will be televised, the Hagley Oval and Horticultural Centre car parks will primarily be reserved for cricket purposes and will not be open to the general public.

Around half of the Hagley Oval car park will be reserved for the use of television Outside Broadcasting vehicles. Information received from Canterbury Cricket Association states that up to four television production vehicles may be expected,



and these will be parked in the northern portion of the car park. These vehicles are approximately 12m length, and they will arrive at least seven hours prior to the match commencing. Since the area will be free of other parked cars when these vehicles arrive, there is sufficient opportunity for them to manoeuvre without constraints. Once the television vehicles are in place, the area will be cordoned off to separate these vehicles from the remainder of the car park. The day after the match, these vehicles leave the car park and depart onto Riccarton Avenue.

6.25 The accesses to the Hagley Oval car park are a minimum of 5.5m in width. This is sufficient for two-way car use, and is also sufficient for a truck to pass a car, albeit slowly and with care. However the likelihood of the latter is extremely low, because the outside broadcast trucks will arrive and depart at times when other vehicles are unlikely to be present at the access.

6.26 The remainder of the Hagley Oval car park will be reserved for official cricket-related traffic. Given the area available, 20 parking spaces can be provided, together with a turning head so that vehicles are not required to reverse out onto Riccarton Avenue (this will be required since the television vehicles will prevent vehicles exiting from the northern access). Users of this car park will include:

- i. Match officials
- ii. Home players
- iii. Canterbury Cricket Association staff
- iv. Event management staff
- v. Caterers
- vi. Dressing room attendant(s)
- vii. Security manager
- viii. Turf manager and ground staff
- ix. Scorers
- x. Venue staff
- xi. Bar staff

6.27 These vehicles are typically standard cars, 'people movers' or minivans and consequently the existing layout of the car park can be utilised.

6.28 Information received from Canterbury Cricket states that up to 40 spaces will be required to accommodate these vehicles and since only 20 spaces are available with the Hagley Oval car park, 20 vehicles must park elsewhere. These vehicles will either be directed to use the Horticultural Centre car park or will park in the Polo Grounds. For security reasons, these car park users are always issued with a car park pass, and the pass will set out details of which car park is to be used.

6.29 The Horticultural Centre car park currently has 81 standard spaces and 2 spaces for mobility impaired drivers, of which 6 are reserved for sole use by the Horticultural Society. This means that in the order of 60 spaces will remain vacant if this car park is used for official cricket-related vehicles. Accordingly, a dedicated area will be set aside for these vehicles within the Horticultural Centre car park to ensure that parking is focussed within a limited area rather than dispersed throughout the car park. No public parking will be permitted within the Horticultural Centre car park.

Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check security passes, and to ensure that vehicles park in a courteous manner.



- 6.31 As part of the cricket event management, other vehicles will need to access the cricket ground for the following purposes:
- i. Food and beverage retail;
  - ii. Emergency services;
  - iii. Fencing erection;
  - iv. Marquees erection;
  - v. Portaloos deliveries; and
  - vi. Grandstand construction.
- 6.32 These vehicles will arrive before the match commences. Food and beverage vehicles will be required to arrive at least 4 hours in advance and vehicles associated with any temporary structures will arrive 2 or 3 days beforehand depending on the time required to erect temporary structures. Any vehicles associated with construction of temporary facilities will not be present during the match itself and will have vacated the site before the game commences.
- 6.33 Emergency services arrive shortly before the match commences, and park very close to the ground itself rather than using the formal car parks. These vehicles will access from Riccarton Avenue and use the gated access known as the Christ's College grounds access which runs along the northwestern side of the Oval. On return, once the match is completed, they will turn within the area of the grounds and return using the same route.

#### **Park and Ride**

- 6.34 In view of the potential patronage of 1,080 to 1,800 passengers, Park and Ride services will be provided for all matches that of this scale. Allowing for each bus to accommodate 70 passengers, a total of 16 to 26 dedicated Park and Ride buses will be required.
- 6.35 Four Park and Ride routes will be operated, based on the successful operation of these routes used for a similar scheme associated with travel to the AMI rugby stadium. The routes are:
- i. Northern Route: Northwood / SupaCenta via Merivale to the Oval;
  - ii. Southern Route: Ferrymead Mitre 10 to the Oval;
  - iii. Eastern Route: Eastgate Shopping Centre to Cowles Stadium to the Oval;  
and
  - iv. Western Route: Hornby Hub to the Oval.
- 6.36 Buses will transport spectators to the Oval over the 30 minute period immediately prior to a match commencing. Allowing for each bus to be stationary for 5 minutes while passengers alight, this means that sufficient kerb length has to be provided for up to 5 buses to be present at any time. In practice, it is likely that buses will arrive slightly 'bunched' together and so it is considered prudent to provide for a total of up to 6 spaces for drop-off of passengers.
- 6.37 One factor which influences the attractiveness of Park and Ride services is the walking distance between the bus stop and the venue. Consequently it is proposed to provide for 3 drop-off points on Hagley Avenue through reserving a portion of the on-street car parking spaces on the northbound carriageway, between Selwyn Street and St Asaph Street. A further 3 drop-off points will be provided on the southbound



carriageway of Deans Avenue, to the immediate south of the proposed access point into the Polo Grounds car park by utilising an area presently occupied by angle parking.

- 6.38 The portion of Hagley Avenue proposed for drop-off is opposite Hagley Community College rather than residential areas, and as such is likely to have minimal parking demand when the college is not operating. As each bus will be in the order of 12m in length, and will require manoeuvring space also, this will require 48m of kerb length. This equates to the temporary loss of 8 parking spaces. These stops will be used for Park and Ride services travelling from the east and south.
- 6.39 The angled parking on Deans Avenue means that up to 14 car parking spaces could be lost to provide for 3 bus drop-off points. However in view of this being the primary access route into the Polo Grounds it is likely that parking would be restricted on this part of Deans Avenue irrespective of whether it is used for Park and Ride or not. These stops will be used for services travelling from the north and west.
- 6.40 The drop-off areas will be delineated by 'no parking' signs along the kerbside and an additional signs showing "Bus drop-off / pick-up only" or similar wording. The location of these signs will be determined through the TTMP.
- 6.41 In all cases, bus drivers will be instructed to avoid the use of Riccarton Avenue when travelling to the Oval with passengers.
- 6.42 Alighting passengers will be directed to the Oval by way of signage or via a marshal. One advantage in locating the drop-off areas as proposed is that passengers do not need to cross any roads to walk to the Oval, creating a benefit for their safety and also for the efficiency of the road network.
- 6.43 On departure, it is important that all buses are ready for passengers to be quickly transported to their desired destination. Therefore all 16 to 26 buses must be available when a match ends. In order to provide clarity to passengers, it is proposed to use the same locations for pick-up as for drop-off, and thus a spectator that has arrived at (say) Hagley Avenue will also depart from Hagley Avenue.
- 6.44 There are currently 10 car parking spaces to the immediate south of the Hagley Avenue / St Asaph Street intersection, which could accommodate 4 buses. There are a further 12 car parking spaces between the St Asaph Street and Selwyn Street intersections (between the bus stop for scheduled services and a kerb build-out), which could accommodate a further 5 buses. This would result in the loss of 22 car parking spaces.
- 6.45 In total, there is approximately 115m of kerbside length to the south of the proposed Polo Grounds access, which is sufficient to accommodate 7 waiting buses. This would result in the loss of 37 parking spaces, although as noted earlier, it is likely that these will be removed for traffic operational reasons during the cricket match anyway.
- 6.46 The pick-up areas will be delineated by 'no parking' signs along the kerbside and an additional signs showing "Bus drop-off / pick-up only" or similar wording. The location of these signs will be determined through the TTMP.
- 6.47 All buses are now fitted with two-way radios and it is proposed to utilise this ability for communication to ensure no additional kerbside parking is lost due to the provision of Park and Ride services. The remaining buses required to provide Park and Ride services and which cannot wait on Deans Avenue or Hagley Avenue would initially be parked some distance from the Oval, outside the 2km radius within which spectator car parking will occur, and in locations where parking demand will be low. The most likely location is the industrial area towards the south of Moorhouse Avenue and east



of Colombo Street. This contains no residential activity and outside of working hours has minimal numbers of parked cars. Upon buses becoming full and moving away from the Park and Ride stops on Hagley Avenue and Deans Avenue, marshals stationed at the stops will use radio communication to inform a driver waiting within the industrial area, who will then move off and travel to the appropriate pick-up area. Allowing for an average speed of 25km/h, which takes account of slowing and stopping at intersections, the journey between the industrial area and the pick-up stops will take around 5 to 6 minutes.

- 6.48 Given the relative location of the remote bus parking area and the Deans Avenue pick-up location, the most direct route would be for drivers to use Riccarton Avenue. At most this would result in 7 additional bus movements on the westbound carriageway, and this will not significantly affect the prevailing traffic flow.
- 6.49 Passengers will need to be given clear directions as to which buses depart from which areas, which will be accomplished through signage and the instructions of marshals.
- 6.50 For clarity, Riccarton Avenue will not be used as a location for Park and Ride buses to either drop-off or pick-up passengers.
- 6.51 All Park and Ride buses will be free for passengers that have pre-purchased their ticket for the match, and this will incentivise this form of travel. This will be made clear through advertising prior to the match.

#### **Scheduled Bus Services**

- 6.52 As noted above, within one hour of a match ending, there are expected to be 28 scheduled services which pass South Hagley Park on Riccarton Avenue, Hagley Avenue and Moorhouse Avenue. If each bus can accommodate 60 passengers (if an allowance is made for 10 passengers already on the bus) then 1,680 spectators can use this mode of travel, which is greater than the expected demand.
- 6.53 Additional scheduled services could also be provided, should demand be sufficiently high. Monitoring of patronage immediately following a match of this scale will be undertaken to determine the extent of use of the services.
- 6.54 The TTMP will ensure no marked on-street bus stops are obstructed or otherwise affected by any measures implemented to control match-related traffic.

#### **Pedestrians**

- 6.55 The limited parking at the site will require people to park some distance from the Oval and walk to matches. As such, there will be strong pedestrian flows approaching the Oval from all directions. Pedestrian crossing phases are already provided at the signalised intersections in the immediate area of the Oval. Consequently, in the hour before and after each match, marshals will be located at each of these locations in order to ensure that pedestrians and drivers exhibit safe behaviours and to offer assistance to pedestrians as required.
- 6.56 Pedestrians are also likely to approach the Oval from the west and northwest and will therefore need to cross Deans Avenue, which will also be used by vehicles accessing the Polo Grounds. Marshals will be located at the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout to assist pedestrians crossing Deans Avenue, and to direct pedestrians to remain on the northern footpath of Riccarton Avenue, whereupon they can cross at the existing refuges. Additionally, a temporary refuge could be provided on Riccarton Avenue by coning off a portion of the central flush median.



- 6.57 Advance signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval. The location and nature of the signage will be determined when the TTMP is developed.
- 6.58 Prior to the end of the match, closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs will also be placed on the southernmost footpath at each location. These will deter pedestrians from immediately attempting to cross Riccarton Avenue when leaving the match via gates B and C, and significantly reduce the potential for a large group of crossing pedestrians to obstruct vehicular flow on the road. The location and nature of the signage will be determined when the TTMP is developed.
- 6.59 Directional signage will also be provided for those pedestrians walking to the Park and Ride pick-up points. This will be provided at all three gates, and will direct pedestrians to use the existing, illuminated path which runs east-west through South Hagley Park.

### **Cyclists**

- 6.60 Thirty permanent cycle racks will be provided adjacent to the proposed pavilion. Further temporary cycle stand provision will be added based on the scale of the cricket match planned, up to a maximum of 370 temporary stands. These will be distributed equally in the immediate vicinity of each of the three entry gates.
- 6.61 It is vital that cyclists have confidence that their cycle will be secure. Accordingly, a marshal will be located at each cycle parking area for the duration of the match.
- 6.62 No specific traffic management provision is proposed for cyclists approaching the Oval. The network of routes already provided within Hagley Park is considered adequate.

### **Taxis**

- 6.63 Prior to a match, taxis will drop-off passengers and then depart to pick up more passengers. As a result, there will be a minimal number of taxis waiting in the area of the Hagley Oval.
- 6.64 However at the end of a match, taxis will wait to pick up passengers. Surveys carried out at AMI Stadium show around 25 taxis wait in the immediate vicinity of the stadium, with a similar number waiting on the road network elsewhere at other locations. If taxis attempt to pick up passengers within the traffic lanes on Riccarton Avenue then this could give rise to adverse effect on that road and therefore sufficient provision will be made elsewhere to discourage this behaviour through providing for all taxi drop-off and pick-up will take place within the Horticultural Centre car park. Some 60 spaces will remain vacant within this car park even when official cricket-related vehicles are present. These spaces will provide for the likely pattern of drop-off activity, and at the end of the match 60 waiting taxis could be accommodated which is considerably greater than those observed to wait at AMI Stadium.
- 6.65 A marshal will be present in this car park to ensure that taxis park appropriately and make best use of the available space. This will include vehicles reverse-parking in order to avoid reverse movements taking place when pedestrians are present within the car park, which in turn will mean that the direction of flow within this car park will need to be amended.



6.66 Appropriate advance signage will be provided on Riccarton Avenue to show that this area is available for taxis only, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park. The location and nature of the signage will be determined when the TTMP is developed.

6.67 Taxi companies will be contacted in advance of the match and informed of the arrangements, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue.

#### **Emergency Vehicles**

6.68 Emergency vehicle access will be achieved through vehicles entering the Oval from Riccarton Avenue, given the presence of the hospital to the immediate east. However as part of the TTMP, provision will be made for emergency vehicles to access the Oval via the Polo Grounds.

6.69 Access will be accomplished through the Polo Grounds exit being marshalled by at least two people at all times. In the event of an emergency vehicle needing to gain access, one marshal will stop traffic from exiting the site while the other removes the cones on Deans Avenue to enable the vehicle to enter, before replacing them in their original positions.

6.70 Provision will also be made for appropriate access at all times to the emergency helicopter landing pad located to the southeast of the Oval. By its nature the use of the landing pad is infrequent (although clearly it is of vital importance that it is available when required) and it may be replaced in due course as part of the redevelopment of the hospital. Presently however it lies close to the expected pedestrian desire line for walking journeys into the city centre and to the Park and Ride location on Hagley Avenue. As such, the TTMP will specifically address the matter of ensuring the helicopter landing pad is available when required and this matter will be specifically discussed with the District Health Board.

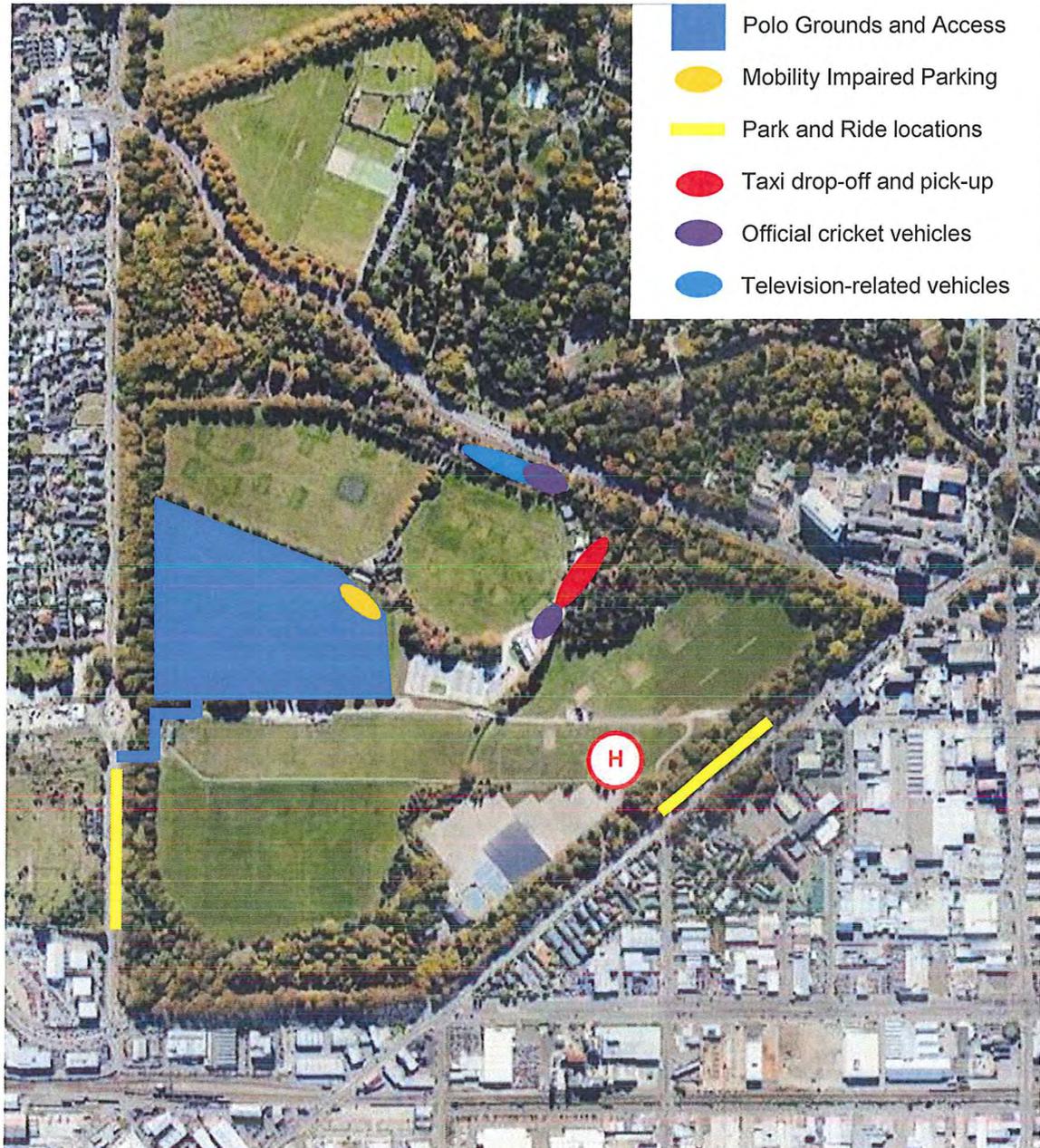
6.71 Two approaches that could be used for management of this area would be to cordon off the area during times when pedestrians are likely to be present, particularly the period one hour before a match starting and one hour after it ends. However it would also be possible to only cordon off the area in the event of an emergency, and for the area to be utilised for pedestrian movement at other times. Under either scenario a marshal will be present to ensure that pedestrians comply with any instructions not to walk through the landing pad area.



### Summary of Traffic Management Approaches

6.72 The summary of key aspects of the traffic management techniques and measures is set out below:

**Figure 4 Indicative Locations of Traffic Management Measures for 12,000 to 20,000 Spectators**



6.73 The key elements of the Access Management Strategy prior to the day of the match are as follows:

- i. Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval.
- ii. The Polo Grounds will be used for spectator car parking.



- iii. All drivers wishing to use the Polo Grounds must apply for a parking pass.
- iv. No parking will be permitted at the Polo Grounds unless a pass has been obtained.
- v. Pre-match communications and advertising will ensure that spectators are aware that all parking at the Polo Grounds will be pre-allocated and a pass must be shown to enable entry.
- vi. A request will be made to the Christchurch Traffic Operations Centre (CTOC) to amend the signal timings at the Deans Avenue / Moorhouse Avenue signalised intersection to give additional green time to the right-turn at the intersection (east to north) for the hour prior to a match, and to Deans Avenue (north) for the hour after a match ends.
- vii. All official cricket-related vehicles will be issued with a car park pass, and the pass will set out details of which car park is to be used.
- viii. Canterbury Cricket Association will identify an alternative parking location for use if the Polo Grounds becomes unexpectedly unavailable, and arrange for shuttle buses to transport spectators between the Oval and this alternative location.
- ix. Spectators will be informed that free Park and Ride services will be provided over the 30-minute period immediately prior to a match commencing.
- x. Temporary cycle stand provision will be provided in the immediate vicinity of each of the three entry gates.
- xi. Taxi companies will be informed of the arrangements for drop-off and pick-up, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue
- xii. Appropriate access will be maintained at all times to the emergency helicopter landing pad located to the southeast of the Oval, in consultation with the District Health Board.

6.74 The key elements of the Access Management Strategy on the day of the match and prior to it starting are as follows:

- i. Between the Polo Grounds access and the redundant roundabout, traffic cones will be used to form two southbound traffic lanes on Deans Avenue to separate through-traffic from vehicles turning left into the car parking area.
- ii. Between the Polo Grounds access and Lester Lane, traffic cones will be used to form a right-turning lane to separate through-traffic from vehicles turning right into the car parking area.
- iii. No parking will be permitted in the angled parking on the southbound carriageway Deans Avenue south of the Polo Grounds access.
- iv. Signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue to direct match-related traffic to the Polo Grounds and away from Riccarton Avenue.
- v. Up to 152 spaces will be provided for the mobility impaired within the Polo Grounds, as close to the entry gates of the Oval as possible. Appropriate signage will be provided to direct mobility impaired drivers into these locations.
- vi. Television outside broadcast vehicles will park in the northern part of Hagley Oval car park.
- vii. The area of Hagley Oval car park remaining after television outside broadcast vehicles are parked will be used only for official cricket-related vehicles.



- viii. The Horticultural Centre car park will not be open to members of the public.
- ix. Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check passes and to ensure that vehicles park in a courteous manner.
- x. Food and beverage vehicles will be required to arrive at least 4 hours in advance of a match starting.
- xi. Parking will be restricted on the northbound carriageway of Hagley Avenue, between Selwyn Street and St Asaph Street
- xii. Signage indicating the presence of Park and Ride drop-off and pick-up areas will be provided on the southbound carriageway of Deans Avenue south of the Polo Grounds access and on Hagley Avenue between Selwyn Street and St Asaph Street
- xiii. Park and Ride bus drivers will be instructed to avoid the use of Riccarton Avenue when travelling to the Oval with passengers.
- xiv. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians.
- xv. Marshals will be located at each of the Park and Ride locations to direct spectators to the Oval.
- xvi. Marshals will be located at the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout to assist pedestrians crossing Deans Avenue, and to direct pedestrians to remain on the northern footpath of Riccarton Avenue and cross at the existing refuges.
- xvii. Directional signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval.
- xviii. Directional signage will be provided between the Oval and Park and Ride drop-off/pick-up points, including at all three gates.
- xix. Signage will be provided on Riccarton Avenue to show that the Horticultural Centre car park is available for taxis only, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.

6.75 The key elements of the Access Management Strategy on the day of the match while the match is in progress are as follows:

- i. The right-turn lane for drivers entering the Polo Grounds from Deans Avenue will be removed and cones will be used to delineate one northbound lane for through traffic with two southbound traffic lanes.
- ii. The left-turn lane for drivers entering the Polo Grounds from Deans Avenue will be removed.
- iii. A marshal will be located at each cycle parking area to ensure cycles remain secure.
- iv. A marshal will be located within the Horticultural Centre car park to ensure that taxis wait considerately and efficiently, including reversing into spaces.
- v. Closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs for pedestrians will also be placed on the southernmost footpath at each location.



6.76 The key elements of the Access Management Strategy on the day of the match after the match finishes are as follows:

- i. Signage will be provided on Deans Avenue (southbound), to direct match-related traffic on the immediate approach to Moorhouse Avenue.
- ii. No right-turning movements will be allowed for vehicles emerging from the Polo Grounds.
- iii. Marshals stationed at the Park and Ride locations will use radio communication to liaise with drivers to bring empty buses to the pick-up area when full buses move off.
- iv. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians
- v. Marshals will be located at the Oval to direct spectators to the Park and Ride locations.
- vi. All taxi pick-up activity will occur within the Horticultural Centre car park, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.
- vii. The Polo Grounds exit will be marshalled by at least two people at all times, and who are able to change the traffic cones is required to allow access into the Oval by an emergency vehicle



## 7 ACCESS MANAGEMENT STRATEGY FOR MATCHES OF 5,000 TO 12,000 SPECTATORS

### Match Characteristics

7.1 A summary of the key characteristics of the match is set out below.

**Table 9 Summary of Match Characteristics of 5,000 to 12,000 Spectators**

Event	Spectator Numbers	Days of Week	Start	End	Frequency
ODI (Day/Night)	5,000 to 12,000	Mainly Fri and weekends, occasional weekday	2pm	9:45pm	2 matches per season

7.2 Applying the modal split set out earlier to a crowd of 5,000 to 12,000 spectators gives rise to the following travel pattern:

**Table 10 Projected Modal Split for Cricket Matches of 5,000 to 12,000 Spectators**

Mode	Spectator Numbers
Scheduled Bus	400-960
Cycle	100-240
Walk, drop-off, taxi	250-600
Park and Ride	450-1,080
Car	3,800-9,120

### Prior to Matches Commencing

7.3 Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval. Signage will be erected one week prior to the match commencing, with sign locations and text to be determined as part of the TTMP.

### Car Parking for Spectators

7.4 Allowing for an occupancy of 2 people per vehicle, a total of 3,800-9,120 vehicle movements will be generated by a match of this size (1,900-4,560 vehicles arriving prior to a match and 1,900-4,560 vehicles departing post-match). Although the Polo Grounds has a greater capacity for parking than is likely to be generated by a smaller match, it would be required for a larger match of this nature and therefore it will be utilised for all such matches. However this location is only able to accommodate 2,000 parked cars which will result in up to 2,560 vehicles being dispersed over the wider roading network for a larger match.

### Polo Grounds and Immediate Approaches

7.5 All drivers wishing to use the Polo Grounds must apply for a parking pass for the match. A key communication message is that parking is not freely available at the Polo Grounds but only pass-holders may park in this location.

As the Polo Grounds will not provide sufficient parking for all of the potential demand it will be necessary to manage driver expectations. Pre-match communications and advertising will be used to ensure that spectators are aware that all parking at the



Polo Grounds will be pre-allocated and accordingly a pass must be shown to enable entry. This will ensure that drivers do not speculatively arrive in the hope of being able to park, and consequently disrupting traffic flows in the immediate area when they are turned away. This approach has been shown to work very effectively at the AMI Stadium where the CBS Arena car park is also managed in this way.

- 7.7 Some 50% of traffic travelling to the Polo Grounds is likely to approach from Deans Avenue (south) with 50% of vehicles from Deans Avenue (north). Thus in the hour prior to a match commencing, up to 1,000 additional vehicles will be present on the northbound and southbound carriageways as well as passing traffic. It is therefore considered that temporary traffic management will be required on Deans Avenue between Moorhouse Avenue and the redundant Blenheim Road roundabout to ensure that these vehicles are directed and managed efficiently.
- 7.8 The Polo Grounds access will be located 60m south of the redundant Blenheim Road roundabout, and approximately 350m north of Moorhouse Avenue. North of the access, and as far as the redundant roundabout, traffic cones will be used to form two southbound traffic lanes and separate through traffic from vehicles turning left into the car parking area.
- 7.9 For vehicles approaching from the south, the width of Deans Avenue is sufficient for a right-turn lane into the Polo Grounds to be created by means of traffic cones from a point just north of the turning lane into Lester Lane as far as the access itself. This lane would be approximately 200m long and therefore could accommodate up to 30 cars before the queue interfered with northbound through traffic on Deans Avenue. In order to create this lane, and also to enable the provision of a drop-off area for Park and Ride buses (discussed below), the parking on the southbound carriageway of Deans Avenue south of the access would be temporarily removed.
- 7.10 The arrangement allows for two streams of traffic to enter the Polo Grounds simultaneously and hence reduces the potential for queues of northbound vehicles on Deans Avenue to extend as far as Moorhouse Avenue.
- 7.11 The Deans Avenue / Moorhouse Avenue signalised intersection will play an important role for arriving spectators. In order to avoid extensive queuing on Moorhouse Avenue, a request will be made to the Christchurch Traffic Operations Centre (CTOC) to amend the signal timings such that the right-turn at the intersection (east to north) is given additional green time for the hour prior to a match starting.
- 7.12 The location of the cones and appropriate advance signage to alert drivers to the revised arrangements on Deans Avenue will be determined as part of developing the TTMP.
- 7.13 It is plausible that a number of spectators will wish to arrive after work, and thus will travel during the evening peak hour. Consequently, the arrangements for access to the Polo Grounds will remain in place until after the evening peak hour has finished. Subsequent to this however and prior to the match ending, the traffic management arrangements will be changed. The cones delineating the left-turn lane for southbound vehicles on Deans Avenue will be removed, as will the right-turn lane for northbound drivers entering the Polo Grounds, and vehicles will no longer be able to enter the car park at this location. Instead, cones will be used to delineate the northbound lane for through traffic, thereby preventing drivers from turning right out of the Polo Grounds.

In the southbound direction, two traffic lanes will be provided. One of these will be a dedicated lane to accommodate left-turning vehicles emerging from the Polo Grounds. The second lane will also be provided for vehicles emerging from the Polo



Grounds and turning left but emerging drivers will be expected to give-way to southbound through traffic on Deans Avenue.

- 7.15 The operation of the access as 'left-out only' at the end of a match means that all traffic will pass through the Deans Avenue / Moorhouse Avenue intersection. Again, a request will be made to CTOC to amend the signal timings such that the southbound traffic flow on Deans Avenue is given additional green time for the hour following a match ending.
- 7.16 This intersection has a southern approach, Detroit Avenue, which predominately serves several car dealerships. Given that use of this road will be very limited post-match, and as it has its own green phase, one technique that could be used by CTOC is to reallocate a proportion of this green time to Deans Avenue approach instead.
- 7.17 Signage will be provided to direct drivers to the Polo Grounds and to provide appropriate directions for exiting vehicles. Prior to a match, directional signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue. This will not only show the directions to the Polo Grounds but will also indicate 'no match traffic' or similar wording in the direction of Riccarton Avenue, to minimise the number of drivers attempting to use this route. Following a match, directional signage will be provided on Deans Avenue on the approach to Moorhouse Avenue. The locations and signfaces will be determined during development of the TTMP.
- 7.18 It is unlikely that the Polo Grounds will become unexpectedly unavailable at short notice, since many of the factors that affect the availability of the Polo Grounds (such as severe weather and natural disasters) will also result in the cancellation of the match. However Canterbury Cricket Association will identify an alternative parking location for use if the Polo Grounds are unexpectedly unavailable, and will provide shuttle buses to transport spectators between this location and the Oval.

#### *Off-Site Car Parking*

- 7.19 A larger match of this type could create a parking demand for up to 2,560 off-site car parking spaces, representing 20% to 23% of the available parking stock of 11,000 to 12,600 car parking spaces available within 2km of the Oval, although parking demand for smaller matches would be accommodated wholly within the Polo Grounds.
- 7.20 Surveys of on-street car parking within 2km of the Oval show that in the early afternoon, 22% of the parking spaces are vacant. Extrapolating this to all parking provision means that the expected parking demand can be satisfied even for the largest match.

#### *Mobility Impaired Drivers*

- 7.21 Allowing for a total parking demand of 1,900-4,560 vehicles, then applying the ratio set out in the City Plan suggests that 38-92 spaces will be provided for the mobility impaired. It is proposed that these will be provided within the Polo Grounds, as close to the entry gates of the Oval as possible.
- 7.22 Appropriate signage will be provided to direct mobility impaired drivers into these locations. The signface and wording to be used will be determined through the development of the TTMP.



### Car Parking for Operational Traffic

- 7.23 Since matches of this nature will be televised, the Hagley Oval and Horticultural Centre car parks will primarily be reserved for cricket purposes and will not be open to the general public.
- 7.24 Around half of the Hagley Oval car park will be reserved for the use of television Outside Broadcasting vehicles. Information received from Canterbury Cricket Association states that up to four television production vehicles may be expected, and these will be parked in the northern portion of the car park. These vehicles are approximately 12m length, and they will arrive at least seven hours prior to the match commencing. Since the area will be free of other parked cars when these vehicles arrive, there is sufficient opportunity for them to manoeuvre without constraints. Once the television vehicles are in place, the area will be cordoned off to separate these vehicles from the remainder of the car park. The day after the match, these vehicles leave the car park and depart onto Riccarton Avenue.
- 7.25 The accesses to the Hagley Oval car park are a minimum of 5.5m in width. This is sufficient for two-way car use, and is also sufficient for a truck to pass a car, albeit slowly and with care. However the likelihood of the latter is extremely low, because the outside broadcast trucks will arrive and depart at times when other vehicles are unlikely to be present at the access.
- 7.26 The remainder of the Hagley Oval car park will be reserved for official cricket-related traffic. Given the area available, 20 parking spaces can be provided, together with a turning head so that vehicles are not required to reverse out onto Riccarton Avenue (this will be required since the television vehicles will prevent vehicles exiting from the northern access). Users of this car park will include:
- i. Match officials
  - ii. Home players
  - iii. Canterbury Cricket Association staff
  - iv. Event management staff
  - v. Caterers
  - vi. Dressing room attendant(s)
  - vii. Security manager
  - viii. Turf manager and ground staff
  - ix. Scorers
  - x. Venue staff
  - xi. Bar staff
- 7.27 These vehicles are typically standard cars, 'people movers' or minivans and consequently the existing layout of the car park can be utilised.
- 7.28 Information received from Canterbury Cricket states that up to 40 spaces will be required to accommodate these vehicles and since only 20 spaces are available with the Hagley Oval car park, 20 vehicles must park elsewhere. These vehicles will either be directed to use the Horticultural Centre car park or will park in the Polo Grounds. For security reasons, these car park users are always issued with a car park pass, and the pass will set out details of which car park is to be used.

The Horticultural Centre car park currently has 81 standard spaces and 2 spaces for mobility impaired drivers, of which 6 are reserved for sole use by the Horticultural Society. This means that in the order of 60 spaces will remain vacant if this car park



is used for official cricket-related vehicles. Accordingly, a dedicated area will be set aside for these vehicles within the Horticultural Centre car park to ensure that parking is focussed within a limited area rather than dispersed throughout the car park. No public parking will be permitted within the Horticultural Centre car park.

7.30 Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check security passes, and to ensure that vehicles park in a courteous manner.

7.31 As part of the cricket event management, other vehicles will need to access the cricket ground for the following purposes:

- i. Food and beverage retail;
- ii. Emergency services;
- iii. Fencing erection;
- iv. Marquees erection;
- v. Portaloos deliveries; and
- vi. Grandstand construction.

7.32 These vehicles will arrive before the match commences. Food and beverage vehicles will be required to arrive at least 4 hours in advance and vehicles associated with any temporary structures will arrive 2 or 3 days beforehand depending on the time required to erect temporary structures. Any vehicles associated with construction of temporary facilities will not be present during the match itself and will have vacated the site before the game commences.

7.33 Emergency services arrive shortly before the match commences, and park very close to the ground itself rather than using the formal car parks. These vehicles will access from Riccarton Avenue and use the gated access known as the Christ's College grounds access which runs along the northwestern side of the Oval. On return, once the match is completed, they will turn within the area of the grounds and return using the same route.

#### **Park and Ride**

7.34 Park and Ride services will be provided for all matches that attract 5,000 to 12,000 spectators. Given the expected passenger volumes, and allowing for each standard-sized bus to accommodate 70 passengers, matches of this size would justify 7-16 dedicated Park and Ride buses. Accordingly, it is expected that minibuses or smaller shuttle buses could be used for matches that are expected to have a lower attendance.

7.35 Four Park and Ride routes will be operated, based on the successful operation of these routes used for a similar scheme associated with travel to the AMI rugby stadium. The routes are:

- i. Northern Route: Northwood / SupaCenta via Merivale to the Oval;
- ii. Southern Route: Ferrymead Mitre 10 to the Oval;
- iii. Eastern Route: Eastgate Shopping Centre to Cowles Stadium to the Oval;  
and
- iv. Western Route: Hornby Hub to the Oval.



- 7.36 Buses will transport spectators to the Oval over the 30 minute period immediately prior to a match commencing. Allowing for each bus to be stationary for 5 minutes while passengers alight, this means that sufficient kerb length has to be provided for up to 4 buses to be present at any time.
- 7.37 One factor which influences the attractiveness of Park and Ride services is the walking distance between the bus stop and the venue. Consequently it is proposed to provide for at least 2 drop-off points on Hagley Avenue through reserving a portion of the on-street car parking spaces on the northbound carriageway, between Selwyn Street and St Asaph Street. A further 2 drop-off points will be provided on the southbound carriageway of Deans Avenue, to the immediate south of the proposed access point into the Polo Grounds car park by utilising an area presently occupied by angle parking.
- 7.38 The portion of Hagley Avenue proposed for drop-off is opposite Hagley Community College rather than residential areas, and as such is likely to have minimal parking demand when the college is not operating. As each bus will be in the order of 12m in length, and will require manoeuvring space also, this will require 24m of kerb length. This equates to the temporary loss of 4 parking spaces. These stops will be used for Park and Ride services travelling from the east and south.
- 7.39 The angled parking on Deans Avenue means that up to 10 car parking spaces could be lost to provide for 2 bus drop-off points. However in view of this being the primary access route into the Polo Grounds it is likely that parking would be restricted on this part of Deans Avenue irrespective of whether it is used for Park and Ride or not. These stops will be used for services travelling from the north and west.
- 7.40 The drop-off areas will be delineated by 'no parking' signs along the kerbside and an additional signs showing "Bus drop-off / pick-up only" or similar wording. The location of these signs will be determined through the TTMP.
- 7.41 In all cases, bus drivers will be instructed to avoid the use of Riccarton Avenue when travelling to the Oval with passengers.
- 7.42 Alighting passengers will be directed to the Oval by way of signage or via a marshal. One advantage in locating the drop-off areas as proposed is that passengers do not need to cross any roads to walk to the Oval, creating a benefit for their safety and also for the efficiency of the road network.
- 7.43 On departure, it is important that all buses are ready for passengers to be quickly transported to their desired destination. Therefore all buses must be available when a match ends. In order to provide clarity to passengers, it is proposed to use the same locations for pick-up as for drop-off, and thus a spectator that has arrived at (say) Hagley Avenue will also depart from Hagley Avenue.
- 7.44 There are currently 10 car parking spaces to the immediate south of the Hagley Avenue / St Asaph Street intersection, which could accommodate 4 standard-sized buses. There are a further 12 car parking spaces between the St Asaph Street and Selwyn Street intersections (between the bus stop for scheduled services and a kerb build-out), which could accommodate a further 5 standard-sized buses. This would result in the loss of 22 car parking spaces.
- 7.45 In total, there is approximately 115m of kerbside length to the south of the proposed Polo Grounds access, which is sufficient to accommodate 7 waiting buses. This would result in the loss of 37 parking spaces, although as noted earlier, it is likely that these will be removed for traffic operational reasons during the cricket match anyway.



- 7.46 The provision set out above will be sufficient to accommodate all buses required to operate a Park and Ride service even for the largest match.
- 7.47 The pick-up areas will be delineated by 'no parking' signs along the kerbside and an additional signs showing "Bus drop-off / pick-up only" or similar wording. The location of these signs will be determined through the TTMP.
- 7.48 Passengers will need to be given clear directions as to which buses depart from which areas, which will be accomplished through signage and the instructions of marshals.
- 7.49 For clarity, Riccarton Avenue will not be used as a location for Park and Ride buses to either drop-off or pick-up passengers.
- 7.50 All Park and Ride buses will be free for passengers that have pre-purchased their ticket for the match, and this will incentivise this form of travel. This will be made clear through advertising prior to the match.

#### **Scheduled Bus Services**

- 7.51 As noted above, within one hour of a match ending, there are expected to be 28 scheduled services which pass South Hagley Park on Riccarton Avenue, Hagley Avenue and Moorhouse Avenue. If each bus can accommodate 60 passengers (if an allowance is made for 10 passengers already on the bus) then 1,680 spectators can use this mode of travel, which is far greater than the likely demand
- 7.52 The TTMP will ensure no marked on-street bus stops are obstructed or otherwise affected by any measures implemented to control match-related traffic.

#### **Pedestrians**

- 7.53 The limited parking at the site may result in people parking some distance from the Oval and walking to matches. As such, there will be strong pedestrian flows approaching the Oval from all directions. Pedestrian crossing phases are already provided at the signalised intersections in the immediate area of the Oval. Consequently, in the hour before and after each match, marshals will be located at each of these locations in order to ensure that pedestrians and drivers exhibit safe behaviours and to offer assistance to pedestrians as required.
- 7.54 Pedestrians are also likely to approach the Oval from the west and northwest and will therefore need to cross Deans Avenue, which will also be used by vehicles accessing the Polo Grounds. Marshals will be located at the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout to assist pedestrians crossing Deans Avenue, and to direct pedestrians to remain on the northern footpath of Riccarton Avenue, whereupon they can cross at the existing refuges. Additionally, a temporary refuge could be provided on Riccarton Avenue by coning off a portion of the central flush median.
- 7.55 Advance signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval. The location and nature of the signage will be determined when the TTMP is developed.
- 7.56 Prior to the end of the match, closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs will also be placed on the southernmost footpath at each location. These will deter pedestrians from immediately attempting to cross Riccarton Avenue when leaving the match via gates B and C, and



significantly reduce the potential for a large group of crossing pedestrians to obstruct vehicular flow on the road. The location and nature of the signage will be determined when the TTMP is developed.

- 7.57 Directional signage will also be provided for those pedestrians walking to the Park and Ride pick-up points. This will be provided at all three gates, and will direct pedestrians to use the existing, illuminated path which runs east-west through South Hagley Park.

### **Cyclists**

- 7.58 Thirty permanent cycle racks will be provided adjacent to the proposed pavilion. Further temporary cycle stand provision will be added based on the scale of the cricket match planned, up to a maximum of 210 temporary stands. These will be distributed equally in the immediate vicinity of each of the three entry gates.

- 7.59 It is vital that cyclists have confidence that their cycle will be secure. Accordingly, a marshal will be located at each cycle parking area for the duration of the match.

- 7.60 No specific traffic management provision is proposed for cyclists approaching the Oval. The network of routes already provided within Hagley Park is considered adequate.

### **Taxis**

- 7.61 Prior to a match, taxis will drop-off passengers and then depart to pick up more passengers. As a result, there will be a minimal number of taxis waiting in the area of the Hagley Oval.

- 7.62 However at the end of a match, taxis will wait to pick up passengers. Surveys carried out at AMI Stadium show around 25 taxis wait in the immediate vicinity of the stadium, with a similar number waiting on the road network elsewhere at other locations. If taxis attempt to pick up passengers within the traffic lanes on Riccarton Avenue then this could give rise to adverse effect on that road and therefore sufficient provision will be made elsewhere to discourage this behaviour through providing for all taxi drop-off and pick-up will take place within the Horticultural Centre car park. Some 60 spaces will remain vacant within this car park even when official cricket-related vehicles are present. These spaces will provide for the likely pattern of drop-off activity, and at the end of the match 60 waiting taxis could be accommodated which is considerably greater than those observed to wait at AMI Stadium.

- 7.63 A marshal will be present in this car park to ensure that taxis park appropriately and make best use of the available space. This will include vehicles reverse-parking in order to avoid reverse movements taking place when pedestrians are present within the car park, which in turn will mean that the direction of flow within this car park will need to be amended.

- 7.64 Appropriate advance signage will be provided on Riccarton Avenue to show that this area is available for taxis only, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park. The location and nature of the signage will be determined when the TTMP is developed.

- 7.65 Taxi companies will be contacted in advance of the match and informed of the arrangements, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue.



### **Emergency Vehicles**

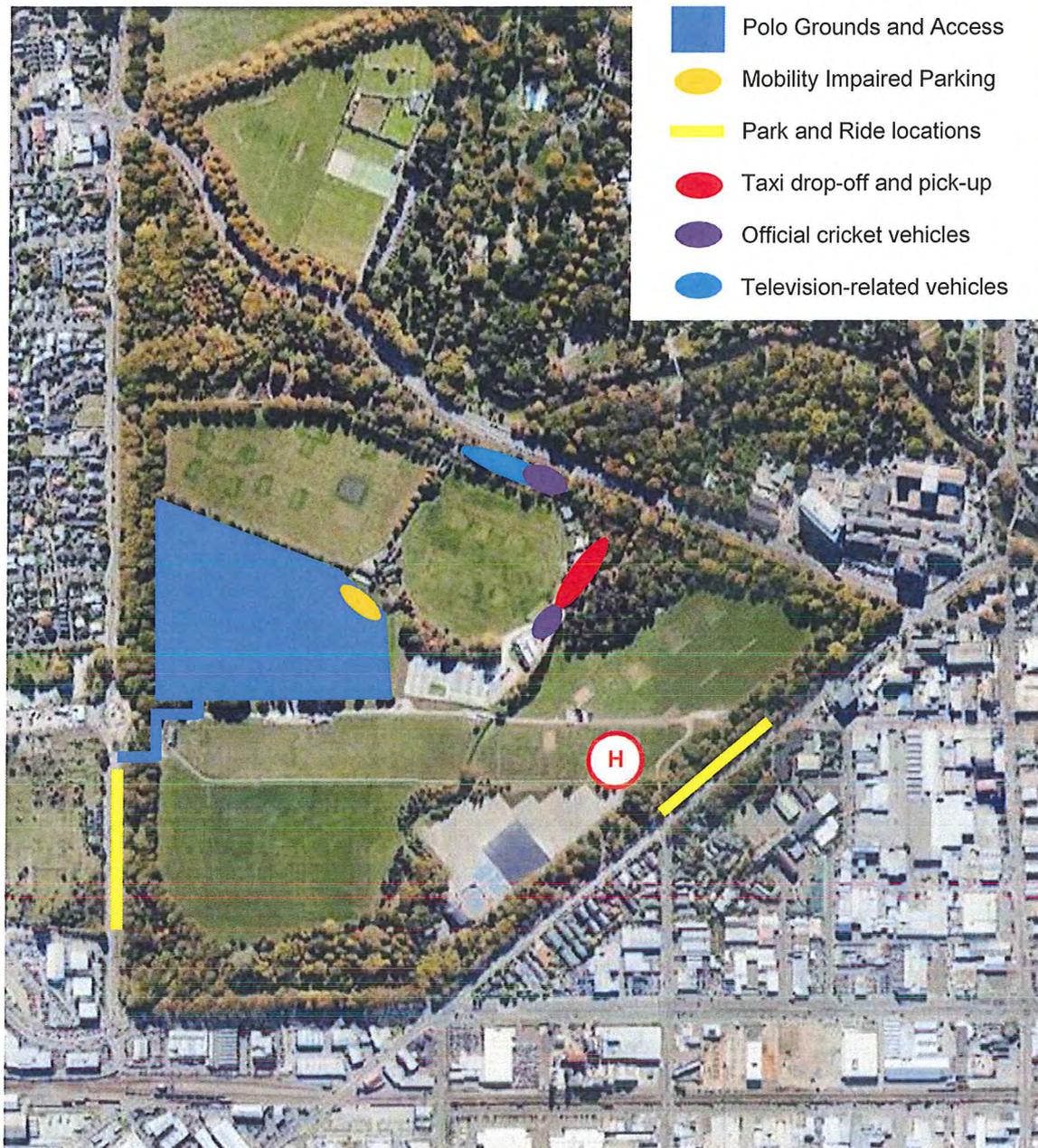
- 7.66 Emergency vehicle access will be achieved through vehicles entering the Oval from Riccarton Avenue, given the presence of the hospital to the immediate east. However as part of the TTMP, provision will be made for emergency vehicles to access the Oval via the Polo Grounds.
- 7.67 Access will be accomplished through the Polo Grounds exit being marshalled by at least two people at all times. In the event of an emergency vehicle needing to gain access, one marshal will stop traffic from exiting the site while the other removes the cones on Deans Avenue to enable the vehicle to enter, before replacing them in their original positions.
- 7.68 Provision will also be made for appropriate access at all times to the emergency helicopter landing pad located to the southeast of the Oval. By its nature the use of the landing pad is infrequent (although clearly it is of vital importance that it is available when required) and it may be replaced in due course as part of the redevelopment of the hospital. Presently however it lies close to the expected pedestrian desire line for walking journeys into the city centre and to the Park and Ride location on Hagley Avenue. As such, the TTMP will specifically address the matter of ensuring the helicopter landing pad is available when required and this matter will be specifically discussed with the District Health Board
- 7.69 Two approaches that could be used for management of this area would be to cordon off the area during times when pedestrians are likely to be present, particularly the period one hour before a match starting and one hour after it ends. However it would also be possible to only cordon off the area in the event of an emergency, and for the area to be utilised for pedestrian movement at other times. Under either scenario a marshal will be present to ensure that pedestrians comply with any instructions not to walk through the landing pad area.

### **Summary of Traffic Management Approaches**

- 7.70 The summary of key aspects of the traffic management techniques and measures is set out below:



**Figure 5 Indicative Locations of Traffic Management Measures for 5,000 to 12,000 Spectators**



7.71 The key elements of the Access Management Strategy prior to the day of the match are as follows:

- i. Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval.
- ii. The Polo Grounds will be used for spectator car parking.
- iii. All drivers wishing to use the Polo Grounds must apply for a parking pass.



- iv. No parking will be permitted at the Polo Grounds unless a pass has been obtained.
- v. Pre-match communications and advertising will ensure that spectators are aware that all parking at the Polo Grounds will be pre-allocated and a pass must be shown to enable entry.
- vi. A request will be made to the Christchurch Traffic Operations Centre (CTOC) to amend the signal timings at the Deans Avenue / Moorhouse Avenue signalised intersection to give additional green time to the right-turn at the intersection (east to north) for the hour prior to a match, and to Deans Avenue (north) for the hour after a match ends.
- vii. All official cricket-related vehicles will be issued with a car park pass, and the pass will set out details of which car park is to be used.
- viii. Canterbury Cricket Association will identify an alternative parking location for use if the Polo Grounds becomes unexpectedly unavailable, and arrange for shuttle buses to transport spectators between the Oval and this alternative location.
- ix. Spectators will be informed that free Park and Ride services will be provided over the 30-minute period immediately prior to a match commencing.
- x. Temporary cycle stand provision will be provided in the immediate vicinity of each of the three entry gates.
- xi. Taxi companies will be informed of the arrangements for drop-off and pick-up, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue
- xii. Appropriate access will be maintained at all times to the emergency helicopter landing pad located to the southeast of the Oval, in consultation with the District Health Board.

7.72

The key elements of the Access Management Strategy on the day of the match and prior to it starting are as follows:

- i. Between the Polo Grounds access and the redundant roundabout, traffic cones will be used to form two southbound traffic lanes on Deans Avenue to separate through-traffic from vehicles turning left into the car parking area.
- ii. Between the Polo Grounds access and Lester Lane, traffic cones will be used to form a right-turning lane to separate through-traffic from vehicles turning right into the car parking area.
- iii. No parking will be permitted in the angled parking on the southbound carriageway Deans Avenue south of the Polo Grounds access.
- iv. Signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue to direct match-related traffic to the Polo Grounds and away from Riccarton Avenue.
- v. Up to 92 spaces will be provided for the mobility impaired within the Polo Grounds, as close to the entry gates of the Oval as possible. Appropriate signage will be provided to direct mobility impaired drivers into these locations.
- vi. Television outside broadcast vehicles will park in the northern part of Hagley Oval car park.
- vii. The area of Hagley Oval car park remaining after television outside broadcast vehicles are parked will be used only for official cricket-related vehicles.
- viii. The Horticultural Centre car park will not be open to members of the public.



- ix. Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check passes and to ensure that vehicles park in a courteous manner.
- x. Food and beverage vehicles will be required to arrive at least 4 hours in advance of a match starting.
- xi. Parking will be restricted on the northbound carriageway of Hagley Avenue, between Selwyn Street and St Asaph Street
- xii. Signage indicating the presence of Park and Ride drop-off and pick-up areas will be provided on the southbound carriageway of Deans Avenue south of the Polo Grounds access and on Hagley Avenue between Selwyn Street and St Asaph Street
- xiii. Park and Ride bus drivers will be instructed to avoid the use of Riccarton Avenue when travelling to the Oval with passengers.
- xiv. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians.
- xv. Marshals will be located at each of the Park and Ride locations to direct spectators to the Oval.
- xvi. Marshals will be located at the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout to assist pedestrians crossing Deans Avenue, and to direct pedestrians to remain on the northern footpath of Riccarton Avenue and cross at the existing refuges.
- xvii. Directional signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval.
- xviii. Directional signage will be provided between the Oval and Park and Ride drop-off/pick-up points, including at all three gates.
- xix. Signage will be provided on Riccarton Avenue to show that the Horticultural Centre car park is available for taxis only, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.

7.73

The key elements of the Access Management Strategy on the day of the match while the match is in progress are as follows:

- i. The right-turn lane for drivers entering the Polo Grounds from Deans Avenue will be removed and cones will be used to delineate one northbound lane for through traffic with two southbound traffic lanes.
- ii. The left-turn lane for drivers entering the Polo Grounds from Deans Avenue will be removed.
- iii. A marshal will be located at each cycle parking area to ensure cycles remain secure.
- iv. A marshal will be located within the Horticultural Centre car park to ensure that taxis wait considerately and efficiently, including reversing into spaces.
- v. Closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs for pedestrians will also be placed on the southernmost footpath at each location.

The key elements of the Access Management Strategy on the day of the match after the match finishes are as follows:



- i. Signage will be provided on Deans Avenue (southbound), to direct match-related traffic on the immediate approach to Moorhouse Avenue.
- ii. No right-turning movements will be allowed for vehicles emerging from the Polo Grounds.
- iii. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians
- iv. Marshals will be located at the Oval to direct spectators to the Park and Ride locations.
- v. All taxi pick-up activity will occur within the Horticultural Centre car park, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.
- vi. The Polo Grounds exit will be marshalled by at least two people at all times, and who are able to change the traffic cones is required to allow access into the Oval by an emergency vehicle



## 8 ACCESS MANAGEMENT STRATEGY FOR TEST MATCHES AND WEEKDAY DAYTIME T20 MATCHES OF 2,000 TO 5,000 SPECTATORS

### Match Characteristics

8.1 A summary of the key characteristics of the match is set out below.

**Table 11 Summary of Match Characteristics of 2,000 to 5,000 Spectators (Tests and Weekday Daytime T20)**

Event	Spectator Numbers	Days of Week	Start	End	Frequency
Test (5-day game)	2,000 to 5,000	Thu to Mon	10:30am	5:30pm	1 match per season
Domestic T20		Summer weekday	2pm	5pm	Up to 2 matches per season

8.2 Applying the modal split set out earlier to a crowd of 2,000 to 5,000 spectators gives rise to the following travel pattern:

**Table 12 Projected Modal Split for Cricket Matches of 2,000 to 5,000 Spectators (Tests and Weekday Daytime T20)**

Mode	Spectator Numbers
Scheduled Bus	160-400
Cycle	40-100
Walk, drop-off, taxi	100-250
Park and Ride	-
Car	1,700-4,250

### Prior to Matches Commencing

8.3 Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval. Signage will be erected one week prior to the match commencing, with sign locations and text to be determined as part of the TTMP.

### Car Parking for Spectators

8.4 Allowing for an occupancy of 2 people per vehicle, a total of 1,700-4,250 vehicle movements will be generated by a match of this size (850-2,125 vehicles arriving prior to a match and 850-2,125 vehicles departing post-match). The Polo Grounds has a greater capacity for parking than is likely to be generated by a smaller match, and its capacity is only marginally exceeded by a larger crowd. Furthermore, for test matches drivers arriving during the first days of the match are likely to be dispersed over an extended period of time, meaning that parking demand will increase gradually over time rather than immediately prior to the start of a match.

However the parking demand will occur primarily during weekdays and during the working day when the available parking provision in the area will be in higher demand. Accordingly, it is proposed to utilise the Polo Grounds for matches of this



nature. This location is only able to accommodate 2,000 parked cars which will result in up to 125 vehicles being dispersed over the wider roading network for the most popular matches.

#### *Polo Grounds and Immediate Approaches*

- 8.6 In view of the demand for parking being comparable to the provision made at the Polo Grounds, it is not considered that there is any requirement for drivers wishing to use the Polo Grounds to be pre-allocated a parking pass for the match. Rather, drivers will be able to arrive speculatively and will have a high likelihood of a space being available.
- 8.7 Should the car park be full, signs will be provided on the immediate approaches to the car park to inform drivers of this. The locations of the signs and text to be used will be determined as part of developing the TTMP.
- 8.8 Some 50% of traffic travelling to the Polo Grounds is likely to approach from Deans Avenue (south) with 50% of vehicles from Deans Avenue (north). For test matches, in practice it is highly likely that these vehicles will be dispersed over an extended timeframe, but for traffic management purposes it would be pragmatic to allow for vehicles to arrive in the hour prior to a match starting and for a period of two hours afterwards. Therefore potentially up to 330 additional vehicles will be present on the northbound and southbound carriageways of Deans Avenue in addition to passing traffic. The pattern for T20 matches is slightly different in that spectators are likely to arrive and depart in the hour prior to and following a match respectively.
- 8.9 It is therefore considered that temporary traffic management will be required on Deans Avenue between Moorhouse Avenue and the redundant Blenheim Road roundabout to ensure that these vehicles are directed and managed efficiently.
- 8.10 The Polo Grounds access will be located 60m south of the redundant Blenheim Road roundabout, and approximately 350m north of Moorhouse Avenue. North of the access, and as far as the roundabout, traffic cones will be used to form two traffic lanes and separate through traffic from vehicles turning left into the car parking area.
- 8.11 For vehicles approaching from the south, the width of Deans Avenue is sufficient for a right-turn lane into the Polo Grounds to be created by means of traffic cones from a point just north of the turning lane into Lester Lane as far as the access itself. This lane could be approximately 200m long and therefore could accommodate up to 30 cars before the queue interfered with northbound through traffic on Deans Avenue. However for the Test matches where demand is less, the length of the lane could be shortened. In order to create this lane, the parking on the southbound carriageway of Deans Avenue south of the access would be temporarily removed.
- 8.12 The arrangement allows for two streams of traffic to enter the Polo Grounds simultaneously and hence reduces the potential for queues of northbound vehicles on Deans Avenue to extend as far as Moorhouse Avenue.
- 8.13 The location of the cones and appropriate advance signage to alert drivers to the revised arrangements on Deans Avenue will be determined as part of developing the TTMP.
- 8.14 Prior to a match ending, the traffic management arrangements will be changed. The cones delineating the left-turn lane for southbound vehicles on Deans Avenue will be removed, as will the right-turn lane for northbound drivers entering the Polo Grounds, and vehicles will no longer be able to enter the car park at this location. Instead,



cones will be used to delineate the northbound lane for through traffic, thereby preventing drivers from turning right out of the Polo Grounds.

- 8.15 In the southbound direction, two traffic lanes will be provided. One of these will be a dedicated lane to accommodate left-turning vehicles emerging from the Polo Grounds. The second lane will also be provided for vehicles emerging from the Polo Grounds and turning left but emerging drivers will be expected to give-way to southbound through traffic on Deans Avenue.
- 8.16 The operation of the access as 'left-out only' at the end of a match means that all traffic will pass through the Deans Avenue / Moorhouse Avenue intersection. A request will be made to the Christchurch Traffic Control Operations Centre (CTOC) to amend the signal timings such that the southbound traffic flow on Deans Avenue is given additional green time for the hour following a match ending.
- 8.17 Advance signage will be provided to direct drivers to the Polo Grounds and to provide appropriate directions for exiting vehicles. Prior to a match, directional signage will be provided on Deans Avenue (north), Riccarton Road, Blenheim Road and Moorhouse Avenue. This will not only show the directions to the Polo Grounds but will also indicate 'no match traffic' or similar wording in the direction of Riccarton Avenue, to minimise the number of drivers attempting to use this route. The locations and signfaces will be determined during development of the TTMP.

#### *Off-Site Car Parking*

- 8.18 A match of this scale would create a parking demand for at most 125 off-site car parking spaces, representing only 1% of the available parking stock of 11,000 to 12,600 car parking spaces available within 2km of the Oval. This can easily be accommodated.

#### *Mobility Impaired Drivers*

- 8.19 Allowing for of a total parking demand of 850-2,125 car parking spaces then applying the ratio set out in the City Plan suggests that 17-43 spaces should be provided for the mobility impaired. It is proposed that these will be provided within the Polo Grounds, as close to the entry gates of the Oval as possible.
- 8.20 Appropriate signage will be provided to direct mobility impaired drivers into these locations. The signface and wording to be used will be determined through the development of the TTMP.

#### **Car Parking for Operational Traffic**

- 8.21 Since matches of this nature will be televised, the Hagley Oval and Horticultural Centre car parks will primarily be reserved for cricket purposes and will not be open to the general public.
- 8.22 Around half of the Hagley Oval car park will be reserved for the use of television Outside Broadcasting vehicles. Information received from Canterbury Cricket Association states that up to four television production vehicles may be expected, and these will be parked in the northern portion of the car park. These vehicles are approximately 12m length, and they will arrive at least seven hours prior to the match commencing. Since the area will generally be free of other parked cars when these vehicles arrive, there is sufficient opportunity for them to manoeuvre without constraints. Once the television vehicles are in place, the area will be cordoned off to



separate these vehicles from the remainder of the car park. The day after the match, these vehicles leave the car park and depart onto Riccarton Avenue.

- 8.23 The accesses to the Hagley Oval car park are a minimum of 5.5m in width. This is sufficient for two-way car use, and is also sufficient for a truck to pass a car, albeit slowly and with care. However the likelihood of the latter is extremely low, because the outside broadcast trucks will arrive and depart at times when other vehicles will not be present at the access.
- 8.24 The remainder of the Hagley Oval car park will be reserved for official cricket-related traffic. Given the area available, 20 parking spaces can be provided, together with a turning head so that vehicles are not required to reverse out onto Riccarton Avenue. Users of this car park will include:
- i. Match officials
  - ii. Home players
  - iii. Canterbury Cricket Association staff
  - iv. Event management staff
  - v. Caterers
  - vi. Dressing room attendant(s)
  - vii. Security manager
  - viii. Turf manager and ground staff
  - ix. Scorers
  - x. Venue staff
  - xi. Bar staff
- 8.25 These vehicles are typically standard cars, 'people movers' or minivans and consequently the existing layout of the car park can be utilised.
- 8.26 Information received from Canterbury Cricket states that up to 40 spaces will be required to accommodate these vehicles and since only 20 spaces are available with the Hagley Oval car park, 20 vehicles will be directed to use the Horticultural Centre car park. For security reasons, these car park users are always issued with a car park pass, and the pass will set out details of which car park is to be used.
- 8.27 The Horticultural Centre car park currently has 81 standard spaces and 2 spaces for mobility impaired drivers, of which 6 are reserved for sole use by the Horticultural Society. This means that in the order of 60 spaces will remain vacant if this car park is used for official cricket-related vehicles. Accordingly, a dedicated area will be set aside for these vehicles within the Horticultural Centre car park to ensure that parking is focussed within a limited area rather than dispersed throughout the car park. No public parking will be permitted within the Horticultural Centre car park.
- 8.28 Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check security passes, and to ensure that vehicles park in a courteous manner.
- 8.29 As part of the cricket event management, other vehicles will need to access the cricket ground for the following purposes:

- i. Food and beverage retail;
- ii. Emergency services;



- iii. Fencing erection;
- iv. Marquees erection;
- v. Portaloos deliveries; and
- vi. Grandstand construction.

8.30 These vehicles will arrive before the match commences. Food and beverage vehicles will be required to arrive at least 4 hours in advance and vehicles associated with any temporary structures will arrive 2 or 3 days beforehand depending on the time required to erect temporary structures. Any vehicles associated with construction of temporary facilities will not be present during the match itself and will have vacated the site before the game commences.

8.31 Emergency services arrive shortly before the match commences, and park very close to the ground itself rather than using the formal car parks. These vehicles will access from Riccarton Avenue and use the gated access and path known as the Christ College grounds access. On return, once the match is completed, they will turn within the area of the grounds and return using the same route.

#### **Park and Ride**

8.32 Demand for Park and Ride services will be very low (at most 450 passengers) and in addition for Test matches arrivals will be spread over an extended period of time making it difficult to provide a convenient and prompt service to spectators. It therefore not expected that such provision will be made for matches of this size.

#### **Scheduled Bus Services**

8.33 In view of the large number of services passing the site, and anticipating that passengers will be distributed across all of these services, it is extremely unlikely that demand for these services will exceed the available capacity.

#### **Pedestrians**

8.34 Since the bulk of parking activity will take place on the Polo Grounds, the infrastructure provision made within Hagley Park and the immediate vicinity will be sufficient to accommodate the expected numbers of pedestrians walking to the Oval. The formal road crossings provided will also be adequate without need for additional measures.

#### **Cyclists**

8.35 Thirty permanent cycle racks will be provided adjacent to the proposed pavilion. Further temporary cycle stand provision will be added based on the scale of the cricket match planned, up to a maximum of 70 temporary stands. These will be distributed equally in the immediate vicinity of each of the three entry gates.

#### **Taxis**

8.36 Prior to a match, taxis will drop-off passengers and then depart to pick up more passengers. As a result, there will be a minimal number of taxis waiting in the area of the Hagley Oval.

8.37 However at the end of a match, taxis will wait to pick up passengers. Surveys carried out at AMI Stadium show around 25 taxis wait in the immediate vicinity of the stadium, with a similar number waiting on the road network elsewhere at other locations. If taxis attempt to pick up passengers within the traffic lanes on Riccarton Avenue then this could give rise to adverse effect on that road and therefore sufficient provision will be made elsewhere to discourage this behaviour through providing for all taxi drop-off and pick-up will take place within the Horticultural Centre



car park. Some 60 spaces will remain vacant within this car park even when official cricket-related vehicles are present. These spaces will provide for the likely pattern of drop-off activity, and at the end of the match 60 waiting taxis could be accommodated which is considerably greater than those observed to wait at AMI Stadium.

- 8.38 A marshal will be present in this car park to ensure that taxis park appropriately and make best use of the available space. This will include vehicles parking within the marked spaces and reversing into those spaces (to avoid reverse movements taking place when pedestrians are present within the car park).
- 8.39 Appropriate advance signage will be provided on Riccarton Avenue to show that this area is available for taxis only, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park. The location and nature of the signage will be determined when the TTMP is developed.
- 8.40 Taxi companies will be contacted in advance of the match and informed of the arrangements, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue.

#### **Emergency Vehicles**

- 8.41 Emergency vehicle access will be achieved through vehicles entering the Oval from Riccarton Avenue, given the presence of the hospital to the immediate east. However as part of the TTMP, provision will be made for emergency vehicles to access the Oval via the Polo Grounds.
- 8.42 Access will be accomplished through the Polo Grounds exit being marshalled by at least two people at all times. In the event of an emergency vehicle needing to gain access, one marshal will stop traffic from exiting the site while the other removes the cones on Deans Avenue to enable the vehicle to enter, before replacing them in their original positions.
- 8.43 Provision will also be made for appropriate access at all times to the emergency helicopter landing pad located to the southeast of the Oval. By its nature the use of the landing pad is infrequent (although clearly it is of vital importance that it is available when required) and it may be replaced in due course as part of the redevelopment of the hospital. Presently however it lies close to the expected pedestrian desire line for walking journeys into the city centre and to the Park and Ride location on Hagley Avenue. As such, the TTMP will specifically address the matter of ensuring the helicopter landing pad is available when required and this matter will be specifically discussed with the District Health Board.
- 8.44 Two approaches that could be used for management of this area would be to cordon off the area during times when pedestrians are likely to be present, particularly the period one hour before a match starting and one hour after it ends. However it would also be possible to only cordon off the area in the event of an emergency, and for the area to be utilised for pedestrian movement at other times. Under either scenario a marshal will be present to ensure that pedestrians comply with any instructions not to walk through the landing pad area.

#### **Summary of Traffic Management Approaches**

- 8.45 The summary of key aspects of the traffic management techniques and measures is set out below:



**Figure 6 Indicative Locations of Traffic Management Measures for Test Matches and Weekday Daytime T20 Matches of 2,000 to 5,000 Spectators**



8.46 The key elements of the Access Management Strategy prior to the day of the match are as follows:

- i. Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval.
- ii. The Polo Grounds will be used for spectator car parking.
- iii. A request will be made to the Christchurch Traffic Operations Centre (CTOC) to amend the signal timings at the Deans Avenue / Moorhouse Avenue signalised intersection to give additional green time to Deans Avenue (north) for the hour after a match ends.



- iv. All official cricket-related vehicles will be issued with a car park pass, and the pass will set out details of which car park is to be used.
- v. Temporary cycle stand provision will be provided in the immediate vicinity of each of the three entry gates.
- vi. Taxi companies will be informed of the arrangements for drop-off and pick-up, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue
- vii. Appropriate access will be maintained at all times to the emergency helicopter landing pad located to the southeast of the Oval, in consultation with the District Health Board.

8.47 The key elements of the Access Management Strategy on the day of the match and prior to it starting are as follows:

- i. Between the Polo Grounds access and the redundant roundabout, traffic cones will be used to form two southbound traffic lanes on Deans Avenue to separate through-traffic from vehicles turning left into the car parking area.
- ii. Between the Polo Grounds access and a point 50m south, traffic cones will be used to form a right-turning lane to separate through-traffic from vehicles turning right into the car parking area.
- iii. No parking will be permitted in the angled parking on the southbound carriageway Deans Avenue south of the Polo Grounds access.
- iv. Signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue to direct match-related traffic to the Polo Grounds and away from Riccarton Avenue.
- v. Up to 43 spaces will be provided for the mobility impaired within the Polo Grounds, as close to the entry gates of the Oval as possible. Appropriate signage will be provided to direct mobility impaired drivers into these locations.
- vi. Television outside broadcast vehicles will park in the northern part of Hagley Oval car park.
- vii. The area of Hagley Oval car park remaining after television outside broadcast vehicles are parked will be used only for official cricket-related vehicles.
- viii. The Horticultural Centre car park will not be open to members of the public.
- ix. Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check passes and to ensure that vehicles park in a courteous manner.
- x. Food and beverage vehicles will be required to arrive at least 4 hours in advance of a match starting.
- xi. Signage will be provided on Riccarton Avenue to show that the Horticultural Centre car park is available for taxis only, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.

8.48 The key elements of the Access Management Strategy on the day of the match while the match is in progress are as follows:

- i. The right-turn lane for drivers entering the Polo Grounds from Deans Avenue will be removed and cones will be used to delineate one northbound lane for through traffic with two southbound traffic lanes.
- ii. The left-turn lane for drivers entering the Polo Grounds from Deans Avenue will be removed.



- iii. A marshal will be located within the Horticultural Centre car park to ensure that waiting taxis park considerably and efficiently, including reversing into spaces.

8.49 The key elements of the Access Management Strategy on the day of the match after the match finishes are as follows:

- i. Signage will be provided on Deans Avenue (southbound), to direct match-related traffic on the immediate approach to Moorhouse Avenue.
- ii. No right-turning movements will be allowed for vehicles emerging from the Polo Grounds.
- iii. All taxi pick-up activity will occur within the Horticultural Centre car park, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.
- iv. The Polo Grounds exit will be marshalled by at least two people at all times, and who are able to change the traffic cones is required to allow access into the Oval by an emergency vehicle.



## 9 ACCESS MANAGEMENT STRATEGY FOR EVENING AND WEEKEND T20 MATCHES OF 2,000 TO 5,000 SPECTATORS

### Match Characteristics

9.1 A summary of the key characteristics of the match is set out below.

**Table 13 Summary of Match Characteristics of 2,000 to 5,000 Spectators (Evening and Weekend T20)**

Event	Spectator Numbers	Days of Week	Start	End	Frequency
Domestic T20	2,000 to 5,000	Friday or weekend	7pm	10pm	Up to 5 matches per season
		Weekend	2pm	5pm	

9.2 Applying the modal split set out earlier to a crowd of 2,000 to 5,000 spectators gives rise to the following travel pattern:

**Table 14 Projected Modal Split for Cricket Matches of 2,000 to 5,000 Spectators (Evening and Weekend T20)**

Mode	Spectator Numbers
Scheduled Bus	160-400
Cycle	40-100
Walk, drop-off, taxi	100-250
Park and Ride	-
Car	1,700-4,250

### Prior to Matches Commencing

9.3 Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval. Signage will be erected one week prior to the match commencing, with sign locations and text to be determined as part of the TTMP.

### Car Parking for Spectators

9.4 Allowing for an occupancy of 2 people per vehicle, a total of 1,700-4,250 vehicle movements will be generated by a match of this size (850-2,125 vehicles arriving prior to a match and 850-2,125 vehicles departing post-match). The maximum demand is comparable to that of the Polo Grounds, but those matches that have a lower attendance create a correspondingly lower parking demand.

9.5 Matches of this scale could create a parking demand for 7% to 19% of the available parking stock of 11,000 to 12,600 car parking spaces available within 2km of the Oval. Surveys show that after 5:30pm, 60% of the parking spaces in a sample of off-street public car parking areas were observed to be vacant, likely to be due to a significant reduction in commuter car parking activity. Extrapolating the figure of 60% to all off-site parking, this means that the parking demand associated with cricket spectators can easily be satisfied even for the largest match. Accordingly, it is not proposed to use the Polo Grounds for these types of matches.



- 9.6 With the use of off-site parking, there is the potential for spectators to use the on-street parking on Riccarton Avenue. Although this is public car parking and spectators cannot be easily be prevented from using it, signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue to direct match-related traffic away from Riccarton Avenue.
- 9.7 Allowing for of a total parking demand of 850-2,125 car parking spaces then applying the ratio set out in the City Plan suggests that 17-43 spaces should be provided for the mobility impaired. It is proposed that these will be provided within the Horticultural Centre car park.
- 9.8 Appropriate signage will be provided to direct mobility impaired drivers into these locations. The signface and wording to be used will be determined through the development of the TTMP.

#### **Car Parking for Operational Traffic**

- 9.9 Since matches of this nature will be televised, the Hagley Oval and Horticultural Centre car parks will primarily be reserved for cricket purposes and will not be open to the general public.
- 9.10 Around half of the Hagley Oval car park will be reserved for the use of television Outside Broadcasting vehicles. Information received from Canterbury Cricket Association states that up to four television production vehicles may be expected, and these will be parked in the northern portion of the car park. These vehicles are approximately 12m length, and they will arrive at least seven hours prior to the match commencing. Since the area will generally be free of other parked cars when these vehicles arrive, there is sufficient opportunity for them to manoeuvre without constraints. Once the television vehicles are in place, the area will be cordoned off to separate these vehicles from the remainder of the car park. The day after the match, these vehicles leave the car park and depart onto Riccarton Avenue.
- 9.11 The accesses to the Hagley Oval car park are a minimum of 5.5m in width. This is sufficient for two-way car use, and is also sufficient for a truck to pass a car, albeit slowly and with care. However the likelihood of the latter is extremely low, because the outside broadcast trucks will arrive and depart at times when other vehicles will not be present at the access.
- 9.12 The remainder of the Hagley Oval car park will be reserved for official cricket-related traffic. Given the area available, 20 parking spaces can be provided, together with a turning head so that vehicles are not required to reverse out onto Riccarton Avenue. Users of this car park will include:
- i. Match officials
  - ii. Home players
  - iii. Canterbury Cricket Association staff
  - iv. Event management staff
  - v. Caterers
  - vi. Dressing room attendant(s)
  - vii. Security manager
  - viii. Turf manager and ground staff
  - ix. Scorers
  - x. Venue staff
  - xi. Bar staff



- 9.13 These vehicles are typically standard cars, 'people movers' or minivans and consequently the existing layout of the car park can be utilised.
- 9.14 Information received from Canterbury Cricket states that up to 40 spaces will be required to accommodate these vehicles and since only 20 spaces are available with the Hagley Oval car park, 20 vehicles will be directed to use the Horticultural Centre car park. For security reasons, these car park users are always issued with a car park pass, and the pass will set out details of which car park is to be used.
- 9.15 The Horticultural Centre car park currently has 81 standard spaces and 2 spaces for mobility impaired drivers, of which 6 are reserved for sole use by the Horticultural Society. This means that in the order of 15 spaces will remain vacant if this car park is used for official cricket-related vehicles, taking into account use of the area by mobility impaired drivers. Accordingly, a dedicated area will be set aside for these vehicles within the Horticultural Centre car park to ensure that parking is focussed within a limited area rather than dispersed throughout the car park. No public parking will be permitted within the Horticultural Centre car park.
- 9.16 Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check security passes and mobility parking permits, and to ensure that vehicles park in a courteous manner.
- 9.17 As part of the cricket event management, other vehicles will need to access the cricket ground for the following purposes:
- i. Food and beverage retail;
  - ii. Emergency services;
  - iii. Fencing erection;
  - iv. Marquees erection;
  - v. Portaloos deliveries; and
  - vi. Grandstand construction.
- 9.18 These vehicles will arrive before the match commences. Food and beverage vehicles will be required to arrive at least 4 hours in advance and vehicles associated with any temporary structures will arrive 2 or 3 days beforehand depending on the time required to erect temporary structures. Any vehicles associated with construction of temporary facilities will not be present during the match itself and will have vacated the site before the game commences.
- 9.19 Emergency services arrive shortly before the match commences, and park very close to the ground itself rather than using the formal car parks. These vehicles will access from Riccarton Avenue and use the gated access and path known as the Christ College grounds access. On return, once the match is completed, they will turn within the area of the grounds and return using the same route.

#### **Park and Ride**

- 9.20 Demand for Park and Ride services will be very low (at most 450 passengers) and it therefore not expected that such provision will be made for matches of this size.

#### **Scheduled Bus Services**

- 9.21 In view of the large number of services passing the site, and anticipating that passengers will be distributed across all of these services, it is extremely unlikely that demand for these services will exceed the available capacity.



### **Pedestrians**

- 9.22 The absence of parking at the site may result in people parking some distance from the Oval and walking to matches. As such, there will be strong pedestrian flows approaching the Oval from all directions. Pedestrian crossing phases are already provided at the signalised intersections in the immediate area of the Oval. Consequently, in the hour before and after each match, marshals will be located at each of these locations in order to ensure that pedestrians and drivers exhibit safe behaviours and to offer assistance to pedestrians as required.
- 9.23 Pedestrians are also likely to approach the Oval from the west and northwest and will therefore need to cross Deans Avenue, which will also be used by vehicles accessing the Polo Grounds. Marshals will be located at the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout to assist pedestrians crossing Deans Avenue, and to direct pedestrians to remain on the northern footpath of Riccarton Avenue, whereupon they can cross at the existing refuges. Additionally, a temporary refuge could be provided on Riccarton Avenue by coning off a portion of the central flush median.
- 9.24 Advance signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval. The location and nature of the signage will be determined when the TTMP is developed.
- 9.25 Prior to the end of the match, closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs will also be placed on the southernmost footpath at each location. These will deter pedestrians from immediately attempting to cross Riccarton Avenue when leaving the match via gates B and C, and significantly reduce the potential for a large group of crossing pedestrians to obstruct vehicular flow on the road. The location and nature of the signage will be determined when the TTMP is developed.

### **Cyclists**

- 9.26 Thirty permanent cycle racks will be provided adjacent to the proposed pavilion. Further temporary cycle stand provision will be added based on the scale of the cricket match planned, up to a maximum of 70 temporary stands. These will be distributed equally in the immediate vicinity of each of the three entry gates.

### **Taxis**

- 9.27 Prior to a match, taxis will drop-off passengers and then depart to pick up more passengers. As a result, there will be a minimal number of taxis waiting in the area of the Hagley Oval.
- 9.28 However at the end of a match, taxis will wait to pick up passengers. Surveys carried out at AMI Stadium show around 25 taxis wait in the immediate vicinity of the stadium, with a similar number waiting on the road network elsewhere at other locations. If taxis attempt to pick up passengers within the traffic lanes on Riccarton Avenue then this could give rise to adverse effect on that road and therefore sufficient provision will be made elsewhere to discourage this behaviour through providing for all taxi drop-off and pick-up will take place within the Horticultural Centre car park. Some 15 spaces will remain vacant within this car park even when official cricket-related vehicles are present. These spaces will provide for the likely pattern of drop-off activity, and at the end of the match 15 waiting taxis could be accommodated.



9.29 A marshal will be present in this car park to ensure that taxis park appropriately and make best use of the available space. This will include vehicles parking within the marked spaces and reversing into those spaces (to avoid reverse movements taking place when pedestrians are present within the car park).

9.30 Appropriate advance signage will be provided on Riccarton Avenue to show that this area is available for taxis, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park other than mobility impaired drivers. The location and nature of the signage will be determined when the TTMP is developed.

9.31 Taxi companies will be contacted in advance of the match and informed of the arrangements, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue.

### **Emergency Vehicles**

9.32 Emergency vehicle access will be achieved through vehicles entering the Oval from Riccarton Avenue, given the presence of the hospital to the immediate east.

9.33 Provision will also be made for appropriate access at all times to the emergency helicopter landing pad located to the southeast of the Oval. By its nature the use of the landing pad is infrequent (although clearly it is of vital importance that it is available when required) and it may be replaced in due course as part of the redevelopment of the hospital. Presently however it lies close to the expected pedestrian desire line for walking journeys into the city centre and to the Park and Ride location on Hagley Avenue. As such, the TTMP will specifically address the matter of ensuring the helicopter landing pad is available when required and this matter will be specifically discussed with the District Health Board.

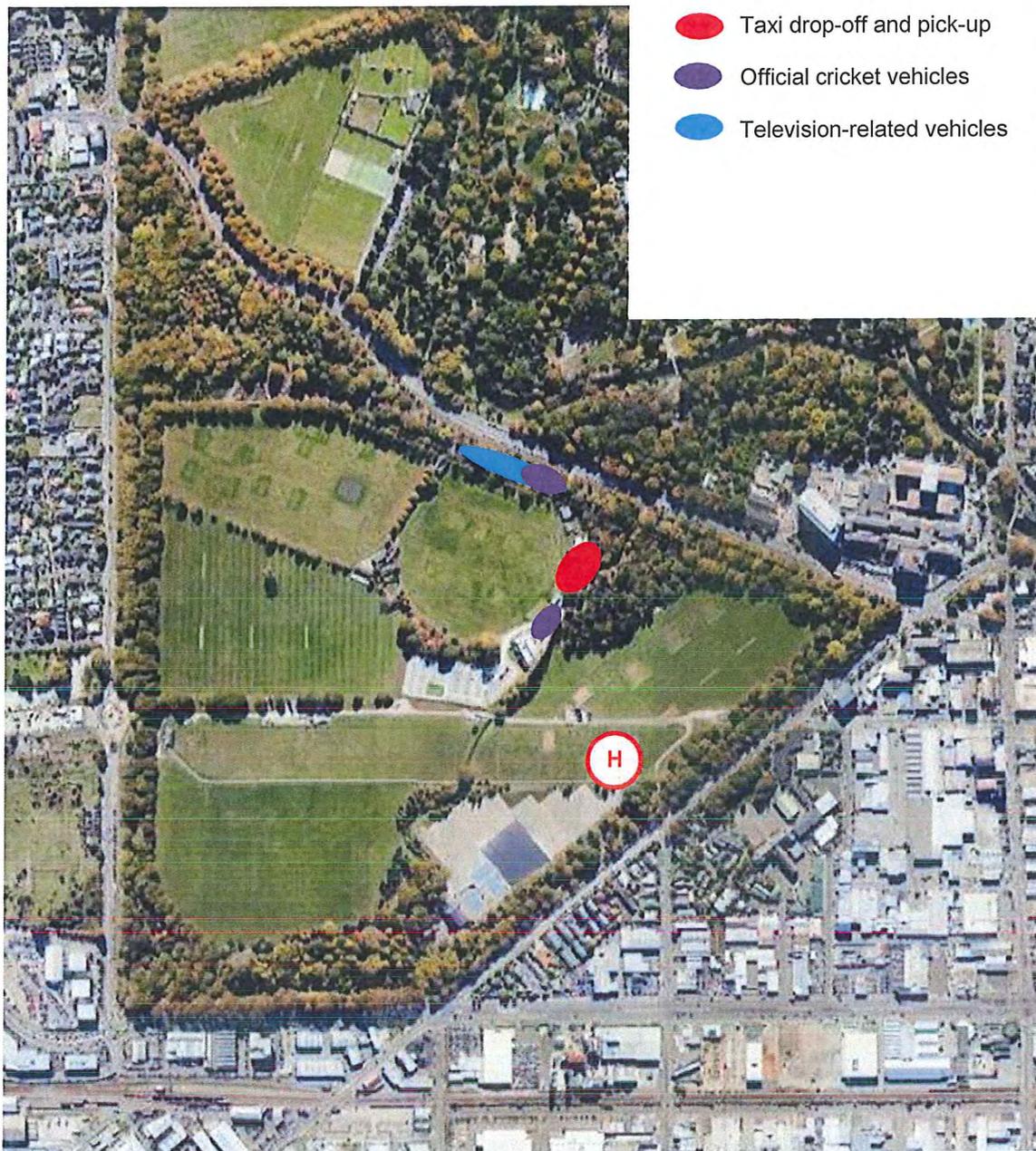
9.34 Two approaches that could be used for management of this area would be to cordon off the area during times when pedestrians are likely to be present, particularly the period one hour before a match starting and one hour after it ends. However it would also be possible to only cordon off the area in the event of an emergency, and for the area to be utilised for pedestrian movement at other times. Under either scenario a marshal will be present to ensure that pedestrians comply with any instructions not to walk through the landing pad area.

### **Summary of Traffic Management Approaches**

9.35 The summary of key aspects of the traffic management techniques and measures is set out below:



**Figure 7 Indicative Locations of Traffic Management Measures for Evening and Weekend T20 Matches of 2,000 to 5,000 Spectators**



9.36 The key elements of the Access Management Strategy prior to the day of the match are as follows:

- i. Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval.
- ii. All official cricket-related vehicles will be issued with a car park pass, and the pass will set out details of which car park is to be used.
- iii. Temporary cycle stand provision will be provided in the immediate vicinity of each of the three entry gates.



- iv. Taxi companies will be informed of the arrangements for drop-off and pick-up, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue
- v. Appropriate access will be maintained at all times to the emergency helicopter landing pad located to the southeast of the Oval, in consultation with the District Health Board.

9.37 The key elements of the Access Management Strategy on the day of the match and prior to it starting are as follows:

- i. Signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue to direct match-related traffic away from Riccarton Avenue.
- ii. Up to 43 spaces will be provided for the mobility impaired within the Horticultural Centre car park, as close to the entry gates of the Oval as possible. Appropriate signage will be provided to direct mobility impaired drivers into these locations.
- iii. Television outside broadcast vehicles will park in the northern part of Hagley Oval car park.
- iv. The area of Hagley Oval car park remaining after television outside broadcast vehicles are parked will be used only for official cricket-related vehicles.
- v. The Horticultural Centre car park will not be open to members of the public other than mobility impaired drivers.
- vi. Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check passes and to ensure that vehicles park in a courteous manner.
- vii. Food and beverage vehicles will be required to arrive at least 4 hours in advance of a match starting.
- viii. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians.
- ix. Marshals will be located at the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout to assist pedestrians crossing Deans Avenue, and to direct pedestrians to remain on the northern footpath of Riccarton Avenue and cross at the existing refuges.
- x. Directional signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval.
- xi. Signage will be provided on Riccarton Avenue to show that the Horticultural Centre car park is available for taxis, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.

9.38 The key elements of the Access Management Strategy on the day of the match while the match is in progress are as follows:

- i. A marshal will be located within the Horticultural Centre car park to ensure that taxis wait considerably and efficiently, including reversing into spaces.
- ii. Closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs for pedestrians will also be placed on the southernmost footpath at each location.



9.39 The key elements of the Access Management Strategy on the day of the match after the match finishes are as follows:

- i. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians
- ii. All taxi pick-up activity will occur within the Horticultural Centre car park, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.



## 10 ACCESS MANAGEMENT STRATEGY FOR T20 MATCHES OF 500 TO 2,000 SPECTATORS

### Match Characteristics

10.1 A summary of the key characteristics of the match is set out below.

**Table 15 Summary of Match Characteristics of 500 to 2,000 Spectators**

Event	Spectator Numbers	Days of Week	Start	End	Frequency
Domestic T20	500 to 2,000	Friday or weekend	7pm	10pm	6 matches per season
		Weekday during summer	2pm	5pm	

10.2 Applying the modal split set out earlier to a crowd of 500-2,000 spectators gives rise to the following travel pattern:

**Table 16 Projected Modal Split for Cricket Matches of 500 to 2,000 Spectators**

Mode	Spectator Numbers
Scheduled Bus	40-160
Cycle	10-40
Walk, drop-off, taxi	25-100
Park and Ride	-
Car	425-1,700

### Prior to Matches Commencing

10.3 Given the number of likely car movements, it is not anticipated that drivers in the area will require advance notice of matches taking place.

### Car Parking for Spectators

10.4 Allowing for an occupancy of 2 people per vehicle, a total of 425-1,700 vehicle movements will be generated by a match of this size (212-850 vehicles arriving prior to a match and 212-850 vehicles departing post-match). This is substantially less than the capacity of the Polo Grounds.

10.5 Matches of this scale could create a parking demand for 2% to 8% of the available parking stock of 11,000 to 12,600 car parking spaces available within 2km of the Oval. Surveys show that during the mid-afternoon, 22% of the public on-street parking in the area was vacant, and that after 5:30pm, 60% of the parking spaces in a sample of off-street public car parking areas were observed to be vacant. Extrapolating these figures to all off-site parking, this means that the parking demand associated with cricket spectators can easily be satisfied even for the largest match. Accordingly, it is not proposed to use the Polo Grounds for these types of matches.

10.6 With the use of off-site parking, there is the potential for spectators to use the on-street parking on Riccarton Avenue. Although this is public car parking and spectators cannot be easily be prevented from using it, signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue to direct match-related traffic away from Riccarton Avenue.

Allowing for of a total parking demand of 212-850 car parking spaces then applying the ratio set out in the City Plan suggests that 5-17 spaces should be provided for the



mobility impaired. It is proposed that these will be provided within the Horticultural Centre car park.

- 10.8 Appropriate signage will be provided to direct mobility impaired drivers into these locations. The signface and wording to be used will be determined through the development of the TTMP.

#### **Car Parking for Operational Traffic**

- 10.9 Since matches of this nature will be televised, the Hagley Oval and Horticultural Centre car parks will primarily be reserved for cricket purposes and will not be open to the general public.

- 10.10 Around half of the Hagley Oval car park will be reserved for the use of television Outside Broadcasting vehicles. Information received from Canterbury Cricket Association states that up to four television production vehicles may be expected, and these will be parked in the northern portion of the car park. These vehicles are approximately 12m length, and they will arrive at least seven hours prior to the match commencing. Since the area will generally be free of other parked cars when these vehicles arrive, there is sufficient opportunity for them to manoeuvre without constraints. Once the television vehicles are in place, the area will be cordoned off to separate these vehicles from the remainder of the car park. The day after the match, these vehicles leave the car park and depart onto Riccarton Avenue.

- 10.11 The accesses to the Hagley Oval car park are a minimum of 5.5m in width. This is sufficient for two-way car use, and is also sufficient for a truck to pass a car, albeit slowly and with care. However the likelihood of the latter is extremely low, because the outside broadcast trucks will arrive and depart at times when other vehicles will not be present at the access.

- 10.12 The remainder of the Hagley Oval car park will be reserved for official cricket-related traffic. Given the area available, 20 parking spaces can be provided, together with a turning head so that vehicles are not required to reverse out onto Riccarton Avenue. Users of this car park will include:

- i. Match officials
- ii. Home players
- iii. Canterbury Cricket Association staff
- iv. Event management staff
- v. Caterers
- vi. Dressing room attendant(s)
- vii. Security manager
- viii. Turf manager and ground staff
- ix. Scorers
- x. Venue staff
- xi. Bar staff

- 10.13 These vehicles are typically standard cars, 'people movers' or minivans and consequently the existing layout of the car park can be utilised.

- 10.14 Information received from Canterbury Cricket states that up to 40 spaces will be required to accommodate these vehicles and since only 20 spaces are available with the Hagley Oval car park, 20 vehicles will be directed to use the Horticultural Centre



car park. For security reasons, these car park users are always issued with a car park pass, and the pass will set out details of which car park is to be used.

- 10.15 The Horticultural Centre car park currently has 81 standard spaces and 2 spaces for mobility impaired drivers, of which 6 are reserved for sole use by the Horticultural Society. This means that in the order of 40 spaces will remain vacant if this car park is used for official cricket-related vehicles, taking account of the use of the area by mobility impaired drivers. Accordingly, a dedicated area will be set aside for these vehicles within the Horticultural Centre car park to ensure that parking is focussed within a limited area rather than dispersed throughout the car park. No public parking will be permitted within the Horticultural Centre car park other than mobility impaired drivers.
- 10.16 Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check security passes and mobility parking permits, and to ensure that vehicles park in a courteous manner.
- 10.17 As part of the cricket event management, other vehicles will need to access the cricket ground for the following purposes:
- i. Food and beverage retail;
  - ii. Emergency services;
  - iii. Fencing erection;
  - iv. Marquees erection;
  - v. Portaloos deliveries; and
  - vi. Grandstand construction.
- 10.18 These vehicles will arrive before the match commences. Food and beverage vehicles will be required to arrive at least 4 hours in advance and vehicles associated with any temporary structures will arrive 2 or 3 days beforehand depending on the time required to erect temporary structures. Any vehicles associated with construction of temporary facilities will not be present during the match itself and will have vacated the site before the game commences
- 10.19 Emergency services arrive shortly before the match commences, and park very close to the ground itself rather than using the formal car parks. These vehicles will access from Riccarton Avenue and use the gated access and path known as the Christ College grounds access. On return, once the match is completed, they will turn within the area of the grounds and return using the same route.

#### **Park and Ride**

- 10.20 Demand for Park and Ride services will be low (at most 180 passengers) and it is therefore not expected that such provision will be made for matches of this size.

#### **Scheduled Bus Services**

- 10.21 In view of the large number of services passing the site, and anticipating that passengers will be distributed across all of these services, it is extremely unlikely that demand for these services will exceed the available capacity.

#### **Pedestrians**

The absence of parking at the site may result in people parking some distance from the Oval and walking to matches. As such, there will be pedestrian flows approaching the Oval from all directions. Pedestrian crossing phases are already provided at the signalised intersections in the immediate area of the Oval, and it is considered that



the likely volumes of pedestrians are not sufficient to justify any additional provision at these locations.

10.23 Advance signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval. The location and nature of the signage will be determined when the TTMP is developed.

10.24 Prior to the end of the match, closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs will also be placed on the southernmost footpath at each location. These will deter pedestrians from immediately attempting to cross Riccarton Avenue when leaving the match via gates B and C, and significantly reduce the potential for a large group of crossing pedestrians to obstruct vehicular flow on the road. The location and nature of the signage will be determined when the TTMP is developed.

### **Cyclists**

10.25 Thirty permanent cycle racks will be provided adjacent to the proposed pavilion. Consequently an additional 10 cycle stands will be provided in close proximity to the pavilion to ensure that cycle parking provision is adequate. No specific traffic management provision is proposed for cyclists approaching the Oval as the network of routes already provided within Hagley Park is considered adequate.

### **Taxis**

10.26 Prior to a match, taxis will drop-off passengers and then depart to pick up more passengers. As a result, there will be a minimal number of taxis waiting in the area of the Hagley Oval.

10.27 However at the end of a match, taxis will wait to pick up passengers. Surveys carried out at AMI Stadium show around 25 taxis wait in the immediate vicinity of the stadium, with a similar number waiting on the road network elsewhere at other locations. If taxis attempt to pick up passengers within the traffic lanes on Riccarton Avenue then this could give rise to adverse effect on that road and therefore sufficient provision will be made elsewhere to discourage this behaviour through providing for all taxi drop-off and pick-up will take place within the Horticultural Centre car park. Some 40 spaces will remain vacant within this car park even when official cricket-related vehicles and mobility impaired drivers are present. These spaces will provide for the likely pattern of drop-off activity, and at the end of the match 40 waiting taxis could be accommodated which is considerably greater than those observed to wait at AMI Stadium.

10.28 A marshal will be present in this car park to ensure that taxis park appropriately and make best use of the available space. This will include vehicles parking within the marked spaces and reversing into those spaces (to avoid reverse movements taking place when pedestrians are present within the car park).

10.29 Appropriate advance signage will be provided on Riccarton Avenue to show that this area is available for taxis, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park. The location and nature of the signage will be determined when the TTMP is developed.

Taxi companies will be contacted in advance of the match and informed of the arrangements, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue.



### **Emergency Vehicles**

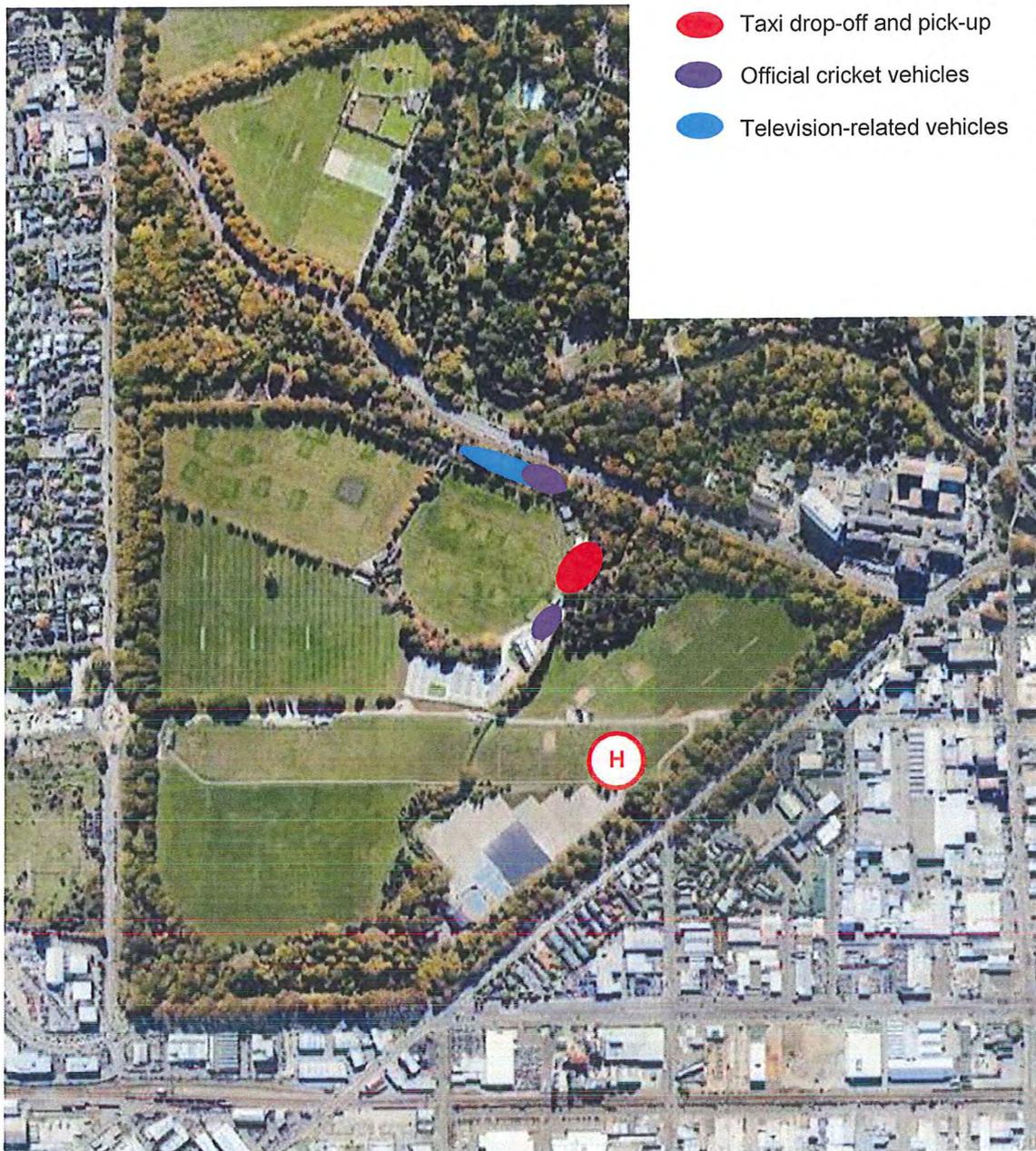
- 10.31 Emergency vehicle access will be achieved through vehicles entering the Oval from Riccarton Avenue, given the presence of the hospital to the immediate east.
- 10.32 Provision will also be made for appropriate access at all times to the emergency helicopter landing pad located to the southeast of the Oval. By its nature the use of the landing pad is infrequent (although clearly it is of vital importance that it is available when required) and it may be replaced in due course as part of the redevelopment of the hospital. Presently however it lies close to the expected pedestrian desire line for walking journeys into the city centre and to the Park and Ride location on Hagley Avenue. As such, the TTMP will specifically address the matter of ensuring the helicopter landing pad is available when required and this matter will be specifically discussed with the District Health Board.
- 10.33 Two approaches that could be used for management of this area would be to cordon off the area during times when pedestrians are likely to be present, particularly the period one hour before a match starting and one hour after it ends. However it would also be possible to only cordon off the area in the event of an emergency, and for the area to be utilised for pedestrian movement at other times. Under either scenario a marshal will be present to ensure that pedestrians comply with any instructions not to walk through the landing pad area.

### **Summary of Traffic Management Approaches**

- 10.34 The summary of key aspects of the traffic management techniques and measures is set out below:



**Figure 8 Indicative Locations of Traffic Management Measures for T20 Matches of 500 to 2,000 Spectators**



10.35 The key elements of the Access Management Strategy prior to the day of the match are as follows:

- i. All official cricket-related vehicles will be issued with a car park pass, and the pass will set out details of which car park is to be used.
- ii. Temporary cycle stand provision will be provided in close proximity to the permanent provision at the pavilion.
- iii. Taxi companies will be informed of the arrangements for drop-off and pick-up, and of the need to ensure that no drop-off / pick-up activity takes place on Riccarton Avenue



- iv. Appropriate access will be maintained at all times to the emergency helicopter landing pad located to the southeast of the Oval, in consultation with the District Health Board.

10.36 The key elements of the Access Management Strategy on the day of the match and prior to it starting are as follows:

- i. Signage will be provided on Deans Avenue, Riccarton Road, Blenheim Road and Moorhouse Avenue to direct match-related traffic away from Riccarton Avenue.
- ii. Up to 17 spaces will be provided for the mobility impaired within the Horticultural Centre car park, as close to the entry gates of the Oval as possible. Appropriate signage will be provided to direct mobility impaired drivers into these locations.
- iii. Television outside broadcast vehicles will park in the northern part of Hagley Oval car park.
- iv. The area of Hagley Oval car park remaining after television outside broadcast vehicles are parked will be used only for official cricket-related vehicles.
- v. The Horticultural Centre car park will not be open to members of the public, other than mobility impaired drivers.
- vi. Marshals will be deployed at the accesses to the Hagley Oval and the Horticultural centre car parks to check passes and to ensure that vehicles park in a courteous manner.
- vii. Food and beverage vehicles will be required to arrive at least 4 hours in advance of a match starting.
- viii. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians.
- ix. Marshals will be located at the Deans Avenue / Riccarton Avenue / Riccarton Road roundabout to assist pedestrians crossing Deans Avenue, and to direct pedestrians to remain on the northern footpath of Riccarton Avenue and cross at the existing refuges.
- x. Directional signage will be provided on all approach routes for pedestrians, in order to direct them to safe crossing places of the road network and the most appropriate routes to the entry gates to the Oval.
- xi. Signage will be provided on Riccarton Avenue to show that the Horticultural Centre car park is available for taxis only, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.

10.37 The key elements of the Access Management Strategy on the day of the match while the match is in progress are as follows:

- i. A marshal will be located within the Horticultural Centre car park to ensure that taxis wait considerably and efficiently, including reversing into spaces.
- ii. Closely spaced cones will be placed along the centreline of Riccarton Avenue over a distance of at least 20m in each direction from the Horticulture Centre access and the southernmost Hagley Oval car park access. Directional signage and 'no crossing' signs for pedestrians will also be placed on the southernmost footpath at each location.

The key elements of the Access Management Strategy on the day of the match after the match finishes are as follows:



- i. Marshals will be located at each of the signalised intersections in the immediate area of the Oval to assist pedestrians
- ii. All taxi pick-up activity will occur within the Horticultural Centre car park, and a marshal will be present at the access to ensure that no other vehicles attempt to enter the car park.



# 11 ACCESS MANAGEMENT STRATEGY FOR CLUB MATCHES OF UP TO 500 SPECTATORS

## Match Characteristics

11.1 A summary of the key characteristics of the match is set out below.

**Table 17 Summary of Match Characteristics of up to 500 Spectators**

Event	Spectator Numbers	Days of Week	Start	End	Frequency
Local (club) match	Less than 500	Mainly weekends, occasional weekdays	10:30am	6:30pm	100 days per season

11.2 Applying the modal split set out earlier to a crowd of 500 spectators gives rise to the following travel pattern:

**Table 18 Projected Modal Split for Cricket Matches of up to 500 Spectators**

Mode	Spectator Numbers
Scheduled Bus	40
Cycle	10
Walk, drop-off, taxi	50
Park and Ride	-
Car	425

## Prior to Matches Commencing

11.3 Given the number of likely car movements, it is not anticipated that drivers in the area will require advance notice of matches taking place.

## Car Parking for Spectators

11.4 Allowing for an occupancy of 2 people per vehicle, a total of 212 car parking spaces will be required. The surveys carried out (and described above) show that sufficient vacant spaces were observed available within 2km of the Oval to accommodate this number of vehicles. Furthermore, matches of this size are unlikely to be televised, meaning that the Hagley Oval and Horticultural Centre car parks will be available for parking, which provide a total of approximately 180 car parking spaces. It is therefore not expected that the Polo Grounds will be required to accommodate parking associated with events of this scale.

11.5 It is also noted that even if all spectators travelled by car (resulting in a demand for 250 parked vehicles) sufficient vacant parking spaces are available to accommodate parking demand within a very short walking distance and well within a 2km radius of the Oval.

11.6 Allowing for of a total parking demand of 212 car parking spaces then applying the ratio set out in the City Plan suggests that 5 spaces should be provided for the mobility impaired. These are already provided within the Hagley Oval and Horticultural Centre car parks.



### **Car Parking for Operational Traffic**

- 11.7 Matches of this nature will not be televised and only minimal numbers of operational vehicles are likely to be present. The latter can be accommodated within the on-site car parks or the ample parking provided within a short walking distance of the Oval.

### **Park and Ride**

- 11.8 Demand for Park and Ride services will be very low (at most 45 passengers) and it is therefore not expected that such provision will be made for matches of this size.

### **Scheduled Bus Services**

- 11.9 In view of the large number of services passing the site, and anticipating that passengers will be distributed across all of these services, it is extremely unlikely that demand for these services will exceed the available capacity.

### **Pedestrians**

- 11.10 The volumes of pedestrians walking directly to the Oval or from a parked car can be easily accommodated by the infrastructure provision made within Hagley Park and the immediate vicinity. The formal road crossings provided will also be adequate without need for additional measures.

### **Cyclists**

- 11.11 Thirty permanent cycle racks will be provided adjacent to the proposed pavilion, which will be ample for the expected demand. No specific traffic management provision is proposed for cyclists approaching the Oval as the network of routes already provided within Hagley Park is considered adequate.

### **Taxis**

- 11.12 Demand for taxis may result in up to 12 vehicles associated with drop-off activity and 12 vehicles associated with picking up passengers. Even if all of these vehicles were to use Riccarton Avenue, it is unlikely that such an increase would be noticeable in view of the existing prevailing volumes.
- 11.13 Drop-off and pick-up activities could provide an obstruction to passing traffic unless appropriately managed. Given that matches will not be televised, it is considered that taxis could use the Hagley Oval car park, since the vehicle will be stationary for only a very short period of time and will not need to park.

### **Emergency Vehicles**

- 11.14 Emergency vehicle access will be achieved through vehicles entering the Oval from Riccarton Avenue, given the presence of the hospital to the immediate east.

### **Summary of Traffic Management Measures**

- 11.15 No specific traffic management measures are required for matches expected to attract 500 or fewer spectators and as any changes to the traffic conditions on the roading network are minor, no TTMP will be prepared for matches of this size.



## 12 COMMUNICATION STRATEGY

- 12.1 The effective communication of the Access Management Strategy and the key elements of the TTMPs are vital in minimising the transport effects of well-attended matches at the Oval. Accordingly, this Communication Strategy applies for all events expected to attract more than 2,000 spectators.
- 12.2 For events attracting more than 2,000 spectators, the messages that will be delivered are:
- i. There are various transport options available for accessing the venue that are not car-dependent;
  - ii. Parking is only available at the Polo Grounds for spectators who have been pre-allocated parking passes;
  - iii. Parking on residential streets and/or Hagley Oval car park and/or the Horticultural Centre car park will be limited;
  - iv. Park and Ride bus services will be available (if provided);
  - v. Scheduled bus services will be available;
  - vi. Riccarton Avenue should be avoided for travel to/from the match, and there will be no public car parking access from Riccarton Avenue;
  - vii. Spectators should park considerately and not use Riccarton Avenue in recognition of the use of this area by hospital staff, patients and visitors;
  - viii. Sufficient time should be provided for travel to the Oval, and/or the potential need to walk from a parking location some distance from the venue;
  - ix. Roads around South Hagley Park are best avoided if possible due to the presence of match-related traffic; and
  - x. For hospital visitors and staff to allow more time to access the hospital if travelling by car.
- 12.3 Any paid media promotion for matches expected to attract more than 2,000 spectators should provide details of travel options available. The Canterbury Cricket Association website will also include details of travel options.
- 12.4 Spectators who pre-purchase tickets will also be provided with details of transport options to the Oval, including (but not limited to) information regarding car parking arrangements and a request to avoid use of Riccarton Avenue.
- 12.5 Variable Message Signing (VMS) will be used to communicate to drivers on Riccarton Avenue, Hagley Avenue, Deans Avenue and Moorhouse Avenue that a cricket match is scheduled at the Oval. Signage will be erected one week prior to the match commencing, with sign locations and text to be determined as part of the TTMP.
- 12.6 Canterbury Cricket Association will devise a strategy for communicating the alternative parking location to all spectators who have been pre-allocated a parking space at the Polo Grounds, in the event that the Polo Grounds becomes unexpectedly unavailable.



- 12.7 All communications will need to be co-ordinated between the match promoter, Canterbury Cricket Association, the traffic management contractor, Environment Canterbury and Christchurch City Council events information.



## 13 MONITORING STRATEGY

- 13.1 This Monitoring Strategy applies to all matches expected to attract more than 2,000 spectators.
- 13.2 After every match attracting more than 2,000 spectators, there will be formal feedback obtained as to the effectiveness of the TTMP.
- 13.3 The monitoring to be undertaken for matches attracting between 2,000 and 12,000 spectators will include the following:
- i. Canterbury Cricket Association will obtain a written report from the traffic management contractor with regard to the operation of the TTMP and any proposals to further enhance measures at the next match; and
  - ii. Within one week of a match ending, Canterbury Cricket Association will contact every organisation consulted in the period pre-match to obtain their feedback on the operation of the TTMP.
- 13.4 Additional monitoring will also be carried out for matches attracting more than 12,000 spectators. This will be:
- i. Canterbury Cricket Association will arrange for surveys of the occupancy of the Park and Ride buses both before and after a match to determine the patronage of this scheme and whether the number of services meets demand;
  - ii. Canterbury Cricket Association will arrange for surveys of the occupancy of the scheduled bus services after a match to determine whether the number of services meets demand;
  - iii. Canterbury Cricket Association will arrange for surveys of pedestrian volumes on key desire lines both before and after a match, to determine the attractiveness of routes and ensure that measures implemented for pedestrians are appropriate;
  - iv. Canterbury Cricket Association will arrange for surveys of the cycle parking occupancy while a match is in progress to determine whether the number of spaces meets demand; and
  - v. Canterbury Cricket Association will arrange for car occupancy surveys for vehicles using the Polo Grounds, to determine the number of spectators arriving by this mode.
- 13.5 Within one month of a match ending, Canterbury Cricket Association will provide a summary of the monitoring exercise to the traffic management contractor, in order to inform development of subsequent TTMPs.
- 13.6 Canterbury Cricket Association will keep records of all correspondence relating to monitoring, including with stakeholders that have been consulted, and will provide these to Christchurch City Council upon request.



# Appendix 5. Accidental Discovery Protocol

## Purpose

This Accidental Discovery Protocol (ADP) sets out the procedures that must be followed in the event that taonga (Māori artefacts), burial sites/kōiwi (human remains), or Māori archaeological sites are accidentally discovered.

The Protocol is provided by Te Ngai Tuahiriri Rūnanga, who hold manawhenua in the area .

## Background

Land use activities involving earthworks have the potential to disturb material of cultural significance to tangata whenua. In all cases such materials will be a taonga, and in some cases such material will also be tapu. Accidental discoveries may be indicators of additional sites in the area. They require appropriate care and protection, including being retrieved and handled with the correct Māori tikanga (protocol).

Under the *Historic Places Act 1993*, an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. It is unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site (known or unknown) without the prior authority of the NZ Historic Places Trust (NZHPT). This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The NZHPT is the statutory authority for archaeology in New Zealand.

*Note that this ADP does not fulfil legal obligations under the Historic Places Act 1993 regarding non- Māori archaeology. Please contact the Historic Places Trust for further advice.*

**Immediately following the discovery of material suspected to be a taonga, kōiwi or Māori archaeological site, the following steps shall be taken:**

1. All work on the site will cease immediately.
2. Immediate steps will be taken to secure the site to ensure the archaeological material is not further disturbed.
3. The contractor/works supervisor/owner will notify the Kaitiaki Rūnanga and the Area Archaeologist of the NZHPT. In the case of kōiwi (human remains), the New Zealand Police must be notified.
4. The Kaitiaki Rūnanga and NZHPT will jointly appoint/advise a qualified archaeologist who will confirm the nature of the accidentally discovered material.
5. If the material is confirmed as being archaeological, the contractor/works supervisor/owner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from NZHPT before work resumes (as per the *Historic Places Act 1993*).
6. The contractor/works supervisor/owner will also consult the Kaitiaki Rūnanga on any matters of tikanga (protocol) that are required in relation to the discovery and prior to the commencement of any investigation.



7. If kōiwi (human remains) are uncovered, in addition to the steps above, the area must be treated with utmost discretion and respect, and the kōiwi dealt with according to both law and tikanga, as guided by the Kaitiaki Rūnanga.
8. Works in the site area shall not recommence until authorised by the Kaitiaki Rūnanga, the NZHPT (and the NZ Police in the case of kōiwi) and any other authority with statutory responsibility, to ensure that all statutory and cultural requirements have been met.
9. All parties will work towards work recommencing in the shortest possible time frame while ensuring that any archaeological sites discovered are protected until as much information as practicable is gained and a decision regarding their appropriate management is made, including obtaining an archaeological authority under the *Historic Places Trust 1993* if necessary. Appropriate management may include recording or removal of archaeological material.
10. Although bound to uphold the requirements of the *Protected Objects Act 1975*, the contractor/works supervisor/owner recognises the relationship between Ngāi Tahu whānui, including its Kaitiaki Rūnanga, and any taonga (Māori artefacts) that may be discovered.

