

11. RUAPUNA PARK RACEWAY

General Manager responsible:	General Manager Regulation and Democracy Services
Officer responsible:	Inspections and Enforcement Manager
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PURPOSE OF REPORT

1. The purpose of this report is to report on matters raised during a deputation to Council at its meeting on 24 August 2006 concerning motor sport “noise” generating activities at Ruapuna Park Raceway.

EXECUTIVE SUMMARY

2. The Council at its meeting on 24 August 2006 received a deputation stating that noise generated from motor sports events and related activities held at the Ruapuna Park Raceway were excessive and were affecting members of the local community.
3. As a result of questions from Councillors the deputation listed a number of specific areas of concern (discussed later in this report), including the need for a change to the Christchurch City Plan. Reference was also made to the Ruapuna Park noise survey carried out by Council staff between November 2005 and March 2006. The survey report findings were reported to the Riccarton/Wigram Community Board earlier this year. The report, “*Ruapuna Noise Survey - November 2005-March 2006*” is attached and is also discussed later in this report.
4. Ruapuna Park is located in the Templeton area of Christchurch City and is the main motor sport events centre for the City and the wider Canterbury region. It provides facilities for various types of motor sport (speedway and car racing), education and testing.
5. The park operates under Christchurch City Plan rules (operative from June 1999), and leases the land from Council. The venue has been established for over 50 years. The area is predominantly rural in nature, is located within the main flight path of Christchurch International Airport, and adjacent to quarrying activities.
6. Receipt of complaints intensified from November 2005 and continue to be received from some residents. Prior to November 2005 very few complaints were received. (1990-1999 - no complaints, 1999 to September 2005 - 10 complaints).
7. The results of the monitoring survey carried out between November 2005 and March 2006 were found to be complying when compared with the City Plan rules.
8. The matter has been discussed by the Riccarton/Wigram Community Board, and a facilitated meeting between residents and the raceway operators has taken place.
9. Ruapuna Park Raceway has existing use rights and holds a current lease(s) from the Council which do not expire for some years. It complies with the operative City Plan noise rules. The Raceway would under this set of circumstances appear to have a legitimate right to continue with its present operation.
10. Against this “right” to operate is the concern expressed by some members of the community that there should be a reduction in the level of noise generated and a reduction in the number of events held.
11. A multi-unit staff group led by the Strategic Support Unit has been investigating and discussing a number of options related to motor sport activities occurring in the peri-urban environment. It is anticipated that a detailed report to the Executive Team will be provided by the end of the year.

12. In considering this matter three options were identified. These are as follows:

Option 1

13. That this report be received and:

- (i) that the deputation members be advised that Council intends to take no further proceedings in this matter, other than to ensure that compliance with statutory obligations is maintained at the Ruapuna Park Raceway, and
- (ii) if the deputation members wish to initiate a City Plan change they have the option of implementing this themselves.

Option 2

14. The Council initiate a plan change to alter the City Plan rules with a view to reduce the level of activity and noise at Ruapuna Park Raceway. Such a plan change would have to weighed up against the other issues currently on the Council's city plan work programme. Any plan change would affect the existing use rights now held by the raceway and speedway as a result of the 1999 Council decision setting the existing planning rules.

Option 3

15. The Council at this time make no decision and await the outcome of the pending staff report on possible future development changes in the area that may affect motor sport activities.

FINANCIAL AND LEGAL CONSIDERATIONS

- 16. At this time the only financial and legal implications are those associated with the carrying out of the Council's statutory administrative functions.
- 17. The implications may nevertheless change depending upon yet undetermined possible future decisions. These could come from a variety of directions and include planning change implications, legal challenges and outcomes of future development proposals, if any. A plan change initiated by the council would be estimated to cost \$40,000 - \$60,000.

STAFF RECOMMENDATION

It is recommended that the Council adopt Option 3.

BACKGROUND

18. To provide background information, listed and discussed below are subject matters considered relevant to this issue. Included are the matters identified by the deputation as matters of concern (24 August 2006 meeting).

Ruapuna Park Noise Survey - November 2005 - March 2006

19. The survey was carried out during the period November 2005 to 13 March 2006. It involved some 624 hours of monitoring (automatic and attended, and involved 51 events/days). It is believed that the monitoring was comprehensive.
20. This report should be read in conjunction with the Ruapuna Park survey report (separately circulated) as it discusses and provides answers to some of the matters raised by Councillors at the 24 August 2006 Council meeting.
21. The survey result findings were that the motor sport activities complied with the City Plan rules.
22. The survey report provides information of the history of Ruapuna Park (the raceway/speedway/radio car control club); discusses zoning/development of the present City Plan rules; the monitoring programme/results; complaint history; 2005/06 events calendar and information on noise terminology.
23. A summary of the Ruapuna Park Noise Survey – November 2005 – March 2006 report is however, provided below.
 - (a) Both Ruapuna Raceway and Speedway have existed in this locality for many years (over 50 years and 44 years respectively).
 - (b) The park was a remnant of the Templeton Domain. Control passed from the Domain Board to Paparua County Council in 1963. In 1979 it was classified as a recreation reserve under the Reserves Act 1977, and then later transferred from the Crown to the Christchurch City Council.
 - (c) The park is currently zoned under the City Plan as Open Space 3 (O3). It is surrounded to the north, west and south by Rural 5 and Rural 2 zoned land, to the east by Open Space 2 zoned land, and to the north-east the land is zoned Rural Quarry. It also sits directly within the 55dBA L_{dn} Airport Noise Contour with a portion also within the 65dBA L_{dn} Airport Noise Contour line. The City Plan also makes the erection of any residential building in the Rural 5 zone within 400 metres of the park boundary a non-complying use. This in effect was intended to provide an additional buffer from motor sport and quarrying activities.
 - (d) Open Space 3 zones (ie Ruapuna Park) are recognised in the City Plan as being important as a community facility. The zone description states:

“areas and facilities in the Open Space 3 zone are important physical resources for the city and may also be important regional and national resources”¹
 - (e) The 1995 proposed City Plan rules stated:

“In the case of motor racing events, not exceeding 120 days in any one calendar year, the steady sound level from activities on land measured or assessed on an hourly basis at the notational boundary of occupied dwelling houses shall not exceed 65dBA L_{10} between the hours of 0900 and 1900 on any occasion and the maximum sound level shall not exceed 85dBA L_{max} during such times.

Outside these days and times the levels shall meet those for the rest of the Open Space 3 Zone.”

¹ City Plan Volume 3, Part 6, Section 1.4

- (f) When the Plan was publicly notified in 1995, submissions were received from Ruapuna to extend the number of operating days from 120 to the current 200, and changes to the noise levels.

As with all other submissions this submission from Ruapuna was publicly advertised in April 1996 to enable any person to lodge a further submission opposing or supporting that submission, to extend the operating days. The Council did not receive a further submission from any person objecting to the extension of operating days by Ruapuna.

Ruapuna's submission was then considered by a Commissioner at a hearing in 1999. The Commissioner concluded that:

"From the evidence presented it is clear that the area is particularly suitable for a raceway. The activities are noisy, and cannot be made quieter to any significant degree. There are however few complaints about the noise and there were no submissions opposing the exception to the general noise standards put forward in the proposed plan."

- (h) The new Ruapuna Raceway rules as described below became operative in June 1999:

Operational noise levels of 90dBA L_{max} and 65dBA L_{10} (1 hour) to apply between the hours of 0900 and 2200 hours on any day of the calendar year, except that:

- *for up to 200 days in any calendar year, the permitted levels shall be 95dBA L_{max} and 80dBA L_{10} (1 hour), between the hours of 0900 and 2300;*
- *for up to 15 of those 200 days, these activities shall be permitted up to 2400 hours;*
- *on up to 5 of those 200 days, no L_{max} level shall be applied.*

All levels are to be applied at the boundaries of the Park. At all other times, the levels of the Open Space 3 Zone shall apply.

- (i) At all other times, that are not included in the specific Ruapuna rules, the noise levels for Open Space 3 (O3) Zone rules apply.
- (j) Noise monitoring to determine the nature and characteristics was planned during August/September 2005 to be carried out during the forthcoming summer racing season (November to March).
- (k) The monitoring was carried out in accordance with and within recognised procedures and followed the events calendar provided by the park lessees. Monitoring was also carried out during non-calendar event periods and when complaints were received.
- (l) In all some 624 hours of static automatic sound level monitoring and attended noise monitoring was involved. Attended monitoring involved 51 event/days and approximately 176 hours. The static automatic monitoring also included a continuous 26 day period between 17 January 2006 and 13 February 2006.
- (m) The total noise environment of the motor sport activity including ambient noise sources were recorded. The "sounds" measured included aircraft, road and rail traffic, public address systems, people, activity on neighbouring properties including motor sport.
- (n) The survey report provides detailed tables of the monitoring results.
- (o) The findings of the monitoring carried out were that the motor sport activities comply with the Christchurch City Plan Noise Rules.

Noise Survey Peer Review

25. A peer review of the Ruapuna Park noise survey was sought from Marshall Day Acoustics in September 2006. Marshall Day Acoustics are environmental consultants specialising in the field of noise management. The review concluded that: "based on our peer review, we conclude that noise from Ruapuna Park complies with City Plan rules at the monitored locations, and almost certainly complies at all other site boundary positions". A copy of the review report is attached.

Community Board Involvement

26. Ruapuna has been the subject of reports to the Riccarton/Wigram Community Board. Representations by some members of the community to the Board have been made. An arranged facilitated meeting between residents and the raceway operators has also taken place (8 May 2006) from which agreed outcomes arose.
27. Key actions arising from the facilitated meeting between the two parties were that telephone contact be provided to residents; advance notification of major events (and events with fireworks) to occur, operators to be supportive of residents' suggestions to place speed restrictions on local roads; residents to itemise their concerns in writing directly to the operators; discussion on ability to reduce the frequency of events; any proposals related to City Plan changes not to be addressed as part of this dialogue.

Areas Of Concern Identified (at 24 August Council meeting)

Fireworks Displays

28. Council staff are aware of only one "fireworks display" in the post-October 2005 period (17 December 2005), not the numerous displays as claimed. The complaint was received and actioned. The display was alleged to have caused concern to the complainant's horses. The complainant suggested that being warned of the display would have been helpful. The Speedway was responsible for the display and apologised. It advised that they had neglected to advise neighbours as was their normal practice for such events and would do so in future. It is advised that for this year's event (17 November 2006) the Speedway have informed the nearby neighbouring residents.

Motor Vehicle Noise From Track Almost Every Day

29. The Ruapuna Park Raceway city plan rules specify noise criteria for certain number of days in any calendar year. They do not specify the number of events or usage.
30. The rules are described in Table 1 (page 9) of the Ruapuna Park Noise Survey report.
31. Park usage can be separated into two categories, "scheduled events" (major) and "other usage".
32. Appendix "A" of the survey report lists the events for the 2005/06 season.
33. Scheduled events occurred on approximately 50 occasions between November and March ie:
 - raceway (race cars): 35
 - speedway (nights): 14
34. For the remainder of the "other usage" time, the usage is dictated by the need to comply with the City Plan rules. This "other usage" involves learning to drive/learning to drive a racing car/testing.
35. The noise survey results indicated that compliance was being achieved.

36. It is advised that the current range of activities have existed since about 1990. This has resulted from public demand/popularity, and within noise rule terms has not resulted in non compliance. The only new activity, some 14 months ago, has been the introduction of "drifting". Drifting is the controlled skidding/sliding of usually two cars in tandem. It is not a race. This activity has not resulted in non compliance of noise rules.

Motor Events Being Held Later Into The Evening

37. Subject to compliance with the City Plan rules the activities are permitted to be carried out .

Patronage Increase (more traffic/rubbish)

38. The popularity of the motor sport is a consequence for the increased patronage, and clearly along with that goes increased traffic.
39. The rubbish aspect might be able to be addressed by better management control. The major contributor to rubbish generation in the area however appears to be from "car hooning" occurring outside Ruapuna Park. This is another issue.

More Loud Speaker Noise

40. This matter has been the subject of discussion with the park management and they have agreed to attempt to address the matter. This was one of the matters discussed at the facilitation meeting.

Increase In "Party" Type Activities (music and drinking)

41. Two Club Licences under the Sale of Liquor Act exist on Ruapuna Park:
- (a) Christchurch Speedway Association Inc. with liquor able to be sold Monday to Sunday 3.00pm to 1.00am the following day, and
 - (b) Canterbury Car Club Inc. with liquor able to be sold:
 - Monday to Friday 3.00pm to 11.00pm
 - Saturday 12 noon to 12 midnight
 - Sunday and public holidays 12 noon to 11.00pm
42. Until the advent of the recent noise complaints this matter has never been raised as an issue. Within sale of liquor abuse terms the Sale of Liquor Inspectors have had no problems with the operation of the clubs. No specific complaints have been received. The premises are monitored and have had their licences renewed without objection.
43. In terms of noise the survey monitoring results indicate compliance at the times of such alleged events.

The Resource Management Act 1991 – Section 16/17 Implications

This section (paragraphs 44 to 61 inclusive) has been prepared by the Legal Services Unit.

44. The principal purpose of the RMA is to achieve sustainable management of resources. The principle of sustainable management acknowledges that there are activities with adverse effects on the environment and requires the **effects** of those activities to be managed. The emphasis in the Act is the **control** of effects, not restriction of activities. Sections 16 and 17 of the Act impose duties to ensure this aim is achieved. Therefore, sections 16 and 17 cannot be considered in isolation to the rest of the Act - they must be interpreted in light of the purpose Act and the context of the City Plan (Powell v Dunedin City Council [2005] NZRMA 174, Section 5 Interpretation Act 1999).

Duty Pursuant to Section 16 of the Resource Management Act 1991

45. Section 16(1) of the Act states:

“Every occupier of land ... shall adopt the best practicable option to ensure that the emission of noise from land ... does not exceed a reasonable level;”

46. It is important to note that the duty in section 16 is not to ensure compliance with a specific noise standard, but to ensure that the best practicable option for controlling noise emissions is employed.

47. The “best practicable option” is defined as:

“**Best practicable option**, - ... means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to —

- (a) The nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and
- (b) The financial implications, and the effects on the environment, of that option when compared with other options; and
- (c) The current state of technical knowledge and the likelihood that the option can be successfully applied:

48. Currently the Ruapuna Raceway has a 3m – 4m high earth bund to reduce noise emissions. In addition, the speedway has stopped use of the loud speaker system to broadcast music, and reduced the time used for practice/warm-up sessions. The result of these measures is that the noise emissions fall below the standards specified in the City Plan.

49. The section 16 duty also requires that noise reduction measures result in noise emissions that do not exceed “...reasonable levels..”.

50. A “reasonable” level of noise is a noise emission which is consistent with principles of sustainable management and the purpose of the Act. This is a question of fact and degree to be determined in the circumstances of each case.

51. In formulating the City Plan, the Act required the Council to determine what City Plan rules were necessary to achieve sustainable management of the surrounding environment of the Ruapuna Raceway.

52. As a result of that process, rules that were specific to the use of the Ruapuna Raceway were developed. The rules set a noise level threshold, and noise emissions falling below that level are deemed to achieve sustainable management and be consistent with the purpose of the Act.

53. Therefore, noise emissions which fall below the thresholds specified in the City Plan are “reasonable levels” for the purpose of section 16 of the Act.

54. It can therefore be concluded that because the measures undertaken by the Ruapuna Raceway result in noise emissions that are below the thresholds specified in the City Plan, the current use of the speedway does not contravene the duty under section 16 of the Act.

Duty Pursuant to Section 17 of the Resource Management Act 1991

55. Section 17(1) of the Act states:

“17(1) - every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or behalf of that person, whether or not the activity is in accordance with a rule in a plan, a resource consent, a designation, section 10, section 10A, or section 20A.”

56. This duty is not contravened where the effects of the activity are the same as one which complies with the district plan rules (Cooke v Auckland City Council A063/96). As the noise from the Ruapuna site is a permitted activity in the district plan, this duty has not been contravened.
57. Further, it should be noted that because the noise emissions are permitted activities pursuant to the City Plan, the Council is unable to obtain an enforcement order as section 319(2) of the Act expressly prohibits the Court from making enforcement orders where the activity complies with the City Plan. This is a further indication that the clear intention of the Act is that activities which comply with the City Plan achieve sustainable management.

Sections 326, 327 and 328 of the Resource Management Act 1991

58. Sections 326-328 of the Act provide measures for controlling “excessive noise”, and empower the Council or the Police to issue an excessive noise direction requiring the noise to be reduced to a reasonable level immediately.
59. Excessive noise is defined by section 326 of the Act to mean:

“...any noise under human control and of such a nature to **unreasonably** interfere with the peace, comfort, and convenience of any person...” (emphasis added).
60. The focus of this section is to control noise which is “unreasonable”. It is commonly invoked to deal with complaints about stereo levels.
61. These sections must be interpreted in light of the other sections of the Act, in particular section 16. As the noise emissions do not exceed “reasonable levels” for the purpose of section 16, the Council would be unlikely to succeed in establishing that the use of the raceway constituted “excessive” noise under section 326.

Western Springs Stadium - Auckland City Council

62. Comparisons between Western Springs Stadium and Ruapuna Park have been raised at times since November 2005. The prime similarity between the two venues is that of noise issues. In most other respects the circumstances are nevertheless different. Western Springs is sited in a predominantly residential environment with the racetrack very close to the residential properties. From a motor sport perspective it is speedway that has been the issue. Outdoor concerts are also held. The criticism was that the speedway operation was not meeting Auckland City Plan noise rules and that no monitoring had been undertaken to establish compliance.
63. Ruapuna on the other hand is sited in a predominantly “rural” environment. The racetrack(s) are some distance from residential properties. Speedway and car racing occur. Monitoring has been undertaken that shows compliance with the Christchurch City Plan rules. An additional 400 metre “no new residential building” restriction from the raceway boundary also exists. There are six existing houses within the 400 metre area. The Council has received complaints from all of these residents.

Implications of a Plan Change

64. Comments on these aspects (paragraphs 64 to 69 inclusive) have been prepared by the Environmental Policy and Approvals Unit, City Plan Team and are provided as follows:

65. A Plan Change to the noise provisions for Ruapuna may be undertaken to lower the permitted noise levels, and change the number of days of operation. Any change to the existing noise provisions requires a full technical assessment of the existing noise environment. This will establish whether the noise levels provided for are “reasonable” and further to this, what the long term effects of future noise will be should noise levels reach the levels permitted by the Plan. The results of a technical assessment may provide the justification for changing the Plan. Should the assessment find that the noise environment produced by these rules are exceeding a ‘reasonable level’, then a plan change may be undertaken. The Plan Change could potentially seek to remove the exception provided for Ruapuna (Volume 3, Part 11, Rule 1.3.4). This would require noise levels to meet the standards for the Open Space Zone. Alternatively, the noise standards may be changed to a level appropriate to the surrounding noise environment, to make changes to the operational hours, and/or to create a new set of noise standards.
66. However, it is important to note that a Plan Change to the noise rules in the Plan will not extinguish the “existing use rights” held by Ruapuna Raceway.
67. Section 10 of the Act allows for existing use rights by stating that “land may be used in a manner that contravenes a rule in the district plan if it was lawfully established before the rule become operative”. Should the Plan be changed to limit the permitted noise levels, the Raceway could continue to function under existing use rights. The recent Noise Survey affirmed that the Raceway is functioning lawfully, within the Plan rules. The existing noise environment would therefore be protected by Section 10 if the noise standards were lowered below the existing noise environment.
68. Any Plan Change that reduced the noise standards to the Raceway’s existing use rights could prevent the noise levels increasing.
69. Section 10(2) allows for the removal of existing use rights should the activities be discontinued for a continuous period of more than 12 months. Unless that happens the Raceway would retain these existing use rights as long as the character, scale and intensity of the effects of the activities are maintained. A Plan Change that lowered the permitted noise levels would only lower the existing noise levels at the raceway if the Raceway fail to continue to maintain the noise environment at the current levels. In the long term, it is possible that a Plan Change may provide for a decrease in the noise environment. However, this would only occur should the Raceway fail to maintain the current levels of use for a continuous period of more than 12 months.

Lease

70. This section (paragraphs 70 to 72 inclusive) have been prepared by the Legal Services Unit.

The Council owns the land on which the Raceway is situated. The Raceway operators have leases under section 54 of the Reserves Act 1977. The existing lease(s) expire:

 - (a) Speedway – 1 February 2020; and
 - (b) Car Club - 30 December 2016.
71. Changing the terms of the lease can be achieved at any time, by agreement with the Raceway operators (section 114 Reserves Act 1977).
72. However, it would be unnecessary to change the terms of the lease unless there were clear and demonstrably significant adverse environmental effects of the noise emissions. As the duty under sections 16 and 17 of the Resource Management Act 1991 are being met, there are currently no significant adverse effects of the activity, and therefore, it is unnecessary to change the terms of the lease agreement at this time.

Canterbury District Health Board (CDHB)

73. A letter dated 4 October 2006 has been received (attached) from a clinical co-ordinator at the CDHB advocating on behalf of some residents. The letter refers to distress being caused from the constant and excessive noise generated by the nearby Ruapuna Raceway track affecting family and Community.
74. The co-ordinator states that while “we” have had contact with a small number of members of the community, it indicates that there is an issue which needs to be addressed.
75. The co-ordinator has been advised that the matter was being considered by Council shortly and that no comment could be made until after that meeting.
76. The matters raised in this letter touch upon aspects of nuisance conditions within terms of the Health Act 1956. The Legal Services Unit was again requested to provide an opinion and advise as follows (paragraphs 77 to 82 inclusive):
77. The Health Act 1956 applies to activities which result in a nuisance which is “...likely to be injurious to health”. It provides for activities to be abated, or a recurrence of a nuisance to be prohibited. Further, the Act provides that it is an offence to cause a nuisance or permit a nuisance to be caused.
78. Noise is defined as a nuisance under section 29(ka) of the Act. However, the provisions of this Act only apply in the rare circumstances where it can be demonstrated that noise is likely to be injurious to health.
79. Measured noise levels are not necessarily determinative of whether or not noise emissions are injurious to health. The applicable standard is whether the noise is likely to be injurious to the health of an ordinary reasonable person, “...as opposed to the individual who may be particularly affected by the noise and who on occasions could become hypersensitive” *Edwards v Manukau City Council*, Hillyer J, HC AP197/92.
80. The residents in the vicinity of the Ruapuna Raceway are able to apply to the District Court for appropriate orders, if the Court accepts there is sufficient evidence from a medical practitioner to establish and demonstrate that the noise emissions from the Ruapuna Raceway would be injurious to the health of the “ordinary reasonable person”. There is insufficient information at this time to conclude whether such action is likely to be successful.

Civil Action in Nuisance

81. It is possible for the residents to bring a civil action in nuisance where it can be proved that:
 - (a) There has been a quantifiable and tangible damage/loss (eg financial); and
 - (b) The damage/loss has arisen from the noise emissions of the Ruapuna Raceway; and
 - (c) Such damage/loss was foreseeable.
82. There is no suggestion that the residents have experienced a financial (or other) form of damage/loss as a result of the noise emissions from the Ruapuna Raceway. Even if such damage/loss was established, there is no evidence to suggest that such damage/loss was foreseeable. Therefore it is unlikely that such a claim would succeed.

Car Hooning

83. This activity that occurs on the roads outside Ruapuna Park has largely been separated out from the Ruapuna Park Raceway noise discussion. Both the residents and raceway management are nevertheless in total agreement that they do not want “hooning” in the Templeton area.
84. This activity it is believed indirectly, just adds to the overall aggravation felt by the residents when discussing the Ruapuna noise issue.

85. The Council and Police are dealing with this aspect.

Possible Future Development Proposals

86. A number of options are currently being investigated and discussed by Council staff related to motor-sport activities occurring in the peri-urban environment. A multi-unit group within Council led by the Strategic Support Unit is exploring the issues and options and strategic contexts related to the future of motor-sport activities in Christchurch. The motor-sport activities being discussed include the tracks and facilities of the Christchurch Kart Club, Canterbury Car Club and Ruapuna Speedway. It is anticipated that a detailed report will be provided to the Executive Team by the end of the year.

ASSESSMENT OF OPTIONS

The Preferred Option (Option 3)

87. Council at this time make no decision and await the outcome of the pending staff report on possible future development changes in the area that may affect motor sport activities.

88. This option does not bring any quick finite closure to this issue but it may provide a way forward. The staff report will bring a greater depth of knowledge to allow the ability for long term planning in an area that for some has growth potential.

	Benefits (current and future)	Costs (current and future)
Social	Will provide better background and knowledge for decision making.	Outcomes unknown.
Cultural	Will provide better background and knowledge for decision making.	Outcomes unknown.
Environmental	Will provide better background and knowledge for decision making.	Outcomes unknown.
Economic	Will provide better background and knowledge for decision making.	Outcomes unknown.
<p>Extent to which community outcomes are achieved: Primary alignment with community outcome a safe City, an attractive and well designed City, valuing and protecting the natural environment. Also contributes to a healthy environment and liveable City.</p> <p>Impact on Council's capacity and responsibilities: Little impact on capacity as this work underway.</p> <p>Effects on Maori:</p> <p>Consistency with existing Council policies: To ensure all relevant information is available for decision making.</p> <p>Views and preferences of persons affected or likely to have an interest: Both raceway operators and residents may initially view this a delay in decision making but may also cautiously see the wisdom in this option.</p> <p>Other relevant matters:</p>		

Option 1

89. That this report be received and
- (a) that the deputation members be advised that Council intends to take no further proceedings in this matter, other than to ensure compliance with its statutory obligations are maintained at the Ruapuna Park Raceway, and
 - (b) if the deputation members wish to initiate a City Plan scheme change proposal they have the option of implementing this themselves.
90. This option would not satisfy some members of the community. It is anticipated complaints will continue to be received. Seeking a scheme change would be costly for the residents with no assurance of the outcome. Even if successful a Plan Change may not necessarily bring about any reduction in activity or noise, as existing use rights would apply. The Raceway operators would also probably sternly oppose any change. This decision is however consistent with Council's obligations in that it has monitored the raceway activities and found them to be operating within the rules, as determined in June 1999 under the City Plan process.

	Benefits (current and future)	Costs (current and future)
Social	Raceway operators satisfied. Motor sport enthusiasts continued ability to view and participate in their sport.	Some residents continue to be unhappy.
Cultural	Raceway operators satisfied. Motor sport enthusiasts continued ability to view and participate in their sport.	Some residents continue to be unhappy.
Environmental	City Plan criteria and process confirmed.	Complaints continue to be received and on-going monitoring necessary.
Economic	No remediation costs incurred.	Cost of on-going monitoring.
<p>Extent to which community outcomes are achieved: Primary alignment with community outcome a safe City, an attractive and well designed City, valuing and protecting the natural environment. Also contributes to a healthy environment and liveable City.</p> <p>Impact on Council's capacity and responsibilities: Meets its statutory obligations under the Resource Management Act 1991.</p> <p>Effects on Maori:</p> <p>Consistency with existing Council policies: Meets its obligations in that it has met statutory obligations.</p> <p>Views and preferences of persons affected or likely to have an interest: Residents unhappy that no changes are proposed. A scheme change would be costly for residents. Ruapuna Raceway operators are likely to be satisfied with this option.</p> <p>Other relevant matters:</p>		

Option 2

91. Council initiate a plan change to alter the City Plan rules with the view to reduce the level of activity and noise at Ruapuna Park Raceway.
92. The cost of this option would be borne by the Council. There is no guaranteed outcome. The scheme change proposal would probably be contested by the raceway operators. Again, as with Option 1, even if successful, there may in reality be no effect, as existing use rights may apply.

	Benefits (current and future)	Costs (current and future)
Social	May bring about changes to satisfy residents.	May restrict use of Ruapuna Raceway.
Cultural	May bring about changes to satisfy residents.	May restrict use of Ruapuna Raceway.
Environmental	May bring about changes to satisfy residents.	May restrict use of Ruapuna Raceway.
Economic	May bring about changes to satisfy residents.	May restrict use of Ruapuna Raceway and possibly impose costly changes.

Extent to which community outcomes are achieved:

Primary alignment with community outcome a safe City, an attractive and well designed City, valuing and protecting the natural environment. Also contributes to a healthy environment and liveable City.

Impact on Council's capacity and responsibilities:

Meets its statutory obligations under the Resource Management Act 1991.

Effects on Maori:

Consistency with existing Council policies:

Community expectations being reviewed.

Views and preferences of persons affected or likely to have an interest:

Residents happy that change proposals are instigated. Raceway operators unhappy as may incur changes and incur costs.

Other relevant matters: