

SUBMISSION ON S71 CHANGES TO THE DISTRICT PLAN - HAGLEY OVAL.

My name is s9(2)(a) and I am the spokesperson for s9(2)(a). I was part of a group that took part in the Environment Court EC and attended each day for 5 weeks. I learned during that case and subsequently, to be wary of anything Canterbury Cricket Trust CCT says and even more so what they don't say. I have put in a submission on behalf of HOH, concentrating on amenity. This is my personal submission dealing with the proposed changes requested by CCT and their impact on Hagley Park and its other users.

I believe that the use of S71 in this instance is wrong. The ability to question expert evidence and present opposing expert evidence is essential in this sensitive proposal. The RMA is the vehicle that can provide this. The minister is no doubt aware of the section in the letter of expectation that advises her regarding the use of S71, where the RMA could be used instead. Also the amendment to the Regenerate act proposed by the current minister Megan Wood and passed unanimously by Parliament protecting Hagley Park from the Regen Act. <https://www.parliament.nz/en/pb/hansard>

This states: "But what we are saying is that when it comes to Hagley Park and the protections that have been built up over that piece of land, it actually is time to return to business as usual. When it comes to that particular taonga in the centre of our city, we do need to be able to say, it is if the earthquakes never happened and it is as if the bespoke legislation that is put in place to aid our recovery and our regeneration does not exist...." And.... "There are a number of instruments that are used in this legislation and what my amendments do ensure that the management plan of Hagley Park is the primary instrument and that it cannot be overridden by anything else that might be in this legislation."

The use of the Regen act to affect the district plan and therefore the Hagley Park Management Plan HPMP, seems to fly in the face of what Parliament intended or was in the mind of Parliament when they voted on the amendment.

I dispute the need for urgency in this matter. CCT have known about the Womens' World Cup since 2013 and have had permission for retractable lights since 2013 and have chosen not to proceed with construction. The issue I believe, is that both initial cost and ongoing costs of the consented retractable lights exceed the cost of 6 fixed lights. In finding what CCT and their legal team think is a loophole, they

are using it to try to obtain all that the EC denied them plus some. CCT see this as their last best chance to get all they want. The EC was forced to grant them permission to use the oval because the CER act was deemed to overrule the HPMP. Now we are back again CCT using emergency legislation, urgency and our old friend , fear of missing out. The whole thing gives one a sense of deja vu.

Why would CCT need 6 permanent lights when Seddon Park Hamilton have just installed 4 lighting towers which meet international broadcasting standards? The consented 4 retractable towers with LED lights should be able to provide the same results. The impact of 6 lighting heads of 14.5m x 10m on the vista of South Hagley Park will be huge. Taken together they would be like a 10m tall 85m long, visual scar 50m up in the skyline.

PARKING

The increase in the number of games will result in increased demand for parking around the hospital. Hospital staff, out patients and visitors will be further inconvenienced and frustrated by the lack of parking. This was acknowledged by the EC and was one factor in their decision to restrict the number of games at the oval. The increase in the time allowed for pack in and out will also increase the length of time heavy vehicles are in and around the oval. When games are televised, the car park inside Hagley Park next to the oval is closed and used by television outside broadcast vehicles. For a one day game plus pack in and out this is three days that the public lose the use of that car park. The hours that CCT want for the oval 7am to 12am effectively impact on the ability of hospital staff on the afternoon and night shifts to find nearby safe parking. Out patients with specialist or ongoing treatment appointments could miss those appointment times due to parking issues. They would have to reschedule, wasting valuable doctor's time and delaying their ongoing treatment. Is the inconvenience caused to hospital staff, visitors and patients a price worth paying so that NZ Cricket can sell games to an overseas audience in prime time?

STRUCTURES

The structures (temporary as per S71) shall be limited to:

Broadcasting and media production facilities

Broadcasting and media technical services and facilities

Broadcasting camera towers and media transmission equipment

Temporary power generators

Event directional wayfinding and or sponsor signage

Event administration or operational facilities

There is no mention of how many camera towers and transmission units will be used. This is important as the camera towers are proposed to remain in place for the season and are not part of any pack out. The broadcasters call the tune as to how many cameras they want at a game so as time goes by we may see more structures albeit temporary, cluttering up Hagley Park. It's proposed that the camera towers be allowed to carry advertising. This is an area the EC was quite specific on both in location and time limits. (Inside the boundary fence only and for the match day only.)

The extending of advertising signage to temporary structures and the pavilion is another step in the commercialisation of the oval and would not be allowed in any other part of Hagley Park.

Overturning the EC conditions moves us ever closer to KFC Stadium Hagley Oval or similar.

PACK IN PACK OUT

In the EC my evidence showed that Crickets timetable of games plus pack in and out would add up to 80 days per season. This was clearly unacceptable to the court, so cricket came back with what we now have, after assuring the court that the timetable was reasonable and doable. I disputed this, especially their claim to be able to pack in and out in a day. They now claim the EC conditions are not fit for purpose. Conditions they proposed in order to get access to the oval in the first place. They now want up to 75 days excluding 6 public holidays and unknown allowances for inclement weather. This takes us past the original 80 days they couldn't get in the EC. I believe it is known as planning by stealth. As my grandmother would say, "You made your bed, now lie in it."

SPORTING EVENTS AND THE USE OF EXISTING FACILITIES

Re Chapter 18 open space p24:

Events for 2000 or more spectators shall not occur on days where the cumulative attendance at events in SOUTH HAGLEY park exceeds 20,000 people.

The EC condition was for Hagley Park not just South Hagley. This was an attempt to mitigate any parking problems, especially around the hospital caused by events. To my knowledge there are no large events in South Hagley. The slight change in the condition by adding the word south to Hagley and hope nobody would notice, could lead to major traffic problems around the hospital area when cricket clashes with a large event in North Hagley Park. This is especially so when these events continue into the late evening.

PUBLIC ACCESS

Public access to the oval is restricted during match days and pack in and out days. Otherwise, signs on the fences will be used, to indicate where the access gaps in the fence are. This is not satisfactory. Legally, I believe a fence is still a fence even if it has gaps in it. On non match days one should be free to traverse the oval without hindrance or having to detour along fence lines to enter and exit. To this end, every second section of fence should be removed to enable public access to their park while still giving CCT a speedy set up of their fencing. The extended playing days asked for, risk excluding the public from what are "The public commons" for almost all of the summer.

TEMPORARY SEATING

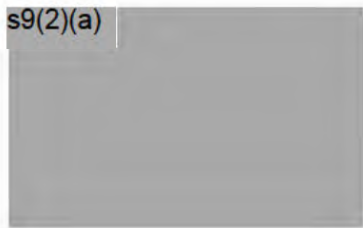
CCT want no restriction on the amount of temporary seating within the oval. The EC restricted temporary seating to 8,000 to try to minimise the amount of temporary structures within the oval and maintain where possible the village green feel. The increasing amount of temporary structures in the oval restricts the space available for lying on the grass embankment to watch a game. Grandstands, temporary or permanent, are a way to pack more spectators into a smaller place. How many scaffolding temporary grandstands and camera towers do CCT want? If CCT wanted unrestricted use they should have gone elsewhere. The idea sold to us of a village green is slowly morphing into a stadium by default. All of Hagley Parks protections mean nothing unless the guardians of those

protections do their job. It would have been helpful if the Ombudsman's report on the CCC had come out 6 years earlier, when council staff were initially shepherding this scheme over and under the parks protections.

EXPANSION OF THE OVAL

The S71 proposal at 3.4 seeks to extend the area of Hagley Oval for a concourse area. CCT suggest this could be used for a "Childrens Activation Zone" If you believe that, My guess is that it will become a corporate hospitality area. Everything about this S71 proposal is about the money. Either in reducing compliance costs or increasing revenue. CCT should have known, but have chosen to ignore, that Hagley Park comes with a lot of protections and is an iconic park with a heritage listing. The siting of the Oval in the park was always going to create tensions when the restrictions on the use of the Oval are seen as barriers to CCTs plans. The use of S71 to get around these restrictions, citing a self made need for urgency is nothing more than a ploy to evade proper evaluation of their claims. I urge the Minister to reject this application and recommend that the RMA process is the better way to deal with this.

s9(2)(a)

A large rectangular area of the document has been redacted with a solid grey fill, obscuring the text underneath.

From: s9(2)(a) [redacted]
Sent: Monday, 2 December 2019 8:41 AM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject:

I wish to strongly object to the strange proposal to gain permission to erect huge lights in South Hagley Park. Especially using earthquake emergency regulations!
The visual impact would be really really awful.

s9(2)(a)
[redacted]

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [redacted]
Sent: Monday, 2 December 2019 2:24 PM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject:

I, s9(2)(a) [redacted] wish to oppose the installation of lighting towers at the cricket ground,. The reasons being visual pollution that will not only look awful but will ruin the atmosphere of the grounds per se.
I would be inclined to think other sporting bodies if working under the same act would find it very difficult indeed to do the same !

s9(2)(a) [redacted]

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Sunday, 1 December 2019 6:06 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Cricket in Hagley Park

The Hon Poto Williams,

Dear Ms Williams,

I am writing to ask you to consider rejecting Cricket's application to extend their use of Hagley Park for cricket matches and to increase the number and height of the lights for this purpose.

I have three main objections:

1. The site is too close to the public hospital and the scarcity of parking for patients and their families as well as the hundreds of staff working on shifts is already under pressure. This will worsen over time.
2. The legislation governing Hagley Park does not support the application by the Cricket people and instead they are using legislation that arose out of the earthquake devastation. This goes against the spirit of the establishment of Hagley Park as well as setting a precedent for further encroachment by sport onto a public space.
3. Already there has been 'increased colonisation' of the area. Initially promises were made to ensure the intrusion into the park would be minimal but that has grown - six lights of a more substantial size than the original four, more games scheduled for later times and so on. Nowadays sports are a commercial enterprise with large sums paid for television rights, and players' salaries and those of the administrators. What I fear is that under commercial pressure, there will be various vendors setting up shop in the park and these will contribute to the visual pollution with their advertising and rubbish as well as to the increase in traffic around the hospital.

Thank you for the opportunity for a lay person to make a submission. You have a difficult task as you will be under a great deal of pressure from business groups to endorse this extension. I hope resistance is possible.

s9(2)(a)

Canterbury Cricket Trust's Proposal for Changes at Hagley Oval

I am totally opposed to Canterbury Cricket Trust's endeavours to install additional, permanent lighting to the Hagley Park cricket oval and their attempt to increase spectator numbers and increase allowable match day fixtures per year.

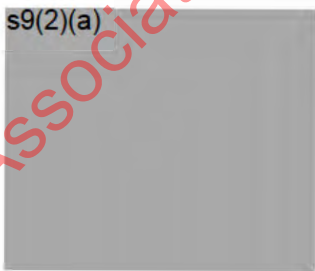
The restrictions placed on the development of the cricket oval at Hagley Park in the 2013 resource Consent drew a fine line between the interests of Canterbury cricket on the one hand and Cantabrians wanting to preserve the special character of Hagley Park on the other. The 85 special conditions imposed on Canterbury Cricket just 6 years ago should not be swept aside without going through the resource consent process.

Over time I can see Canterbury Cricket wanting to overturn more and more of these restrictions as various commercial interest groups like promoters and advertisers apply pressure for more matches and bigger audiences. A Canterbury Cricket creep on current restrictions should not be allowed to occur.

I would have thought that the Jade Stadium site in the medium term could be considered as a viable future home for Canterbury cricket - with a village green type environment developed similar to what we currently have at Hagley Park. A modest grandstand could also be added. Lighting and car parking and days of operation should not be an issue. Funding would be achievable if taken as a, say, 20 year project with Hagley Park being used in the meantime.

In summary, Hagley Park is a special and unique green space which should not be spoilt by the permanent encroachment of a commercial cricket operation along with all the negative attributes it would bring to the site. Also, with the public hospital close by and parking near the hospital already critical, more match days and larger spectator numbers do not make sense.

s9(2)(a)



From: s9(2)(a) [REDACTED]
Sent: Friday, 15 November 2019 3:19 PM
To: Simone s9(2)(a) [DPMC] s9(2)(a) [REDACTED]
Subject: Re: Hagley Oval section 71 Proposal - further information available

s9(2)(a) [REDACTED]

i also have a house close to there down s9(2)(a) [REDACTED]
lets do as CHC is declining & needs help
On 15/11/2019 12:15 pm, Simone s9(2)(a) [DPMC] wrote:

[UNCLASSIFIED]

Good afternoon,

I am writing to you as you have made a written comment on the Hagley Oval section 71 Proposal.

I would like to advise you that **it was recently identified that supporting technical information referred to in the Proposal was not publicly available.**

That information is now available on Regenerate Christchurch's website and will be available for viewing at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils from Monday.

Consequently, the written comment period has been extended to 5pm, Monday 2 December 2019.

In light of this information, if you would like to amend or update your existing written comment you can do so by email to: info.gcg@dpmc.govt.nz or by freepost to:

Freepost Authority GCG
Section 71 Proposal: Hagley Oval
Freepost GCG
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

Any amendments or updates must also be received by 5pm, Monday 2 December 2019.

I'm sorry for any inconvenience this may cause you and thank you for taking the time to make a written comment.

Kind regards,

Shane Collins

Acting Executive Director

Greater Christchurch Group

Department of the Prime Minister and Cabinet

E s9(2)(a)

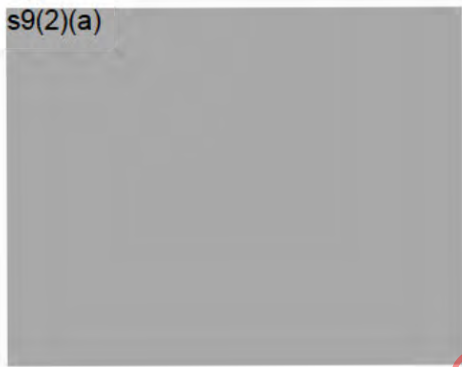


**DEPARTMENT OF THE
PRIME MINISTER AND CABINET**

TE TARI O TE PIRIMIA ME TE KOMITI MATUA

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s9(2)(a)



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From: s9(2)(a) [redacted]
Sent: Friday, 15 November 2019 7:31 PM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: Hagley lights

I am totally for placing lights at the Hagley Oval.
A must to enhance the use of such an amazing venue.
Also more games more revenue for our city

s9(2)(a) [redacted]

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From: s9(2)(a) [redacted]
Sent: Friday, 25 October 2019 4:59 PM
To: Kirstin Semmens s9(2)(a) [redacted]
Subject: Re: FW: Objection to Hagley Oval floodlights

Dear Ms. Semmens,

I am more than happy that my letter was forwarded to the appropriate people.

I will be making another submission on the form sent to me from the CCC, as well.

Thank you for asking, but I do not want my personal email used above made public s9(2)(a) [redacted]

Regards,

s9(2)(a) [redacted]

On Fri, Oct 25, 2019 at 1:41 PM Kirstin Semmens s9(2)(a) wrote:

Dear s9(2)(a)

Thank you for your email on Hagley Oval of 16 October 2019.

Please note your comment will be treated as if it was a written comment on the proposal to use the section 71 power of the Greater Christchurch Regeneration Act 2016. Your email has therefore been forwarded to officials who are compiling the public comments as part of that process.

If you do not want your email to be added into the public process, please let me know and it will not be included.

Kind regards

Kirstin Semmens | Acting Private Secretary |

Associate Greater Christchurch Regeneration | Office of Hon Poto Williams

Minister for Community & Voluntary Sector | Associate Minister for Greater Christchurch Regeneration | Associate Minister for Social Development | Associate Minister of Immigration

Parliament Buildings | Private Bag 18041 | Wellington 6160 | New Zealand
s9(2)(a)

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From: s9(2)(a)
Sent: Wednesday, 16 October 2019 11:19 AM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: Objection to Hagley Oval floodlights

Dear Ms. Williams,

I strongly object to the new proposal for the 48.9m tall permanent lights at Hagley Oval. The Canterbury Cricket

Trust had more than enough time to put in a request for this departure from the original permission for Hagley Oval.

CCT is trying to use the old earthquake recovery laws to fast track changes that should have been requested several years ago.

They have waited until the last minute to apply for this in the hopes of pushing it through, and in the hope that the public

will not have time to object to their move. The small piece in The Press today gave barely enough information for me

to realize who I would need to contact and gave no contact details for you. It is all in the name of money for them to be able

to broadcast more games from Hagley Park, and increase crowd sizes.

The park suffered enough when the new ground was developed just so they could have one World Cup game. Several

of the original cricket fields had to be sacrificed for the new ground, which the people of Christchurch are now stuck

paying maintenance and upkeep costs for. My husband played many games of cricket there in the past, and was also very upset.

Suitable grounds are available at Lincoln, a delightful venue, Rangiora, and if the CCT had their act together, could had

had a good venue with lots of parking at Nga Puna Wai Sports Hub.

If they get their light towers, CCT is also asking to have more commercial games there, and larger crowds, which means more money

for them, but which entails many more major problems of parking and traffic. Christchurch Hospital already has enough problems


without CCT causing more problems for people trying to reach the hospital in an emergency, especially when it was suggested

the road would have to be closed for the cricket, or at the very least cause major disruptions to traffic to and from the hospital.

Please do not let Hagley Park be spoiled by a selfish group out for their own commercial reasons.

Regards,

s9(2)(a)



From: s9(2)(a) [REDACTED]
Sent: Wednesday, 27 November 2019 10:03 AM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Fwd: Submission on Hagley Oval

Amendment to

Submission on Hagley Oval – I strongly oppose the changes that are proposed for Hagley Oval.

Please change the last paragraph. Business section on p 23 by Tom Pullar-Strecker had the headline, "Sky 'paid \$500m for rugby'". This was very enlightening in view of the attempt of Canterbury Cricket to try and get the massive lights and the changes to the conditions at Hagley Oval. It seems their 2018 and 2019 financial reports (available to the public) show deficits of \$59,328 and \$57,327. No wonder they are desperate to get more games at Hagley Oval to sell to TV - it is not for the benefit of the people of Christchurch, it is for the benefit of their bottom line.

The fact that an extension of time had to be granted due to lack of information forthcoming from the council is a concern.

Hagley Park is the heart of the city, a Heritage site, and was not intended for vast, commercial enterprises. That is what CCT would like to do with our park – turn it into a paid, commercial venue for their benefit and often blocked off from the general public to enjoy.

First off, the Regenerate bill excluded Hagley Park and gave the Hagley Park Management Plan primacy over the Regenerate act. So that should mean that Regenerate Christchurch should not now be involved in any way with Hagley Park. The applicable Resource Management Act does not suit CCT as it would involve consideration of matters and require planning changes that would take a considerable time to work through and would most likely not allow what they want done to the park.

CCT's real interest is not in serving Christchurch or the public who are meant to have free access to the park. It is in gaining money from the TV rights to games, and in charging the public to go to games. It is in gaining money from food and drink vendors since there are strict limits on what can be taken in.

Conditions were placed on the original approval in order to limit the problems caused by games at Hagley Oval. CCT is now trying desperately to force a fast resolution using the Regenerate Act, having waited years to make a new application for changes, holding out the bait of the 2020 Women's Cricket competition, the kind of bait used last time that promised wonderful things in terms of exposure of Christchurch to a world wide audience, and vastly increased visitors to watch cricket – none of which seem to have eventuated.

They are using the same ploy this time with their market promotion campaign, claiming enormous

numbers of people interested in cricket and getting exposure to Christchurch via televising of games (money from which televising goes into the coffers of CCT, not the city). Most amusing was their claim of several million Americans keen to see the games on TV. Absolutely ridiculous when less than 1% of the US even knows the game exists, let alone is willing to pay to watch it on TV.

Is CCT going to allow primetime live broadcasts of all the games on free to air TV for the people of Christchurch? If not, why not?

CCT claims that commercial activities take place in the park now. However, these are one-off and usually just one or two day events with fencing and are held in the park in a relatively small area of green space. CCT are requesting 20-25 days each summer (nearly double the original number allowed), with the concomitant fencing and disruption for days before and afterward.

Currently, CCT is required to remove TV scaffolds and fencing between games. They claim this is expensive and a health risk and are asking to be allowed to keep the towers and presumably boundary exclusion fences between games. The public is already excluded before and after an event, and now would need to be excluded between games to prevent problems with the TV towers etc.

The parking lot by the oval has been closed in the past during 'pack in /pack out' times and during games. Can CCT guarantee that will not happen? I know from personal experience that the parking lot is used by hospital visitors, and more importantly, by those undergoing radiation treatment and chemotherapy.

CCT are also complaining and requesting that they be allowed to hold games when other, major park events such as the Beer Festival or major public concerts are on (not originally allowed), which would put extreme strains on parking and movement to and from the hospital. However, they complain that the restriction will cramp their ability to bid for games – which, as noted, are really for the televising of games to make money for CCT, not for Christchurch. There is no guarantee whatsoever that they will get the games, but if they do there will be a massive traffic mess as a result.

Other requests are for commercial signage to be allowed, which it is not at present – using the excuse that it is ‘common’ at other cricket venues. However, these venues are not part of public heritage parks.

The 6 huge, 48.9m light towers the CCT wants to install are completely unsuited to the park. They also contravene the 30m allowed height in the City Plans. They claim the poles and lights are ‘not bulky’ and would not affect the open character of the area – and can be disguised with paint. How ridiculous. If you pace out the 14.5m width and nearly 8m height of each of the heads rising above the trees in the area, (with, according to the plans, at least 90 lights per head) that is not unobtrusive on the landscape. These towers, supposedly to be used for a few games each year, will dominate the landscape since they are higher than almost any tree in the park, certainly higher than any tree in that part of the park. In winter when the trees lose their leaves, the light towers will be a total eyesore. Even in summer, the top 4-5 floors of the hospital will have to put up with them disrupting the skyline and green space view.

At night, it is claimed they will not disrupt sleep at the hospital with only a 10Lux limit. However, this is 3 times the light of twilight on

clear nights, and on cloudy or misty nights, the reflected and scattered light will be much worse from the approximate 6 x 90 lights.

3.4 “Dark limit of civil twilight under a clear sky” description
of 3.4Lux -Wikipedia

With summer in Christchurch, daylight savings, and the late sunsets, there seems little need for massive light towers at games, which could easily run to 8PM without lights. With a 7.5 hour time difference to India, which CCT is claiming as a prime market for watching the games, even games running to midnight here will still be in the middle of a day in India. And in England, any game will be in the middle of the night for them.

CCT claims they must have these massive lights to get a few international games. If they get the lights, it is a given that CCT will then ask for more departures from the conditions to get more games to justify the cost of the lights. In effect, trying to take over that part of our public park.

CCT is also asking for the extension of hours and numbers of people -

20days of up to 12,000 people

5 days of up to 20,000 people

7am – 11 pm on any day of the week

with 7 days running until midnight.

These increased times will certainly affect the hospital and other visitors to the park. Claiming all those attending cricket will walk or come by bus is disingenuous, to say the least. That didn't happen before. Apparently some cricket players park in town and use the hospital transit vans to get to the grounds - which doesn't do much for those truly visiting the hospital and needing transport.

CCT is asking for extra land, as well, to have a larger concourse and a children's playground – in hopes of getting more people to pay to attend, and having a large area to park food trucks, and to place and rent out more of the expensive hospitality tents. All only to the benefit of CCT commercially.

Claims about relatively low levels of noise from night games try to brush aside the effect on the hospital. CCT are requesting 20 days of higher allowed noise levels plus an extra 5 for ICC tournament days from 10PM to Midnight, saying the 'effects would be minimal', and that the very occasional loud noise would not bother patients. I beg to differ – a sudden loud shout at a missed catch or a wicket taken would surely wake those already asleep. Note that the hospital closes visiting hours at 8pm to have people asleep about 9pm, so loud shouts of any sort, even twice between 9pm and midnight, are bound to waken and disturb people, all of whom are in hospital for being unwell and likely to need what little sleep they can get.

The claim of 54,000 visitor nights and \$7.9 million spending – which is over 3 seasons – is at best a guess. Is there any serious research to back this up?

Finally, all of the benefit for ruining a part of our heart, our park, seems to be going only to CCT for TV rights and commercial tickets. The Business section of The Press had the headline, "Sky 'paid \$500m for rugby'". This was very enlightening in view of the attempt of Canterbury Cricket to try and get the massive lights and the changes to the conditions at Hagley Oval. It seems their 2018 and 2019 financial reports (available to the public) show deficits of \$59,328 and \$57,327. No wonder they are desperate to get more games at Hagley Oval to sell to TV - it is not for the benefit of the people of Christchurch, it is for the benefit of their bottom line. CCT

wants a permanent, commercial operation in the middle of our park, which is not what the founders of the city wanted for the people of Christchurch. CCT have had one 'bite of the cherry' and have come back for more. It is a fair assumption that they will come back again, asking for even more time and space so they can make more money for themselves and ram through their commercial operation in the park - to the detriment of our park and the rest of the people of the city.

I strongly object to the proposed changes.

s9(2)(a)



Proactively released by the Associate Minister for Greater Christchurch Regeneration

Hagley Oval – Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

Where can you see the Proposal and find additional written comment forms?

The Proposal can be viewed and written comments can be made online at the Department of the Prime Minister and Cabinet's website:
www.dPMC.govt.nz/hagley-oval

Also, the Proposal can be viewed, and written comment forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Written comments must be received no later than 5pm, Wednesday, 20 November 2019.

Please secure the edges of this form before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "FreePost GCG" address on the other side of this form.

Do you agree with the Proposal?

Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

Yes No

Why do you agree/disagree and do you have any other comments (optional)?

- This is the privatisation of a public space by stealth.
- There is a lot of land in the "Red Zone" that could be used & actually benefit from being used.
- Why should cricket be given a privileged position over other sporting codes? In fact, this is an opportunity for the whole of Hagley Park to be used for such things as wheelchair racing etc – horse racing

Please fold with the FreePost address portion on the outside, seal and return by 5pm, Wednesday, 20 November 2019.

s9(2)(a)

RECEIVED

21 OCT 2019

M.P. Poto Williams
Parliament

Office of Hon Poto Williams

Dear Minister

I am writing this letter as a response to the article (attached) that was published in "The Press" this morning - Wed. 16 Oct. 2019.

It relates to the proposal of erecting lighting towers in Hagley Park.

I am writing directly to you as yours is the only name included in the article and as a 83 year old with no computer/internet I am not sure where else to go or who else to contact.

The reasons for the existence of Hagley Park and the reasons why its beauty, existing public use and enjoyment should continue to be preserved in a manner which broadly reflects and respects the initial expectations when it was created, are well established.

What I find particularly offensive is the intended use of the earthquake recovery laws to expedite the installation of 48.9 metre tall permanent lighting towers at Hagley Oval.

The earthquake recovery laws were intended to accelerate the post earthquake recovery of Christchurch. To use such laws to permanently scar the visual beauty of Hagley Park, which escaped the ravages of the earthquake beggars belief. The earthquake recovery laws were not intended or designed to establish lighting towers in an heritage area.

To increase the amount of commercialism, associated traffic congestion and impact upon the already dire parking problems

cont.

associated with hospital visitors and patient needs, in such a sensitive area, also beggars belief.

The CCT should have for years now been addressing the perceived problem they wish to alleviate by despoiling Hagley Park with lighting towers by actively seeking alternative sites for an international cricket ground.

Did the CCT think of using part of the Red Zone?

Did the CCT think of reinstating historic Lancaster Park as a dedicated cricket ground with relatively cheap grass embankments?

Did the CCT think of establishing a cricket ground on the outskirts of Christchurch with a bus service when required? Ruapuna seems to work well for cars.

If CCT wants international games that are profit driven by international broadcasting demands they should seek and develop an appropriate site.

Not despoil an inner city asset of historical importance and great beauty.

People sat in front of bulldozers when an attempt was made to push a road through North Hagley. The road did not happen.

I will not be sitting in front of bulldozers or climbing construction cranes.

I therefore hope this letter makes some sense in respecting and preserving Hagley Park as it deserves to be respected and preserved.

Sincerely,

News 5

Crunch time for Hagley Oval lights

Michael Hayward

Members of the public have the chance to share their views on whether floodlights should be installed at Christchurch's Hagley Oval.

The Canterbury Cricket Trust (CCT) wants to install six 48.9-metre tall permanent lights so it can host significant Women's World Cup games in 2021. The lights are needed to meet international broadcasting standards, especially for the Indian and English markets.

It wants to use earthquake recovery laws to fast-track the required changes to the district plan. Other operational details, such as increasing the number of days of cricket and crowd sizes allowed at the grounds, would be changed.

A decision on the proposal, developed by Crown-council planning agency Regenerate Christchurch, will be made by Associate Greater Christchurch Regeneration Minister Poto Williams.

CCT needs to bid for matches by mid-December and hopes for a decision by the end of November. Its resource consent allows four retractable lights, but CCT says this would not meet international broadcasting standards.

Proactively prepared by the Associate Minister for Christchurch Regeneration

Department of the Prime Minister & Cabinet.

Re Hagley Oval Section 71 Proposal

To whom it may concern

Thank you for your letter of 18 Nov. and the opportunity to amend my proposal

In my earlier correspondence I neglected to mention the increased parking inconvenience for Public Hospital staff and volunteers. Their needs are important. I have reason to know that.

The technical details show the proposed lights will tower above the tree tops and become the dominant landscape feature of Hagley Park. Hardly a soothing, calming visual effect.

If the lighting towers are approved what will be next? Perhaps wind turbines on One Tree Hill. I can see a commercial argument could be made to support that concept.

Possibly a cell phone tower on the peak of Mt. Cook. If that vastly improved coverage in the South Island I could imagine there would be a lot of support.

We need effective protection from commercial exploitation of such places.

I thought we had such protection for Hagley Park.

I realise my comments are somewhat emotional but as a proud Christchurchian I make no apology for that.

Now I can but hope the proposal for lighting towers on Hagley Oval will not be successful.

Sincerely

From: s9(2)(a)
Sent: Thursday, 21 November 2019 3:55 PM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: Hagley Park Lights

Good afternnon

I wish to express my opposition to the Canterbury Cricket or NZC installing the lights in Hagley Oval.

I supported the development of the ground and believe the village green oval has enhanced Hagley Park. However the respective cricket associations have changed the rules and the proposed lighting of the ground will do absolutely nothing for Hagley Park.

I am also concerned how the cricket association are attempting to change the regulations relating to the use of Hagley Park, especially without fair public consultation.

I advise that I am a cricket fan, but believe the use of Hagley Park for the greater good of the city overrides my enthusiasm for cricket.

Regards

s9(2)(a)

25 November 2019

To whom it may concern

I am writing with my submission opposing further incursion into Hagley Park, specifically with regards to the Hagley Cricket Oval, and their proposal to install 4 retractable light towers allowing for even more scheduled cricket matches, resulting in further closures of this area to members of the general public (other than match attendees) during the Summer months.

The reasoning put forward of "emergency planning" is absolutely farcical; we in Christchurch are unfortunately all too familiar with emergency situations and the excuse of the Women's world cup, for which NZ cricket will have had ample notice, certainly does not fall into that category. For the Minister to allow the bypassing of the RMA would be inexcusable and indicate the "power" certain groups in Christchurch hold, and their "influence" with both the CCC and politicians. Are you merely going through the motions before you "tick the box" for these influential groups?

I strongly oppose any further incursions into the accessible and beautiful public space of Hagley Park by any group, and view this as the "thin edge of the wedge", although the wedge is unfortunately already firmly in with areas such as the golf course already present.

Across the earth humankind is devouring nature and green spaces and our fellow creatures who exist within those spaces, to make way for human activity, usually only for the benefit of small groups of the politically powerful, the financially influential, and those in positions with local and national bodies, wishing to retain their comfortable occupations, and refusing to acknowledge those who remain powerless and unable to influence decisions: this is the plight of the human race.

What difference can one small area of Hagley park, in a small city such as Christchurch, in a small country such as New Zealand you may ask? It makes all the difference in the world!

Every loss of green space that can be enjoyed by all, can be cared for by all, is a loss to all humankind, no matter how small or where.

"You are never too small to make a difference". This equally applies to nature as to human endeavours.

I am a responsible citizen of this city, I pay rates, I pay taxes, and I vehemently believe all of Hagley Park be available for all our citizens and visitors to our city, and those to come in the future, and any activities held in the park are of a temporary nature only, and any structures required are able to be removed at the completion of the activity. I am not opposed to the park being utilised for community activities and sports, so long as they do not result in permanent areas becoming non accessible to the general public.

It is all too obvious that allowing special access to one group must surely open the way for others who will claim to have equal rights to a piece of Hagley Park and in theory they are correct. This is why no group should be allowed to set a precedent.

Secondly, s9(2)(a) I am all too keenly aware of the parking and safety issues both the hospital staff and our patients and their visitors face. An increase of cricket matches will further impact on what available parking there is, and day / night games will also impact on availability of parking for rostered staff leaving shift late in the evening. It must be remembered that not only will the people attending games be taking a lot of the parking, the radio and television broadcasters will also impact on parking space.

Furthermore I do not know why areas that are in great need of regeneration and consideration, such as in the East, are not considered for some of these projects both the Christchurch City Council and government insist on putting into the central city. Can we not have a compromise? It is important to bring the city centre "alcove" again but let's bear in mind the areas of our city which sorely need infrastructure and attractions to bring them "alive".

In summary, I oppose yet more impact from cricket on Hagley Park, and am hoping those decision makers considering our submissions, put equal weighting to those with less significant public profile and political influence, and hear our voices as well.


In the words of Greta Thunberg, "We will never stop fighting for this planet, for our futures, and for the futures of our children and grandchildren". Please do not fall into that arrogant and patently self-serving, self-important dismissal of her voice that we are seeing from some high public profile people across the world.

Hear the message!

Heed the call of the future!

Thank you

s9(2)(a)



Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Sunday, 1 December 2019 6:17 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Submission on Section 71 Proposal: Hagley Oval

Kia ora koutou,

The proposed use of Section 71 (Earthquake emergency regulations) to allow the Canterbury Cricket Trust to erect lights for day/night cricket matches in Hagley Park is not only selfish, but also undemocratic and unacceptable.

The trust has had many years to erect lighting towers in accordance with the conditions of the Environment Court and now wants to stampede the government and city council into supporting the use of emergency earthquake Regulations to bypass the conditions which would protect Hagley Park from the commercialism of professional sport.

Against the conditions imposed by the Environment Court, the trust wants six permanent light towers which would be 49m above the ground and visible across the entire city.

This proposal is a direct attack on the Hagley Park commons and is nothing more than cynical political manoeuvring.

I would urge the government to abandon this proposed use of emergency regulations for Hagley Park.

Thank you

s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 12 November 2019 9:36 AM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval Lights Section 71 submission

Minister Poto Williams

As it is now ten years since the first earthquakes and this land has not been affected, there is absolutely no reason to use the earthquake legislation to enable permanent lights to be built. It is far preferable that you use the legislation under which Hagley Park was created.

That legislation set out the purpose, that it was to be a place for all citizens. I strongly support its remaining the park where all can walk and enjoy the beautiful quiet space in the centre of the city. I live close by and see how many and what variety of residents and visitors enjoy the Park on a daily basis.

Over the decades there have been multiple attempts by sports groups, people wanting more parking and a range of other vested interests to take over parts of the Park and build on this precious space. And I recall that before Cricket wanted this for paying events, cricket clubs happily played regular games there and these were open to all to see. Given the promises made when Cricket was granted permission to make these changes, this won't be the end of the story. I would not be confident they wouldn't want further space and changes.

People could just about stomach retractable lights but six taller permanent ones are certainly not acceptable. I understand their height would breach Hagley Park's Act

Whatever the case, the Council has unfortunately set a precedent for all other groups and it is a never ending battle to retain Hagley as it was originally designed for everyone to enjoy.

If Cricket wanted to hold larger events here they should have taken on one of the dozens of suitable brown spaces made free following the earthquakes.

We have been very impressed by what the Minister Woods did in strengthening the legislation.

Please do NOT allow further erosion of the Act or inexorable loss of public spaces to private interests.

s9(2)(a)

From s9(2)(a) [REDACTED]
Sent: Wednesday, 16 October 2019 12:02 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Proposal to put up and use light towers in Hagley Oval

Dear Hon Poto Williams,

Assoc Minister for Greater ChCh Regeneration

Re Proposal to put up and use light towers in Hagley Oval

I wish to submit my **opposition to this proposal** which is a travesty of the original intentions for Hagley Park use. Already Hagley Oval intrudes on the public's right to use Hagley Park in a free and open way as was the intention of the original trust deed. The further imposition of light stands and lights will ensure the oval is used for many more hours than the currently already disruptive use, and further more it seems to be intended to use the lighted ground through to midnight on some occasions disrupting the ChCh hospital at times most inappropriate for the patients and staff.

In addition, the time of the proposed use will make it even more difficult for hospital patient visitors to visit the sick and dying than already exists during the day time games. The parking problems for both the patients and visitors let alone the staff are already diabolical so this addition will make life even more difficult for these people.

Originally it was suggested the use of the oval for what are effectively private events was somewhat temporary due to earthquake created problems. I found this difficult to accept given there are already internationally classed cricket pitches on other local sites such as Rangiora and Lincoln University where few of the stated problems exist to any extent. To create a permanent and well resourced international cricket ground more central than those suggested it would make total sense to develop what was Lancaster Park into a well terraced grassed arena with tree backed banks holding all that might wish to attend. Furthermore, the lights would offer less disruptions given the locals were accepting of the original rugby lights, and similarly for parking problems also remembering the additional ground available on this site. Furthermore, the trust deed relating to Lancaster Park allows this kind of use.

With best wishes for your deliberations. I'm hopeful a sensible decision follows which reflects the proper open use of Hagley Park suitable for all the residents of Christchurch, not just the cricket lovers who have many alternatives.

s9(2)(a) [REDACTED]

From: s9(2)(a)
Sent: Monday, 25 November 2019 5:43 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Re: Hagley Oval section 71 Proposal - further information available

Hello,

further to my submission on the Hagley Oval sent some time ago, in the light of the additional information I have received (as below) I wish to comment that I do NOT resile from my earlier comments.

I believe this additional information is a travesty of natural justice. The report seems to assume adding permanent lights to Hagley Oval is a fait accompli with the report, at great length, showing how the lights will be a great thing for Christchurch and how the regulations can be changed to allow it to happen. It seems to me the points of view taken are from cricket's and business' views, and do not consider at all the great majority of people living in ChCh and surrounds. They are not business people, nor for the major part, lovers of cricket.

The reports should have looked at both the pros and cons of the proposals from all perspectives, not just those with vested interests. Furthermore, the reports do not consider alternative sites for a cricket ground with permanent lights and extended use. I venture to suggest there are better sights which could become a wonderful home for both domestic and international cricket that would have a greater utility to all people in ChCh and many less downsides than the current proposals.

Any full and objective analysis must always look at all alternatives, not just a single sight in which the proponents have large vested interests.

With best wishes for the deliberations over this decision. I look forward to an outcome that objectively considers all pros and cons for all people impacted by the decision which looks at the long term of ChCh and the iconic Hagley Park which belongs to all the people of ChCh and surrounds. .

Sincerely

s9(2)(a)

s9(2)(a)

To The Greater Christchurch Regeneration Minister
Ms Poto Williams

Regarding the Proposal to use Section 71 of the Greater Christchurch Regeneration Act 2016 to make changes to the Christchurch District Plan relating to Hagley Oval.

I am completely opposed to the Proposal, especially that proposal to install permanent light poles and ~~str~~ structures to be erected. Hagley Park is a green space for the citizens not a commercial zone.

The current controls on usage have taken into account the detrimental effects the earthquakes have had on sporting events in Christchurch, and this constant and continuing effort by the Canterbury Cricket Trust to alter these conditions in pursuit of its own self interest is reprehensible.

Yours sincerely

s9(2)(a)

Hagley Oval – Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

Where can you see the Proposal and find additional written comment forms?

The Proposal can be viewed and written comments can be made online at the Department of the Prime Minister and Cabinet's website: www.dpmc.govt.nz/hagley-oval

Also, the Proposal can be viewed, and written comment forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Written comments must be received no later than 5pm, Wednesday, 20 November 2019.

Please secure the edges of this form before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "Freepost GCG" address on the other side of this form.

Do you agree with the Proposal?

Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

Yes No

Why do you agree/disagree and do you have any other comments (optional)?

I disagree because Canterbury Cricket Trust should never have been allowed a lease on Hagley Park in the first place due to its proximity to Christchurch hospital and their intention to work towards gaining more rights without consultation to the residents of Christchurch. I feel that New Zealand Cricket to be selfish and inconsiderate to the residents of Christchurch by campaigning around the country for submissions on this matter as most would not know the history or concerns for Hagley Park. Submissions from non-residents of Christchurch should not be considered as they would not be affected by the decision made on the matter.

s9(2)(a)

Associate Minister

From: s9(2)(a)
Sent: Monday, 4 November 2019 2:09 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Park

I, s9(2)(a) do strongly disagree with any further development of the Hagley Cricket ground. The fact that we had an earthquake should not be an excuse for any corporation to commercialize a space that is meant to be free and available to all of Christchurch. I do not agree with adding extra games, increasing attendance numbers or adding fixed lighting to the existing facilities. There are other sites which could be utilised for commercial cricket. I resist any attempt to try to commercialize a space that freely belongs to all who wish to enjoy this wonderful asset.
Kind regards
s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [redacted]
Sent: Friday, 22 November 2019 9:57 AM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: Hagley Oval lights

I am a long time cricket supporter.

Cricket has been played at Hagley Oval for well over years . In my playing time there were pitches and 3 clubs at the oval with cricket every Saturday and practices 3 days a week during the summer.

Hagley Oval is now a world class cricket ground. To ensure its standing it is essential that the lights proposed be allowed to be installed and the days of operation be extended .

s9(2)(a) [redacted]

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [REDACTED]
Sent: Tuesday, 26 November 2019 12:23 PM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: Hagley Park - lights

Dear Ms. Williams,

I would like to write with respect to the upcoming decision regarding the installation of lights at Hagley Oval.

It is by chance that I learnt about this ongoing discussion while in Tauranga to watch cricket this past week.

I was in Tauranga with nine friends (of whom eight of us went to University of Canterbury) and we all discussed how great it would be to watch cricket under lights at Hagley Oval.

As a former resident of Christchurch, the economic benefits of people visiting the city to watch cricket under lights have already been calculated (54,000 extra visitor nights - nearly \$8 million over three years.) Christchurch is a very special place and the more reasons for visits to the city should be encouraged.

The city has had its knocks over the past few years, so this would be another sign for a vibrant forward-looking city to install the lights and encourage more games to Hagley Oval.

In most countries around the world, day-night cricket test match have had record crowds. All four days of India's first ever test match under lights (versus Bangladesh November 2019) sold out all four days almost a

week before the game started. India was the final major cricketing nation to start playing test cricket under lights. Christchurch should embrace day-night test cricket as it is viewed as the future of cricket.

By not installing lights, Christchurch risks losing test games to those cities around New Zealand that do have lights.

According to former England cricket captain and now well-regarded journalist Michael Vaughan wrote about the first day-night test being played in England: "...almost half of the tickets sold for this week are going to people who have never been to a test match before. A fresher audience is what the game needs. Just make a small change. Do something a bit different." (The Telegraph, August 2017)

I think the city should remember its history as it makes the decision.

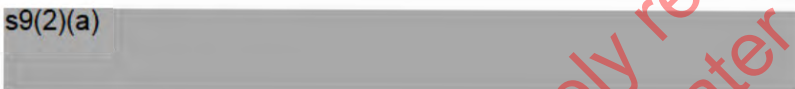
The Right Honourable Lord Lyttleton, (Chairman of the Canterbury Association - for whose English estate, Hagley Park is named after, and of course the port) was a first-class cricket player in the UK.

Fathers inspire their children and so does watching the best players. Six of Lyttleton's sons all went on to play first class cricket. (Charles, George William, Arthur Temple, Robert Henry, Edward and Alfred Lyttleton.) While most children's mothers or fathers aren't first-class cricketers, young boys and girls will be inspired by watching the best cricketers at their local pitch.

I hope Christchurch move forward and install the lights to be ready for the Women's Cricket World Cup. If they do, I will visit Christchurch, because I know it would be a great evening under the lights and then a great night out in a great city.

With my best regards

s9(2)(a)



From: s9(2)(a) [redacted]
Sent: Thursday, 14 November 2019 11:25 AM
To: Info GCG [DPMC]
Subject: Lights at Hagley Park Oval

I do not agree with putting lights into Hagley Park oval. The oval is a magnificent venue for cricket, but not on a full scale basis. When permission was granted to use this it was on a temporary basis only, and it was promised once the new cricket ground was found Hagley Park would be returned to how it was including taking down the "temporary" grandstand. I think we should stand by this. While it is a great ground to watch cricket it does not have the facilities for very large crowds, and parking is an issue. Why is NZ Cricket not looking for a permanent home in Christchurch which would meet all the above criteria. I think it is very unfair for NZ Cricket to try and use this as their full time venue. Hagley Park is for all the people of Christchurch and while the ones amongst us who enjoy cricket would like to see it played day and night - the other people would consider the lights an ugly blot on the beauty of of the park and the central city.

Regards s9(2)(a) [redacted] Christchurch Resident

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Monday, 11 November 2019 5:31 PM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: Fwd: Lights in Hagley Park

Dear Poto

I forward you my views on high lights in Hagley Park and other relevant observations. Do my views carry more weight if they are presented as a formal Submission or not, please?

If so, can you email me the form to go about this.

Sincerely,
s9(2)(a)

----- Forwarded message -----

From: **Duncan Webb** <Duncan.Webb@parliament.govt.nz>
Date: Mon, 11 Nov 2019 at 5:15 PM
Subject: RE: Lights in Hagley Park
To: s9(2)(a)

Hi s9(2)(a) Thanks for your thoughts. Have you made a submission? It's important to let Minister Williams know all of these views.

Thanks again.

Duncan.

Duncan Webb

From: s9(2)(a)
Date: Monday, 11 Nov 2019, 3:44 pm
To: Duncan Webb <Duncan.Webb@parliament.govt.nz>
Subject: Lights in Hagley Park

Hi Duncan

Just to say I am not in favour of high lights in Hagley because they protrude above the tree line and aesthetics matter. Ours is a very special city having such a huge park in its centre. Such a green haven needs to be preserved for all generations to come. Cricket and any other sport caters for a select group. If such lights are "necessary", Cricket NZ should raise the funds for telescopic ones.

Christchurch will benefit socially and economically much more from sustained domestic and overseas tourism of the green kind which appeals to young, families, young singles and couples as well as middle and older people like myself^{s9(2)(a)}. Such tourism could centre around our Red Zone which will become a Green Zone as soon as we get on with it. What other city will have this sort of leisure strip snaking from central city to the sea? Cycling, skate-boarding, tricycling, scooters, mobility scooters, unicycles, walking, birdwatching, canoeing, swimming, water games, gardening, tree climbing, jogging, as well as outdoor theatre, Maori performance and music all have application in the future Green Zone which can include Hagley and the the Botanic Gardens if they aren't spoilt.

I believe we should focus on what develops local residents as a whole not specific interest groups when it comes to our big taonga such as Hagley.

Sincerely

s9(2)(a)

From: s9(2)(a) [REDACTED]
Sent: Wednesday, 16 October 2019 12:57 PM
To: Poto Williams MP <Poto.Williams.MP@parliament.govt.nz>
Subject: Hagley Oval lights

Dear Poto

I am a life member of Canterbury Cricket Umpires and Scorers Association Inc and our association has umpired on Hagley Oval for over 100 years.

Christchurch needs first class facilities, lights are a must for Hagley Oval so that People will come to Christchurch.

Our association supports lights in Hagley Oval.

s9(2)(a) [REDACTED]

Citizen of Christchurch

From: s9(2)(a)
Sent: Wednesday, 27 November 2019 6:27 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval

Hello Associate Minister Poto Williams

I am sports fan and I am NOT anti-cricket, but I AM pro-Hagley Park

There are 2 main reasons why I oppose the current process to overturn or change and loosen the "conditions of use" imposed on NZC for its use of Hagley Oval, by the Environment Court.

FIRST

The procedure being adopted by NZC to change the conditions of use Hagley Oval is inappropriate and wrong. NZC should be appealing for changes to the conditions under the RMA.

It's incredible to think that supposedly experienced cricket administrators accepted the conditions of use imposed by the "Environment Court", but didn't realise at the time, that these would restrict the use of the park to an extent that some major international cricket games wouldn't be able to be played under those conditions. So they accepted the conditions of use, but now want them expanded?

Well, I am sorry, I don't believe it, I think they knew (or should have known) this was a problem all along, and should have walked away from Hagley Oval and accept it was unsuitable for this scale of activity.

SECOND

The Environment Court correctly imposed conditions of use to preserve the "Village Green" ambience to Hagley Park and Hagley Oval. The other sports played in Hagley Park have a relatively minor impact on this ambience, although the netball courts pavilion is probably on the limit.

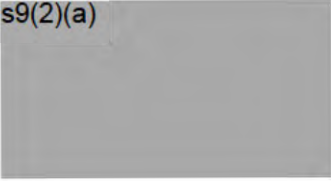
There are plenty of other locations where cricket can re-establish itself. For example, Lancaster Park is on the edge of the CBD and was the original home of Canterbury Cricket, later to be taken over by Rugby aswell. The stands are down and a new green oval could be established there and developed over the next few years with trees etc., to be a magnificent asset to the city without destroying the character of another asset, Hagley Park.

Christchurch has lost so much in the quakes, with Jerry Brownlie's attitude of "knock the old dungsers over" not helping. The Arts Centre is testament to what can be achieved and now, at last, the restoration work on the Christchurch Cathedral has begun. Lets not continue to destroy what were wonderful city assets when we don't need to, and instead use the opportunity to improve the city with well considered new assets.

Thank you for considering my submission

Regards

s9(2)(a)

A large grey rectangular redaction box covers the majority of the page's content, starting below the 's9(2)(a)' label and extending diagonally across the page.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

Hagley Oval – Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

Where can you see the Proposal and find additional written comment forms?

The Proposal can be viewed and written comments can be made online at the Department of the Prime Minister and Cabinet's website: www.dPMC.govt.nz/hagley-oval

Also, the Proposal can be viewed, and written comment forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Written comments must be received no later than 5pm, Wednesday, 20 November 2019.

Please secure the edges of this form before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "FreePost GCG" address on the other side of this form.

Do you agree with the Proposal?

Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

Yes No

Why do you agree/disagree and do you have any other comments (optional)?

The section 71 proposal is being used to circumvent the rules governing the use of Hagley Park.
The CCT should relocate to Lancaster Park
1/ to reduce traffic demand/parking demand near the Hospital
2/ - - risk of light interference with helicopter pilots going to the hospital
3/ Please fold with the freepost address portion on the outside, seal and return by 5pm, Wednesday 20 November 2019.
To avoid visual destruction of Hagley Park by adding permanent light towers.

s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

**COMMENT on the Section 71 Proposal to amend the Christchurch District Plan
– to allow multiple changes to occur at Hagley Oval in Hagley Park**

25 November 2019

s9(2)(a)

To: Associate Regeneration Minister Poto Williams
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
Christchurch 8140

Dear Associate Minister,

I am a Christchurch resident and ratepayer and I have been running, walking or biking through Hagley Park for well over twenty years. My running club used to have runs and races in the park, I ride my bike through the park regularly when going to destinations in town and I am a member of a walking group that walks in Hagley Park and very near Hagley Oval every week. Our group's children all played sport in Hagley Park through the School Sports programme and they, like us have a very positive, longstanding relationship with the park and what it offers to us all in Christchurch.

Our group actually used to walk right through what is now the Oval until it was developed, as that route allowed us to complete an interesting and scenic variation to walking around the outside of the park or in a figure eight. Supposedly the Oval does not exclude the public except on match days, but bit by bit cricket have 'claimed the territory around the Oval' and several people I know now feel shut out of that part of South Hagley, which considering it is a park for all of us, is regrettable.

This section from the Environment Court's Decision No. [2013] NZEnvC 184 partly sums it up.

[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."

We speak with other walkers, the park and gardens workers and tourists and the common opinion expressed is what an amazing open space, treed resource Hagley Park is for our well-being. Despite the number of sports played there and the fact that big community events come and go, it always returns to be a therapeutic place, free and open to all, that does not feel commercialised.

I have watched the developments at Hagley Oval and I can appreciate that the Environment Court has tried to keep it quite like a village green, as it was described to be in the Central City Recovery Plan. However I am very unhappy at what Canterbury Cricket Trust are proposing through Regenerate Christchurch in this Section 71 Proposal. I have read the proposal and I strongly disagree with all of the following:

- The doubling of the number of major fixtures on any day of the week until 11pm and sometimes until midnight, when previously fenced events were on the weekends mainly.

- Temporary paraphernalia like rows of toilets, food stalls, rubbish dumpsters etc. which are now visible to other users of the park when fixtures are happening and they would be there for twice as long each summer
- That these facilities would be present for 60 -75 days (over two months) each summer which is nearly twice as long as what the Environment Court permitted.
- The fact that Canterbury Cricket Trust (CCT) and NZ Cricket are seeking to have commercial advertising over the temporary tents, other temporary facilities and even on the pavilion.
- That the site where the (doubled) number of fixtures would take place has been extended further out into South Hagley Park so extending the area that 'pay-to-watch' cricket has effectively 'claimed.'
- That instead of four lighting towers that would retract from their high position during fixtures back to a level just above the tree line of the trees surrounding the Oval, and with the headframes that were removed at the end of the season (as the Court approved) the proposed six permanent lighting towers that would tower 20 meters above the trees and with the headframes permanently present. They would be highly visible to other users of the park even in summer when the trees are in leaf, would be highly visible from inside the hospital, from all over the city and the Port Hills. And they would be on until midnight on 20-25 occasions over summer and would be an absolute eye-sore in winter.
- I also notice that CCT want to use the lights for games other than the normal major fixtures and for practice sessions

If granted, the permitted activities in this s 71 Proposal will I believe, create an assault on the visual amenity and open space values of Hagley Park. For all Hagley Park's users, (other than people who go to major fixtures and want this), for citizens who daily see the soaring lights, or when passing see the advertising, fencing and hard-infrastructure temporary facilities *still there*, then the feeling will be that Hagley Park has moved to become a "commercial zone" and not a place of respite from every day demands (or earthquakes) and no longer prioritised as a place for the enrichment of everyone's well-being.

Having briefly read the Greater Christchurch Regeneration Act, despite what is argued by CCT/Regenerate in the proposal, I do not believe that approving this s71 proposal is what is meant by 'regeneration' in the Act. These changes would only positively benefit the small percentage of our community that are elite professional cricketers, pay-to-watch cricket fans and fans in India and England apparently through big business broadcasting deals.

I am also aware that when the GCR Act was brought through Parliament in 2016 that Parliament voted unanimously to protect Hagley Park and its management plan, (HPMP). There are objectives and policies in the HPMP that will have to be ignored for this to happen. I don't believe that is what Parliament wanted.

Cricket have had 'their bite of the cherry' when they used the CER Act to get the Oval 'enhanced' in the first place. To do it again, through a new and different government would be a tragedy.

Please DO NOT approve this proposal. There are millions of visits to Hagley Park every year by people for purposes other than cricket. Too many people in Christchurch and their children's children have too much to lose.

Thank you.

From: s9(2)(a)
Sent: Monday, 2 December 2019 1:58 AM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Section 71 Proposal: Hagley Oval Submission

Dear Minister,

I write in regard to the Section 71 Proposal: Greater Christchurch Regeneration Act 2016 in regard to Hagley Oval.

I strongly **OPPOSE** the Section 71 proposal to install six permanent floodlighting poles and structures around Hagley Oval.

Such structures are totally inappropriate for the area. In addition NZ Cricket already have permission for 4 retractable lights under their existing 2013 RMA resource consent. This is sufficient for 99.9% of their needs.

The RMA is the correct vehicle through which the proposal should be dealt with.

The women's world cup hosting is a red herring.

I've seen other examples of using one Act to circumvent and defeat the purpose of another.

This proposal is change by stealth. It is the sort of thing one would expect from criminals.

Kind regards,

s9(2)(a)

Comments on the Hagley Oval section 71 Greater Christchurch Regeneration Act proposal

Comments by s9(2)(a)

Do you agree with the Proposal? No

Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 (GCRA) to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval? No it is unnecessary, doesn't allow proper scrutiny of either the benefits or the adverse effects of the proposal, and doesn't allow public participation in the decision making process. While the proposal is predicated on the economic benefits of the development, these benefits are speculative. As the CCT acknowledge the approvals will only allow them to bid for these extra games once they have raised the money for the lightening towers. There is no guarantee that these games will come to Christchurch.

Why do you disagree and do you have any other comments? I don't believe this process is the appropriate way to assess this amendment to the existing resource consents for the use of Hagley Oval. As the Labour party minority view on the Greater Christchurch Regeneration bill stated: *We are strongly of the view that the more progress will be made in regenerating Christchurch by transitioning more power back to locals who have expressed an overwhelming desire to have more control of their future.*

That was true in February 2016 and is even more so in December 2019.

- The RMA resource consent process was used in 2013 to obtain the original consents and it was varied in 2016. Further in 2014/2015 there was a district plan process that could also have been used to amend conditions. The only reason not to use the RMA process in 2019 is to save the CCT time and costs. That is not a valid reason for the use of the GCRA.
- The s71 GCRA process does not provide the Minister with adequate information to scrutinise the proposal. The resource consent conditions that the proposal seeks to change were established through an extensive resource consent process. The Environment Court were able to hear and assess evidence from 4 landscape witnesses, 4 traffic experts and 2 witnesses with expertise. In contrast the s71 GCRA process only provides the Minister with a single 6 page explanation of the lighting proposal. That is not adequate to establish the effect of the proposed lighting on the environment including the hospital especially for the late playing hours being proposed.
- Cumulatively the proposal envisages a substantial increase in times the public is excluded from the Oval - from increase in:
 - match days -13 to 20 pa + 2 major events every 3 years to 15 in 3 years (5pa);
 - temporary structures - 14 to 15 days consecutively;
 - 40 event days - 60 - 75 event days pa;
 - set up days from 4 to 5;
 - 4 retractable poles to 6 non retractable poles + light frames.

There is no assessment of the cumulative loss of public access over the summer period to the recreation reserve the Oval is located in. The proposal effectively creates a major sports facility in Hagley Park with no local input or decision making.

- Traffic impacts of the removal of the Polo ground parking. The extra parking was so crucial to the Environment Court decision in mitigating adverse effects of parking that games were not to

be played if the grounds were unavailable. The parking issues outside the hospital have not improved in the 5 years since the Environment Court decision. The nighttime games will affect parking for visitors and staff at the hospital.

- The proposal assumes economic benefits notwithstanding that the earlier claims made during the consent process did not eventuate. There is no guarantee the games will be awarded to Christchurch. As the CCT acknowledges it only enables Christchurch to compete with other centres for the games. Those bids which were successful required further subsidies. Benefits should therefore be assessed net of subsidies.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

RECEIVED

25 OCT 2018

Hon. Poto Williams

Ass. Minister of Art. Chch. Regeneration

Dear Ms Williams

I am writing to comment on the proposed changes to the Regeneration Act with regards to Hagley Oval.

Using Hagley Park for enhanced/extended cricket was barely acceptable after the earthquake, but any extension to the plan using the Regeneration Act is not acceptable now. I suspect that in 2011 many thought the use of Hagley Park for international cricket was an interim measure, until "Lancaster Park" could be rebuilt.

We need to keep Hagley Park's "village atmosphere" & perhaps develop Lincoln/The Willows for international fixtures & all that that requires. Presumably light & noise pollution & inadequate parking would not be an issue here. Overseas TV viewers have an enhanced view of Christchurch during day matches but this is lost at night.

Using permanent lights would visually impair Hagley Park & I note extra land would be needed for these fixtures as well. I also note that the CCC notification in The Press on Oct. 16 didn't mention the increase in days & crowd size, or how the temporary stands to accommodate this would be handled. These stands would impact visually if left for any length of time & could damage the grassed areas also.

Despite assurances that light & noise pollution would be within their Plans I suspect they could still have an adverse affect on the hospital. As for parking, for the hospital/cricket/Metro Sports facility, there is none.

I abhor this incremental creep on our natural & cultural heritage & it needs to be stopped now. Please!

Yours sincerely

s9(2)(a)

Copy to
...-(a)

ccc

s9(2)(a)

-----Original Message-----

From: s9(2)(a)

Sent: Saturday, 30 November 2019 8:29 PM

To: Poto Williams <poto.williams@parliament.govt.nz>

Subject: Hagley oval, Christchurch

We wish to totally oppose the lights and extended playing days at the above venue. The clash with the hospital will be disastrous with staff, patients and family visiting increasing hugely when the new hospital opens. Parking is impossible now with the council blocking off yet another street. It is sickening the cricket old boys network can block off so many parks on Riccarton Avenue, a public road, when they have so many parallel with Riccarton Avenue and in towards the Horticultural hall. There is already an ugly white piece of equipment visible from the Avenue. This is totally in the wrong place. The hospital has been in the same position since the 1800s. The oval just since the earthquakes. Again they should never have been given the approval to put it there. What was there before did not upset people. It's a whole new story now.

This is a public park belonging to the people of Christchurch, not the few cricket hierarchy who seem to think they can do what they want.

Please DO NOT GIVE APPROVAL FOR THE EXTENSION AND LIGHTS THEY SO DESIRE.

There are so many more places this same concept could be built/transferred. Believe me so many of my colleagues are threatening to leave the hospital, including myself, if this does go ahead. There is a large staff shortage already

Yours faithfully
s9(2)(a)

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

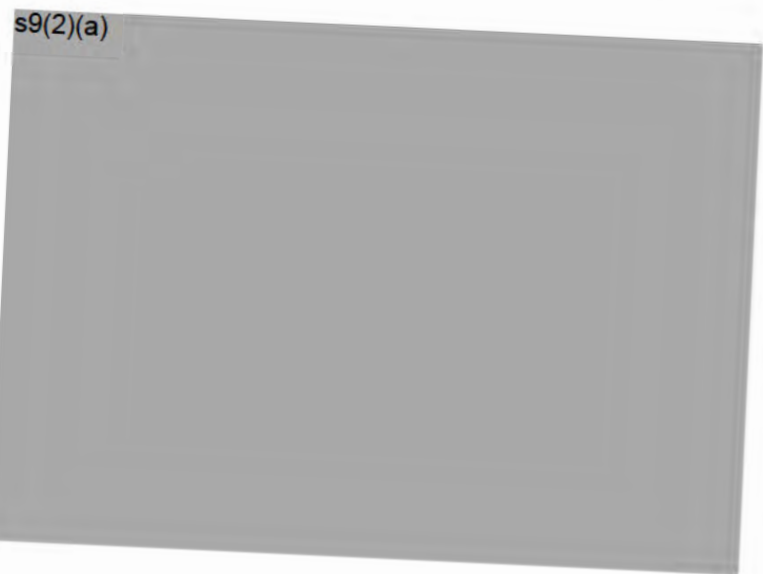
-----Original Message-----

From: s9(2)(a) [redacted]
Sent: Monday, 14 October 2019 8:08 PM
To: Poto Williams MP <Poto.Williams.MP@parliament.govt.nz>
Subject: Lights at Hagley Oval please

It is such a fantastic idea and Hagley Oval is the perfect place for cricket events in Christchurch. It has always been a cricket venue and if lights were installed it would be a huge asset and encourage more international games and more revenue for Christchurch It is an absolute no brainer and would be be a huge asset for Christchurch.

--
s9(2)(a) [redacted]

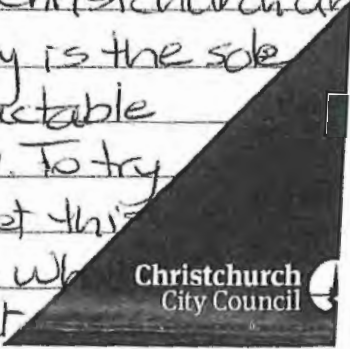
This submission
superceeds previous se
one made on-line



veyoursay

at Hagley Oval?

spects of this proposal. This is
 not to deviate from the Resou
 rces. They were for four retractable lights, and replace the
 with six permanent lights of a huge height of 48.9 meters.
 Initially I was shocked that they were allowed to boot out the clu
 cricketers who had had their clubs in Hagley for many many yec
 But that is nothing compared to this latest outrage.
 I firmly believe that these lights are to pander to big oversea
 cricket interests and live streaming rights, which is totally
 against the village green vision. This is about money, nothing
 more. Hagley Park belongs to the people of Christchurch,
 and I, and my friends do not want to see lights towering
 well above the tree canopy. I've seen a mock-up of the
 lights in relation to the tree tops, and it's just wrong. The
 unseemly haste to get this new proposal accepted is all abo
 the Womens' World Cup being able to come to Christchurch an
 broadcast to the world. Hence the lights. Money is the sole
 driver here. Permission exists for four retractable
 lights, but apparently that's not suitable now. To try
 and use the excuse of earthquake powers to get this
 through is, quite frankly, disgraceful, and not what
 they were designed for. were well past that
 need now.



HAVE YOUR SAY

Hagley Oval lights lease

Open until Monday 18 November 2019

Christchurch
City Council 

Save time and do it online ccc.govt.nz/haveyoursay

Do you support the application for a new lease at Hagley Oval?

Yes No

Do you have any comments? - Plenty!

I am totally against all aspects of this proposal. This is the proposal for Canterbury Cricket to deviate from the Resource Consent they have for four retractable lights, and replace them with six permanent lights of a huge height of 48.9 meters. Initially I was shocked that they were allowed to boot out the club cricketers who had had their clubs in Hagley for many many years. But that is nothing compared to this latest outrage. I firmly believe that these lights are to pander to big overseas cricket interests, and live streaming rights, which is totally against the village green vision. This is about money, nothing more. Hagley Park belongs to the people of Christchurch, and I and my friends do not want to see lights towering well above the tree canopy. I've seen a mock-up of the lights in relation to the tree tops, and it's just wrong. The unseemly haste to get this new proposal accepted is all about the Asians' World Cup being able to come to Christchurch and broadcast to the world. Hence the lights. Money is the sole driver here. Permission exists for four retractable lights, but apparently that's not suitable now. To try and use the excuse of earthquake powers to get this through is, quite frankly, disgraceful, and not what they were designed for. We're well past that need now.

Christchurch
City Council 

I've noticed a big campaign on Instagram (paid for) telling readers how wonderful for Christchurch this is. I hope people can read between the lines and realise what is behind this proposal. Put simply, it is using Hagley Park, owned by Cantabrians, to make monetary gain, not for locals, but for the very big business that is New Cnty/NZ Cricket, screening rights, and all the others who plan to make money using Hagley Park.

I hope that the ordinary citizen is me, and others like me, will have our voices heard. At the moment, it feels like a David/Goliath situation.

I do feel deeply about this subject - I don't want to see our beautiful Hagley Park encroached on more.

I do enjoy cricket and I have attended matches at Hagley Oval. I love the atmosphere - the view of the Port Hills and the stunning trees. What I don't want to see is six 48+ meter light stands permanently leering above the tree canopy.

Fold

Staple or tape here

Fold

Please note:

We require your contact details as part of your submission - it also means we can keep you updated throughout the project.

Your submission, name and address are given to the Hearings Panel to help them make their decision.

Submissions, **with names only**, go online when the decision meeting agenda is available on our website.

If requested, submissions, names and contact details are made available to the public, as required by the Local Government Official Information and Meetings Act 1987.

If there are good reasons why your details and/or submission should be kept confidential, please contact our Engagement Manager on (03) 941 8999 or 0800 800 169 (Banks Peninsula).

If including extra paper, please make sure the folded posted item is no more than 6mm thick. Or send your submission in an envelope of any size to 'Freepost Authority No. 178'.

Fold

Fold

**FREEPOST Authority
No. 178**



Attention: Tessa Zant
Senior Engagement Advisor
Christchurch City Council
PO Box 73016
Christchurch Mail Centre
Christchurch 8154

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [REDACTED]
Sent: Monday, 18 November 2019 7:41 PM
To: Simone s9(2)(a) [DPMC] s9(2)(a) [REDACTED]
Cc: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Re: Hagley Oval section 71 Proposal - further information available

Hello Simon,

I am happy to support the Flud lights plan.

It's very important to keep close sports to our community.

Any questions regarding the lights please feel free to contact me.

Sincere regards

s9(2)(a) [REDACTED]

On 15/11/2019, at 3:16 PM, Simone s9(2)(a) [DPMC] s9(2)(a) [REDACTED] wrote:

[UNCLASSIFIED]

Good afternoon,

I am writing to you as you have made a written comment on the Hagley Oval section 71 Proposal.

I would like to advise you that it was recently identified that supporting technical information referred to in the Proposal was not publicly available.

That information is now available on Regenerate Christchurch's website and will be available for viewing at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils from Monday.

Consequently, the written comment period has been extended to 5pm, Monday 2 December 2019.

In light of this information, if you would like to amend or update your existing written comment you can do so by email to: info.gcg@dpmc.govt.nz or by freepost to:

Freepost Authority GCG
Section 71 Proposal: Hagley Oval
Freepost GCG
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

Any amendments or updates must also be received by 5pm, Monday 2 December 2019.

I'm sorry for any inconvenience this may cause you and thank you for taking the time to make a written comment.

Kind regards,

Shane Collins

Acting Executive Director
Greater Christchurch Group
Department of the Prime Minister and Cabinet
s9(2)(a)

<image001.png>

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Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Friday, 29 November 2019 1:54 PM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: Changes to the Christchurch District Plan relating to Hagley Oval

Re Proposal to use Section 71 of the Greater Christchurch Regeneration Act 2016 to make changes to the Christchurch District Plan relating to Hagley Oval.

As a ratepayer, resident of Christchurch and avid follower of cricket I am opposed to the proposed change to Hagley Park to erect six permanent light poles and structures.

The space as it exists now – Village Green and Community Park – will change with the proposed installation of these lighting towers. These will detract from the Village Green atmosphere which so many people love. One of the pleasures of attending a cricket match at the Oval is being able to cast your eyes around and see only trees and sky – no visual pollution.

This proposal is the very reason many citizens of Christchurch were opposed to creating this cricket oval in Hagley Park in the first place. Lighting towers now – fences – larger grandstands – in the future – **this is not what we want for this space.** We only have to look at Jade Stadium and the additional grandstands supposedly needed for the Rugby World Cup to look at this proposal with considerable caution.

Also if these changes were to unfortunately receive approval why do we need six lighting towers. I note Hamilton have just installed four new lighting towers with LED lights. Why would six be needed at the Hagley Oval.

I would not be opposed to increasing the number of permitted match days.

s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [REDACTED]
Sent: Monday, 21 October 2019 4:55 PM
To: Poto Williams MP <Poto.Williams.MP@parliament.govt.nz>
Subject: re Hagley Oval Lights Lease, my opposition.

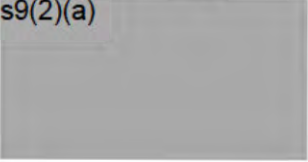
Dear Poto, Although I have made a submission, I would also like to let you know, in your capacity of minister of regeneration in Christchurch, that I find the request by cricketers to place new lights at Hagley Oval entirely objectionable. I hardly ever do submissions, but feel very strongly about this one. As a resident of Hillsborough, on the edge of the Port hills, I walk up the hill s9(2)(a) [REDACTED] each evening, to wind down from teaching, to exercise, and to refresh by looking at the sky, the sunsets, and the movements of moon and stars, ie to connect with nature and what is around us. I am finding my experience increasingly spoiled by the steady creep of more sports lights some evenings, namely from Hansens Park, and Pionner Stadium. One simply cannot see anything then except their unpleasant glare. I have heard the proposed lights at Hagley Oval will be visible from the Port Hills. Enough of the visual pollution and the encroachment onto the peaceful enjoyment of our natural surroundings! Thousands of people having to suffer their evenings ruined for the narrow interests of a few. The disruption to natural growth rhythms of plant and birdlife by unnecessary night lighting must also be mentioned. Not to mention the presumption of the cricketers that special laws drawn up for an emergency

can be bent for the interests of a very few. I am not against the pursuit of gainful business, but this constitutes a gross intrusion into our environment and peaceful enjoyment of our lives.

I vote Labour and Green each time and thank the Labour Party for good governance, passing laws far more thoughtful and fair, and with regard to the future, rather than with the short term thinking favoured by the National Party of nil vision. I respectfully beg you to continue to make decisions based on the principles of human liveability for all - organic, and life-sustaining.

Yours faithfully,

s9(2)(a)



Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Monday, 11 November 2019 12:27 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: HagleyOval

To whom it may concern,

I would like to register my opposition to the plans to install six permanent lightpoles.
I have played cricket in Christchurch since 1970. I still play as a member of the Sydenham Cricket Club.
The proposal has nothing to do with promoting the game of cricket, the line which has been trotted out by Richard Hadlee...
I can't be bothered writing any more - the decision has already been made for reasons exclusively to do with business, making money and thwarting the process of democracy. In Christchurch the creation of Environment Canterbury taught us not to expect democracy to flourish here.

Regards,

s9(2)(a)

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

Hagley Oval – Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

Where can you see the Proposal and find additional written comment forms?

The Proposal can be viewed and written comments can be made online at the Department of the Prime Minister and Cabinet's website:
www.dPMC.govt.nz/hagley-oval

Also, the Proposal can be viewed, and written comment forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Written comments must be received no later than 5pm, Wednesday, 20 November 2019.

Please secure the edges of this form before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "Freepost GCG" address on the other side of this form.

Do you agree with the Proposal?

Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

Yes No

Why do you agree/disagree and do you have any other comments (optional)?

Permitting ugly light towers will further commercialize Hagley Park playing fields, not what our forefathers had visioned. The sports fields were intended for unrestricted viewing & playing of all our citizens. Permitting towers could necessitate need for perm. fencing, more seating (stands) and escalate an already chronic parking shortage ^{due to} its close proximity to Ch.Ch Hospital.

Please fold with the Freepost address portion on the outside, seal and return by 5pm, Wednesday, 20 November 2019.

s9(2)(a)



-----Original Message-----

From: s9(2)(a)
Sent: Monday, 2 December 2019 5:01 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley oval

We are strongly opposed to the oval and any extension thereof (lights, extended number of permitted match days or anything else).

Parking around the hospital for staff and patients alike is already extremely difficult.

s9(2)(a) Knowing that parking is difficult and not wanting to miss this long awaited appointment (if an appointment is missed there are another couple of months waiting for a new one) we left giving our selves 1 1/2 hours to get to the appointment. We did not realize that there was a cricket match on and parking was very much at a premium. We were "lucky". After driving around for a while trying to find a park someone pulled out and we got in the main botanic gardens car park and we got in, but rougher late. We walked very fast to the hospital s9(2)(a) A number of other people were late, several of them with grandparents (some with mobility problems) with their grand child. The problem was exacerbated by the fact that obviously the park and shuttle meant for hospital visitors were used by visitors to the match.

It would also help if the CCC was a lot stricter on parking times and issued much higher fines for staying too long. The Horticultural and botanic gardens car parks seem to be hardly ever if ever checked. The 3 hour limit does not affect hospital visitors. Three hours is usually enough, but if you for whatever reason have to stay longer the Hospital staff is happy to write you a note for the CCC and they usually waive your fine. Visitors to the cricket matches, however, stay longer than the 3 hours. If they get a parking ticket, the miserable fine of \$10 or \$15 does not worry them. It would be different if the fine was say \$20 for the first half hour overstay and \$10 for every quarter hour after that. Of course the CCC would have to make sure the fines are paid. Then hopefully the message might get through.

Last but not least please don't listen to the admissions from the North Island as they do not live in our town and do not have to put up with the issues caused.

s9(2)(a)

3 November 2019

Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
Christchurch 8140

info.gcg@dpmc.govt.nz

Kia ora koutou,

Submission on Section 71 Proposal: Hagley Oval

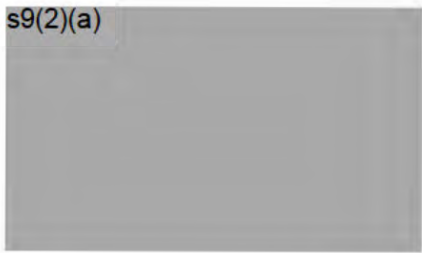
1. The proposed use of Section 71 (Earthquake emergency regulations) to allow the Canterbury Cricket Trust to erect lights for day/night cricket matches in Hagley Park is selfish, undemocratic and unacceptable.
2. Behind this proposal is the cricket trust's attempt to overturn a 2013 decision of the Environment Court under which approval was granted for the erection of lighting towers, subject to conditions which would help protect the integrity of the Park from commercialisation and privatisation.
3. The trust has had many years to erect lighting towers in accordance with the conditions of the Environment Court but has not done so, apparently because they do not like the conditions imposed by the court.
4. However, it now wants to 'panic' the government and city council into supporting the use of emergency earthquake regulations to bypass the conditions which would protect Hagley Park from the creeping predation of professional sport and its commercial imperatives.
5. For example the Environment Court insisted any advertising hoardings had to be confined to inside the cricket oval but the Trust wants to be able to put them up everywhere – on the stadium, fences, pavilion, TV broadcast scaffolding, sight screens etc.
6. The Environment Court also insisted the four lighting towers be controlled and removeable, but the trust wants six permanent light towers at 49m (sic) above the ground – visible across the entire city.
7. To use emergency earthquake legislation to railroad through this attack on the Hagley Park commons is cynical, political manoeuvring. It's the political equivalent of pulling the emergency cord on a train to buy a meat pie.
8. We urge the government to abandon this proposed use of emergency regulations for Hagley Park.

Na,

s9(2)(a)

Submission on application to amend the Christchurch District Plan with regard to Hagley Oval under Section 71 of the Christchurch Regeneration Act 2016

s9(2)(a)



I do not support and strongly object to the application to change the District Plan rules regarding the use of Hagley Oval as proposed under Section 71 of the Greater Christchurch Regeneration Act. Using this Act to radically alter an historic area of Hagley Park, and not to require a notified consent for such a major variation, is undemocratic, unfair and potentially illegal. It unjustifiably excludes Christchurch citizens from being able to present their feelings and evidence regarding this radical proposal under the usual public notification process.

The process for approval is flawed as the public have not been given enough time to comment. The proposal has been dumped on the public with just one month to prepare any expert evidence both on this application and the proposed new lease.

It is also unacceptable that, as reported in the Christchurch Star (Nov 7), the Canterbury Cricket Trust is using its national body NZ Cricket to lobby through its national e.newsletter to support the CCT's request to allow the construction of six huge permanent lights nearly 50m in height. Aucklanders have no direct interest in the ambience, integrity and future of Hagley Park and comments from beyond greater Christchurch should be put aside as irrelevant and outside the scope of the Regeneration Act.

This proposal directly contradicts the consent granted by the Environment Court in 2013. It is yet another example of the incremental undermining of the essential character of Hagley Oval and Hagley Park by the Canterbury Cricket Trust in the interests of commercial sport. It undermines some of the 85 consent conditions, only six years after they were defined by the Court. This is all about money and leverage for the Canterbury Cricket Trust, and is another step in its strategic plan to change the non-commercial nature of Hagley Oval into a large outdoor stadium space, thus affecting the historic character of Hagley Park as a recreation reserve.

The six intrusive 50 metre lighting towers should **not be approved** on these grounds alone. The CCT already has consent for adequate retractable lights and no further extension of this should

be permitted. Hagley Park is not the Sydney Cricket Ground, nor should it be. It is an area set up 150 years ago for low key recreation, relaxation and club sport, not big business and commercial sport.

The current consent provides for lights which would be adequate for most matches if fitted with larger heads. Why cannot these retractable lights be fitted with stronger LED heads and used as in other locations such as Hamilton's Seddon Park? The proposed lights are massive, standing 10m above the tallest trees (!) with huge banks of lights 8m high with 10 times the number of bulbs of other lights in the Park. This is a massive intrusion into the ambience of Hagley Park and completely unacceptable.

If approved this decision will act as a further precedent for more developments at Hagley Oval and possibly a larger stadium. Cricket at this level is more of a business and commercial sport. Those managing it are highly paid and interested in exploiting every commercial advantage for personal gain. It is not about low key matches on 'the village green'. This proposal is driven by the commercialism of the International Cricket Council and their agents in New Zealand at the expense of the low key character of Hagley Park and Christchurch ratepayers.

The strategic direction advocated by the CCT, including the significant 30% increase in match fixtures, and the huge total number of event days (75) and the massive permanent height of these six lights will alter Hagley Park's ambience and make any claims of the Oval having a 'village green' atmosphere a joke.

I understand that Hagley Park was established through special enabling legislation by the Provincial Government in 1855 to provide for recreation and low key sport. To what extent does this reinvented commercial proposal contradict that founding legal document? I find it hard to believe that this multi-million dollar deal conforms to the spirit and the letter embodied in the original Hagley legislation. On this factor alone this proposal should not be allowed.

I object to this proposal to amend the District Plan without adequate public consultation. The next step will be for CCT to externalize its costs to Christchurch ratepayers to subsidise the cricket business and the incremental destruction of Hagley Park.

I am also concerned at the impacts on Christchurch Hospital and the potential damage/cost to Hagley Park and ratepayers from the parking thousands of vehicles on match days. There will be significant extra traffic on match/event days negatively affecting access for ambulances to the Emergency Department, the impact of noise on patients from all events, the impact of very high and powerful lights on Christchurch Women's Hospital and mothers and newborns, and lighting impacts on the new \$650m acute hospital block housing critically ill post-surgical patients. What environmental analysis has been done on these issues? Anything, or do we just ignore these significant health issues?

This is an opportunistic proposal to ram through major changes to recent Environment Court rulings on Hagley Oval using emergency legislation enacted for earthquake reconstruction. It should not be approved.

Thank you for the opportunity to comment.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Saturday, 19 October 2019 10:09 AM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Lights

The Hagley cricket Oval is world class, apart from the lighting. In order to maximise this opportunity for all cricket lovers, and ultimately for the benefit of Canterbury, then the new lights need to be installed, otherwise the opportunity is lost. Christchurch needs to continue to move forward and this initiative must not be squandered. I endorse the proposal to develop the new lighting .

s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

G00V / ISAD / CLGHY

Hagley Oval - Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

Where can you see the Proposal and find additional written comment forms?

The Proposal can be viewed and written comments can be made online at the Department of the Prime Minister and Cabinet's website: www.dPMC.govt.nz/hagley-oval

Also, the Proposal can be viewed, and written comment forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Written comments must be received no later than 5pm, Wednesday, 20 November 2019.

Please secure the edges of this form before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "FreePost GCG" address on the other side of this form.

I do not want to be a "KILL JOY" but this whole thing is becoming a very commercial enterprise in a public domain set aside by our ancestors years ago. Without their foresight it would not have been there.

Do you agree with the Proposal? Yes No
Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

O.K. CRICKET on the Village green is great but this will grow like top see. 12,000 seats for International matches alone it will not stop here!!

These light standards will downgrade the view across the Park and will be far too close to the Helipad at the Hospital. THIS PROPOSER IS GETTING TOO BIG next they will want a 3 storied parking Building & tiered seating in Permanent stands.

Please fold with the FreePost address portion on the outside, seal and return by 5pm, Wednesday, 20 November 2019.

It is hard enough to have the cells towers this will add to the ugly outcome.

s9(2)(a)



Who wants to view have pillions potting above

From: s9(2)(a)
Sent: Tuesday, 26 November 2019 3:22 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Cricket lease of Hagley Oval

We totally oppose the new lease of Hagley Oval.

The backdoors procedure by Canterbury Cricket was obvious in 2013. Most of us were still fighting our own personal battles following the earthquakes while they snuck that one through. We all thought at the time 'give them an inch and it won't be long before they take a yard' and here we are.

What happened to that 2013 consent? What about the smaller, temporary lighting that could be removed out of season, to keep the village green feel? Oh how the CCT must be laughing. They no doubt think of the Council, Environment Court and Regenerate Christchurch as pushovers.

This is *professional* sport and it has no business taking over any part of Hagley Park.

It is an improper use of the special powers of Regenerate Christchurch. CCT think they can bypass an ordinary planning application. It's an insult - especially to the ordinary public.

We can't believe that the whole cricket oval fiasco is part of the Christchurch City Council Management Plan for Hagley Park, a plan that seems to be a secret.

The CCT need to be reminded that they are simply leaseholders in a public park.

There will be huge implications for all Christchurch citizens, and *they deserve better*. Why should the general public have to put up with those monstrous, towering lights. The artist's sketch showing the proposed lights is taken from a drone point of view – very pretty – and totally unrealistic. It almost makes them blend in with the scenery. How about a realistic view of what they'll look like from the ground? Most people have no idea how high they'll be, and how overpowering – visible for miles.

Has any thought been given to visitors or staff at Christchurch Hospital? It's impossible to find a park anywhere near the Hospital now. The increase in traffic around that whole area will be huge.

What about the runners, walkers, families who just want to enjoy the park, as was originally intended.

Has it been forgotten that this is a place of national heritage – gifted to ALL the people of Christchurch. You are supposed to be looking after it for us.

Please don't destroy the jewel in the heart of Christchurch that 5 million people visit every year.

Sports groups are gradually being allowed to take over the park by stealth. People will one day look back and ask 'what was wrong with the council - why on earth did they let that happen?' But of course it will be too late.


There have been numerous other possible cricket sites around Christchurch pointed out. But no, why should the CCT look elsewhere, when they can get Hagley Park.

They're laughing at the Environment Court. Why bother with resource consents and local planning.

If there's enough money involved the 'big boys' will always get what they want. So you'd better start grovelling and knee bending to get that district plan amended. Us 'mere mortals' don't stand a chance in opposing the application. The outcome has probably already been decided.

It always comes down to power and money.

s9(2)(a)



Hagley Oval – Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

Where can you see the Proposal and find additional written comment forms?

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Written comments must be received no later than 5pm, Wednesday, 20 November 2019.

Please secure the edges of this form before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "FreePost GCG" address on the other side of this form.

Do you agree with the Proposal?

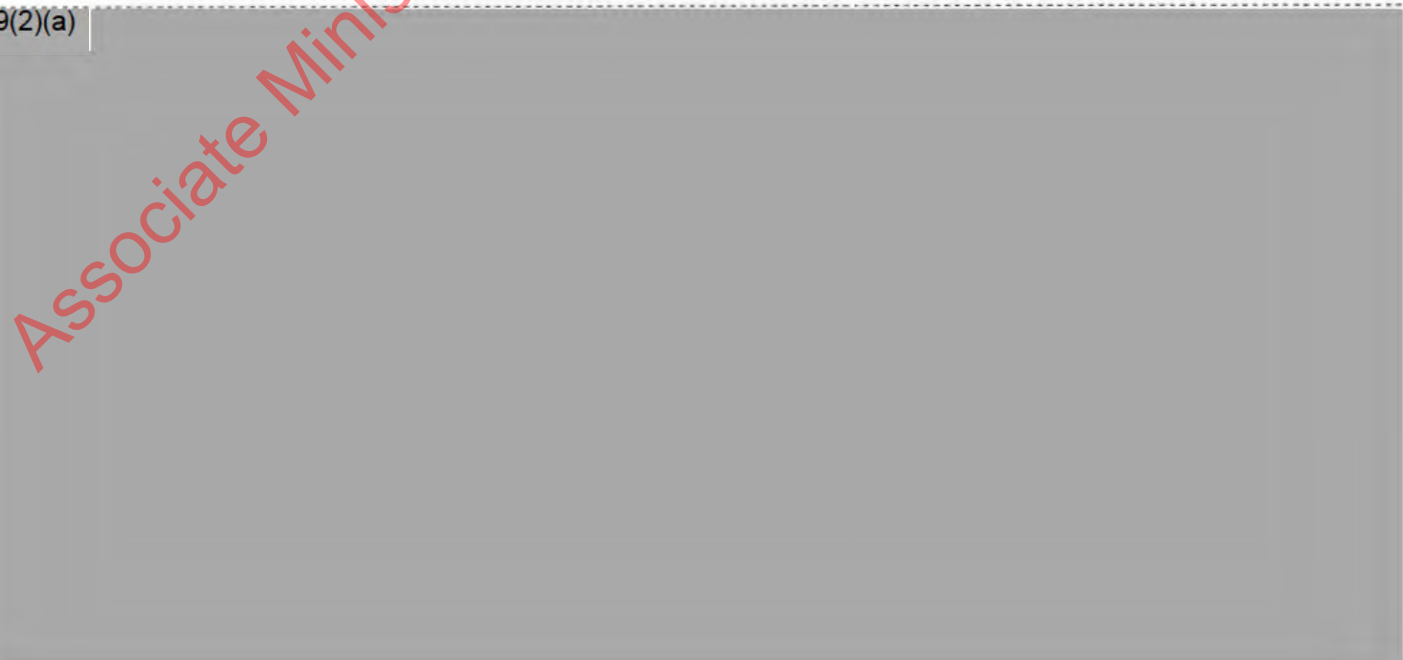
Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

Yes No

Why do you agree/disagree and do you have any other comments (optional)?

Please fold with the FreePost address portion on the outside, seal and return by 5pm, Wednesday, 20 November 2019.

s9(2)(a)



Hagley Oval – Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

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Do you agree with the Proposal?

Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

Yes No

Why do you agree/disagree and do you have any other comments (optional)?

I am a Christchurch-based cricket lover. As I see it, the different formats of the game are suited to different environments. Day/nighters work best in stadiums, as do the more populist forms of the game. Hagley Oval is arguably the most beautiful cricket ground in the world. Why would we want to recreate a "stadium environment" in this setting? Let's value Hagley Oval's point of difference as a "traditional" cricket ground.

Please fold with the FreePost address portion on the outside, seal and return by 5pm, Wednesday, 20 November 2019.

Especially since the city is about to invest in an extremely expensive stadium...
- purpose-built for crowds, cameras, sound systems, security etc

s9(2)(a)

From: s9(2)(a)

Sent: Monday, 2 December 2019 4:34 PM

To: Greater Christchurch Group [DPMC] <Greater.ChristchurchGroup@dpmc.govt.nz>

Subject: Re. Section 71 Proposal: HAGLEY OVAL

I do NOT support the proposal to exercise the power under section 71 of the Greater Christchurch Regeneration Act 2016 to amend the Christchurch District plan re. the installation of permanent lights at Hagley Oval, and to increase the number of games allowed to be played at that site.

The lights are 48.9 m tall - the height of a 16 story building, and will dominate the whole of South Hagley Park. They are much taller than the surrounding trees.

It is unconscionable that the Canterbury Cricket is trying to use section 71 to expand its COMMERCIAL BUSINESS, which the park was not built and designed to accommodate. More matches will mean more parking problems for Hospital staff and patients & their families. Access to the hospital is essential for everyone in Christchurch.

Cricket is trying to expand to the detriment of the people of Christchurch. It has already taken over the Horticultural building. Cricket has a great sense of entitlement. There are already laws to protect Hagley Park from such encroachment, but these have been ignored. The arrogance of the cricket people going nationwide to try and drum up support for their plans is just appalling. This is a question to be decided by the people of Christchurch, as we are the ones who have paid rates to the council for years to nurture Hagley Park for the benefit and use of EVERYONE in Christchurch. Please do not allow Canterbury cricket to use Section 71 of the Greater Christchurch Regeneration Act 2016 to ruin Hagley Park.

s9(2)(a)

From: s9(2)(a)
Sent: Monday, 2 December 2019 4:17 PM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: S71 GCR Act Comment - Hagley Oval

To whom it may concern,

Please find attached my: **COMMENT on the Proposal to exercise power under Section 71 of Greater Christchurch Regeneration Act (GCR Act) to amend the Christchurch District Plan - Hagley Oval**

Yours sincerely
s9(2)(a)

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

COMMENT on the Proposal to exercise power under Section 71 of Greater Christchurch Regeneration Act (GCR Act) to amend the Christchurch District Plan - Hagley Oval

30 November 2019

s9(2)(a)

To: Associate Minister, Greater Christchurch Regeneration
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
Christchurch 8140

I consider that use of s71 of the GCR Act for the purpose of amending the Christchurch District Plan (CDP) in relation to activities at Hagley Oval is inappropriate and I ask you to decline the proposal.

My COMMENT and its concerns have been broadly organised under two phases of the GCR Act s 71 process, with subheadings within each part. A third part relates to considerations beyond the proposal itself but that are directly relevant to it.

But first I feel it is necessary to take a Step Back.

Over seven years ago, on 27 July 2012 CERA released a Regulatory Impact Statement on Implementing the CCRP. (Treasury website). The RIS stated at 24: The key objective is for Christchurch Central to become an investible city that is self-sustaining in the medium-to-long term. This is one which is: a. fit for purpose, providing social, cultural, residential and commercial facilities that people wantand b. operates without the need for extraordinary Crown intervention.

PART A Concerns relating to: Regenerate Christchurch agreeing to proceed under GCR Act s 65 (1) to prepare a draft proposal under GCR Act s 71 as proponent on behalf of Canterbury Cricket Trust and then proceed under GCR Act s 66 (1) to seek the view of the Strategic Partners.

Regenerate Christchurch and whether Hagley Oval was an appropriate choice

1. Regenerate Christchurch (Regenerate) was established in April 2016 through the GCR Act to lead, support and coordinate regeneration activities across Christchurch. Its 2017 -2021 Formal Statement of Intent (available on Regenerate's website) publicly states the activities and intentions of Regenerate for the next four years and that Regenerate....will propose and

1.

develop Regeneration Plans and request the use of Ministerial powers to change planning instruments for the future use of the Christchurch Residential Red Zone and other regeneration areas across the city... (Page 4).

I consider that the above should be considered in conjunction with the following.

2. One of the main reasons given for this s71 Proposal is provided at 2.1 This Proposal sets out changes to the District Plan which are intended to enable the use and operation of Hagley Oval in a manner which fulfils the intentions of the Recovery Plan, supports regeneration of the Central City and greater Christchurch, and is consistent with the vision of the Hagley Park Management Plan, principles of the Mahaanui Iwi Management Plan, and the objectives and policies of the District Plan.

Yet there are elements of the proposed plan changes that are inconsistent with the HPMP e.g. the proposed permanent 48.9m lighting poles, the change seeking to leave facilities/structures at the Oval for extended periods etc. In addition, under the GCR Act, section 9, Effect of Plans on exercise of powers under Act, (1) Unless expressly required in this Act, when exercising a particular power under this Act, the person exercising it need not consider any Recovery Plan or Regeneration Plan relating to the matter.

3. Furthermore, in the GCR Act, 3 Purposes at (2) the meaning of regeneration includes - improving the environmental, economic, social, and cultural well-being, and the resilience, of communities through— urban renewal and development, and urban renewal's meaning includes the provision and enhancement of community facilities and *public open space*.

4. In relation to 1 – 3 above: I do not consider that Hagley Oval was ever formally identified or defined as, a "*regeneration area across the city.*" Rather it is part of a park, Hagley Park, a revered public open space park with protections under several acts including; the Resource Management Act (RMA), the Reserves Act and the Hagley Park Management Plan (HPMP), the Christchurch City (Reserves) Empowering Act, the District Plan; also under the GCR Act. One of the GCR Act purposes is improving well-being and resilience through public open space enhancement, not development at its cost as these plan changes will over time; and Regenerate should have been aware of GCR Act s 9 (1).

I consider therefore that for the reasons given above it was inappropriate for Regenerate to request the use of Ministerial powers for the sought changes in the CDP in relation to Hagley Oval.

Membership of the Greater Christchurch Partnership Group, (GCPG)

5. Regenerate is one of several organisations in the (GCPG), with CCC, other councils, local iwi, NZTA, CDHB and DPMC. Its website explains, crucially for points made in my COMMENT that a joint committee, the organisation's Committee (GCPC), has "representatives from each Partner's organisations to lead and coordinate our projects" and that "we've been successfully collaborating *at every level within our partner organisations, from Chief Executives and senior managers to staff technical working groups.*" (Italics added)

2.

6. The GCPC requested Sport Canterbury to lead and produce the, "Sport Canterbury and the Greater Christchurch Partnership's, "Canterbury Spaces and Places Plan: A Regional Approach to Sporting Facilities" December 2017. (Relevant sections are used)

The following were unanimously agreed resolutions of the GCPC: (Page 1).

2. Request that Councils and other Partners use the draft Plan as part of deliberations regarding Long Term Plans and other strategic and regeneration planning.

The Plan's Foreword details the drivers for a regional approach to facility planning (Page 2)

Desire of funders to invest wisely in identified priority projects to make the most impact.

The Canterbury Spaces and Places Plan ...is intended as a high-level assessment of current and future sporting facility needs. It will provide guidance to inform key decision makers in their own planning processes and provides a framework for a coordinated approach across territorial authorities... (Page 9).

The Plan identified a series of projects to undertake over the next ten years. The following high-level review looks at what stage each project has reached. (Page 14)

The International Cricket venue at Hagley Park is listed under Completed facility projects.

7. CCT claims in its Memorandum to Regenerate (CCT Memo) of 24 July 2019, its records indicate it was not consulted with regard to the Plan, "that CCA may have been consulted but CCA's CEO, Lee Germon left in early 2017, and his replacement, Jez Curwin, commenced in late 2017. CCT considers the Plan incorrectly listed Hagley Oval as 'completed.' "As no lights have been constructed yet, this is not entirely true..." (CCT Memo 48).

An appendix to the s71 Proposal is In NZ Cricket's Memorandum. The-International-Cricket-Opportunity-for-Christchurch-NZ-Cricket. It states, "Cricket is the only sport growing in New Zealand," and, "We are seeing growth in the 18-24 yr. old group." (NZ Memo Page 6)

8. However if this is true somewhere in NZ, it is not the case in Canterbury the NZ region to which the GCR Act applies. Canterbury data has to be relevant here.

The Canterbury Spaces and Places Plan reveals, At 4.0 – 4.4: For people 16+ overall cricket was ranked 20/20 with 24,400 participants – cf. 1st ranked walking 298,300 participants, 16th ranked netball with 28,300; Of the top 20 sports/activities that young people had taken part in at least once that year – Boys ranked cricket 12th and just below fishing, while it did not appear at all for girls. In Sports Code Feedback, it states, "Sport Canterbury has been tracking participation in a number of sporting codes since 2007. This allows Canterbury to assess trend information and plan accordingly. A few key facts from the most recently released Sport Canterbury Report Card are: Athletics, Bowls, Cricket, Golf, Squash, Surf Lifesaving and Tennis have seen membership decline since 2010." (At 7.0)

9. Regenerate's Formal Statement of Intent 2017- 2021, states; The identification of clear regeneration priorities will ensure that the efforts of Regenerate Christchurch and its regeneration partners are concentrated on the areas of greatest opportunity to advance regeneration. (Page 5) To support the achievement of its vision, Regenerate Christchurch will: Prioritise regeneration activities to ensure effort and resources are focused on those initiatives that will achieve the best regeneration outcomes for the whole city. (Page 7)

3.

Regenerate's objectives are set out in section 122(2) of the Act. Regenerate Christchurch will achieve the above objectives by: Enhancing the capacity, capability and resilience of the community...and "Regenerate's focus is on where it can contribute most and drive the greatest return to the economic, social, cultural and environmental wellbeing and resilience of Christchurch." (Page 8)

I consider, in relation to 7 to 9 above, that CCT's belated regrets are irrelevant, because (a) Completing the job of erecting consented lights at Hagley Oval is entirely up to CCT, they have the consent and (b) the data in the Spaces and Places Plan reveals that even if Hagley Oval is, "not entirely completed" the declining numbers of cricketer locally means it should not be a regional priority anymore. The Plan's objective was to pursue, "identified priority projects that will make the most impact," Regenerate Christchurch and its regeneration partners are, "concentrated on the areas of greatest opportunity to advance regeneration,," and "Prioritise regeneration activities to ensure effort and resources are focused on those initiatives that will achieve the best regeneration outcomes for the whole city." I consider that when CCT approached Regenerate in late 2018 Regenerate had data and its own Formal Statement of Intent to allow it to have wisely said, "No" to acting as a proponent for CCT.

Canterbury Cricket Trust (CCT) as an organisation to be a proponent for.

10. CCT is the funding arm trust for a very specific sport in Canterbury and data shows participant numbers are declining. In addition the public messages cricket and other organisations have made over the last five years in relation to the value of (or constraints at) Hagley Oval and the lighting to international broadcasting standards, has hugely varied.

11. The Proposal states, that, "key lessons have been learned" and, "Over the last five years since its upgrade in 2014, it has become apparent that the parameters governing the operation of Hagley Oval are not suitable to enable it to be fully utilised as a world class international cricket ground as envisaged in the Recovery Plan." (Proposal 1.8 and 3.1) However the following public comments by people closely involved with cricket tell a different story. They reveal it as being a highly valued, well-resourced and fit for purpose NZ ground for crucial international events.

CERA "The Blueprint Comes to Life" released by DPMC. *"In a world of concrete 80,000 seat stadiums Hagley Oval is in a league of its own, Grass embankments and white picket fences.....The new Hagley Oval also boasts all of the modern comforts of an international cricket stadium and was a standout venue during the 2015 ICC Cricket World Cup."* (Page 14).

22 October 2014. Lee Germon then CEO Canterbury Cricket.

"We call it a ground for all generations," says Germon. "The Hagley Oval balances nicely the heritage of the precinct, and all the modern, high-tech innovation that is needed for an international cricket venue... Receiving the official stamp of approval is an important milestone for a ground designed to serve the region for the next hundred years." (NZCricket news item)

10 June 2019. The T20 against England will be the first match of the tour, and the first T20 of the season. Surrounded by the mature beauty of Hagley Park, Hagley Oval is one of the best cricket grounds in NZ. Any sporting event at the venue is a major drawcard for both domestic and international visitation to Christchurch. (CCA news item on website)

22 October 2014. NZ Cricket. CEO David White. ICC officials had assessed the Oval's facilities and it had received its ICC warrant of fitness. David White welcomed the ICC accreditation, saying, "*Hagley Oval offers rare flexibility. It can operate in boutique mode when smaller attendances are expected, or can expand to cater for a crowd of about 20,000 when required..... We're delighted to have another quality international venue approved for Tests and One Day Internationals*". (NZC website news item)

10 June 2019. NZ Cricket CE David White said they were pleased to bring these high-profile matches to Christchurch. "*It's great to see Canterbury continuing its strong tradition of international cricket hosting,*" White said. "*Having England, India and Australia – plus India A – coming to town in the space of one summer is wonderful news for the region's cricket-lovers*". (CCA website news item)

ICC Cricket World Cup 2015 Head of New Zealand Therese Walsh

"The oval and pavilion are truly world class, and it will be a very special occasion when Hagley Oval is beamed around the world for the opening match on 14 February."

Christchurch City Council and NZC 31 Jul 2018

On this date NZC announced that Hagley Oval will host the Boxing Day test between the Blacks Caps and Sri Lanka, the test between the Black Caps and Bangladesh in mid-March 2019 and a one-day international between the Black Caps and Bangladesh on Saturday 16 February.

"Hagley Oval is one of the most scenic and best equipped cricket grounds in the country and is the ideal venue for the Boxing Day test," says NZC Chief Executive David White.

CCC Recreation Services Manager David Bailey says, "*New Zealand Cricket's decision to award Christchurch three Black Caps games this summer shows how well regarded Hagley Oval is as a venue. The fact Hagley Oval has been chosen as the venue for two tests and an ODI is recognition of the great experience it offers both players and spectators. It is a very special venue and we're thrilled New Zealand Cricket have recognised that.*" (CCC Newsline article)

10 June 2019. ChristchurchNZ Head of Major and Business Events, said she was "thrilled" on behalf of the city. "*England, India and Australia represent the biggest cricketing populations in the world, and to have them play at our Hagley Oval will be a real treat,*" Finnie said. "*The broadcast of these matches is an ideal opportunity to showcase Christchurch to these key markets, as well as provide an avenue for local businesses and government to advertise their products and services, driving indirect economic benefits.*" (ChCh NZ)

12. In relation to the lights. The s71 Proposal prepared by Regenerate states at 3.8; With high audience numbers, particularly in the U.K. and India, international cricket is increasingly being played under lights. The lack of lighting to ICC broadcast standards has unfortunately meant that whilst Christchurch has been successful in hosting some domestic and international matches, Christchurch has missed opportunities to host top-tier international games and will continue to do so unless lighting that meets ICC lighting guidance is implemented.

13. However, there is a counter argument. It is that ICC compliant and affordable lights were consented in 2013 but not prioritised by CCT, nor erected. This point of view is evident from comprehensive public statements and publicity releases by cricketing stakeholders, including recent statements.

Canterbury Cricket Trust. "*The lack of time and money leading up to MCWC 2015 meant lights were initially not a priority.*" (CCT Memo 81) Yet, July 1, 2013 the ICC's 2016-2023 global schedule was reported. As well as co-hosting the 2015 Men's World Cup, New Zealand would host the ICC U-19

men's World Cup in 2018, and the Women's World Cup in 2021. (Stuff website news item).

August 4, 2018, (NZ Herald), Jez Curwin, Canty. Cricket CE, acknowledged that there had been plans to install consented retractable lights *"but they were not the next order of business for the association..."*

24 April 2015. CCT chair Lee Robinson. He said they were pushing ahead to have floodlights installed at Hagley Oval by 2017 and would meet soon to start the next stage of their fund-raising campaign. *"We were given resource consent for the lights by the court to be up within five years and we intend using that....The lights were initially costed at between \$7m and \$8m but we believe the price is actually coming down as technology continues to improve."*

Robinson said his group will meet next month and said there was a number of interested parties and had avenues they intended to pursue. *"We have just been letting the success of the World Cup really sink in before getting out in the market again.* (Stuff website news item)

14. Interestingly the Proposal prepared by Regenerate is complementary of the Oval. *"The Oval in its current form was authorised by resource consent granted by the Environment Court in 2013 (the 2013 Resource Consent)....In 2014 construction of the embankment and pavilion was completed, and over the last five years domestic and international matches have been successfully hosted, contributing positively to regeneration of the Central City and the national and international perception of Christchurch as a whole."* (Proposal 1.7)

15. Abacus provided expert evidence to the Environment Court for the original resource consent in 2013. Decision [2013] NZEnvC 184.

[203] *"Expert evidence on lighting was provided on behalf of Canterbury Cricket by Mr J Anthony, Export Sales Director of UK firm Abacus Lighting...."*

At [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.."*

And at [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 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."*

16. Furthermore there have been other examples of CCT's inconsistency and shortcomings that I believe should have made Regenerate wary and to consider whether the issues CCT face are not related to earthquake regeneration, but rather to their own issues and the issues of their funding model and NZ cricket's position. I base this on the following:

The CCT Memo reveals the 'rushed' process whereby Canterbury Cricket (CCAI) compiled a resource consent application in order to bid for the 2015 ICC Men's Cricket World Cup.

* Canterbury Cricket thought the consenting process would be "complex, uncertain, protracted and contentious" so they applied and were granted for applied for the RMA application to be directly referred to the Environment Court for determination, rather than

CCC (Council) (CCT Memo 12)

* The urgency of the application meant, "there was limited time to consult and engage with stakeholders, including NZC, CCC's VBase and with broadcasters as to requirements needed for hosting of international matches." (CCT Memo 13)

* Assumptions had to be made on game types, numbers, spectators, and times based on cricket trends of the time." (CCT Memo 13)

* It was assumed that the lighting solution would be adequate, as the Lords Cricket Ground had recently pursued similar lighting and CCA did not have time to consider what had been used elsewhere and/or alternatives." (CCT Memo 13).

* Hagley Oval was "consented and constructed in a short space of time so as to host the MCWC 2015..." in early September 2013, (CCT Memo 16)

* However (I note, despite CCA offering most of the consent conditions to the Court in 2013 and the Court going out of its way to accommodate the MCWC and consenting accordingly) Cricket World Cup 2015 Limited (CWCL) realised that consent, "contained conditions that would hinder World Cup fixtures at Hagley Oval, as the temporary infrastructure pack in and out timeframes were unworkable etc." (CCT Memo 16)

* The most expedient means was for CWCL to make an application, putting "CWCL under extreme pressure, due to the very small window of time available before the MCWC 2015". (CCT Memo 21).

As mentioned earlier CCT says it wasn't consulted in 2017 on the "Canterbury Spaces and Places Plan. CCT acknowledges this was due to personnel changes, however I consider this exemplifies a further example of lack of action by, and coordination between, the local cricket organisations in Christchurch and therefore another self-created 'lost opportunity'.

17. Also of relevance to this s 71 Proposal, CCT says, "Unfortunately, CCT was not involved in the Christchurch Replacement District Plan process in 2014/2015." (CCT Memo 48)

I NOTE. CCA did submit but only in Chapter 9.3 to try and reduce the heritage setting at Hagley Oval. The IHP rejected their arguments but the same request has resurfaced as CCT has another 'bite of that cherry' as: Amend Section 9.3.3 How to interpret and apply the rules as follows: iv. For the Hagley Oval Cricket Pavilion Setting (HID 242) as identified in Appendix 9.3.7.2 and Heritage Aerial Map No. 93, the rules for heritage settings shall not apply to activities that are permitted by Rule 18.4.1.1 P25 and P26. P25 is Construction and use of temporary structures and facilities ancillary to broadcasting or hosting sporting events at Hagley Oval, including advertising all over the site and P26 the standards for Floodlighting for recreation activities at Hagley Oval.

* CCT explains they "were not involved... as CCA held the consent, and it was seen as their role to take the lead on this. In hindsight, this process could have been used to achieve what is now being sought under the GCRA process." (CCT Memo 48)

I NOTE. Had CCT submitted they would have been required to provide and pay for detailed planning evidence, legal opinion and a representative would have been cross examined by opposing groups and the IHP about the impacts on amenity, heritage, other park users, increased commercialism etc. but CCT chose not to. Community representatives including Hands off Hagley (HoH), submitted to and went through the IHP managed RDP process.

* CCT now claim, that "it became clear....that the current resource consent would not allow Hagley Oval to host any significant games for the WCWC 2021" and that consent conditions 7 and 8 gave specific exemptions to certain consent conditions for the MCWC 2015, but such an exemption would not extend to the WCWC 2021." (CCT Memo 33).

NOTE. I consider this another failing on cricket's part. The WCWC host nation (NZ) was announced at the same time as the Environment Court hearing was taking place, in 2013, so it is possible that the Court could have made those conditions relate to all MCWC and WCWC events, had the Court been informed.

*In relation to the WCWC and not having tried alternative to s71 such as a consent variation etc. CCT states, "Alternative options were not sought earlier, which would have enabled approval in time for the bidding process, as it was not foreseen that lights would be a critical component of hosting the higher tier teams or the quarter or semi-finals.....As time has gone on, and got closer to the WCWC 2021, NZC has become aware that lights would be essential for almost all other matches."

I consider this comment needs to be considered against what cricketing organisations were saying publicly about the lights at Hagley Oval. (see above).

* In relation to another "compromise" CCT says the consent imposes – temporary seating/grandstand seats, CCT talks in the Memo about how, "Trustees and other Hagley Oval members spoke to several tourists in Australia during the Ashes Series, who said they had decided not to come to Christchurch following the Ashes Series due to the uncertainty that they can purchase a seat in a stand." And "Temporary seating/grandstands stand seats were not available for purchase until close to match time. Stand seating need to be planned and erected well in advance of match day...The consent conditions prohibit this from happening." (CCT Memo 187). I see this as an extraordinary statement of lack of planning.

18. CCC staff, as required to inform Council, prepared a Report to Council for 22 August 2019 – "Hagley Oval proposed amendments to the District Plan – Council response to Regenerate Christchurch." In the report under the heading 'General Comments' it states, "It is notable that while from the Canterbury Cricket Trust's perspective it has been apparent since 2015 that the current consent does not suit its purpose, this process has only recently been initiated. The timing raises questions as to why a more appropriate standard plan change process could not have been initiated much earlier, especially as NZ was awarded the Women's World Cup as early as 2013." (Staff Report 4.35)

19. The authors and those who approved the Staff Report are Council professionals with extensive knowledge of Hagley Park and a full understanding of management process. CCC is the agency that monitors the resource consent at Hagley Oval, has devolved Ministerial responsibilities under the Reserves Act as Hagley Park is a recreational reserve, has responsibilities under other acts and plans in relation to Hagley Park and CCC has also established a specific Hagley Park Reference Group (HPRG).

20. In addition Regenerate Christchurch must have been aware of the Environment Court

Decision No. [2013] NZEnvC 184, and its serious concerns about the effect of the original application on the open space, visual amenity, public access and cumulative invasiveness of the temporary facilities and structures to be used at Hagley Oval. I find it concerning that this important Court Decision was not included with the Proposal. Regenerate seemingly chose to omit it, and I consider this an error of judgement, as its absence may have influenced the decision making of the Strategic partners and the public. The reasoning of the Court, clear in Decision No. [2013] NZEnvC 184 should have provided Regenerate with other reasons to not progress this Proposal, knowing full well that the GCR Act, 3 Purposes at (2) prioritises enhancement of public open space.

In relation to 11- 20 above, I consider that Regenerate must have been aware of the conflicting messages, but seems not to have taken CCT's rationale that the Oval was no longer fit for purpose, with a significant grain of salt. It seems that Regenerate has not been guided by Decision No. [2013] NZEnvC 184 in its decision making either.

I fully support the CCC Staff point of view (above). If the issues CCT say exist due to the constraints of the resource consent for Hagley Oval – then why, after several seasons at the developed Hagley Oval, with 13 major fixtures per year + an ICC Men's World Cup event and with CCT having been aware that NZ was host of the ICC Women's World Cup since 2013 - weren't the issues: (a) submitted to CCC long before this for a RMA consent variation application, (b) taken to the HPRG which could have considered the concerns, or (c) taken to Regenerate earlier? I consider that the 'urgency' that CCT now consider has to be addressed through a s71 process because of time running out for successful ICC WCWC bidding, is mischievous and generated for convenience. CCA and CCT have not helped themselves to get Hagley Oval to where it could host all forms of the game, despite having a resource consent, six years to action it, and the same time to prepare for WCWC.

Despite (previous) government intervention through the CER Act to assist the development at Hagley Oval, the "lost opportunities" being used as an argument now are, I consider a direct result of CCT's inaction over several years, not because of perceived 'deficiencies' at Hagley Oval. To be frank, CCT have repeatedly dropped the ball. Other organisations, businesses and individuals in our city would not expect such charity in this situation and I consider it would be a serious breach of public trust if short-lived, emergency legislation – this time the successor of the CER Act – and under a different government, was used to rectify this situation and as a matter of urgency.

21. This is especially so, when Regenerate received the Memorandum from CCT in July 2019. The Memo, despite its statements from lighting specialists that six permanent lights with fixed heads were needed, eg in the Technical ELC Report, needs to be balanced with the following, "Abacus has informed CCT that telescopic masts can be provided if the planning constraints mean this is the only way..." (CCT Memo 107).

Regenerate's membership of the GCPG and its decision to prepare a draft proposal under GCR Act s 71 as proponent on behalf of Canterbury Cricket Trust.

22. As stated at 5, in this COMMENT, within the GCPG representatives from each Partner's organisations lead and coordinate our projects" and that "in addition to the GCP Committee, we've been successfully collaborating *at every level within our partner organisations*, from Chief Executives and senior managers to staff technical working groups." (Italics added). As a strategic partner under the GCR Act Regenerate has obligations under the Act to all the other strategic partners and to the wider GCPG.

23. As a member of the GCPG Regenerate must have been aware of the December 2017 Spaces and Places Plan decision re Hagley Oval being a completed project. Yet Regenerate continued to prioritise Hagley Oval and progress it. The following section raises the issues that I contend followed from that decision in early 2019.

24. On 7 March 2019, the CE Regenerate presented to Council Finance and Performance Committee of the Whole. Item 12, Attachments A and B are relevant. Attachment A is the Regenerate Ch.Ch. Tabular Work Programme Quarterly Status Report, and Attachment B is a letter from Mr Lafeta to DPMC and CCC, dated 21 February 2019. Mr Lafeta and Board Member Jen Crawford joined the Council meeting for this item.

From Attachment A. Quarterly Work Programme to December 2018; Under 12. Deliverable in the middle column under Actual Progress (since the last status report) it states, "The focus has been on the accelerated delivery of Otakaro Avon River Corridor Regeneration Plan, therefore identifying new regeneration plans and initiatives has not been a priority. However, Regenerate Christchurch is approached for use of tools by the private sector and considers and responds accordingly." In column "Planned Activity for next quarter January – March 2019, there is no mention of Hagley Oval, simply, "To be defined in due course." Attachment B is a 3 page letter from Mr Lafeta to DPMC and CCC. The last paragraph reads, "The forward scope of work for Regenerate Christchurch was agreed by the Board on 18 February 2019 and is ready to discuss with Shareholders. The scope of work is based on Regenerate Christchurch's view of what is *currently required for regeneration*, and what Regenerate Christchurch's contribution should be....

The letter is accompanied by a third seemingly summary page. The last paragraph under the heading "Forward work programme and Annual Plan funding, reads, "Regenerate Christchurch has developed a new work programme that it intends to discuss with shareholders in March. Staff from Council and DPMC received the document on Friday 22 February, but have not at the time of writing had an opportunity to consider it. We note that it does not provide costings." (See Staff Recommendations Below).

25. The Staff Report to this 7 March 2019 meeting includes the following relevant points.

4.2 At its meeting on 22 November 2018, Council asked staff to report back with a review of Regenerate Christchurch's future funding requirements (CNCL/2018/00275 refers).

10.

This resolution was also referred to as part of the Council accepting the draft 2019 Annual Plan. Council staff (in conjunction with DPMC) requested that this information be provided to Council (and DPMC) officers by late January 2019 to be analysed and reported to the March 2019 meeting of the Finance and Performance Committee.

4.3 At the time of writing this report, Regenerate Christchurch had provided a Forward Work Programme to the Mayor and Minister (22 February) however staff understand that further information is still to be received. This means that there has been no time for the analysis required to enable staff to provide advice. It is noted that the Forward Work Programme did not include any proposed changes or commentary as to their level of funding.

It is proposed that Council staff will bring the Regenerate Christchurch Forward Work Programme to a meeting of Council in the near future for Council deliberation. **The Staff Recommendations:** That the Finance and Performance Committee of the Whole:

1. Note the attached performance reports from Regenerate Christchurch and Council and the Department of the Prime Minister and Cabinet staff; and
2. Request Council staff to urgently review the Regenerate Christchurch Forward Work Programme and associated financial implications and report back to Council.

Minutes for this meeting show: Committee Resolved FPCO/2019/00010 the original staff recommendation accepted without change.

26. The above and what is outlined below is important because it appears that Regenerate did not provide its next Quarterly Work Programme report to Council until September 2019, after the s71 Proposal had been drafted and sent to the Strategic Partners for feedback. It could be assumed therefore that councillors did not receive the information they urgently requested on 7 March 2019.

27. Regenerate Christchurch's Work Programme Quarterly Status Report, 1 Jan. – 31 March 2019, (dated 31/01/2019), records s71 Hagley Oval proposal as in the Initiation and Scoping Phase. "To consider options for use of powers under the GCR Act (s 71) to enable Hagley Cricket Oval to be capable of hosting domestic and international tests, as intended by the Christchurch Central Recovery Plan (CCRP)."

Under "Upcoming Ministerial Notifications," 3 Steps are outlined with dates.

1. Ministerial decision whether to proceed with public notification, August 2019
2. Final proposal submitted to the Minister (subject to 1. Above), September 2019
3. Ministerial approval (subject to the above), by the end of 2019

In Regenerate's Work Programme Status Report for 1 April – 30 June 2019, (30 June, 2019), Under "Developed" it states. "To consider and assess the potential use of powers under the GCR Act (section 71) to enable Hagley Cricket Oval to be capable of hosting domestic and international tests, as intended by the CCRP. "Major Milestones Achieved" 24 April 2019, 3. "Board Approval to initiate discussions (subject to the chief executive being satisfied that the Proposal meets the necessary requirements) and agreed to seek views with strategic partners, DPMC, and other relevant parties regarding use of section 71 powers GCR Act."

Under 8. "Deliverables – Actual Progress: Progress is underway to assess the potential use of powers under the GCR Act (section 7) to enable Hagley Cricket Oval to meet direction in the Christchurch Central Recovery Plan. Regenerate Christchurch are engaging with officials from Christchurch City Council and DPMC on a regular basis."

I note the words, "that may be publicly discussed" which appears to indicate a possible reluctance for open and transparent public scrutiny - one of the GCRA's listed objectives. And, as mentioned at 26 in this COMMENT, these two quarterly Performance Reports were not presented to Council until 5 September 2019, three months after the Regenerate Board had considered the Letter of Expectations (see later) and after Council's Regen S71 Feedback was finalized at the CCC meeting on 29 August.

This is despite Regenerate's Statement of Intent 2017- 2021, (dated June 2017), stating; Pg. 22. Regenerate Christchurch will adhere to a 'no surprises' approach to ensure that the Council and Minister are informed as soon as possible of any major strategic initiatives, material or significant events that may be publicly discussed or which may require a Council or Ministerial response. Information is communicated to Council and Minister through regular meetings, workshops, regular updates and through the corporate reporting documents; the Annual Report, Statement of Intent and Statement of Performance Expectations.

28. The Council Agenda of 5 September 2019 listed the Programme Status Reports as Item 16. An attached Memo, dated 26 July 2019, from Regenerate's CEO and new Chair states, "The Report is normally provided to the Minister for Greater Christchurch Regeneration (the Minister) and the Christchurch City Council (the Council) on a quarterly basis however, on the basis that Regenerate Christchurch Board members met with the Minister and Mayor on behalf of the Christchurch City Council in January, March, April and May and with the Mayor once in mid-April regarding the 2019/2020 Work Programme Priorities, officials agreed to defer the 31 March 2019 Report until after the Letter of Expectations had been provided to and received by the Board."

I consider that on such a controversial s71 proposal the full Council should have been kept fully informed during 2019, not, as it appears, the Mayor on Council's behalf for several months during 2019. *Full Council* is the Strategic Partner under the GCR Act.

The co-signed Letter of Expectations for Regenerate Christchurch for 2019/20

29. While Regenerate was progressing the draft Proposal, it received a Letter of Expectation (LOE) co-signed by the Regeneration Minister and Christchurch Mayor, on 13 May 2019, three and a half months before the two quarterly Performance Reports were presented to Council. A further LOE that "updates the current Letter of Expectation", was sent on 24 May 2019, "following the agency's feedback." The difference was that the following (in italics) was removed "For the avoidance of doubt, the specific activities that we do not want Regenerate Christchurch to engage in on a proactive basis are: (italics section removed). "investigating, identifying or pursuing new regeneration possibilities or proposals..."

30. The Updated Letter of Expectations (LOE), dated 24 May 2019, was considered by Regenerate Board on 29 May 2019. Sections considered relevant to my COMMENT are: Pg 1. "Expected priorities for Regenerate for the 2019/20 year."

".. we consider that the transition of responsibilities can be brought forward, and the time is now right for Regenerate Christchurch to begin actively supporting the transfer of its regeneration functions to the locally-based agencies that will be responsible for those over the long term." "Our expectations of Regenerate Christchurch for the 2019/20 financial year are as follows: 3. Respond to any requests for regeneration planning advice from other agencies or entities. If you believe that specific opportunities exist, then we would welcome specific advice on how they could be enabled, and by who." "We expect Regenerate Christchurch to be transitioning from its remaining obligations and undertakings..... Similarly to the Crown, it is acknowledged that we are now at a stage where it is appropriate to normalise arrangements with core local institutions and begin concluding extraordinary recovery and regeneration functions." (Page 2). "We would encourage you in your forthcoming statutory documents to provide us with a breakdown of work you expect to undertake.....For the avoidance of doubt, we expect your work planning to reflect the expectations we have set out in this letter...." (Page 3).

31. Page 1 of the Letter of Expectations, acknowledges the strength of capability of ChristchurchNZ and Development Christchurch Ltd in delivering their mandated roles:

- developing and marketing the Christchurch City Narrative
- advising on an economic growth agenda
- leading and pursuing investment and development opportunities for Christchurch

And on Pg 2 it states, "For the avoidance of doubt, the specific activities that we *do not want Regenerate Christchurch to prioritise*: 3. City visioning, strategies, benchmarking, analysis, promotion, business or commercial investment and attraction." (My emphasis) Yet the Draft S71 Proposal submitted by Regenerate to CCC and other Strategic partners, well after Regenerate had received the LOE, contained:

At 4.6 (a) "Proposal is consistent with the outcomes... pertaining to:

- Facilitating a range of economic benefits that will....help to improve investment certainty, and contribute towards the revitalisation of the Central City.
- Attracting more visitors to Christchurch, with flow-on economic benefits to the City and region, and enhancement of the City's profile." At 4.6 (b) under Economic Assessment, "...Television coverage of matches is also likely to have the additional spin-off benefits of stimulating interest in Christchurch as a place to visit."

32. In considering that the exercise of the Minister's power is "necessary and preferable to any alternatives, Regenerate (7.6) refers to the fact the Proposal can be assessed through the GCR Act's lens of "environmental well-being" – and that assessment can and should be responsive and influenced by Christchurch's current context, including the challenges it is experiencing with attracting events, building momentum and vibrancy, and encouraging residents, businesses, visitors, investment and expenditure into the central city."

33. By July, and it has to be assumed that hopefully this was before the Draft Proposal was sent to the Strategic Partners, Regenerate received the July 2019 CCT Memorandum in which such issues are mentioned at several points, and CCT Chairperson Lee Robinson was speaking publicly. Turfmate Australia's website ran an article "Christchurch Hagley Oval Fight for Lights" and Mr Robinson is quoted re the potential television exposure, "India has 705 million passionate cricket viewers. ChristchurchNZ or Tourism New Zealand cannot afford to pay for that level of exposure."

34. In an 11 June 2019 Regenerate Media Release, then Regenerate Board Chair is quoted. "The Crown and Council have advised that, in their view, regeneration is now embedded in the everyday work of the Council and Crown, and their various agencies operating in Christchurch, and local agencies - including the Council - should begin assuming responsibility for some of Regenerate Christchurch's work sooner than originally planned." It (Regenerate) will continue any work required for the Minister for Greater Christchurch Regeneration's decision-making on the draft Regeneration Plan for the Ōtākaro Avon River Corridor and will complete its assessment of a proposal to amend planning rules relevant to the operation of Hagley Oval."

35. In the GCR Act, s 131 covers Letter of Expectations. It includes (relevant here)
(1) The expectations of Regenerate Christchurch's strategic direction and specific priorities.
(4) If a letter of expectations is provided...Regenerate Christchurch must consider the letter of expectations when preparing its statement of intent and statement of performance expectations.

I consider that several of the s 71 Proposal's described benefits amount to "city visioning, strategies, benchmarking, promotion, investment and attraction," – activities that the LOE, "which Regenerate must consider" made it clear, were, "For the avoidance of doubt, the specific activities that we do not want Regenerate Christchurch to prioritise.."
Regenerate also continued to progress the s 71 Proposal with its Strategic Partners, through the GCPG, even after the Regeneration Board had considered the LOE.

36. Meeting notes from Greater Christchurch Partnership Group are available online on the greaterchristchurch.org.nz website. They note the following updates from Regenerate:

June 2019. "The Canterbury Cricket Trust is making progress with its operational technical report, and a range of other supporting expert reports. Timetable planning indicates any public notification phase should still align with the venue hosting bid process, as per the CCT. Once the appropriate information is received and analysed Regenerate Christchurch will initiate the s71 process within the GRC Act.

July 2019. "Regenerate Christchurch presented the draft proposal to use S71 of the GCR Act 2016, along with supporting documentation, to strategic partners and the DPMC on 24 July 2019. Pursuant to s66 of the GCR Act, the partners have up to 30 working days to provide comment..... Timetable planning indicates any public notification phase should still align with the venue hosting bid process."

I NOTE, in GCR Act S 71 the Minister sets the public comment period and timing, not Regenerate, and that commercial imperatives of CCT are not reasons she needs to consider.

CCT's Memorandum to Regenerate Christchurch is also dated 24 July 2019. So as referred to earlier, was the CCT Memorandum available that day as "supporting documentation" presented by Regenerate at the GCRG meeting to fully inform the Strategic Partners for their response under the GCR Act? Because under the GCR Act, the Minister at 2 (a) must have particular regard to the views of the strategic partners?

37. On 3 July 2019, and before Regenerate had presented to Draft s71 Proposal to the Strategic Partners, the New Regenerate Board was announced and the Deputy Mayor was quoted. 'Acting Mayor Andrew Turner says Regenerate Christchurch has successfully completed its previous work programme, and is now moving into a new strategic phase as regeneration activities move towards full local leadership.

"The signal we are sending is clear. By appointing the chairs of the Council's organisations that form part of the regeneration ecosystem, we are clearly expecting everyone to work closely together to achieve the best outcomes for Christchurch long term." (Scoop NZ)

I find it concerning that Regenerate continued promoting the s71 Proposal in the GCPG as by mid-2019 Regenerate appeared to be operating in a way that does not align with the direction of the LOE received the previous month. The LOE was specific in its expectations and, Regenerate understood from the Canterbury Spaces and Places Plan that Hagley Oval was a Completed facility project. As the LOE stated "we are now at a stage where it is appropriate to normalise arrangements with core local institutions.." And, "the time is now right for Regenerate Christchurch to begin actively supporting the transfer of its regeneration functions to the locally-based agencies that will be responsible for those over the long term."

I consider that the s71 Application to amend the CDP for 'Operation and Use of Hagley Oval' with Regenerate as proponent should wisely have been dropped by mid-2019 and not sent to the Associate Minister. The s 71 Proposal was presented to Council on 22 August 2019, but for Council's response as a Strategic Partner under the GCR Act, yet this was three months after Regenerate Ch Ch was instructed to actively transition projects to the locally based agencies. Had this transition happened in April, then it could already be proceeding under the RMA.

PART B: Concerns relating to: Regenerate Christchurch proceeding under GCRA s 66 (2). Regenerate finalising the proposal and submitting it to the Minister.

Even after receiving feedback from the Strategic Partners, Regenerate had the option of not progressing the Proposal to the Minister. At this point Regenerate could have, on the basis of the feedback received and from the numerous other document available such as the CCC Staff Reports to Council, reviewed its position. CCC is probably the key Strategic Partner here because of its management obligations for Hagley Park. Eg:

Benefits vs Costs – some examples

38. The Staff Report at 4.36 under 'General Comments' to mention other concerns: the fact that, when Hagley Park and Hagley Oval are areas of such high interest, under s71 the public

can only comment not make submissions and at the end of the process, the Proposal cannot be amended and no appeals can be made to the Environment Court. And at 4.37, the Staff Report states, "For the above reasons, staff do not support the use of the section 71 process to achieve the amendments to the District Plan."

I fully agree with the Staff Report.

39. The Proposal stated that between 2020 – 2023, hosting top-tier matches would "increase visitor nights in Christchurch by an additional 54,000, with an associated increase in visitor spend on accommodation, transport, hospitality and other attractions."

The CCC Staff Report for Council's meeting on 22 August 2019, for Council's feedback to Regenerate, stated, "The Council's analysis of the economics technical report provided highlights that the economic benefit to greater Christchurch are of a relatively small scale. The projected guest nights for 2020/21 would constitute just under 1% increase in the total guest nights in Christchurch, based on the year ending May 2018. This small contribution estimated to the economic regeneration of the city is unlikely to be the regeneration driver or catalyst that would be expected from a proposal under the GCR Act."

I fully agree with the CCC Staff on this point. As the time frame above includes ICC CWC year 2021, this is a modest return to the city, and pales in comparison with the 5 million+ user visits per year in Hagley Park and the loss of amenity, open space and the exposure to extensive commercialism at Hagley Oval of those people on major event days and their pack-in and pack-out periods, for such small financial gain overall.

40. In CCT's Memorandum to regenerate they make much of, "...The proposed amendments to the District Plan have been developed to enable the Hagley Oval to host the growing number of domestic and international matches – with the particular goal of providing CCT with the best opportunity to bid competitively against other cricket grounds in New Zealand for the WCWC 2021 matches and other international and domestic fixtures." (CCT Memo 47) And that for CCT and NZC the appeal is the fact that "internationally broadcast viewing numbers continue to grow and with this the pressure on broadcasters to televise live matches into homes around the world at times they can be watched. NZC broadcast partner Star Sport, required some of last season's matches to start later than usual so as to broadcast into the subcontinent market during their breakfast time." (CCT Memo 139) The memorandum also states, "New Zealand is a small player in the world of cricket, and if Christchurch wants to be part of the wider cricket community it has to meet the demands of broadcasters and the audiences in the sub-continent." (CCT Memo 218)

41. NZ Cricket provided a memorandum, stating a lofty goal, "The synergies between events, tourism and economic development are significant, and given the common cultural and historical connections between cricket and Canterbury, and some of our largest markets, the opportunity to leverage off these connections through the hosting of globally significant major events is immense," Data in this memorandum however shows: Total

2015 viewership of BLACKCAPS matches: UK 3.28 m. India 709.3m. (Page 14) NZC, using Statistics NZ Migration figures for April 2017-2018, - 64k Indians visited NZ. (Page 17) And, "The last Australian Test match attracted over 22,000 people across match days, 10,000 more than any other Test match held at Hagley Oval over the last 3 years." (Page 19)

I consider, goals aside, the viewership figures are not directly relevant to Hagley Oval - Blackcaps games are played all over NZ and internationally. For the visitor numbers, no evidence was supplied by NZC that the visitors came because of cricket, let alone as a result of watching cricket at Hagley Oval. The test match figures NZC seems to celebrate, actually equate to 4,400 daily and quite likely the same people returned on subsequent days. And more unsettling, is how few people had previously attended test matches at Hagley Oval. I consider therefore that CCT seeking 20 major fixtures per year as opposed to the consented 13 days, is not backed up by attendance data.

42. The CCT Memorandum states, "...Hagley Oval would also be capable of fulfilling a greater role with respect to hosting domestic cricket night matches, with additional economic benefits." (CCT Memo 57). But it also states, "Venues do not bid for domestic games, these are simply 'allocated' by NZC to the various venues nationwide after the allocation of international matches. What domestic matches a particular venue is allocated will be significantly dependent on what international games were allocated to that particular venue. For example, if Hagley Oval was allocated a significant number of international matches, the number of domestic matches it would subsequently be allocated for that season would likely be reduced." (CCT Memo 45).

43. The Spaces and Places Plan's Foreword, identified the Risks inherent in focusing on and responding to wants rather than the priority needs within a region. I agree. This Proposal is clearly to benefit primarily one community grouping – those defined as 'cricketers and cricket spectators.' Choosing to support one particular sport increase its international exposure in the vague hope of increased numbers of visitors from India or England is not Regenerate's brief under the GCR Act. Neither is Regenerate's brief to support the funds, competitive edge or bidding power of one community trust within Christchurch city.

I consider Regenerate's purpose is to support a thriving Christchurch for its many residents, like the many other users of Hagley Park for its open space values, and who are likely to continue to significantly outnumber cricketers and Ch. Ch. 'pay-to-watch-play' fans into the future. Regenerate's brief includes consideration of current *and* future generations. I think the literal cost and the impacts on the park, amenity and open space is too high. Regenerate's priority should rightly be supporting Red Zone endeavours, (as an area of greatest opportunity to advance regeneration), to benefit a greater percentage of our city's citizens' well-being and resilience, as this quote from Regenerate's Statement of Intent 2017-2021 indicates.

Kia whakahaumanutia te whenua, ngā tāngata me te tāone
Let the land, the people and the city be rejuvenated

44. The Incite Technical Planning Assessment reviewed the s71 Proposal against the Council's Physical Recreation and Sport Strategy (2012) and wrote, "*The Oval is also used by club cricket following domestic and international matches where wickets have been prepared and still have use left in them.* The Oval has not been used for winter sport in the past two years, but Christchurch City Council has had discussions with Mainland Football who were looking to *do some junior football promotions* on the Oval this season. This is yet to be organised with the clubs but has had approval from the Hagley Park team at the Council." (HoH emphasis)

I comment that this seems to be a somewhat cynical attempt to show wider community benefits but I don't consider it convincing. In relation to the first emphasised sections, I am not sure that the conditions under which club cricketers are invited i.e. when the wickets *still have use left in them*" is positive in terms of their feeling valued by cricket. It is rather like being offered the crumbs once the paid players have all gone. In relation to the second emphasised section, my comment is "Why it has taken them to six years to do get to that stage this when it was offered as a community benefit at the Environment Court in 2013. Furthermore does "football promotions" actually mean use of the Oval?

I consider, that despite perceived 'constraints' that have 'become apparent' cricket authorities knew all along that wishing for an international cricket arena in a public park of Hagley's status would result in relative additional costs and constraints on parking, pack-in and pack-out and commercialism, due to the nature of park environments and the Oval's location next to a crucial public hospital. Such issues were brought to their attention at the Environment Court. The RMA delivered reasonable and agreed conditions of consent, and any changes CCT seek should be returned to RMA processes for reconsideration.

It is crucial that the community can have input into what happens in Hagley Park and what they are prepared to under-write, if at all. I am sure the fact that "Christchurch on the basis that the Christchurch stakeholders covered the total cost of the match (approximately \$90,000)" – meaning of course ratepayers – and that we will do that again early next year, would come as a terrible shock to many residents if they had known. (CCT Memo 198).

45. The Greater Christchurch Group detailed, "Regenerate Christchurch was established in April 2016 by the Greater Christchurch Regeneration Act and is a partnership between the Crown and Christchurch City Council that signals a shift towards locally-led regeneration.... Regenerate Christchurch is committed to working with communities and businesses and will provide opportunities for engagement and be open to feedback. The support of the broader community is critical to the success of Regenerate Christchurch."

I believe that, if CCT wish to pursue such complex changes, they should be returned to the CCC to be fully assessed through RMA processes and full public participation. I respectfully request that the Associate Minister decline this s 71 Proposal.

PART C: Considerations beyond the proposal itself but directly related to it.

The inclusion of Hagley Park and HPMP in the GCR Act by (now) Minister Woods

46. Hansard records, when the GCR Act was established in 2016, Hon. Dr. Megan Woods, now Regeneration Minister, suggested amendments to s 63 of the GCR Act that excluded action that would over-ride the Statutory Hagley Park Management Plan. The Amendments were passed unanimously, creating a very strong indication of Parliament's intent.

Section 63 Relationship to other instruments

1. The following instruments, so far as they relate to greater Christchurch, must not be inconsistent with a Plan:

(iv) management plans approved under section 41 of the Reserves Act 1977 (with the exception of the Hagley Park Management Plan):

2. A Plan—

(a) is to be read together with and forms part of the instruments specified in subsection (1); and (b) prevails where there is any inconsistency between it and an instrument specified in subsection (1).

(3) If required by a Plan, an entity that is responsible for an instrument specified in subsection (1) must amend the instrument to give effect to the provisions of the Plan.

(4) An entity must make the amendments referred to in subsection (3) in accordance with a process (if any) determined by the Minister.

(5) The Hagley Park Management Plan prevails where there is any inconsistency between it and a Regeneration Plan.

47. Speaking in support of her Hagley Park amendments, Dr Woods stated in Parliament:

FROM HANSARD - GREATER CHRISTCHURCH REGENERATION BILL AMENDMENTS

Dr Megan Woods's 2016 amendments (passed unanimously in Parliament) to the Greater Christchurch Regeneration Act.

"But what we are saying is that when it comes to Hagley Park and the protections that have been built up over that piece of land, it actually is time to return to business as usual. When it comes to that particular taonga in the centre of our city, we do need to be able to say it is as if the earthquakes never happened, and it is as if the bespoke legislation that is put in place to aid our recovery and our regeneration does not exist" (Hansard - 29 March 2016)

https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000877/woods-megan-greater-christchurch-regeneration-bill

And, *"There are a number of instruments that are used in this legislation, and what my amendments do ensure that the management plan of Hagley Park is the primary instrument and that it is not overridden by anything else that might be in this legislation."* (Hansard - 29 March 2016)

https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-regeneration-bill

I consider these amendments and the reasons given for supporting them are directly relevant, in fact crucial to this s 71 Proposal. Although the Proposal does not *directly* seek to amend the HPMP, the sought changes could not occur without that happening e.g. a complying lease for the requested six permanent light towers is not permitted in the HPMP.

DPMC Briefing to the Incoming Associate Minister for Greater Christchurch Regeneration (dated 2 July 2019)

<https://dpmc.govt.nz/sites/default/files/2019-09/Briefing-to-Incoming-Associate-Minister-for-Greater-Christchurch-Regeneration.pdf>

48. The publicly available briefing congratulated the Associate Minister on her appointment, and stated: (relevant sections quoted).

Section 71 powers are extraordinary powers that do not apply to any other area within New Zealand. Section 71 should not be used to avoid consideration of matters that would be considered under standard Resource Management Act (RMA) plan change processes, which could produce different outcomes. There are risks in trying to use fast track processes if proposals are not considered properly against standard requirements.

With the revocation of the Christchurch Replacement District Plan Order in Council, any section 71 proposal for an amendment to the Christchurch District Plan now means that the plan change process under the RMA will be a viable alternative. This is a 'higher bar' than previously that a section 71 proposal would need to consider in the assessment of alternatives. (Page 17)

49. Joint Crown/Council monitoring of Regenerate Christchurch:

The DPMC is jointly responsible with the Christchurch City Council for monitoring the performance of Regenerate Christchurch and its Board. Quarterly joint Crown/Council monitoring reports provide an assessment of whether Regenerate Christchurch is delivering the regeneration outcomes sought.... (Page 25).

.....Whilst prioritising a return to a 'normal' Crown relationship with greater Christchurch, the current Government and Minister are firmly committed to first resolving any outstanding matters (section 4 provides more detail on these)....(Section 4 Matters)..... You may be aware that the Canterbury Cricket Trust (CCT) would like to use section 71 of the GCR Act to amend the Christchurch District Plan to address operational issues with the existing resource consent for Hagley Oval. Regenerate Christchurch is assessing whether the GCR Act could be used to help Hagley Oval host high-profile international fixtures on a regular basis. Minister Woods has not formally been approached by Regenerate Christchurch on this matter. (Page 8)

I consider this means the Associate Minister must consider the advice (bold above) very closely. The s71 changes proposed for Hagley Oval are matters that would likely produce different outcomes if considered under the RMA. Hagley Park's environment, amenity, public access, the impacts on other Park users, the increased commercialism, light pollution, traffic effects etc. all require full public participation, testing of expert evidence, and the rigour of RMA processes. In 'resolving this outstanding matter,' bearing in mind that due to the CRDP Order in Council, a section 71 proposal for an amendment to the CDP now means that a plan change process under the RMA is a viable alternative. This is a 'higher bar' than previously a section 71 proposal would need to consider in the assessment of alternatives, and I consider it leads to the conclusion that **this Proposal should be declined.**

Minister Wood's 24 October 2019, presentation of the third annual review of the GCR Act to Parliament, (covering 1 July 2018 to 30 June 2019).

50. On 24 October 2019, in accordance with s150 of the GCR Act 2016, Minister Dr. Woods presented the most recent (third) annual review of the GCR Act to Parliament. It considered the operation and effectiveness of the Act from 1 July 2018 to 30 June 2019. The review, dated September 2019, was written by Liz Sinclair.

<https://dpmc.govt.nz/sites/default/files/2019-10/annual-review-greater-christchurch-regeneration-2019.pdf>

51. The review covers the first six months in 2019 when the s71 Proposal was being compiled on behalf of CCT and in that time Regenerate had received the co-signed Minister/Mayor's LOE and Regenerate had advised the GCRG that, "The Canterbury Cricket Trust is making progress with its operational technical report, and a range of other supporting expert reports.

52. The review notes at A 2. Under, "How the powers under the Act have been exercised in the 2018-19 financial year, At 36. In addition work was initiated on two other s71 proposals during the year – Regenerate Christchurch's Hagley Oval proposal..."

At 39. "As expected Council and Regenerate are the only proponents to have proposed plans or s71 proposals using the Act. At the time of this Review no other firm proposals for use of the planning powers have been signalled for the remaining life of the Act.."

Under: Accountability and Transparency. At 94, "Regenerate Christchurch is required to produce and publish.. (Statements of Intent etc) under schedule 5 of the Act...There were some timing issues with quarterly reporting for the agency but these were resolved during the year." (See first section)

53. In the Minister's "Summary Conclusions: The operation of the Act in 2018-2019" The review states: (relevant to this "Comment").

At 12. "Since the last Review important progress can be observed in both regeneration planning using the tools available in the Act, and the transition to local leadership which shapes the context in which the Act has been used.

In particular: 19 February 2019 – the revocation of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014. Christchurch City Council (the Council) powers to administer and manage its own District Plan are fully restored."

The point at 12, was reinforced at 42, which also included, "...In last year's Review I noted that the District Plan itself had been the subject of a robust and comprehensive process."

I draw to the Associate Minister's attention that during that "robust and comprehensive process" it was agreed that Hagley Park was to be listed in the Heritage Schedule of the CDP as a Group 1. Highly Significant Item. Hagley Oval Historic Pavilion is a listed Group 1 Heritage Item also and Hagley Oval is the Heritage Setting for that pavilion. Through this s71 Proposal CCT are seeking a plan change whereby rules within the Hagley Oval heritage setting would not apply, which would let highly visible advertising be on

multiple structures including the new pavilion, and for temporary facilities to over 100% of the site by right etc. Over summer it would become a commercial zone instead of a heritage setting in a 'village green'.

I consider that, in view of the Regeneration Minister's support for the CDP and its robust process whereby Hagley Park's heritage protection was directed by the IHP, it would be totally inappropriate for the Associate Minister to 'wipe' the protections by accepting this s71 Proposal. **For this reason too I feel the s71 Proposal should be rejected.**

54. Also at 15, the Review stated, "...With the Council now having its planning authority fully restored, many think the time for use of the powers in the Act has already passed and that the use of Resource Management Act 1991 (RMA) processes should now be the norm in Christchurch City as is already the case in Selwyn and Waimakariri Districts..."

And at 16. "I confirm my previous assessment that there is nothing about the legislation itself that inhibited its use.....Alongside this, in the post-recovery environment the Act symbolised central government involvement and conflicted with a desire to get back to standard RMA processes with local leadership and control."

Under: The Act and transition to local leadership

At 21. "The accelerated progress of transition to local leadership has changed the context in which the Act operates. A tipping point has been reached where the need for the legislation in its present form is effectively over. I recommend consideration be given to early repeal of the Act. This will assist with providing clarity about the planning environment, start to simplify the agency ecosystem and inform the transition plan for Regenerate Christchurch itself."

55. At 37. With respect to Regenerate Christchurch: The Minister and the Mayor provided Letters of Expectation to the Chair of Regenerate Christchurch under s131(1). The revised letter of 24 May 2019 noted that as a result of progress on regeneration and the strength of capability of relevant agencies, the transition of responsibilities from Regenerate Christchurch could be brought forward, and accordingly set out expectations for Regenerate Christchurch to give effect to that.

And at 54: Other positive features related to use of the planning provisions over the last year included: the development of thinking and practice amongst key participants about how the Act is applied, for example *the consideration that proposals to use the powers of the Act must benefit a range of parties, rather than one party ahead of others.*

56. Specifically in relation to s71 Proposals.

At 56. "Three points emerged about the operation of s71 proposals: (Most relevant included) Another gap noted is the need for public consultation on a s71 proposal prior to submission to the Minister (as opposed to the obligation on the Minister to invite written comments via a public notice should the Minister decide a proposal should proceed.) This may also be useful to include in future legislation, not necessarily as a blanket requirement, but for consideration depending on the nature of the proposal."

57. Finally, at 64. "I also agree with a point made to me from several quarters during the review that, as RMA powers have been restored in Christchurch, the bar has got higher for using the extra-ordinary powers in the Act to, for example, override rights to appeal. This validly requires judgement about how to apply the Act taking account of a changing context, rather than reflecting any change to the tests in the Act itself."

And at 97. In assessing what "the transition back to local leadership and a return to a normalised statutory framework in Christchurch" means I make the assumption that the outcome of this transition would be demonstrated by use of the RMA for all planning activity, and by central government agencies moving towards a relationship with the local authorities which looks more like what occurs in the rest of New Zealand."

I fully support points made at 15, 16, 21, 37, 54, 56, 64, 97, in the GCR Act Review.

I consider that for the suite of changes being proposed in this s 71 Proposal it should be the RMA and local decision making that is used to consider CCT's long wish list. That is after all the norm when applicants are seeking to vary RMA Resource Consent conditions, and especially as these conditions were carefully considered and crafted by our country's court specifically set up to do that. Returning the s71 Proposal to be considered under the RMA would also allow proper public consultation rather than the public simply getting to "Comment."

CONCLUSION.

58. There is no significant post-earthquake community loss to be addressed here. Since Hagley Oval was developed by the Environment Court in 2013 under the CER Act, and was consented to fulfil the CCRP requirements, including consent conditions to try and keep it like a village green, nothing has changed at the Oval to trigger regeneration. CCT are 'in this boat' because they did not erect the consented lighting towers at Hagley Oval. The fact that they have used Regenerate Christchurch to try and assist them is regrettable, and as this comment details, something I consider inappropriate.

I consider, that sadly when it is 'boiled down,' this s 71 as a whole is a commercial proposal by CCT, who in a difficult bidding situation that is beyond the brief of GCR Act, and beyond our control, are trying to generate more income out of Hagley Oval and in ways that will not be sustainable. The extent of the combined plan changes and their cumulative effect on Hagley Park at its other users are considerable and this is likely to compound over time. The wish list of one party at the expense of the rest of the community is not a proper use of s 71 under GCR Act, when it is obvious that there will not be sufficient benefits to the wider community from this proposal, in fact quite the reverse, especially over time.

Hagley Park is an inter-generational treasure in our city and needs to be protected for ours and for future generations.

- *Ki uta ki tai* – the interdependence between nature and function; reciprocity; respect and care in use of the environment; and

- *Kaitiakitanga* – the intergenerational responsibility to pass the environment to future generations in a state that is as good as, or better than, the current state.

59. Hon. Dr. Woods established this through including Hagley Park in, and protecting its management plan (HPMP) through, the GCR Act. The amendments in the HPMP and therefore protections for the Park were by unanimous Parliamentary vote. It would be a travesty if the very same act of Parliament was used now to minimise those protections.

60. Furthermore, when Hon. Dr. Woods presented the third annual review of the GCR Act to Parliament, the review notes: “Other positive features related to use of the planning provisions over the last year: The development of thinking and practice amongst key participants about how the Act is applied, for example the consideration that proposals to use the powers of the Act must benefit a range of parties, rather than one party ahead of others.” (At 54)

I consider it a long bow to draw to conclude the sought s 71 changes align with Regenerate’s objective of “enhancing the capacity, capability and resilience of *the community*.” In December 2017 Regenerate knew that Hagley Oval, was no longer considered a regional priority in “deliberations regarding..... regeneration planning,” and Regenerate had the GCPG-shared data from the Spaces and Places Plan showing interest in cricket by young people was low and declining, so the Oval could not be seen as being a future sporting need. Therefore when CCT came calling in late 2018, and despite what CCT said about the Oval not really being completed in its Memo of July 2019, I believe that Regenerate should have on both occasions said to CCT, “Sorry no.”

Regenerate chose not to, but I urge the Associate Minister, for all the different reasons provided in my “Comment” and there are many others that I am sure other people have brought to your attention, to **decline this s 71 Proposal**. Anything else would not be right.

Hagley Oval – Amendments to the Christchurch District Plan Section 71 Proposal | Written comment form

Where can you see the Proposal and find additional written comment forms?

The Proposal can be viewed and written comments can be made online at the Department of the Prime Minister and Cabinet's website: www.dpmc.govt.nz/hagley-oval

Also, the Proposal can be viewed, and written comment forms are available, at Christchurch City Council service centres and libraries, and the main office of Selwyn and Waimakariri District Councils during normal business hours.

Written comments must be received no later than 5pm, Wednesday, 20 November 2019.

Please secure the edges of this form before posting (using tape or staples). If you are attaching other sheets of paper, please put them in an envelope and address it using the "Freepost GCG" address on the other side of this form.

Do you agree with the Proposal?

Do you agree with the proposed use of section 71 of the Greater Christchurch Regeneration Act 2016 to make new rules in the Christchurch District Plan that set standards for the operation and use of Hagley Oval?

Yes No

Why do you agree/disagree and do you have any other comments (optional)?

I have no issues with promoting more international sport in Christchurch.

Please fold with the Freepost address portion on the outside, seal and return by 5pm, Wednesday, 20 November 2019.

s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

SUBMISSION TO THE MINISTER

Hagley Oval Lights.

The erection of 6 non-retractable 50 meter tall towers must not proceed.

To avoid due process through the RMA, CCT deliberately delayed its application for the consent for these towers.

They knew of requirements for World Cup Cricket lighting in 2018 but chose to wait until 2019 so that they could claim urgency. Even then a late RMA application could have been made with urgency requested.

This however was never their intention knowing that it would have allowed public debate, cross examination and much greater scrutiny. Instead they chose a back-door approach so that all their accompanying demands are not able to be publicly tested, effectively circumventing the usual strict controls for a public park of national heritage significance.

Demands.

They want permission for extensive advertising.

They want permission for 6 non-retractable massive towers 50 meters tall with tops 14.5 meters wide with over 40 bulbs each.

At this height these structures will be at least 10 meters taller than any existing trees in the area. The visual impact of this will totally change the aspect of the green from a peaceful field to a blazing commercialised stadium.

They want permission for many more fixtures, each time with lighting for matches until 9p.m. or midnight. To clear the park another hour would be required, with no consideration for the glare on the 5 top floors of the Hospital. Practice for such events would of course require many more evenings.

CCT in their promotion use the concept of 'village green cricket' in an effort to win approval.

'Village green cricket' is always played during daylight hours and this is the best time for spectators to appreciate the players' skills. Out of 32 World Cup fixtures there are plenty of chances for day matches in Christchurch. We need not miss out.

Flood lit night cricket has no part in 'village green' play and it is ludicrous to pretend otherwise. Good TV coverage would publicise our city in its natural sunlit beauty with trees and green blending.

Reasons against granting this renewal.

CCT have ignored the explanations given them for the very important reasons for the refusal of their earlier application conditions. It appears as though they have focused entirely on ways to avoid lawful procedure by mis-use of emergency powers granted to Regenerate Christchurch after the earthquakes.

The s71 was part of temporary legislation not intended to be used by CCT to further its commercial interests and avoid questioning on the implications of its actions.

In 2013 transport authorities strongly advised against CCT's earlier proposals.

{ In view of the recent findings of the Boshier report on the lack of transparency and occasional falsifying of reports to the CCC it could be surmised as to whether this was the fate of such negative reports. }

The pressure of traffic on these major thoroughfares has increased considerably in the intervening years and will continue to do so when the Metro Sports Centre and further extensions of the Hospital are complete.

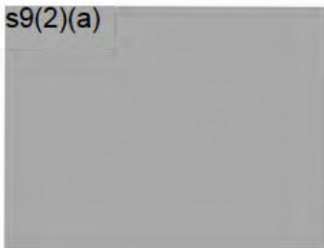
CCT's proposed changes to their lease would seriously impede access to our hospital should another emergency and a major fixture co-incide, thereby endangering lives.

NZ Cricket lacks competency in its handling of its own finances and makes absurd and misleading statements concerning profits to the city yet is making claims on the public purse.

In general the pressure of traffic, parking, noise levels and visual pollution of a prime area of our city make this application totally inappropriate in terms of the District Plan, the Reserves Act and the amendment to the Regeneration Bill which excluded Hagley Park and favoured the Hagley Park Management Plan.

Regenerate Christchurch and the CCC must put the interests of the rate payers and citizens of the city first and not sanction this blatant manipulation of all regulatory safeguards by a minority group bent on exploiting us for commercialism and permanently altering a treasured park.

s9(2)(a)



Proactively released by the Associate Minister for Greater Christchurch Regeneration

Te Kāhui Whakahaere
Office of the Chief Executive

s9(2)(a)



2 December 2019

Section 71 Proposal: Hagley Oval
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

by email to info.gcg@dpmc.govt.nz

Tēnā koe


VARIATION OF RESOURCE CONSENT – HAGLEY OVAL

The Ara Institute of Canterbury (Ara) is aware of the application being made by the Canterbury Cricket Trust (Trust) to Regenerate Christchurch for the Variation of the Resource Consent at Hagley Oval pertaining to lights and related matters.

Ara has many connections and relationships with students and international organisations in the countries which are participating in the Women's Cricket World Cup 2021.

Any moves to boost the ability to play cricket in Christchurch and for it to be televised to our relationship partners would be very welcome by Ara and we fully support the Trust's application. We believe Ara, and indeed Christchurch itself, would potentially benefit from our exposure of sporting events overseas and into the Indian subcontinent and Asia in particular, and whole-heartedly endorse the proposal.

Nāku, me ngā manaakitanga



Tony Gray
Chief Executive

2 December 2019

Department of the Prime Minister and Cabinet

Hagley Oval – Section 71 Proposal

As Chair, and on behalf of, the Canterbury Cricket Trust (the Trust) I fully support the application by Regenerate under Section 71 of the Greater Christchurch Regeneration Act 2016 to enable amendments to the Christchurch District Plan in respect of Hagley Oval.

Background


1. In 2013 the Environment Court (the Court), after a six-month process and a three and a half week hearing, granted resource consent to Canterbury Cricket to build a pavilion and install four lighting towers at Hagley Oval. This consent enabled the Trust to create a village green ground at Hagley Oval for all levels of cricket, namely club, representative and international cricket.
2. The Council granted a lease of the pavilion footprint and the footprint for the four lights, on the basis of that decision. That lease was granted by the full Council on 2 December 2013 and assigned to the Trust on 19 September 2014.
3. As a result of technology advancements (such as high definition broadcasting) and the broadcasting requirements imposed by international broadcasters, the four lights at Hagley with a height of 48.9m are no longer fit for purpose. There are a number of factors that point to this position:
 - 3.1 The retractable four lights will not give coverage that international broadcasters now require. Four lights will be required at a height of approximately 56m in order to achieve appropriate lighting standards.
 - 3.2 Six lights will give that coverage at the accepted height of 48.9 metres, which was the height permitted under the consent.
 - 3.3 The retractable light standards are cumbersome and large in comparison to the more refined and slim-lined lighting standards that come with the six lights.
 - 3.4 The retractable lights standards require oil reservoirs to be buried below the ground to mechanically operate the retractable mechanisms. This is ecologically unattractive, particularly in the environment of Hagley Park.

- 3.5 The condition to remove the light headframes at the end of each cricket season and re-install them at the commencement of the next season (in April and September each year) means:
- 3.5.1 That Hagley Oval will become a construction zone twice a year; and
 - 3.5.2 That cranes are required for such removal and their location on the park is inappropriate, particularly at times of the year when the ground is soft and likely to be easily damaged.
4. We have already seen that car parking on the park compromises the health and durability of our trees, and for that reason cars are no longer permitted on Hagley Park. Despite having permission within the resource consent to use the polo grounds in South Hagley Park as car parking, the Trust fully supports the decision not to permit it, showing the empathy we have for the environment we are operating within.
5. The Associate Minister for Greater Christchurch Regeneration has decided to notify the application to amend the Christchurch District Plan to allow for the lights and changes in operating conditions and has invited the public to give their views of the proposal.
6. Submissions in respect of a variation of the lease from the Christchurch City Council have closed and hearings in respect of that matter are due to be held at the Council on 6 and 9 December 2019.

The Case of History and Support

7. A cricket ground was first created in Hagley Park within a few days of the settlers arriving in New Zealand. This was created in the area approximate to what is now known as Nancy's Corner, at the Riccarton Road and Deans Avenue intersection.
8. In the late 1850s the cricket ground was removed to its current site at Hagley Oval. It was planted out as a village green based on the concept of an English cricket ground and has been there ever since. Hagley Oval and cricket at Hagley Oval, is as old as Christchurch itself.
9. The first international match was played at Hagley Oval in 1864 between an England XI and a Canterbury XI. There is a detailed drawing of that game **attached** to this submission. We understand people paid to attend that match, to help to defray the expenses of the English Cricket Team who came by sea to New Zealand and also Australia on their tour.
10. Since 1864 representative cricket games have been played at Hagley Oval and the surrounding grounds right through to the present day. **Attached** is a photograph of a typical Saturday in South Hagley taken around 1955. This photograph evidences something like 36 games (72 teams) or 792 players participating at South Hagley on this particular day.
11. Lancaster Park was created in 1930 to provide for internationals for rugby, cricket and other sports such as athletics. The emergence of rugby into the summer season with Super Rugby meant that in the late 1990s cricket began to look for a purpose-built cricket venue for national and domestic cricket.

12. When the late Chris Doig and I were exploring potential options for a suitable venue in Christchurch in the early part of this millennium, we kept returning to Hagley Park, as it was, and still is, the ideal and obvious location for this facility; which was further supported by the consents granted by the Environment Court in 2013.
13. The Council constructed a first class wicket block and ground when Hagley Park became the chosen location and paid for the construction of the embankment in time for Men's Cricket World Cup in 2015 and continues to maintain the Oval to a magnificent and international standard.
14. Eight thousand people attended the first test at Hagley Oval on Boxing Day in 2014 and as recently as this month 7,500 people attended the T20 international versus England, on a weekday afternoon.
15. Hagley has clearly become one of the premier international cricket grounds in the country. It features in a publication of the 20 Best Cricket Grounds in the World. Christchurch is the gateway to the South Island and it is entirely appropriate that it is the major international cricket venue in the South Island.
16. The limitation on pack-in and pack-out requirements and the limitation to 13 days of international cricket per season are a major show stopper to Hagley becoming this premier ground. Lights are needed to ensure that it is fit for purpose for all international cricket.
17. The match in Christchurch on 1 November this year gave Christchurch and the cricket community the ability to show support to our local Muslim community who were terribly impacted by the March 2019 shootings. The Trust, with other venue partners waived the usual fees to enable New Zealand Cricket to donate all ticket sales to the Sport Inclusivity Fund, set up to assist inclusion through sport of Muslim children. The Trust was also pleased to be able to offer tangible support by making both the Pavilion and the Hagley Sports Centre available to the Muslim community as a place to meet out of the public eye, immediately after the tragic events of 15 March.
18. We believe that the section 71 process is entirely appropriate in this case to ensure that Christchurch has an opportunity to host major games in the Women's Cricket World Cup 2021 including the final games and including the possibility of events around the tournaments opening and closing. The international market for Christchurch would be entirely beneficial and of great economic benefit to the City as the evidence before the Minister has shown.
19. I wish to speak at the hearing.



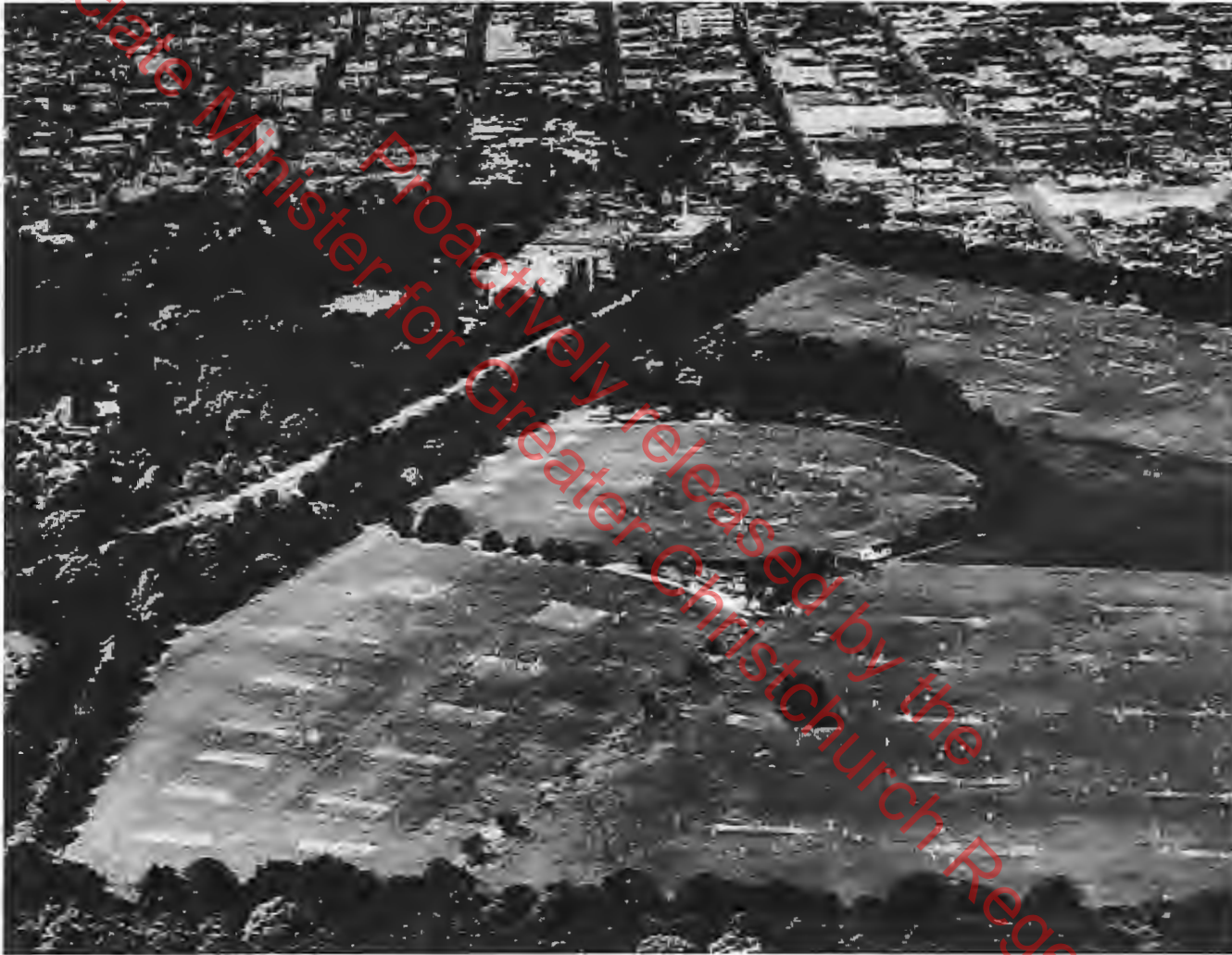
Lee Robinson - Chair
Canterbury Cricket Trust

Hagley Park
Canterbury vs England
February 1864



Christchurch's first international sporting event was a ticketed game, at Hagley Oval, to pay for the England Cricket team's boat fare home.

Multiple Cricket Games at Hagley Oval and Surrounds, Circa 1955



Each of the white dots is a cricket player.

Canterbury

District Health Board

Te Poari Hauora ō Waitaha

Submission on Hagley Oval

To: Department of Prime Minister and Cabinet

Submitter: Canterbury District Health Board

Attn: Kirsty Peel
Community and Public Health
C/- Canterbury District Health Board
PO Box 1475
Christchurch 8140

Proposal: A proposal under section 71 of the Greater Christchurch Regeneration Act 2016 to change the CCC District Plan to provide for the use and operation of Hagley Oval, including permitting six permanent light poles and structures and increasing match days.

SUBMISSION ON HAGLEY OVAL

Details of submitter

1. Canterbury District Health Board (Canterbury DHB).
2. We welcome the opportunity to comment on the Hagley Oval consultation .

CDHB's interest in this consultation

3. The future health of our population is reliant on hospitals and health services operating effectively, and on a responsive environment where all sectors work collaboratively to improve health outcomes.
4. The Canterbury DHB has a strong interest in ensuring Hagley Oval, and the areas adjacent to it, function optimally given the close proximity of Hagley Oval to the Canterbury DHB-run main Christchurch Hospital campus.
5. Since Hagley Oval was developed, the Canterbury DHB has worked alongside the Canterbury Cricket Trust (CCT) and other agencies to address shared operational issues. The Canterbury DHB wishes to ensure that these operational considerations continue to be addressed to the DHB's satisfaction in the future.
6. While health care services are an important determinant of health, health is also influenced by a wide range of factors beyond the health sector. The Canterbury DHB is responsible for promoting the reduction of adverse environmental effects on the health of people and communities and to improve, promote and protect their health pursuant to the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
7. As part of this role, the Canterbury DHB supports healthy environments including sport and recreation facilities that enable increased physical activity and greater leisure opportunities and wishes to ensure that these are accessible to all. The Canterbury DHB notes the information from the 2018 Canterbury Wellbeing

Survey that loss of outdoor sport and active recreation facilities continues to be among the negative impacts of the earthquakes with one in five still impacted.¹

Main issues from the Canterbury DHB perspective

8. The Canterbury DHB notes that Hagley Oval's development was identified as an Anchor Project in the Recovery Plan to contribute to the recovery and regeneration of greater Christchurch.
9. The Canterbury DHB therefore supports the Minister to exercise her powers under section 67 of the GCR Act to seek public comment on this proposal.
10. Since 2015, the Canterbury DHB has had a positive experience in working with the CCT planning group and other agencies in managing cricket matches at Hagley Oval. The Canterbury DHB believes that, provided the rule changes and processes (including the development of event management plans) outlined in Appendix 1 are implemented, any 'business as usual' operational issues should be able to be addressed through collaborative planning.
11. There are, however, some NEW issues that arise due to the changes proposed in terms of the lights, night time matches, and increased number of events that we wish the Minister to be aware of. All of these will require more detailed planning, including scenario testing, and will have resource implications for the Canterbury DHB.

Lights

12. It is not expected that light from the lighting towers will impact the hospital campus directly.
13. There are, however, potential safety considerations relating to the height of the lighting towers and their impact on helicopters. It is envisaged that somewhere in the region of 1000 aircraft movements will occur annually at Hagley Park helipad and the new hospital helipad. The Canterbury DHB is still planning for precise

¹ <https://www.cph.co.nz/wp-content/uploads/CantyWellbeingSurveyMay2018.pdf>

flight paths to the new hospital helipad and will need to consider the impacts of this proposal should it proceed.

14. The Canterbury DHB wishes to be reassured that helicopter movements will not be adversely affected by the lighting towers. We suggest that any impact of the lights (and any other aspects of the operation of Hagley Oval) on flight paths is investigated and resolved with the helicopter companies before approval is given to proceed.

- a) We support GCH Aviation who are requesting 3D models be provided showing the towers and current trees and surrounding buildings to clarify any potential safety issues.
- b) The Canterbury DHB has also identified a potential issue that one of the lights may directly face one or other helipad and this may be a safety consideration that needs investigating.

Media drones

15. There is an existing process to clear helicopter flight paths of drones during matches. The additional event days, and higher profile of matches, will increase the frequency that the Canterbury DHB will need to initiate this step in the helicopter landing or taking off process.

Night time matches

16. While the new Canterbury DHB hospital facilities are sound insulated by double glazing and non-opening windows, there may be issues related to noise of night time matches with the older facilities which have single glazing and opening windows. For example, this may require the rescheduling of sleep clinics around night matches.

17. There will be impacts on Canterbury DHB staff accessing the hospital during night matches.

- a) Parking may be more difficult to obtain than normal from the night before the match through to the day after the match with traffic

management plans limiting access to Riccarton Avenue to Riccarton Road.

- b) The safety of staff walking through the park at shift changeover at 10pm (when night matches are ending and alcohol affected people are leaving the game) will need to be managed.

18. There is also the potential for people leaving the match (who may be alcohol affected) to place themselves or others at risk walking across the Hagley Park helipad.

Increased number of events, some with more people

19. Parking in the vicinity of the hospital will be impacted by the increased number of events, some with more people. The Canterbury DHB has previously noted that the existing Canterbury DHB Mobility Car Parks can be inappropriately used by cricket match attendees (disabled or not).

20. Traffic management issues will be greater, with access to the hospital by ambulance and the public in emergencies potentially being compromised. Similarly, there may be problems with midwives reaching women in labour at the hospital in time.

Key resource implications for Canterbury DHB

21. Considering the issues above will require additional resources by the Canterbury DHB, including the following examples.

- a) More planning and more staff input will be required more frequently to manage the increased frequency of large events impacting the hospital.
- b) More staff (e.g security) will be required during night matches.
- c) Increased communications resources will be required to advise staff, patients and visitors of any changes to business as usual.
- d) Emergency Department staffing increases will be required to plan for more 'walk-ins' and possible serious injuries that St Johns considers beyond general practice 24/hour services.

- e) Increased security staffing on hospital premises will be required to manage alcohol affected people and people cutting through the hospital grounds.

22. There is the potential for cricket attendees inappropriately using Canterbury DHB resources, including the Hospital Shuttle and toilets in hospital or outpatient buildings.

Appendix 1 suggestions

23. The Canterbury DHB has a number of suggested changes to the proposed amendments to the District Plan including:

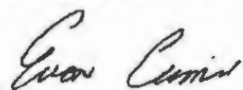
- a) 18.4.2.8.f.iii. Consider adding to the list of all other temporary facilities, a first aid station.
- b) 18.4.2.9 c i – Change the word ‘confirm’ to ‘negotiate’
- c) 18.4.2.9.f.iii. Events management plan (transport)
 - o O. - “to ensure that convenient and accessible parking is provided for” suggest continuing “mobility impaired people who display valid mobility permits in their vehicles”.
 - o Suggest adding “P. – to provide suitable pick off and drop off facilities for taxis, including maxi-taxis.”

Summary

24. In summary, the Canterbury DHB supports the Minister accepting the proposal with all of the detail included in the plan changes outlined in Appendix 1 and the changes suggested above, notwithstanding the increased resource implications that will result for the Canterbury DHB.

25. The Canterbury DHB wishes to highlight our request to alter the wording of 18.4.2.9 c i that will require the CCT to negotiate (rather than confirm) arrangements with relevant agencies so we are confident of our ability to work through issues and develop solutions in a collaborative manner that will work for all parties.

Person making the submission



Evon Currie


Date: 14 November 2019

General Manager
Community & Public Health
Canterbury District Health Board

Contact details

Kirsty Peel
For and on behalf of
Community and Public Health
C/- Canterbury District Health Board
PO Box 1475
Christchurch 8140

s9(2)(a)



Proactively released by the
Associate Minister for Greater Christchurch Regeneration

18 November 2019

To: Greater Christchurch Group
Department of the prime Minister and Cabinet

Submission – Hagley Oval Section 71 proposal

Thank you for the opportunity to comment on the proposed Hagley Oval Amendments to the Christchurch District Plan – Section 71 Proposal. We currently represent 427 members throughout the Central City.

The CCBA was set up in 2007 in response to the decline of the commercial environment in the city centre. Prior to the 2010/2011 earthquakes we had around 500 members and provided retail management services for the City Centre including security, marketing, events and retail advice.

The CCBA's post earthquake focus area was initially the core within the frame of the Christchurch Central Recovery Plan. This has since extended out to include the Innovation Precinct and part of the South Frame, our boundaries roughly now being St Asaph, Manchester, (Madras), Kilmore and Montreal Streets.

After the earthquakes we played a key role in establishing the Re:START Mall, and we continue to help our members rebuild the Central City business offering. However, the last nine years have been exceptionally difficult for our members, with road closures, poor access, and building and road reconstruction making it very difficult for our business to operate effectively.

There has been a significant lack of progress with some of the anchor projects such as the Convention Centre, Multi Purpose Arena and Metro Sports facilities yet to be completed, leaving a large economic gap in our cities offering.

We know that events play an important role in bringing visitors back to the city and generate significant immediate and long-term economic, social and/or cultural benefit to Christchurch. Events are also pivotal in building the Christchurch brand and generate media coverage in markets of interest for tourism and business opportunities.

We believe that having a venue that meets international broadcasting standards adds great value and enables Christchurch to bid for "top-tier" international cricket fixtures as it all helps re-establish Christchurch as an international city and gateway to the South Island.

Therefore, the CCBA is supportive of the proposal to exercise the powers under section 71 of the Greater Christchurch Regeneration Act 2016 to amend the Christchurch District Plan to provide for the operation and use of Hagley Oval

The CCBA supports the changes to the Resource Consent that:

1. Permit six permanent light poles and structures (as opposed to four retractable poles permitted by the 2013 resource consent).
2. Increase the number of match days allowed (from 13 days with over 2,000 spectators to 20 days with over 2,000 spectators, and from two days with over 12,000 spectators to five days with over 12,000 spectators).
3. Enable an additional five match days in years when International Cricket Council events occur.

The CCBA encourages the Greater Christchurch Group to acknowledge the impact and legacy that events contribute to the Canterbury economy and society, as part of the purpose for exercising the powers under the Section 71 Proposal.

For the ICC Women's Cricket World Cup 2021 matches alone, the city could expect an increase of 15,000 visitor nights and \$2.9 million in visitor spending. Hosting this tournament provides significant opportunity to raise the profile of women's sport, bringing top tier ICC Women's World Cup 2021 games to Christchurch while raising the city's profile to a global audience of approximately 180 million. These outcomes cannot be achieved for the city without having a venue that meets international broadcast standards. This would also see Christchurch positioned as the only cricket ground in the South Island with international standard broadcast lights. This event alone would deliver a much-needed boost for the city businesses that have struggled to survive through the post quake rebuild.

The CCBA values the opportunity to submit on this proposal and we wish to speak to this submission.

Regards,

Annabel Turley
Chairwoman
Central City Business Association.



Christchurch Business Club
NEW ZEALAND



Tuesday 19th November 2019

To whom it may concern

The membership of the Christchurch Business Club based at The Canterbury Club 129 Cambridge Terrace Christchurch, at a meeting held on Monday 18th November 2019 unanimously moved a motion to support the proposal for the lighting at Hagley Oval, so that Christchurch can host international cricket games, that will encourage growth in the participation and watching of the game of cricket and provide economic stimulus to Christchurch City and the wider Canterbury region.

Kindest regards

Mr Nigel Babbage

President Christchurch Business Club

Ms Michelle MacWilliam

Secretary Christchurch Business Club



Christchurch Business Club, P.O Box 603 City, Christchurch

www.cbc.org.nz email: secretary@cbc.org.nz

18 November 2019

Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140 by email: info.gcg@dpmc.govt.nz

Dear Sir/Madam

Re: Section 71 proposal: Hagley Oval

The Council would like to thank you for the opportunity to consider and provide comment on the Proposal to amend the Christchurch District Plan in relation to Hagley Oval.

As previously reported, Council recognises and understands the importance that Hagley Oval plays in the wider environs of Hagley Park. Hagley Park is managed through the Hagley Park Management Plan, and is an important part of the culture, landscape and heritage of Christchurch. We also recognise the need for lights to provide for international cricket matches in the evening and are supportive of the Women's Cricket World Cup. There are likely to be a range of strong community views, and high public interest, in the proposed amendments, which has been a key consideration for the Council.

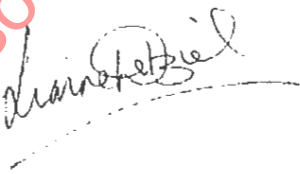
The following comments should be seen as complementary to our earlier formal feedback on the draft Proposal. In our previous feedback we raised, in particular, concerns about:

- the term Major Sports facility,
- lighting,
- noise,
- hours and duration of operation, and
- parking.

Many changes have been made in regards to these comments and we are appreciative of that. Whilst we understand that under the Greater Christchurch Regeneration Act the Minister cannot make changes to this Proposal, Council staff, outside of this process, will continue to provide advice on ways to reduce the visual impacts, including exploring whether it is possible to reduce the height and size of the lights.

Thank you again for the opportunity to consider and provide views on the Proposal. The relevant Council officers will also be happy to discuss further any of the matters raised in this letter.

Heio ano



Na
Hon Lianne Dalziel
Mayor of Christchurch

From: s9(2)(a)
Sent: Monday, 2 December 2019 3:07 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval - Section 71 Proposal

Please find attached comments on the above from the Christchurch Civic Trust

Timothy Hogan

Secretary



The Christchurch Civic Trust, PO Box 1027, Christchurch 1140, New Zealand.

Proactively released by the Associate Minister for Greater Christchurch Regeneration



Megan Woods

Preserving Hagley Park for future generations

LAST WEEK, amongst the passing of the Greater Christchurch Regeneration Bill, Labour had a significant win.

We gained unanimous support for an amendment in my name that means that Hagley Park is now protected from the regeneration provisions. Put simply, my amendment means that emergency powers cannot be used to build on the park.

It's not that I had wind of an imminent proposal looming for the park. My reason for making sure we protected the park was more about principle. Our forebears created the space in the 19th-century, and generations have fiercely protected it since.

In the 1860s a plan to connect Great South Rd (now Riccarton Rd) through to Armagh St fell over.

Over a 100 years later, in 1971 Ron Guthrey found one of the "holy grails" of Christchurch politics when he tried to put a road through Hagley Park to connect Harper Ave to Salisbury St. It was just not going to fly and Guthrey was one of only two one-term mayors in our city's history. It's now our turn

to step-up and be the guardians and protectors of this jewel in the middle of our city.

Hagley Park is not simply a relic of our history. It can also be an exciting part of our future. Hagley Park is the neighbour to some of the most intensely developed suburbs in the city.

On its western boundary, Riccarton is a suburb where backyards are largely a thing of the past with courtyards replacing the vege patch.

Imagine the space we could create along Deans Ave and into the park where families could picnic and barbecue, and informal games and sport could take place. The park can be one giant backyard.

In 100 years I want Hagley Park to be there as an open public space with good recreational facilities. I want to see people walking, biking, and relaxing there. I want it to be an island of biodiversity in our city and to be a critical part of Christchurch's response to climate change. And importantly, I want it to be a place where children still play and explore.

Megan Woods is Labour's Canterbury spokeswoman



The Star 20/6, April 7th Page 19

Associate Minister for Christchurch Regeneration

FROM HANSARD - GREATER CHRISTCHURCH REGENERATION BILL AMENDMENTS

Dr Megan Woods' 2016 amendments (passed unanimously in Parliament) to the Greater Christchurch Regeneration Act, excluded actions, which would bypass the statutory Hagley Park Management Plan.

Speaking in support of her Hagley Park amendments, Dr Woods stated in Parliament:

"...But what we are saying is that when it comes to Hagley Park and the protections that have been built up over that piece of land, it actually is time to return to business as usual. When it comes to that particular taonga in the centre of our city, we do need to be able to say "It is as if the earthquakes never happened, and it is as if the bespoke legislation that is put in place to aid our recovery and our regeneration does not exist..."

(Hansard - 29 March 2016

https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000877/woods-megan-greater-christchurch-regeneration-bill)

"...there are a number of instruments that are used in this legislation, and what my amendments do ensure that the management plan of Hagley Park is the primary instrument and that it is not overridden by anything else that might be in this legislation..."

(Hansard - 29 March 2016

https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-regeneration-bill)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

As invited by public notification, this document, authorised by the Christchurch Civic Trust Board, (Civic Trust) provides comments

to

The Hon. Poto Williams, Associate Minister for Greater Christchurch Regeneration, as the Minister acting under delegated authority from the Hon, Megan Woods, Minister for Greater Christchurch Regeneration

concerning

The proposed use of section 71 (s71) in the Greater Christchurch Regeneration Act (GCRA)

as requested by

The Canterbury Cricket Trust (CCT)

for the purpose of

Making certain changes to the Christchurch District Plan (CDP)

1 The Christchurch Civic Trust seeks assurance that the Associate Minister reads the entirety
2 of these comments and the attachments, and that she does not rely on summaries of our
3 comments as may be provided by DPMC officers or others assisting the Associate Minister,
4 given she faces a time constraint of 20th December, imposed by cricket interests in order to
5 bid to host some games at Hagley Oval for the Women’s Cricket World Cup. This is because
6 the Associate Minister makes the final decision. **In these comments we believe there lies
7 more than sufficient evidence and legal consideration for the Associate Minister to decline
8 the s71 GCRA proposal in total.**

9 **1 Improper Purpose**

10 *“The doctrine of improper purpose is fundamental to public law. Statutory powers are given
11 for a purpose and their exercise must always promote that purpose. A power granted for one
12 purpose must be used for that purpose, and not for some unauthorised or ulterior one..... The
13 ground of improper purpose covers, in addition to bad faith, the unintentional or mistaken
14 misapplication of public power.”* Pg 941-2 Philip A Joseph, Constitutional and Administrative
15 Law in New Zealand 4th Edition.

16 The Civic Trust draws attention to the decision of Chisholm J
17 <https://www.nbr.co.nz/sites/default/files/images/20120724151604262.pdf>

18 Three of the five grounds for review that were considered inform the position we take.

- 19 (1) power not exercised for proper purposes [64 – 105]
- 20 (2) misapplication of statutory power [106 – 127]
- 21 (3) exercise of power was not necessary [128 – 150]

1 The Civic Trust contends that it would be for an improper purpose if s71 of the GCRA were
2 to be used for the purpose of achieving the ulterior motive of setting aside the conditions of
3 consent granted by the Environment Court in ENV-2013 –CHC-0019 for the development of
4 Hagley Oval, **on the grounds that urgency is required, so that the CCT can bid for games at**
5 **Hagley Oval for the forthcoming Women’s Cricket World Cup**, some of which might
6 possibly be played at night.

7 It is also a misapplication of statutory power when other statutes exist that are more
8 appropriate to use.

9 The exercise of power was not necessary in this case referred to above and is not necessary
10 in this case for the purpose of regeneration.

11

12 The nature of the urgency and certainty sought by the CCT is not achievable under the
13 purposes of the GCRA. S3(1) (a) *enabling a focused and expedited regeneration process*, we
14 contend is not available to remedy a failure to act earlier in a timely fashion to give effect to
15 a consent already held simply because of a desire to be able to bid for a forthcoming event
16 long foreseen, namely the Women’s Cricket World Cup.

17

18 If this matter of setting aside conditions of consent in ENV-2013 –CHC-0019 were to be put
19 before a new Resource Management Act hearing’s process, we would provide expert
20 evidence on points of law. That prospect is denied to the Civic Trust and all other individuals
21 or groups affected by Regenerate Christchurch’s (RC) proposal on behalf of the CCT under
22 the GCRA. In effect, RC can pick its legal advice, paid for by RC from public funds.

1 Belatedly made available online after a public protest,

2 **APPENDIX 3: NECESSARY AND PREFERABLE: LEGAL ASSESSMENT**

3 Greater Christchurch Regeneration Act 2016: Sections 65(2)(d) and 11(2), has allowed us to
4 evaluate that document and make comments by way of rebuttal (attached) which is to be
5 read with this document.

6 This proposal does not constitute an emergency of national or regional significance in
7 response to some disaster requiring great haste to remedy or make safe. This is not an
8 application to rebuild infrastructure destroyed by earthquakes. It is an application to
9 implement something new beyond what has been consented and in defiance of the
10 Environment Court, simply to meet internationally determined and revised conditions for
11 the broadcast of commercial night coverage of cricket at Hagley Oval and to ease the
12 burden of compliance on the CCT.

13

14 Allowing greater freedom to cricket authorities on the conduct of cricket at Hagley Oval,
15 with spread effects into the adjacent areas of the Park, is a blatant attempt at future-
16 proofing cricket interests at this venue, as foreseen by the Environment Court (see next
17 section).

18 **2 The Christchurch Central Recovery Plan (CCRP)**

19 The Christchurch Central Recovery Plan (CCRP) has not yet expired having been assumed by
20 RC until both expire in 2022.

21 Much play is made of completing the development of Hagley Oval as set out in the CCRP.

1 Under the GCRA s9(1) *Unless expressly required in this Act, when exercising a particular*
2 *power under this Act, the person exercising it need not consider any Recovery Plan or*
3 *Regeneration Plan relating to the matter.*

4 Therefore, The Associate Minister need not consider the CCRP. We contend, with respect to
5 Hagley Oval, that the CCRP is completed business.

6 The Greater Christchurch Partnership Committee (GCPK) requested that Sport Canterbury
7 lead and produce the "Sport Canterbury and Greater Christchurch Partnership's, Canterbury
8 Spaces and Places Plan: A Regional Approach to Sporting Facilities." On page 14, in that
9 regional plan dated December 2017, were identified a series of projects to undertake over
10 the next ten years. The International Cricket venue at Hagley Park is listed under
11 "Completed facility projects".

12 The conclusion to be drawn from this is that Hagley Oval was considered complete in that it
13 had achieved its consented targets for the pavilion and embankment, and held consent for
14 four retractable light towers which could be constructed at any time convenient to the CCT.
15 When consented, the four retractable light towers met the requirement for "Sports lighting
16 to international broadcast standards" for "a venue capable of hosting domestic cricket
17 matches and international tests."

18 The development of Hagley Oval, as set out in the CCRP, was a completed project but for
19 the tardiness of the CCT. The CCT is still legally able to build those four retractable light
20 towers.

21 Those consents granted by the Environment Court and the lease obtained from the Council
22 to build four retractable light towers at Hagley Oval, with the headframes to be

1 demountable in the off-season, were made possible by the overriding powers of the
2 Canterbury Earthquake Recovery Act (CERA) and ministerial direction under that Act, but
3 still subject to the conditions set by the Environment Court. Those conditions were agreed
4 by the applicant, the Canterbury Cricket Association Inc. (CCAI).

5 We are not provided with evidence of the range of engineering options considered for the
6 construction of either four or six light towers. We are not provided with evidence why a
7 specific, still evolving design, for six permanent light towers has been selected. We are not
8 provided with evidence of the capacity of the CCT to finance the construction of any light
9 towers.

10 These cricket related structures and assets in Hagley Park would revert to the Council's
11 ownership under the terms of leases issued under the Reserves Act if the CCT / CCAI
12 became bankrupt. That risk should exercise the minds of Christchurch City Councillors. We
13 can expect further requests for the city ratepayer to underwrite paying for these assets.

14 It is relevant to note that the Environment Court also considered possible variations being
15 requested in the future to the conditions of consent it had granted. It declares at
16 [532] *"it is our finding that the potential adverse effect on the Park's character and amenity*
17 *outweighs any desire on Canterbury Cricket's part to future-proof this venue by providing a*
18 *large contingency for growth in the number of events. Further, we heard no evidence that*
19 *other venues currently used by Canterbury Cricket for major fixtures that are not subject to*
20 *ICC requirements, such as HRV T20 cup, would not continue to be available should this*
21 *number of match days prove insufficient in any one season. **While reducing the match days***
22 ***to 13 may come at a financial cost to Canterbury Cricket, there is a greater albeit***
23 ***incommensurate cost to the environment if this is not done.**"* [emphasis added]

1 3 **Tardiness**

2 Neither the CCAI nor the CCT acted to build the consented light towers even knowing in
3 2013 that New Zealand had been awarded the Women's Cricket World Cup. The CCT is now
4 claiming that the consent conditions are too restrictive, too costly to implement, do not now
5 conform to standards required (or advised?) by the ICC, and would likely cause more
6 environmental damage if enforced. Clearly it is attempting to vary the resource consents
7 granted by the Environment Court as that Court anticipated might happen, not heeding the
8 warning that cricket could not future-proof the Hagley Oval venue in such a manner.

9

10 The consent conditions were imposed to protect the environment and amenity of Hagley
11 Park in which the cricket oval is located. The basis for imposing constricted consents
12 remains as valid today as when they were imposed.

13

14 The expert evidence of D Lucas, Landscape Architect, and others at the Environment Court
15 Hearings was accepted by the Court. It assisted the Court to ensure the consent conditions
16 were crafted in a manner that would ensure ongoing protection of the character and
17 amenity of the Park.

18 We append to this comment a statement from D Lucas which provides a rebuttal analysis of
19 some of the technical reports that have become available to the public part way through the
20 time for lodging comments to the Associate Minister. We observe that she has had far less
21 time than was available to the authors of those technical reports to prepare her rebuttal
22 evidence.

1

2 The s71 GCRA proposal, now the subject of comments from the public, is an assault on the
3 Decision made by the Environment Court in 2013. The proposal relies upon temporary
4 legislation in a way, we contend, is driven by an ulterior motive and not consistent with a
5 reasonable reading of the purposes of the GCRA. In effect, the proposal under s71 GCRA
6 ignores the findings of the Environment Court, without debate or opportunities for serious
7 rebuttal, as may happen under the usual RMA processes.

8

9 As to the cost of installing retractable light towers, no detailed costs have been made
10 available, either for their design or construction. Indeed, at the time of the call for public
11 comment in October 2019, the final design for the six light towers had yet to be finalised.
12 There is no firm evidence presented to validate the claim of the installation of the
13 consented four retractable light towers being too costly to implement. It is hearsay.

14

15 The Environment Court took note of the lighting arrangement at Lord's Cricket Ground. Four
16 retractable light towers continue to be used at Lord's, but the headframes are now
17 permitted to remain attached in the retracted position.

18

19 We are informed through this s71 process that the ICC has changed the specifications for
20 lighting cricket grounds for international events, but the four light towers at Lord's are still
21 acceptable, as are four-tower clusters elsewhere in the world.

22

1 It appears that the ICC is dictating to New Zealand what must be provided in order for
2 games to be allocated for night cricket at Hagley Oval but not applicable to other cricket
3 grounds in New Zealand that already have light tower installations.

4 It is possible, however, that the CCT is using the specifications advice from the ICC mainly to
5 obtain six permanent high standing non- retractable light towers at Hagley Oval under the
6 GCRA, having failed to convince the Environment Court to allow permanent high standing
7 light towers. We have no opportunity of cross-examination on this matter.

8

9 4 **Compliance with the Hagley Park Management Plan**

10 These latest lighting specifications have gone beyond what can be consented in the Hagley
11 Park setting. This need for international compliance was always seen as an overarching issue
12 for Hagley Oval because of the Oval's location within a specially protected reserve. Cricket
13 authorities had long known of the restrictions embedded in the statutory Hagley Park
14 Management Plan (HPMP), but persisted in their ambition to make Hagley Oval the home of
15 cricket in Canterbury, in the face of the risks of falling foul of legislated restrictions.

16

17 The s71 proposal does not remove the necessity for compliance with the HPMP. Indeed, it is
18 expressly forbidden within the GCRA to do so. This restriction reflects the intent of
19 Parliament that the HPMP must prevail, as we note in quotes from Hansard that are
20 attached to this document. The limiting provisions for structures and buildings within Hagley
21 Park prevail. Consequently, the s71 proposal via RC looks to require another authority, i.e.
22 the Council, to somehow circumvent the statutory HPMP, which cannot be amended
23 through a s71 GCRA proposal put forward by RC. We note, "*Powers separately conferred will*

1 *rarely prescribe compatible purposes, procedures, preconditions or consequences.* Pg 947

2 Philip A Joseph, Constitutional and Administrative Law in New Zealand 4th Edition.

3 The Council is being left in the uncomfortable position of possibly being instructed by the
4 Hon. Poto Williams, the Associate Minister holding delegated authority from the Minister
5 for Greater Christchurch Regeneration to make changes to the CDP via the GCRA, a
6 temporary statute, which, we contend, is being used for an improper purpose and,
7 therefore challengeable in law.

8

9 The Council cannot arbitrarily set aside the HPMP. The Council is confounded, as it cannot
10 issue a complying lease for the proposed six light towers without changes to the HPMP. The
11 time it would take to make any changes to the HPMP under the Reserves Act would leave
12 the CCT's bid for the Women's Cricket World Cup stranded.

13

14 We question whether the urgency surrounding the s71 GCRA process and consequential
15 impacts on other statutes is worth sacrificing the integrity of the statutory protection that
16 Hagley Park has enjoyed for many years, the more so since the public have minimal
17 opportunity to challenge the use of temporary powers to bypass the decisions of the
18 Environment Court. This particular use of s71 runs counter to s3(1) (c) GCRA, which reads:
19 *"enabling community input into decisions on the exercise of powers under section 71 and the*
20 *development of Regeneration Plans"*. The community have not had opportunity for input
21 into the decisions leading up to the stage when public comment on a proposal is allowed,
22 such as we make herewith.

1

2 It is also administratively a highly questionable procedure for the Council to have instructed
3 its staff to consider the matter of the ground lease for the proposed six light towers before
4 the Associate Minister's final announcement is made, and before the final design details for
5 those lights are concluded.

6

7 A local body election was held in the middle of this exercise of delegated authority. This
8 administrative shortcut indicates a possible bias by the previous elected Council towards the
9 expectation that the proposal will be allowed by the Associate Minister. The new Council
10 could well hold a moderated view from that conveyed by the previous Council to RC.

11

12 The Council, having received the amended and final proposal, as presented to the Associate
13 Minister, does have an opportunity, as strategic partner, to comment directly to her (and
14 not through the RC) before the conclusion of the period allowed for public comment. The
15 Council might see fit to resurrect the concerns that the Council's own planning staff held
16 that were suppressed from being conveyed to RC.

17

18 The resources applied to the process of parallel engagement with the public on two
19 separate but interlocking matters could well be entirely wasted if the s71 GCRA final
20 proposal fails to gain the Associate Minister's consent.

21

1 Making haste administratively, just because of an impending bid for the Women's Cricket
2 World Cup on behalf of the CCT and others, whose livelihoods feed off such events, is
3 fraught with danger from omissions and errors in the processes applied. We have alerted
4 both RC and the Council to what we believe are serious issues in the notification processes
5 they have used.

6

7 The HPMP is recognised as the primary instrument for managing Hagley Park. This is
8 affirmed by the amendments inserted into the GCRA by the Hon. Dr Megan Woods and
9 accepted unanimously by Parliament. Her words to Parliament, as recorded in Hansard, are
10 included in the documents appended to this submission, reinforcing an earlier letter sent to
11 the Associate Minister, with copies to the Hon. Dr Megan Woods, Minister for Greater
12 Christchurch Regeneration, and the Hon. Eugenie Sage, Minister of Conservation.

13

14 Both RC and the Council omitted to inform the public of the role of the HPMP. The Civic
15 Trust sent a letter to the Chief Executive of the Christchurch City Council on 5th November
16 2019. We received a prompt reply on 7th November, 2019, wherein the Chief Executive,
17 Dawn Baxendale, admitted that the HPMP was relevant, and that a link to that document
18 would be made on the Council's 'Have Your Say' website. It took effect that day. She pointed
19 out that submissions were still open till 18th November, 2019 giving time for submitters to
20 look at the management plan.

21

1 On the same day, 7th November 2019, The Star newspaper reported that 1850 submissions
2 had already been received by the Council since the opening of submissions. That is a
3 significant number of submitters, who will not have been alerted to the existence of the
4 HPMP at the outset. There will probably be many people still involved in the process of
5 writing their submissions, who will not have been made aware of the existence of the
6 HPMP.

7

8 The remedy applied by the Chief Executive of the Council is in itself insufficient to overcome
9 the requirement for public notification to alert potential submitters, on an equal basis, to
10 the same information, including references to the statutes and management plan involved.

11

12 Simply providing a means part way through the submission period for submitters to access
13 additional documents online perpetuates an inequality. Those who have completed their
14 submissions, whether lodged or soon to be lodged, are unlikely to search the 'Have Your
15 Say' website again. Those just commencing their submission research and writing might
16 serendipitously stumble upon the information.

17

18 The forms that have been issued in hard copy are now inadequate. The forms that have
19 been downloaded electronically are likewise inadequate. The advertising that has taken
20 place in the media is also deficient. Correcting these deficiencies for those who are about to
21 craft their submissions would create a situation that possibly disadvantages those who have
22 already submitted.

1

2 The proper procedure would be to recall and renotify the application and to extend the time
3 frame for submissions. That notification would need to include ascertaining if those, who
4 submitted prior to renotification wished to recall their submissions and resubmit having
5 been advised why re-notification is required. Some may take advantage of a second
6 opportunity, having accessed the HPMP and considered its importance in the decision-
7 making process.

8

9 There are similar deficiencies in notification announcements for s71 GCRA that have been
10 drawn to the attention of the Department of Prime Minister and Cabinet (DPMC) which is
11 handling the comments from the public.

12

13 In our view, s71 GCRA is being used simply as a lever to garner sympathy to enable the CCT
14 to lodge itself more firmly at Hagley Oval, in order to conduct commercial professional
15 cricket on land it does not own, and with the expectation the Council will continue generous
16 funding to support it as it privatises the commons.

17

18 The s71 proposal is an application to extend the period of time when commercial cricket
19 with paid entry can be played at Hagley Oval, in yet another step away from the original
20 purpose for the park to be open and freely accessible by the public, and in defiance of the
21 Environment Court.

22

1 It is an application to erect six permanent high light towers that will dominate the
2 surrounding park by standing well above the treetops. It is an application that purports to
3 maintain the village green character of the cricket oval but includes stadium-like structures
4 that jar with that concept.

5 The inconvenience and costs associated with the existing conditions of consent, granted to
6 and accepted by the CCAI, are not factors associated with "regeneration", which is the
7 principle purpose of the GCRA.

8

9 The dictates of the ICC are not grounds for applying s71 processes to force amendments to
10 the CDP. It is not an instrument that can be used to amend the statutory HPMP.

11

12 Claiming that other means of achieving the changes sought by the CCT would take too long,
13 and that the s71 process is the only tool that can achieve certainty in the time left available,
14 does not align with the purposes of the GCRA. The CCT simply left their run too late, quite
15 possibly intentionally.

16

17 An underlying ulterior motive for not instigating action under RMA processes is that any
18 application to change the CDP by direction by the Associate Minister, exercising powers
19 within the GCRA avoids examination of the merits of RC's proposed s71 process on behalf of
20 the CCT. Its expert evidence is not subject to challenge in a court or open to appeal. Through
21 an Official Information process, we, unlike other submitters, were able to obtain copy of the

1 technical reports relied upon by RC in crafting its proposal. We are informed that some
2 submitters feel very disadvantaged in not having timely access to these documents.

3

4 5 **Benefits**

5 The whole process is one of expediency on behalf of one entity with interests in Hagley
6 Park. All other affected parties and their legitimate concerns are not considered in this
7 particular s71 GCRA application, but the other parties will be the ones most adversely
8 affected long term.

9

10 Claiming economic benefits for the community traceable to holding night cricket at Hagley
11 Oval is not a surety that outcomes *“will benefit a range of parties, rather than one party
12 ahead of others”*, as noted from reading the latest annual review of the GCRA at [54] See
13 <https://dpmc.govt.nz/sites/default/files/2019-10/annual-review-greater-christchurch-regeneration-2019.pdf>

14 In this case, one party certainly stands to benefit ahead of others.

15

16 The benefits from the broadcast of night cricket target international viewers. Income
17 derived from broadcast rights does not offset the negative impacts economically and
18 socially on the local resident population or compensate them for the disruption to their
19 enjoyment of Hagley Park. The adage of “follow the money” is the best way of tracing who
20 benefits.

21

22

1 6 **Openness and Transparency**

2 At [93] in that same report referenced above, it is noted that the legislation includes
3 requirements that promote openness and transparency about the use of the powers in that
4 Act, and goes on to note that no concerns were raised to the Review related to this aspect
5 of the legislation, and that effort has been made to ensure the rationale supporting
6 decisions to use the powers is carefully set out.

7

8 It would appear that openness and transparency may have applied within the departments
9 involved and between themselves. However, internal contrary views did not surface to be
10 recorded by the Review. Either they were suppressed or sorted but not in an open and
11 transparent way accessible to the public by way of the annual review to Parliament. No
12 concerns as expressed by the public were acknowledged, even though those concerns were
13 expressed in the public media.

14

15 This is not surprising. RC undertook its own research early to identify individuals and
16 organisations that might try to thwart the outcome sought by the CCT. On its list, obtained
17 through an Official Information Act application, were the Civic Trust and Hands off Hagley
18 Inc., including the names of their leaders. These organisations, along with many individuals,
19 had made submissions to the Environment Court opposing the Hagley Oval development.
20 They spoke as part of the caucus of people negatively impacted by the project.

21

1 The GCRA, in reality, as applied in this case, encourages the s71 process to ignore possible
2 affected parties. RC relied upon selected expert opinion on key technical matters that were
3 not made public at the outset and, therefore, not available for rebuttal. Accordingly, the call
4 for public comment, once the proposal was finalised, is farcical and a denial of natural
5 justice, because the public were kept intentionally ill-informed. One party certainly stood to
6 benefit ahead of others.

7

8 It is the Associate Minister who must make the decision. The Associate Minister must be
9 mindful that exercise of the discretionary powers within the GCRA is for using extraordinary
10 powers not replicated in other legislation in New Zealand. Those powers are available for a
11 limited time, and can only be applied to achieve the Purposes of the GCRA. The purpose of
12 that Act is not for the primary benefit of the CCT. The use of s71 GCRA requires
13 extraordinary circumstances. Making haste is not one of them.

14

15 The Associate Minister will have been informed by agencies that support the use of s71
16 GCRA. Informed opinion from those opposed to the use of the s71 process is hampered by
17 the short time frame allowed; inconsistencies in the public documentation calling for public
18 comment (not consultation or submissions with a right to be heard); and relevant support
19 information not supplied or only available for those with inside knowledge, who request
20 that information. This does not meet the tests of administrative law in terms of fairness and
21 good faith.

22

1 Hagley Park is Christchurch's premier reserve. It has listed heritage status. It has its own
2 protective legislation and statutory management plan. For Christchurch citizens, it is iconic
3 and a recreational reserve for the masses, who, collectively, vastly outnumber those who
4 will play first-class cricket at Hagley Oval or go to watch those games.

5

6 We, the Civic Trust, believe that the actions of the CCT are a folly that surpasses the folly
7 that saw Mayor Ron Guthrey unseated after attempts to put a new road through the Park
8 over 50 years ago. That matter was instrumental in the formation of the Civic Trust. The
9 Christchurch public have repeatedly shown that they resent officialdom and politicians
10 messing with Hagley Park, and such actions have had political consequences.

11

12 **7 Commercialisation**

13 As a location for cricket, Hagley Oval has an acknowledged long history. As a location for
14 commercial professional cricket, it has a very short history. It is commercial pressure that is
15 being applied to secure the venue long term for commercial purposes, at the expense of
16 other interested users of the reserve, and represents an abuse of the established
17 environmental safeguards.

18

19 The Civic Trust believes that pay-to-watch commercial cricket should be played in a stadium
20 fit for that purpose, including lighting for night games and TV broadcasting. It should not
21 require laborious pack-in and pack-out of a range of temporary facilities, temporary fencing
22 and restrictive advertising. **The location of that stadium should not be within Hagley Park.**

1 Public green space is very attractive. It does not cost like the acquisition of private land. The
2 repetitive letters to the Editor of The Press show how some writers, promoting a specific
3 cause, wish to nibble away at public green space as an easy way to alleviate their concerns.
4 The call for more “temporary” vehicle parking in Hagley Park near the Christchurch Public
5 Hospital is such a case. Unless these “nibbles” are resisted, the values associated with the
6 reserve are eroded.

7

8 The space that the CCT has for its virtual exclusive use has gradually expanded since the
9 boundaries were defined at the Environment Court hearing, and it is seeking more.

10

11 8 Access

12 Whilst walking access to Hagley Oval is relatively good, apart from some deeply-incised
13 streams (a night-time hazard that has resulted in accidental death), vehicle access and
14 vehicle parking are diabolical.

15

16 There will long be a need for temporary traffic management measures to ensure access to
17 the Christchurch Hospital is not compromised. That requirement incurs costs and repetitive
18 appraisal over time, which could be avoided.

19

20 There is also the question of high light towers compromising the medical emergency
21 helicopter flights to and from the hospital, necessitating additional precautionary flight

1 procedures. It is likely that any permanent light towers, if consented, would have to have
2 masthead warning lights illuminated at night. Indeed, the civil aviation requirements may
3 well prohibit the intrusion of these light towers into the airspace near the hospital. The
4 Proposal as made public does not discuss this very relevant matter. The Associate Minister is
5 therefore advised to seek independent advice from the appropriate authorities.

6

7 The Civic Trust requested that the Council edit its draft letter to RC to include the
8 jurisdictional issue regarding the status of the HPMP, given the clauses noted in the GCRA
9 and the statements made in Parliament by the Hon. Dr Megan Woods (recorded in
10 Hansard), in support of her amendments to the GCR Bill in respect of the HPMP. That
11 request was not actioned. Furthermore, the concerns expressed by the Council planners in
12 the draft letter to RC from the Council dated 22nd August 2019, were edited out of what was
13 approved by the Council and sent on 29th August 2019.

14

15 Declining to refer a complaint or contrary view that might cause political embarrassment is
16 not acceptable, and should be considered improper exercise of authority. In this case,
17 although the Chief Executive of RC was in the Council Chambers and heard the Civic Trust's
18 request, and was spoken to in the margins of the meeting by the Chair of the Civic Trust, the
19 request for resolving the jurisdictional issue was ignored by RC, as it was not officially
20 conveyed to it by its strategic partner, the Council.

21

1 Neither the Civic Trust's submission by way of deputation to the Council on 22nd August
2 2019 nor the edited-out concerns of the Council planners were evaluated in RC's concise
3 summary of responses from its strategic partners.

4

5 RC's final version of its s71 proposal, as delivered to the Associate Minister, effectively
6 denied the Associate Minister the opportunity, through official channels, to consider these
7 alternative views that did not accord with the ambitions of the CCT. Such action
8 demonstrates the partiality of RC, and constitutes a denial of natural justice. It would not
9 have gone unnoticed had the more open RMA processes been used.

10

11 Again, established administrative law draws attention, in successful appeals to the courts of
12 the land, to improper suppression of information. The principle of fairness requires all
13 parties to have equal access to evidence and in a timely manner. Chasing relevant
14 information by way of Official Information Act requests, in order to have vital information
15 released publicly on an issue of high public significance, cannot be viewed as an acceptable
16 mode of conduct by the officials involved.

17 To quote again from Philip A Joseph, Constitutional and Administrative Law in New Zealand,
18 4th Edition, page 949:

19

20 *"decision-makers may have all manner of legally irrelevant matters placed before them.*
21 *They must sift through the materials, submissions and documentation, and determine what*
22 *is legally relevant and what is not."*

23

1 In this matter, it is the responsible Associate Minister, who ultimately has to oversee sifting
2 and determination of what is legally relevant. Opinions and suggestions will vary. The law
3 prevails until changed by Act of Parliament.

4

5 We live in a country wherein the rule of law applies to everyone. In this case, there needs to
6 be a rock-solid application of the appropriate laws. It would be foolhardy to step beyond the
7 purpose of the relevant statutes simply to satisfy the current promotional aspirations
8 representing Christchurch Inc. and the self-serving ambitions of a specific sporting group,
9 who show little regard for other people's recreation activity, or the ongoing protection of
10 Christchurch's premier reserve, let alone consideration for patients in the nearby hospital.

11

12 There are other solutions, and in time they will come to fruition. Let not undue haste
13 destroy the good we have enjoyed as we search for future outcomes that the citizens of
14 Christchurch will embrace warmly, because those outcomes are seen to be fair and
15 equitable. The use of s71 GCRA, in this case is not necessary, not fair or constructive with
16 respect to achieving a consensus.

17

18 Bidding for the Women's Cricket World Cup, we contend, is not vital to the local economy
19 seen through a long-view perspective. There will be other opportunities over time, probably
20 at alternative venues. The pending Women's Cricket World Cup is not an acceptable reason
21 to ride roughshod over the legitimate interests of other Park users by using "the bespoke
22 legislation", as noted by the Hon. Dr Megan Woods in Parliament.

1 **Conclusion**

2 Hon. Associate Minister, the Civic Trust seeks that following the period allowed for public
3 comment, you decline outright this s71 GCRA proposal, and urge the Christchurch City
4 Council to proceed with the revamping of Lancaster Park. Now that the earthquake-
5 damaged grandstands have been demolished, it is possible to make Lancaster Park once
6 again a venue fit for commercial activities, including facilities for night cricket in a location
7 that has historically served that purpose well. It is a much more accepting environment than
8 Hagley Park, the heritage-listed reserve.

9

10 Please leave Hagley Oval as a village green space, where night does not become day for the
11 gratification of professional commercial cricket viewers resident beyond New Zealand. We
12 resist, with the backing of the law, the raising of six permanent light towers that would
13 blight the daytime vistas that residents and visitors treasure. What is being asked for by the
14 CCT via RC is not necessary for the overall well-being of the Christchurch community. It is
15 special pleading and an imposition. It is not regeneration. It is an attempt at questionable
16 tampering on a level comparable to the ethics of bowling underarm.

17 On behalf of the Christchurch Civic Trust,

18

19 Chris Kissling, Chairman.

20

21

- 1 Add 10 metres to this crane and you will gain a better idea of the height of the proposed six
- 2 permanent light towers for Hagley Oval standing permanently against the skyline.



3

4 Photo: A. Dingwall

5 **List of Attached pdf Files**

6 FINAL CHRISTCHURCH CIVIC TRUST RESPONSE TO APPENDIX 3 LEGAL ASSESSMENT[4001]

7 CERA – Sutton Letter 05 Nov, 2012

8 Megan Woods, The Star, 2016, April 7th, page 19

9 Di Lucas, Lucas and Associates, Assessment

1 CHRISTCHURCH CIVIC TRUST RESPONSE TO

2 APPENDIX 3: NECESSARY AND PREFERABLE: LEGAL ASSESSMENT

3 Greater Christchurch Regeneration Act 2016: Sections 65(2)(d) and 11(2)

4 Introduction

5 In respect of the Proposal to exercise the power under section 71 of the Greater Christchurch
6 Regeneration Act 2016 (GCR Act) to amend the Christchurch District Plan (CDP) to provide for the
7 operation and use of Hagley Oval, paragraph 2 of the Legal Assessment (Assessment) records that the
8 explanation required under section 65(2)(d) is set out in the Assessment, and asserts that it "has been
9 prepared to assist the Minister" in her "assessment" required under section 11(2) of that Act.

10 Claiming to apply the interpretation of the Court of Appeal in *Canterbury Regional Council v Independent*
11 *Fisheries* COA CA438/2012 [20 December 2012],
12 [https://forms.justice.govt.nz/search/Documents/pdf/ido/b1/alfresco/service/api/node/content/worksp](https://forms.justice.govt.nz/search/Documents/pdf/ido/b1/alfresco/service/api/node/content/workspace/SpacesStore/8a1eec5c-8d3f-4b9d-8d59-1ce834a48e55/8a1eec5c-8d3f-4b9d-8d59-1ce834a48e55.pdf)
13 [ace/SpacesStore/8a1eec5c-8d3f-4b9d-8d59-1ce834a48e55/8a1eec5c-8d3f-4b9d-8d59-](https://forms.justice.govt.nz/search/Documents/pdf/ido/b1/alfresco/service/api/node/content/workspace/SpacesStore/8a1eec5c-8d3f-4b9d-8d59-1ce834a48e55/8a1eec5c-8d3f-4b9d-8d59-1ce834a48e55.pdf)
14 [1ce834a48e55.pdf](https://forms.justice.govt.nz/search/Documents/pdf/ido/b1/alfresco/service/api/node/content/workspace/SpacesStore/8a1eec5c-8d3f-4b9d-8d59-1ce834a48e55/8a1eec5c-8d3f-4b9d-8d59-1ce834a48e55.pdf)

15 in respect of the section 11 conditions applying to the exercise of powers by a Minister, the Assessment
16 concludes (para 32):

17 *As a result of this assessment Regenerate Christchurch considers that the Minister for Greater*
18 *Christchurch Regeneration can reasonably consider it necessary to use her powers under section*
19 *71 to amend the District Plan.*

20 The "necessity" requirement

21 The Christchurch Civic Trust (Civic Trust) respectfully draws the attention of the Minister to relevant
22 passages of the Court of Appeal's decision in *Canterbury Regional Council v Independent Fisheries*
23 relating to the "necessity" requirement for the Minister's decision-making under the GCR Act.

24 Section 11(2) GCR Act requires the Minister reasonably to consider whether it is necessary to proceed by
25 way of section 71 to achieve the outcome sought by Regenerate Christchurch on behalf of the
26 Canterbury Cricket Trust.

27 In respect of the "reasonably considered necessary" test (in its previous form in section 10 of the now
28 revoked Canterbury Earthquake Recovery Act 2011), the Court of Appeal in *Canterbury Regional Council*
29 *v Independent Fisheries* held at [22]:

30 *...The Court must be satisfied that the Minister's consideration of necessity was reasonable. This*
31 *will involve the Court being satisfied that the Minister did in fact consider that the exercise of the*
32 *particular power was necessary to achieve a particular purpose or purposes of the Act at the*
33 *time the power was exercised, taking into account the nature of the particular decision, its*
34 *consequences and any alternative powers that may have been available. In making this*

1 *assessment, the Court will give such weight as it thinks appropriate to the Minister's expertise*
2 *and opinion, while recognising that Parliament has enacted s 10(2) as a constraint on the*
3 *exercise by the Minister of his powers under the Act.*

4 Thus, for the Minister to reasonably consider it necessary to exercise her section 71 power, the Minister
5 is required to have reasonably considered the alternatives to proceeding by way of her discretionary
6 power under section 71.

7 In respect of the constraints on the Minister, the Court held at [14]:

8 *At the same time, as the Act itself recognises, the powers conferred by Parliament on the*
9 *Executive in this context are not unfettered. Parliament was concerned to ensure that,*
10 *notwithstanding the need to confer extraordinary powers on the Executive to deal with an*
11 *extraordinary situation, the rule of law was protected. Hence the powers conferred on the*
12 *Minister are not untrammelled. The Act contains express provisions constraining the exercise by*
13 *the Minister of his powers and there is a right to challenge the exercise of the powers by judicial*
14 *review proceedings....*

15 At [15]:

16 *It is common ground on these appeals that to be valid the Minister's decisions must meet the*
17 *requirements of s 10(1) and (2) of the Act, which provide:*

18 *10 Powers to be exercised for purposes of this Act*

19 *(1) The Minister and the chief executive must ensure that when they each exercise or claim their*
20 *powers, rights, and privileges under this Act they do so in accordance with the purposes of the*
21 *Act.*

22 *(2) The Minister and the chief executive may each exercise or claim a power, right, or privilege*
23 *under this Act where he or she reasonably considers it necessary.*

24 At [16]:

25 *The need for the Minister's decisions to be "in accordance with the purpose of the Act" reflects*
26 *well established principles of administrative law. But... the need here is reinforced and*
27 *strengthened by the express obligation imposed on the Minister by s 10(1) to "ensure" that he*
28 *exercises his powers under the Act "in accordance with its purposes".*

29 At [17]:

30 *...we note that the second important constraint on the exercise by the Minister of his powers is*
31 *imposed by s 10(2). The Minister may exercise his powers where he "reasonably considers it*
32 *necessary".*

33 At [19], the Court considered the meaning of "necessary":

1 We prefer the primary, ordinary meaning of “needed” or “requisite”, which in turn is defined as
2 “required by circumstances”.

3 At [23], the Court found: “necessary” in the sense of being needed, rather than merely expedient or
4 desirable, when viewed objectively.

5 At [20]:

6 The expression used is not, as is commonly the case, “reasonably necessary”. Here “reasonably”
7 qualifies “consider” not “necessary”. The Minister must “reasonably consider” the exercise of the
8 power to be “necessary”. The purpose of s 10 is to provide a safeguard against the exercise by
9 the Minister of powers which carry significant consequences, including the overriding of normal
10 processes, procedures and appeals under the RMA. Accordingly, the ordinary meaning of
11 “reasonably”, which results in a relatively high threshold, is appropriate in the context of the Act.

12 At [22]:

13 ...The Court must be satisfied that the Minister’s consideration of necessity was reasonable. This
14 will involve the Court being satisfied that the Minister did in fact consider that the exercise of the
15 particular power was necessary to achieve a particular purpose or purposes of the Act at the
16 time the power was exercised, taking into account the nature of the particular decision, its
17 consequences and any alternative powers that may have been available. In making this
18 assessment, the Court will give such weight as it thinks appropriate to the Minister’s expertise
19 and opinion, while recognising that Parliament has enacted s 10(2) as a constraint on the
20 exercise by the Minister of his powers under the Act.

21 Accordingly, the advice to the Minister in paragraph 4(b) in the Legal Assessment, which focusses on
22 whether the Minister’s conclusion is reasonable, rather than on whether the Minister’s consideration is
23 reasonable, is incorrect in law.

24 Given that the Assessment purports to assist the Minister in her assessment under section 11(2) GCR
25 Act, the Civic Trust sets out its further concerns below in respect of statements in the Assessment.

26 **The preferred option of Regenerate Christchurch - GCR Act, Section 71**

27 The Legal Assessment refers to the “section 11 necessity tests for the Minister to reasonably consider it
28 necessary to use the GCR Act” (para 26).

29 The Assessment states:

30 ...Regenerate Christchurch considers that the Minister’s exercise of power to approve this
31 Proposal is necessary and preferable to any alternatives. (para 5), and

32 ...it is considered that the exercise of powers under section 71 of the GCR Act is the preferable
33 option as it provides the most appropriate and efficient, method to make the required
34 amendments to the CDP. (para 31)

1 Referring to consideration of "alternative mechanisms" "...that can be used to achieve the desired
2 outcomes of the Proposal" (para 13), such as those in the Resource Management Act 1991(RMA) or
3 elsewhere in the GCR Act, the Assessment concludes: "...none of the alternatives explored above are as
4 effective and efficient in these particular circumstances." (para 32)

5 Under "Necessary and Preferable" - Overview", in support of the ministerial inquiry required under
6 section 11(2) GCR Act, the Assessment states in respect of the purposes of the GCR Act:

7 *Specifically,...the enhanced use and development of Hagley Oval also comprehensively meets the*
8 *definition of "regeneration" under the Act, and will achieve the purposes of the Act. (para 5(b)),*
9 *and*

10 *The power under section 71 of the Act to approve the Proposal represents the most appropriate*
11 *method to enable the purposes of the Act to be met in this instance, particularly when*
12 *considered against the alternative options available. (para 5(c))*

13 **Purposes of the Act**

14 The Assessment concludes: "The Proposal meets four of five of the purposes of the GCR Act..." (para 32),
15 but does not specify them. Given that one of the purposes does not relate to the circumstances of the
16 Proposal, the Assessment is therefore claiming that the Proposal would be in accordance with the
17 purpose stated in section (3)(1)(c):

18 *enabling community input into decisions on the exercise of powers under section 71 ...:*

19 In relation to the section 11 conditions applying to the exercise of powers by a Minister, for the Minister
20 to reasonably consider that the exercise of a power is necessary, and before the Minister can be
21 reasonably satisfied that the exercise of the section 71 power is indeed needed, the Minister needs to
22 take into account the consequences of the decision and any alternative powers that may be available.

23 In stating: "Regenerate Christchurch considers that the Minister for Greater Christchurch Regeneration
24 can reasonably consider it necessary to use her powers under section 71 to amend the District Plan"
25 (para 32), rather than to proceed by way of an RMA process to achieve the outcome sought by
26 Regenerate Christchurch on behalf of the Canterbury Cricket Trust, the Assessment has not recognised
27 the consequences of the exercise of the ministerial power under section 71 in terms of public
28 participation. There is no opportunity for formal public engagement in relation to the Proposal other
29 than the mandatory section 68 invitation to the public for written comments. The use of the section 71
30 power includes, without limitation, the removal of RMA processes and council and Environment Court
31 hearings.

32 Furthermore, there is no right of appeal under the GCR Act against a decision of the Minister under
33 section 71. An appeal to the Environment Court under the RMA is excluded when the available option of
34 a process under the RMA to achieve the outcome sought is not preferred.

1 Moreover, the Proposal to amend the CDP is not a temporary remedy, subject to change as more
2 information becomes available. The proposed changes to the CDP are not temporary, and would have
3 long-term consequences with regard to the Council's statutory responsibilities for the management of
4 Hagley Park under the Reserves Act and the RMA.

5 The constraints in section 11 (see above) are important safeguards in the context of this legislation. In
6 particular, the Minister must reasonably consider whether the exercise of the section 71 power, rather
7 than an alternative with public consultation, is necessary.

8 **The Intent of Parliament**

9 Regarding the intent of Parliament, the Assessment asserts:

10 *By enacting the Greater Christchurch Regeneration Act 2016, Parliament recognised that additional*
11 *tools over and above those under existing legislation were still required along with a decision making*
12 *framework which placed specific emphasis on the regeneration of Christchurch. By including the*
13 *specific tools including section 71, Parliament has recognised that these tools are appropriate*
14 *vehicles for Proposals which will achieve the purposes of the GCR Act. (para 11) and*

15 *By enacting the GCR Act and utilising that framework and those tools, Parliament has already*
16 *determined that it is appropriate for the Minister to do so. (para 30)*

17 However, the Assessment is silent regarding the relevant matter that while Parliament has granted a
18 Minister the exercise of a power under the GCR Act "where he or she reasonably considers it necessary",
19 the Minister does not have a mandatory duty to exercise such a power. Section 11(2) provides:

20 *A Minister or a chief executive may exercise or claim a power, right, or privilege under this Act*
21 *where he or she reasonably considers it necessary. (emphasis added)*

22 Moreover, in the case of proposals for Hagley Park, including the Proposal in respect of Hagley Oval, it
23 cannot be said that "Parliament has already determined that it is appropriate for the Minister" to utilise
24 the GCR Act framework and "specific tools, including section 71".

25 In considering tools under the GCR Act to authorise the Proposal for Hagley Oval, including the exercise
26 of ministerial power under section 71 as sought in the Proposal, the Assessment overlooks the relevant
27 statements of the Hon. Dr Megan Woods, as recorded in Hansard, and included in the documents
28 appended to this submission.

29 Speaking in Parliament to her 2016 amendments (passed unanimously in Parliament) to the Greater
30 Christchurch Regeneration Bill, excluding actions which would bypass the statutory Hagley Park
31 Management Plan (HPMP), she stated:

32 *...there are a number of instruments that are used in this legislation, and what my amendments*
33 *do ensure that the management plan of Hagley Park is the primary instrument and that it is not*
34 *overridden by anything else that might be in this legislation...*

1 Hansard - 29 March 2016
2 [https://www.parliament.nz/en/pb/hansard-](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-regeneration-bill)
3 [debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-regeneration-bill)
4 [regeneration-bill](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-regeneration-bill)

5 The Hon. Dr Megan Woods further clarified the role of the GCR Act in respect of Hagley Park:

6 *...But what we are saying is that when it comes to Hagley Park and the protections that have*
7 *been built up over that piece of land, it actually is time to return to business as usual. When it*
8 *comes to that particular taonga in the centre of our city, we do need to be able to say "It is as if*
9 *the earthquakes never happened, and it is as if the bespoke legislation that is put in place to aid*
10 *our recovery and our regeneration does not exist...*

11 Hansard - 29 March 2016
12 [https://www.parliament.nz/en/pb/hansard-](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000877/woods-megan-greater-christchurch-regeneration-bill)
13 [debates/rhr/document/51HansS_20160329_00000877/woods-megan-greater-christchurch-](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000877/woods-megan-greater-christchurch-regeneration-bill)
14 [regeneration-bill](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000877/woods-megan-greater-christchurch-regeneration-bill)

15 Thus, there is no more authoritative statement regarding Parliament's intention in respect of the
16 application of the GCR Act to any Proposal for Hagley Park. The comments in the House of the Hon. Dr
17 Megan Woods confirm that as far as Hagley Park is considered, the GCR Act is a legal nullity.

18 By way of reinforcement, the Hon. Dr Megan Woods, in the Star, April 7th, 2016 pg 19 under the Title
19 "*Preserving Hagley Park for future generations*", as appended to this response to the Assessment,
20 stated:

21 *...Hagley Park is now protected from the regeneration provisions. Put simply, my amendment*
22 *means that emergency powers cannot be used to build on the park.*

23 *...It's not that I had wind of an imminent proposal looming for the park. My reason for making*
24 *sure we protected the park was more about principle.*

25 **The Role of the Hagley Park Management Plan**

26 The role of the HPMP as the primary instrument for the management of Hagley Park was confirmed six
27 months later on 30 September 2016 in Decision 46 of the Independent Hearings Panel - Christchurch
28 Replacement District Plan (in accordance with the Replacement District Plan process provided by the
29 Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014. In listing Hagley Park as "*a*
30 *Group 1 Highly Significant historic heritage item in the CRDP*", the Panel stated at [34]:

31 *The evidence also overwhelmingly satisfies us that **the most appropriate means for the***
32 ***management of effects of use of Hagley Park is one that recognises the proper role of nonRMA***
33 ***methods for that management, specifically under the Reserves Act 1977 and through the***
34 ***Hagley Park Management Plan. We find that it is inappropriate to go further than including the***
35 *rules we refer to in [29] (including the modified temporary activity rules which we discuss at*
36 *[39]–[64]). That is because, we are satisfied on the evidence that to do so would give rise to*

1 *inappropriate further cost and uncertainty that, on the evidence, is not justified. (emphasis*
2 *added); and at [35]:*

3
4 *In reaching that view on the evidence, we have considered the different position that applies in*
5 *regard to the High Street Triangles, and Cranmer and Latimer Squares. **We find that Hagley***
6 ***Park sits in proper contrast to them in the fact that, as the city's premier park, it has its own***
7 ***dedicated reserve management plan. (emphasis added)***

8 [http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/03/Decsion-46-Chapter-9-Natural-and-](http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/03/Decsion-46-Chapter-9-Natural-and-Cultural-Heritage-Part-Topic-9.-3-Historic-Heritage-Hagley-Park-including-Botanic-Gardens.pdf)
9 [Cultural-Heritage-Part-Topic-9.-3-Historic-Heritage-Hagley-Park-including-Botanic-Gardens.pdf](http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/03/Decsion-46-Chapter-9-Natural-and-Cultural-Heritage-Part-Topic-9.-3-Historic-Heritage-Hagley-Park-including-Botanic-Gardens.pdf)

10
11 The Council's letter (as attached to the Minutes of the Council meeting on 29 August 2019), providing "a
12 *summary of the Council's views*" of the draft Proposal, stated:

13 *The Council must have regard to the statutory context in which Hagley Park operates. We are*
14 *required to manage Hagley Park, and Hagley Oval as part of it, in accordance with the Hagley*
15 *Park Management Plan (HPMP) and the purpose of the Park as a Recreation Reserve, as laid out*
16 *in the Reserves Act 1977...The Council must balance the need to cater for the public use of the*
17 *Park with appropriate management of environmental effects. Similarly, the HPMP emphasises*
18 *protection of open spaces and keeping new buildings and structures to a minimum."*

19 With regard to the Council's administration of Hagley Park under the Reserves Act, section 17(2)(c)
20 states:

21 *those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of*
22 *the natural environment and to the better use and enjoyment of the reserve shall be conserved:*

23 Again, in a letter dated 18 November 2019 to the Greater Christchurch Group, Department of the Prime
24 Minister and Cabinet, "Re: Section 71 proposal: Hagley Oval", the Council affirmed that "Hagley Park is
25 *managed through the Hagley Park Management Plan*".

26 **Sustainable Management of Hagley Park**

27 The Assessment concludes (para 33):

28 *Granting the Proposal will...provide social, cultural and economic benefits to Christchurch.*

29 The Assessment is silent as to any environmental benefits to Christchurch, let alone to Hagley Park,
30 provided by granting the Proposal under section 71 GCR Act, notwithstanding the Assessment's
31 statement that the GCR Act process "necessarily requires consideration of effects on environmental,
32 *economic, social and cultural well-being, as the definition of regeneration includes the improvement of*
33 *these aspects of community well-being.*"(para 22) Indeed, the Civic Trust notes that in section
34 3(2(b))GCR Act, "regeneration" in the Act means:

35 *improving the environmental, economic, social, and cultural well-being, and the resilience, of*
36 *communities through—*

1 (i) urban renewal and development:

2 Furthermore, in section 3(2)(b):

3 urban renewal means the revitalisation or improvement of an urban area, and includes—

4 (b) the provision and enhancement of community facilities and public open space.

5 Rather, the Assessment concedes that "it is inevitable that there will be some adverse effects of the
6 Proposal on the environment". The Assessment is silent as to the Proposal's compliance with the Act's
7 purpose in respect of "the ...enhancement of ...public open space", i.e. in the case of Hagley Park, and
8 overlooks the relevant matter referred to above of the listing of Hagley Park in the CDP as "a Group 1
9 Highly Significant historic heritage item", supported by the "Statement of Significance" heritage
10 assessment, citing the fact that "facets of the Park's aesthetic value are derived from the...vistas, focal
11 points, sight lines and visual axes that extend through the Park and the experiential qualities manifested
12 by these."

13 [http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/12/Exhibit-8-Heritage-assessment-
14 statement-of-significance-Hagley-Park-Christchurch-22-01-2016.pdf](http://www.chchplan.ihp.govt.nz/wp-content/uploads/2015/12/Exhibit-8-Heritage-assessment-statement-of-significance-Hagley-Park-Christchurch-22-01-2016.pdf)

15 The Assessment emphasises the economic, social and cultural benefits anticipated to ensue from
16 ministerial approval of the extension of commercial cricket activities at Hagley Oval (currently limited by
17 Environment Court consents and conditions), highlighting the short-term goal of "key games for the
18 2021 Women's Cricket World Cup" (para 29) - all without regard whatsoever for the statutory
19 environmental, heritage and public access protections for Hagley Park, a Recreation Reserve under the
20 Reserves Act 1977, and the Christchurch City Council's (CCC) statutory duty of sustainable management.

21 The Assessment claims that "even if the RMA process was more efficient, the regeneration framework
22 would still be more appropriate and as such reasonably considered necessary".(para 30) "The GCR Act
23 framework in essence allows for consideration of what best delivers regeneration as a whole. ..This can
24 include a much broader consideration than the narrower sustainable management focus of the RMA and
25 consequently the CDP." (para 23).

26 However, the Council's position in respect of the scope of the RMA is at variance with that stated in the
27 Assessment. Required by section 66 GCR Act, Regenerate Christchurch had sought the views of the
28 Council, a "strategic partner" under that Act. In responding to the Chief Executive, Regenerate
29 Christchurch, the Council's letter (referred to above) (as attached to the Minutes of the Council meeting
30 on 29 August 2019), providing "a summary of the Council's views" of the draft Proposal, stated under
31 "Use of the section 71 process under the Greater Christchurch Regeneration Act":

32 **The Proposal argues that the GCR Act decision-making framework allows for a broader**
33 **consideration of factors than the RMA does, with its sustainable management focus.**
34 **The Council does not agree that this is the case. Under the RMA framework, sustainable**
35 **management includes the use, development and protection of natural and physical**
36 **resources, and a wide range of considerations can be taken into account and balanced.**

1 *However, this does not preclude regeneration being considered. The strategic objectives*
2 *in the District Plan include enabling recovery and facilitating the future enhancement of*
3 *the district, through considering economic development, infrastructure, transport, social*
4 *and cultural wellbeing, and environmental sustainability (Objective 3.3.1). The District*
5 *Plan also has the objective of revitalising the Central City, focusing on all aspects of such*
6 *revitalisation (Objective (3.3.8). We therefore request that this element of the Proposal is*
7 *amended to better reflect the respective decision-making frameworks.*
8 (emphasis added)

9 The Assessment asserts in support of the preferred option, i.e. section 71: "*By enacting the GCR Act and*
10 *utilising that framework and those tools, Parliament has already determined that it is appropriate for the*
11 *Minister to do so.*" (para 30)

12 However, as set out above, the Assessment overlooks the 2016 Hansard record of the statements in
13 Parliament of the Hon. Dr Megan Woods and her amendments to the Greater Christchurch
14 Regeneration Bill, in respect of the management of Hagley Park.

15 The Proposal seeks amendments to the Christchurch District Plan, an instrument under the RMA.
16 Section 72 RMA specifies that the purpose of the administration of district plans is "*to assist territorial*
17 *authorities to carry out their functions in order to achieve the purpose of*" the RMA, i.e. "*to promote the*
18 *sustainable management of natural and physical resources*", in accordance with section 5 RMA.

19 While the RMA enables people and communities to provide for their social, economic, and cultural
20 wellbeing, "*sustainable management*" under that Act requires "*avoiding, remedying, or mitigating any*
21 *adverse effects of activities on the environment*". "*Environment*" is defined in section 2 RMA, and
22 includes "*amenity values*" and "*the social, economic, aesthetic, and cultural conditions which affect*"
23 "*amenity values*".

24 Furthermore, the principles of the RMA 1991 are intended to give guidance as to how the purpose of
25 the Act is to be achieved. They also express the public and intergenerational interests in natural and
26 physical resources. Section 6 places a duty on the Council to recognise and provide for a range of
27 matters of national importance, including "*the protection of historic heritage from inappropriate*
28 *subdivision, use and development.*" Accordingly, Hagley Park is listed as a "*Group 1 Highly Significant*
29 *historic heritage item*" in the CDP.

30 As a territorial authority, the Council has a primary responsibility to give effect to the purpose and
31 principles of the RMA and to use resource management techniques, including management plans, to
32 achieve integrated management of the effects of use, development or protection of land and associated
33 natural and physical resources of the district.

34

1 **Christchurch Central Recovery Plan (CCRP)**

2 The Legal Assessment purports to assist the Minister in her assessment under section 11(2) GCR Act. To
3 this end, it highlights the CCRP's inclusion of *"the enhancement of the Cricket Oval on Hagley Park"* as an
4 Anchor Project.

5 Under the heading *"Necessary and Preferable - Overview"*, the CCRP is ranked first *"Specifically"*, in
6 support of the ministerial inquiry:

7 *The "necessity" of an enhanced Hagley Oval's contribution to the recovery and regeneration of*
8 *the Christchurch district has already been recognised through its inclusion as an Anchor Project*
9 *in the Christchurch Central Recovery Plan (CCRP). (para 5(a))*

10 The Assessment notes that the CCRP (prepared under the Canterbury Earthquake Recovery Act 2011)
11 *"has continued to have statutory effect through the Greater Christchurch Regeneration Act 2016"*. (para
12 6)

13 The Assessment concludes: *"Granting the Proposal will allow Hagley Oval to be operated and used in a*
14 *manner consistent with the CCRP..."* (para 33)

15 In support of the Proposal under section 71 GCR Act, the Assessment highlights the CCRP's
16 *"endorsement"* of the enhancement of Hagley Oval (para 9). The Assessment claims *"no other*
17 *mechanism will better or more efficiently enable that vision to be realised"*, i.e. *"CCRP's vision"*, *"a vision*
18 *which includes an enhanced Hagley Oval and a vision that has already been deemed "necessary"*. (para
19 8)

20 However, the Assessment makes no mention of the relevant matter of section 9(1) GCR Act. In respect
21 of the effect of Recovery Plans on the exercise of powers under the GCR Act, section 9(1) provides:

22 *Unless expressly required in this Act, when exercising a particular power under this Act, the*
23 *person exercising it need not consider any Recovery Plan or Regeneration Plan relating to the*
24 *matter.*

25 The necessary implication is that unless expressly required by the GCR Act, Parliament did not intend
26 that a power be exercised under the Act simply because the matter was included in a Recovery Plan.
27 Section 9(1) clarifies that. If Parliament had intended the section 71 power be exercised for the purpose
28 of giving effect to the CCRP, it would have expressly required it.

29 Moreover, in respect of the inclusion of the *"Cricket Oval Anchor Project"* in the CCRP, Roger Sutton,
30 then Chief Executive, Canterbury Earthquake Recovery Authority, subsequently clarified the statutory
31 context in a letter dated 5 November 2012 to Martin Meehan, representing the Save Hagley Park Group,
32 and Neil Roberts, then Chair of the Civic Trust. That letter is included in the documents appended to this
33 submission.

34

1 Roger Sutton's letter stated:

2 *There does appear to be some misunderstandings generally that because something is identified*
3 *in the Recovery Plan then it has to proceed. Clearly this cannot be the case.*

4 *...Neither the CER Act nor the Recovery Plan overrule other legislative provisions.*

5 *...All that the Recovery Plan does is identify that the Cricket Oval is indicatively a venue which is*
6 *capable of hosting domestic and international cricket matches. Although this may include*
7 *permanent structures, that will be up to whoever is funding and developing the proposal, and*
8 *what consents and other approvals are obtained.*

9 *...Notwithstanding the Recovery Plan, the land at Hagley Park is vested with Christchurch City*
10 *Council and has reserve status under the Reserves Act 1977. The Reserves Act cannot be*
11 *overridden by the CER Act by virtue of including the Cricket Oval in the Recovery Plan.*

12 *...Just because the Cricket Oval is included in the Recovery Plan there is no requirement that it is*
13 *built.*

14 **Conclusion**

15 In conclusion, the Christchurch Civic Trust does not support the conclusion of Regenerate Christchurch
16 "that the Minister's exercise of power to approve the Proposal is necessary and preferable to any
17 alternatives". Given the statements of the Hon. Dr Megan Woods in respect of Hagley Park, as recorded
18 in Hansard and referred to above, the Civic Trust contends that all the arguments set out in the Legal
19 Assessment in support of the ministerial exercise of power under section 71 GCR Act must be
20 disregarded. The Legal Assessment fails to address Parliament's express intentions in respect of the
21 management of Hagley Park, when unanimously passing the Hon. Dr Megan Woods' amendments to the
22 Greater Christchurch Regeneration Bill:

23 *...it is as if the bespoke legislation that is put in place to aid our recovery and our regeneration*
24 *does not exist...what my amendments do ensure that the management plan of Hagley Park is*
25 *the primary instrument and that it is not overridden by anything else that might be in this*
26 *legislation...*

27 The Civic Trust submits that assessment of the Proposal in respect of the operation and use of Hagley
28 Oval would be undertaken more appropriately through a process under the RMA, which would take into
29 account Hagley Park's heritage listing in the CDP and the statutory HPMP and public access provisions
30 under the Reserves Act 1977. Not only is it a more robust decision-making process, but it also provides
31 for public participation and appeals.

32 **List of Attachments**

- 33 1. Megan Woods Article, The Star, April 7th, 2016, page 19
34 2. CERA 05 Nov., 2012, Letter from Roger Sutton, Chief Executive Canterbury Earthquake Recovery
35 Authority



**Canterbury Earthquake
Recovery Authority**

05 NOV 2012

Martin Meehan and Neil Roberts
C/O The Christchurch Civic Trust Inc
PO Box 1927
CHRISTCHURCH 8140

Ref: CE 927 / 2012

Dear Martin and Neil

Thank you for your letter of 3 October 2012 regarding the concerns of the Christchurch Civic Trust Inc and Save Hagley Park Group in relation to the planning for the 2015 Cricket World Cup and the potential use of the Cricket Oval.

You suggest that I seek a declaratory judgment on whether all due legal procedures regarding the inclusion of the Cricket Oval Anchor Project located on the Cricket Oval through the Christchurch Central Recovery Plan (Recovery Plan) have been undertaken in terms of the Canterbury Earthquake Recovery Act 2011 (CER Act), including the requirements for public consultation.

I do not consider that a declaratory judgment would assist in addressing the concerns you raise, even if such an avenue was appropriate. A declaratory judgment is concerned with determining questions as to the construction or validity of a statute or other document. The questions to be determined have to relate to an actual issue of interpretation which is in dispute. The High Court will not deal with hypothetical issues and there needs to be someone to argue the alternative interpretation. It would be exceptionally unusual for a chief executive of a government department to seek an interpretation of an Act that the department administers. In any event it does not appear that your concerns actually relate to the interpretation of the Act.

Before I get into the substantive content of your letter there are two issues that I would like to clarify. Firstly, you have asked several questions about the wording "provisionally sited in Hagley Park" being placed on the e-map that was released on 30 July 2012 on the www.stuff.co.nz website. You will note that on page 87 of the Recovery Plan it is listed as an Anchor Project without being called provisional.

Although the wording "provisionally sited" was not used for the other Anchor Projects, you will note that the sites for the Performing Arts Precinct indicate that the exact location will depend on the location of the Town Hall, which is yet to be finalised. Additionally no precise location has been identified for the Cultural Centre as this is a matter to be addressed by Te Runanga o Ngai Tahu.

To an extent all of the Anchor Projects are indicative. Those Anchor Projects that require Government funding will need to meet the financial requirements of The Treasury, including

completing a "Better Business Case". At pages 45 and 46 of the Recovery Plan this situation is referred to, although at a high level. The timeline also shows that many of the timelines for projects are indicative only. As well, the various projects will have to meet other requirements before they can proceed.

Secondly, CERA has a wide range of employees from throughout the Christchurch community who are all working extremely hard for the recovery of greater Christchurch. I take exception when allegations are made against my staff. I can assure you that the staff member that you refer to had no say in the Recovery Plan decision-making process at CCDU and any potential conflict of interest was noted.

I turn now to address the substantive points you have raised. There does appear to be some misunderstandings generally that because something is identified in the Recovery Plan then it has to proceed. Clearly this cannot be the case. All of the Anchor Projects require a great deal of planning and funding to enable them to proceed. The Recovery Plan work did look at some costing and timing issues, but nothing like the detail required for any development to commence.

Neither the CER Act nor the Recovery Plan overrule other legislative provisions. The CER Act provides that a Recovery Plan can require that specific changes are made to instruments to give effect to the provisions of the Recovery Plan. I can confirm that the only directed changes in the Recovery Plan were to the Council's District Plan and these changes are set out in Appendix 1 of the Recovery Plan.

A number of the Anchor Projects have been designated under the Resource Management Act 1991 and therefore, do not require land use resource consents. If however, there are issues with the amount of earthworks or discharges of contaminants to air or water or taking of or diverting water, the appropriate resource consents may be required from Environment Canterbury.

Section 23 of the CER Act provides that any person exercising functions or powers under the Resource Management Act 1991 cannot make a decision that is inconsistent with the Recovery Plan. Before any of this is relevant, however, a decision has to be made which brings either the Resource Management Act or the instruments into play. To date no such decision has been made. All that the Recovery Plan does is identify that the Cricket Oval is indicatively a venue which is capable of hosting domestic and international cricket matches. Although this may include permanent structures, that will be up to whoever is funding and developing the proposal, and what consents and other approvals are obtained.

The CER Act, at section 26(1), provides that certain instruments, as far as they relate to greater Christchurch, must not be inconsistent with a Recovery Plan. It also provides, at section 26(2), that a Recovery Plan is to be read together with, and forms part of, those instruments and that the Recovery Plan prevails if there is an inconsistency. For these two provisions of section 26 of the CER Act to operate the first must be read as referring to instruments prepared after the Recovery Plan is approved while the second relates to documents that existed at the time of approval.

In relation to the Cricket Oval, as you will be aware, there are further legislative constraints because of the provisions that relate to Hagley Park. For example, where the development required the felling of trees or creation of additional car parking it is my understanding that there may be some legislative hurdles. Likewise, given the length of time Hagley Park has

been used, disturbance of the soil is likely to require archaeological approvals under the Historic Places Act. These cannot be resolved through the Recovery Plan.

Notwithstanding the Recovery Plan, the land at Hagley Park is vested with Christchurch City Council and has reserve status under the Reserves Act 1977. The Reserves Act cannot be overridden by the CER Act by virtue of including the Cricket Oval in the Recovery Plan. If the Council decides to proceed with the enhancement of the Cricket Oval, the Council, as the landowner, may consider leasing the land to Canterbury Cricket Association under section 54 of the Reserves Act. Such a decision is for the Council alone and neither the CER Act nor the Recovery Plan can influence this decision.

I trust the above clarifies why the Cricket Oval is a provisional proposal and that the Recovery Plan is only able to impact on instruments to the extent of its statutory ability. Just because the Cricket Oval is included in the Recovery Plan there is no requirement that it is built.

Again, thank you for your letter.

Yours sincerely



Roger Sutton
Chief Executive

Proactively released by the Associate Minister for Greater Christchurch Regeneration

Landscape Assessment of proposal for Hands Off Hagley

December 2019

1. My name is Diane Jean Lucas. I am a Registered Landscape Architect and Fellow of NZILA. I am Director of Lucas Associates, a practice established in 1979, working nation-wide and based in Central Christchurch since 1992. I have been extensively involved including as an advisor for the regeneration of our post-quake central city.
2. I have considered the Regenerate proposal to amend the Christchurch City Plan to accommodate the Canterbury Cricket Trust (CCT) desire for additional, larger and permanent lighting structures at Hagley Oval and for other amendments to the consented regime including an increase in event days and scale. My assessment is focussed on the proposed lighting structures. The CDP changes proposed by Regenerate involve

18.4.1.1 P26

a. There shall be a maximum of six floodlight poles, with a maximum of 550 luminaries in total across all poles, at Hagley Oval as shown on the Hagley Oval Layout Plan in Appendix 18.11.6

b. The floodlight headframes shall not exceed a maximum horizontal dimension of 14.3 m.

3. I have reviewed the background documents, including the Environment Court decision in 2013, the Christchurch District Plan 2017, the Canterbury Cricket Trust analysis of the situation, the professional assessments of the regime proposed by CCT provided by Incite re planning and Andrew Craig for landscape.
4. Andrew Craig provided a Landscape Assessment as a Technical Report for Canterbury Cricket Trust, dated 24 July 2019. He appends the Boffa Miskell assessment on 2012 that accompanied the original application for the Pavilion, Embankment and associated utilities and usages, including 4 retractable light poles with removable heads. I review Mr Craig's report.
5. Mr Craig describes the landscape components of the existing environment. The 'existing environment' is the consented environment. That is, the 'existing environment' includes the pavilion, embankment and 4 consented lights with removable heads and retractable masts.

6. CCA have constructed the embankment and pavilion as sought and consented. The *“installation and operation of four lighting towers of 30.9m in height when retracted, and 48.9m in height when extended”* were sought and consented. As per the 2013 consent, the light poles were to be retracted between uses and the headframes were to be removed at the end of each cricket season. However none of the lighting towers have yet been installed.
7. All landscape architects appearing at the Environment Court in 2013 agreed (para. 382) that permanent tall light poles with fixed headframes would have significant adverse effects on the highly valued visual amenity of South Hagley Park, and that a retractable regime would be more preferred.
8. Assessing the proposal in 2013 as per the consent application by the Canterbury Cricket Association (CCA), I identified that the non-retractable lighting would have significant adverse effects on the visual amenity of South Hagley Park and the Hagley Oval landscape.
9. I have considered the proposed amendments to the Christchurch District Plan as put forward by Regenerate, specifically Chapter 18 Open Space. I have reviewed the CDP Objectives and Policies, assessed the environment being addressed and the changes sought and addressed the 18.4 Rules for the Open Space Community Parks Zone.
10. I have assessed the existing environment, including the implementation of the resource consent as has occurred, and the lights as consented, that is,
- a. 4 poles extended up to 48.9 m when in use,
 - b. retracted to 30.9m when not in use, and
 - c. topped by 10.795m x 5.795m headframes that would be removed in the off-season.
11. I note that the lighting structures now proposed, including as amendments 18.4.1.1 P26 and 18.4.2.4 viii, would:
- a. increase to 6 poles;
 - b. be non-retractable;
 - c. fixed at a permanent height of 48.9m, and,
 - d. each pole permanently topped by a larger permanent headframe, 14.3m across

Note. Whilst Incite Appendix 2. 6. States that headframes a maximum of 14 m wide and 8 m high, I cannot locate these measures in the CDP amendments sought. Mr Craig refers (para. 25 and 26) to

proposed Appendix 18.11.7 – Floodlight Plans and Specifications, however I have been unable to locate such a document.

12. Assessing the Hagley Oval landscape with regards to this planning regime, I note there is no method to address the design, the bulk and scale of the headframes or the poles. The layout plan at Appendix 18.11.6 provides no further information regarding the lighting structures.
13. For Mr Craig assumes a matched set of ovoid transparent headframe structures atop tapered poles, and these have been simulated and assessed. However the regime provided by Regenerate does not limit the structures to that design. The headframes could be square and solid, not ovoid and transparent. They could be of different sizes and shapes. In my opinion, the landscape assessment is misleading in assuming a design that would not be a requirement of the District Plan permitted activity provisions.
14. Whilst Mr Craig stated (para. 8) that the focus of his assessment is on the proposed amendments as compared to the existing consent, this is not substantiated as a regime is assessed that would not necessarily result from the amendments proposed by Regenerate.
15. At para. 9 Mr Craig states that he has relied on graphics of the consented lighting poles, and that *“an assumption is made that the visual effects arising from the proposed six lighting poles will likely be the same or similar to the four assessed by BML.”* He states (para. 24) that he understands the lighting the lighting poles would be fundamentally the same as those consented, except not retractable, therefore *“will appear slimmer and tapered”*. However there are no provisions directing the *“more elegant”* regime he assumes.
16. From my review of the CDP amendments sought, that are proposed would replace the consented regime for the lighting, I identify this assumption to be misplaced. The 2013 images showed a set of poles with 4 rows of lights in an almost rectangular form, the 2019 images show 5 rows in an ovoid form, whereas Addington has much more utilitarian rectangular arrangements with height greater than width (Craig Photograph 7). The CDP amendments sought to not stipulate a maximum height for the headframes, nor that they be transparent or a matching set. As a permitted activity for a high profile, important and vulnerable site, this lack of clarity is inappropriate.

17. Mr Craig states that the *“lighting poles will be more or less located at hexagonal intervals, around the Hagley Oval perimeter.”* Thus the CDP amendments provide for up to 6 lighting poles that may be of variable character and spacing around the embankment. The provisions allow for a quota of lights to be spread around a maximum of six poles. Fewer poles with greater concentrations of lights would be permitted. Larger and lesser concentrations of the headframe structures would be permitted, but have not been assessed as to their effects. Only a matched set have been assessed.
18. I agree with Mr Craig (para. 14) that the naturalistic character is a key provider of amenity. I agree too that, whilst distinctive and different in character, Hagley Oval is part of the Hagley Park environment, and part of the character and amenity of the parkland setting Craig para. 15).
19. Noting the poles would be approximately 50m high, and that the surrounding tree canopy is typically less than 30m high, the poles inevitably protrude high above. Considering the pole height, with installed poles currently only 22m high in South Hagley, the proposed 49 m height is double, and equivalent to that of a 12 storey building - or to the tip of the Cathedral spire when it stood intact. The poles would be of relatively slender and simple form. Located within the outer embankment, they would stand apart and in parallel with the surrounding tree trunks, but extend twice their height to continue well above the height of the tree canopies.
20. Mounted at their tops would be the headframes within which the lights are fitted. The headframes now sought are very large structures. Some 14.3 m across, and if 8m in height, each headframe is the equivalent scale to the façade of a 5-car garage fronting a 3 storey building. Such a scale comparison can assist in visualising the proposal when viewing the site and in considering the photo simulations.
21. Mr Craig has utilised the BML assessment of the previous 2012 proposal, and provided some reliance on that assessment to inform his visual assessment of the revised proposal (para. 9)
22. As noted by Mr Craig (para 13), and I agree, the existing built structures are subservient to the vegetated context. However the existing environment also includes the 4 consented retractable and demountable poles.

23. As assessed by Mr Craig (para.14 -15) this predominance of the green tree-surrounded space seamlessly integrated with the surrounding Park results in a high degree of amenity. I agree. The lawn-floored, tree-surrounded spaces of Hagley Park are a signature of the central city. Overall they are multi-functional spaces, not merely sports fields. Overall they provide important amenity value. Some spaces, due to their aesthetic character as a result of the scale of the space, the enclosing tree character, and the aesthetic and heritage of the infrastructure. Some spaces are larger and more utilitarian in character, with a resultant lower visual aesthetic. Others are more spatially defined and picturesque in character. The Oval exhibits high spatial definition from the treed enclosure and the picturesque aesthetic of the village green character with utilities subservient. The Hagley Oval exhibits very high aesthetic value, contributing importantly to the pleasantness and appeal of the recovering city. As per RMA s.2, 'amenity values' means 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. Much of the time the Oval provides a much appreciated and pleasant recreational space for casual use and overview. At other times cricket provides the focus.

24. At para. 24 Mr Craig states that the proposed 1.3 m wide lighting poles are fundamentally the same as the consented poles, but without the retraction devices and thus slimmer and more tapered. He assesses transparent ovoid-shaped headframes, 14 m wide and 8 m tall. However the proposed CDP provisions merely state the width, not the form or density. Mr Craig assesses (para. 34) that the changes result in "acceptable retention of landscape and amenity values". His assumptions make this conclusion questionable.

25. The lighting poles and headframes would be very obvious. As stated by Mr Craig, (para.43) they will 'exert a presence'. The amenity effect of that evident presence is not merely a result of the comparative bulk of trees to lighting. The tree canopy currently appears to be almost entirely undisrupted. Trees meet sky. The proposal significantly disturbs this relationship, with the headframes positioned at twice the height of most trees, and extending full tree widths, despite their transparency they would dominate and introduce a structural and utilitarian character that would disrupt and demote the significance of the currently largely intact tree canopy. The intact tree canopy continues to provide important respite for citizens and visitors.

26. I agree with Mr Craig (para. 49) that the proposed lighting structures would be prominent.

27. Care is needed to nurture our heritage resources. As with the Ōtākaro / Avon, considerable effort has been made to nurture naturalness which is important for future generations. Their well-being is assisted by the weighting to value amenity and seek to maintain and enhance its integrity. For Hagley Oval, the village green character has been carefully maintained and enhanced. The proposal involves a significant change to that effort for the day-to-day value to this city, in allowing the amenity to be dominated.
28. Whilst I agree with Mr Craig assesses (para. 43) that the lighting would have 'low bulk and small footprint', the effects of the presence in the skyline, dominating the natural treescape, has been minimally addressed with regard to effects on our signature treescape character that cumulatively contributes importantly to community health and well-being.
29. The well-treed and accessible parkland character that is of recognised importance to Hagley Park overall and Hagley Oval specifically as a valued component of the park, is increasingly recognised in international research as contributing to mental health. Involvement in naturalistic and treed landscapes contributes importantly to well-being. The amenity of a vegetated and tree surrounded environs is a very important contributor to mental health and well-being.
30. The purpose of the RMA requires that government enables people and communities to provide for their cultural well-being and for their health. The natural tree canopy surrounding the area, uncluttered by protruding structures, is an important contributor to community well-being and health. The naturalness of the parkscape is a key asset and assists the city importantly in its own post-quake recovery. The uncluttered treescape also assists Christchurch's image and appeal.
31. The proposal to have six poles project high above the tree canopy and be topped by large light structures changes the balance experienced. Instead of the tree dominance, the natural qualities and characteristics that provide the specialness, the healing, the calm and the pleasure, the overtopping large lights would provide a utilitarian dominance. The resultant imbalance I assess would reduce the important amenity value of this Hagley Oval landscape to the city recovery and future.
32. The heritage openness and naturalness beneath an uncluttered skyline that is provided here is a precious resource. Due to post-quake decisions to have a low rise city, the

naturalness of this central city parkland resource on the plainscape with the Port Hills providing a backdrop is a very important public amenity. It is enjoyed every day by so many in different ways, casually, walking, riding or driving by, or when undertaking informal or organised sport and recreation. The uncluttered tree canopy is an important component.

33. The day to day importance of the amenity value of the treed context, widely enjoyed seasonally and in diverse weathers to provide differing natural experiences, is important to the character of this city. That the government and council have encouraged the restoration of naturalness in the central city post-quake, from my assessment has and continues to contribute importantly to the city's re-emergence and appeal.

34. With climate change the role and significance of urban trees is increasingly recognised, including in terms of microclimate management. Allowing accessible space where the treescape can dominate, for people to experience green space, tree surrounded and undisrupted sky above contributes importantly to wellbeing.

35. In winter, with increased transparency of the deciduous treescape, in some locations the structures would have greater visibility than in summer.

36. The Christchurch Hospital is well-positioned to benefit from the vegetated landscape of Hagley Park. As well-recognised in other countries, the hortitherapy value of viewing nature contributes importantly to patients' hospital recovery and staff wellbeing. The hospital enjoys valued views to through and over this treescape. As noted by Mr Craig (para. 51) , from the hospital buildings there will be direct unimpeded views to the lighting structures. The structures will be prominent. I assess that the structures would detract and distract from the naturalness of the treescape. I assess that for the hospital the introduction of the prominent lighting poles and headframes would have adverse amenity effects. The enhanced wellbeing currently enjoyed from the treescape would for many instead be reduced.

37. The amenity values enjoyed in the residential areas around South Hagley are primarily due to the uncluttered treescape that they view through or over. As identified by Mr Craig (para. 61), the lighting structures would be prominent in views from some residences. I agree they will diminish view quality.

38. I disagree with Mr Craig (para. 62) that adverse effects will be “acceptable from a landscape perspective”.

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39. I have assessed the appropriateness of amending the 18.4.1.1 Permitted Activities in terms of P7, Major Sports Facility to allow for more and larger permanent lighting facilities plus more and larger events. Considering the Hagley Oval landscape as per statutory provisions, the changes sought are however assessed as resulting in significant adverse effects on the important amenity values, the scenic, the open space amenity, and the heritage attributes. The proposals do not maintain the multifunctional open space amenity and recreation sought by the CDP for this public open space but instead significantly tilts it to large and more commercial use permanently cued by the very visible presence of a series of large lighting structures that would dominate the important tree canopy character of Hagley Oval.

40. Considering the Open Space Community Parks Zone (OSCPZ), the permanent very large lighting structures and the raft of large events sought are assessed would not complement or enhance the Central City amenity values of Hagley Oval. Thus amendment to allow for these activities as per 18.2.2.1 a, is assessed as not appropriate. The Hagley Oval has very important heritage values, scenic and recreational values and provides for considerable local entertainment via both informal recreation and formal sporting events. It is an important multifunctional Central City space for enjoyment of amenity, sport and recreation.

41. Considering Policy 18.2.2.2 addressing Multifunctional use, accessibility and recovery, the compatibility of the facilities that would be enabled by the proposed amendments have been assessed. The changes to allow increased capacity are assessed as not compatible with the use of this particular land, the Hagley Oval. The proposed changes are assessed to not be adequately adaptable. Instead the changes fix Hagley Oval into a large capacity, year-round night-time utility character that is assessed as would adversely affect the open space amenity of this very special place. The enhanced usefulness and appeal already achieved with the construction of the Pavilion and embankment, and the consented retractable, demountable lighting, provides appropriately for a suite of large-scale temporary activities that promote city recovery whilst maintaining and enhancing amenity values.

42. The proposed additional event capacity and lighting infrastructure have been assessed in terms of Policy 18.2.2.5 – Environmental Effects. The scale, layout and design of this open

space and the facilities have been assessed in terms of their appropriateness in this Hagley Oval locality and context. I assess that the proposed permanent lighting infrastructure is of such scale, character and quantity that it would significantly adversely affect the amenity values for the wider community. The proposed lighting is of such a scale that screening is impractical. The scale, layout and design of the lighting structures would not be consistent with the very important role and function of the Hagley Oval open space in terms of its high value scenic parkland aesthetic.

43. Hagley Oval is experienced as a space with very high aesthetic value. The integrity of the substantial tree canopy that informally surrounds the space is of high importance. The encircling tree canopy meeting the skyscape is almost entirely uninterrupted. Walking over and along the grassed embankment, a hospital building occupies a segment above the enclosing tree canopy. The Port Hills provide a natural landform setting as a backdrop.
44. The tree canopy that informally surrounds the Hagley Oval is mixed species by almost entirely deciduous. Thus the amenity of this space involves important seasonal change, as the spring growth of foliage and flowers emerge from the winter bare, the summer green fulsomeness follows, and then the varied hues, textures and timing of the autumn colours follow. Seasonal character is an important attribute of the visual amenity, scenic and heritage character of the Hagley Oval landscape context.
45. The 4 consented lighting structures would mostly be retracted, and off-season their heads demounted. As was agreed by the landscape architects assessing these previously, and as found by the Court, the 4 lighting structures reaching to 48.9 m high would have significant adverse effects on amenity values. The retracted lights, down to 30.9 m high, would also have adverse effects. The Court agreed that the amenity would be significantly affected during the greater transparency of
46. In contrast, the proposed 6 permanent lighting structures would adversely affect the spaciousness and appealing aesthetic character of the tree-encircled grassed Oval with its elegant structures. The 6 poles permanently intruding considerably above the tree canopy with large headframe structures would distract and detract from the signature tree canopy and the village green aesthetic.

47. Changing the District Plan

48. Considering the CDP Strategic Directions, as noted by Incite, 3.3.9 *seeks a natural and cultural environment where people have access to a high quality network of public open spaces and recreation opportunities, and objects, structures, places and areas that are historically important are identified and appropriately managed.*
49. I have assessed the proposed plan amendments to permit installation of additional and more substantial permanent lighting structures around the Hagley Oval. This public open space is of high quality, providing important formal and informal recreation opportunities in an historically important location. I assess that the increased lighting installations proposed would not involve appropriate management of this resource.
50. The CDP Chapter 6 specifically addresses outdoor lighting. Objective 6.3.2.1 requires that lighting enables recreation and sport while managing effects on open space amenity values, on areas of historic significance, and on the night sky. Policy 6.3.2.1.1 directs that lighting be managed in terms of *'its scale, timing, duration, design and direction in a way that: avoids, remedies or mitigates adverse effects on any areas of historic significance.'*
51. Matters of discretion in assessing lighting proposals include 6.3.7.1 Amenity, wherein the design, type and height of lighting are to be assessed with regard to effects on local amenity values. The potential to mitigate effects is to be addressed.
52. I have assessed the effects of the changes from the consented to the proposed lighting regime, and conclude that the increased number, height and bulk of the structures is such that they would result in significant adverse effects on the open space amenity values of the Hagley Oval and its context landscape.
53. The Hagley Oval is a very important public facility of historic significance. The 150 years of recreational and sporting activity amidst the village green locale provide important references to aspects of the city's heritage.
54. Hagley Oval is an integral part of Hagley Park. Hagley Park in total is a crucial multi-functional resource in the central city. The Oval cannot be addressed only as a sports facility, it is an integral and essential contributor to *"Hagley Park in its primary function for outdoor active and passive recreation activities and sporting activities."* The Incite report provides a distorted assessment of CDP Chapter 18 in considering the Hagley Oval only as a sports facility. As recognised by the Environment Court (para. 3), whilst of recognised value for

cricket for 150 years, *“the Oval and its surrounds are equally valued for reasons that have nothing whatsoever to do with cricket.”*

55. Whilst the effects assessment as per 18.2.2.5 requires that *“the scale, layout and design of structures is consistent with the role and function of the open space, and its anticipated spaciousness and character.”* However the Incite chart addresses the Hagley Oval and its landscape only as a sporting facility for the landscape assessment of its spaciousness and character. This is demeaning of the resource. The Hagley Oval is not a mere utilitarian sports facility for structures to be assessed in terms experiential character. The role and function of this public resource is not as only sports facility. The CDP methods have not been appropriately applied in the CCT documentation.
56. I note the Incite report para 19. That describes the proposed changes, significantly misrepresents the situation. The consented regime involves 4 poles with mastheads fitted at the beginning of the cricket season, positioned at the retracted height of 30.9m, and extended to a maximum 48.9 m height for events only. The mastheads are a maximum of 10.8 metres wide and 5.8 metres high.
57. The proposed regime increases by 50% the number of poles, and increases their height and bulk through involving 6 permanent 48.9 m high structures bearing significantly larger headframes up to 14.3 m wide.
58. The 2012 application sought 4 poles of 48.9 m height and through the expert assessments all agreeing they would have significant adverse effects on amenity, a retracted height is required. Due to assessment that the retracted regime would still result in significant adverse effects, the seasonal removal of the mastheads is required by the consent conditions.
59. It is misleading of Incite to state (para. 19) that the increased number, size and permanence of the lighting structures will be *“still appropriately managing the effects intended to be managed under the resource consent.”* The Court carefully assessed the context landscape and the various landscape architects’ assessments of the effects of the proposed lighting. The restrictions required via the consent conditions provide considerable mitigation.
60. Considering compatibility, Mr Craig recognises (para 65) that due to their height which is more than twice what is currently permitted under the CDP, the prominence of the lighting

structures would be significant. From my assessment I do not agree with Mr Craig (para. 66) that the generic form of the proposed structures makes them compatible. In this important public place and high heritage value and amenity setting, the height is not readily integrated.

61. The trees set a height scale that is important in this landscape. Tree height. The proposed structures would be around twice that height. Their upright linear form emphasises their height. The repetition of the poles encircling the embankment, with headframes extending, provides visual connection between them (Craig Photo-montage 1). Whilst highly transparent, the tall encircling formation takes command of the Oval and of a section of Hagley Park.
62. The very tall circle of structures would be prominent and distract and detract from the natural treescape, the high amenity value and the important heritage park character.
63. The circle of structures would together have a dominant as well as a prominent effect on this landscape. I assess the prominence, the dominance, the entire contrast in character of these proposed structures with the recognised valued character of Hagley Park and Hagley Oval, are such that they significantly adversely affect the valued resource.
64. Mr Craig assesses there are no means to mitigate the landscape and amenity effects. I disagree. However the method selected to seek approval as a permitted activity does not allow for mitigation to be applied.
65. I agree with Mr Craig (para. 72) that the exotic treed landscape of the parkland should be addressed as natural values, and a natural open space environment. The lighting structures would contrast with and detract from the naturalness of the Hagley Oval and Hagley Park setting.
66. I disagree with Mr Craig's assessment (para. 73 and 85) that because 4 retractable, demountable lights with smaller headframes are consented, that the 6 permanent structures proposed are consistent with them and are acceptable. The temporary effects of the four extended lightpoles during events, and the removal of these smaller headframes off-season, means that the regimes are very different. The permanent height and large headframe presence of the encircling 6 structures proposed provides a dominating regime. The 2013 Photopoint 04 shows the retracted lights. Then, with the headframes dismantled,

there is neither the height nor the headframes to intrude dominantly and prominently into the setting.

67. I agree with Mr Craig (para. 74) that the structural footprint would be low. Whilst substantial diameter poles, they would not overly disrupt recreational activity on the turf. However enjoyment of the setting would be disrupted through the excessive height and large headframe structures held aloft. With headframes each the width of a 5-car garage held in a series overhead, for many people viewing or recreating in this park setting the structures would not be consistent with parkland character.
68. I agree with Mr Craig's conclusion (para. 82) that the proposed poles would be very prominent. The headframes permanently atop them multiplies that prominence. However I disagree that in generic terms, because there are relatively small-scale lighting structures also in the park, that those proposed would not be incongruous (Craig para. 84). The vertical scale, the encircling layout of the Oval, and the large size of the headframes are such that they are not merely a 'larger cousin'. The series of proposed lights together would introduce a very different character to the Hagley Oval and Park landscape.
69. Contrary to Mr Craig's assessment (para. 83, 87) I assess that the lighting proposed is out of keeping. The occurrence of organised sport alongside other recreational activity in the Park, plus the overlooking and access corridors enjoyed, are together important to the city. They are all important functions of the Park. The Park is not dedicated to sport, it is multifunctional. The landscape amenity provided by the naturalness of the treescape is a crucial asset, and the proposed structures would significantly adversely affect that asset.
70. Contrary to Mr Craig (para. 88, 89), I assess that well-being would be adversely affected by the proposal. The proposal would not be acceptable from a landscape perspective. The acknowledged cost to visual amenity and landscape character is high due to the prominence, and the dominance, of the proposed structures.
71. I assess the proposed changes would not maintain or enhance amenity values and the activity sought would be inappropriate.
72. Large headframes atop very tall poles are proposed to be a permitted activity around the embankment of Hagley Oval. The proposed plan provisions are in my entirely inadequate to mitigate significant adverse effects on valued amenity. The structures assessed for CCT by

the landscape architect are different from the structures allowed for under the plan provisions.

Necessary provisions to mitigate effects are:

- Reduction in bulk and scale of the headframes
- Between-match lowering of the poles and headframes
- Seasonal removal of the headframes.

However, with smaller headframes exhibiting transparency, lower between-match height (31 m) and removal off season, I assess that an increase from 4 to 6 light poles would not have significant adverse effects.

73. In my opinion, considering statutory provisions including RMA s.6c, the Hagley Park Management Plan, and the Objectives and Policies of the Christchurch District Plan, the changes sought by Regenerate to amend the CDP to allow for the structures and increased usage as Permitted activities are assessed as not appropriate. From my landscape assessment, I do not consider use of s.71 to amend these rules as proposed would be appropriate.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration