

From: s9(2)(a)
Sent: Wednesday, 16 October 2019 9:36 AM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: Hagley Park,

Dear Poto,

I note from several sources you are engaging in consultation regarding the installation of light at the Cricket Oval in Hagley Park. I would like you to know I fully endorse the installation with appropriate requirements such as ensuring they are directed downwards in as far as possible and that if LEDs are installed they do not exceed 3000K. This latter is to reduce the blue spectrum which is harmful to human health and nocturnal life. That we cannot use the "village green" field for test matches and night games at present does not make sense to me.

Many thanks for the opportunity to comment. Keep up the good work in Parliament. I am very confident regarding the Government and Jacinda as PM.

s9(2)(a)

From: s9(2)(a)
Sent: Thursday, 7 November 2019 12:00 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval

I fully support the erecting of 6 permanent lights and the increasing of permitted match days at Hagley Oval. I believe Hagley Oval is a wonderful complex and its development has been great for Christchurch. It seems criminal not to allow it to now be used to its full potential. To not allow this would seem to halt its development half way.
I cannot see how this will negatively affect the rest of Hagley Park. The impact would be minimal.

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

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? **No.**

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

Introduction

The Hagley Oval sits within Hagley Park, a landscape of national importance, and one of the oldest and most extensively used public parks of its kind in New Zealand. The Park is an iconic feature of Christchurch's urban landscape with high landmark status by virtue of its size and location and its enduring contribution to the unique identity of Christchurch as a Garden City and now a 21st century Garden City.

The Park has been an integral feature of Christchurch since 1855¹, and it remains a prominent backdrop to the lives of numerous city residents who connect with it on a daily basis, either physically through its network of paths, or visually as enabled by the city's arterial roading system and the Park's permeable boundaries.

As documented in the 2013 Hagley Park and the Botanic Gardens Conservation Plan², Hagley Park is a significant cultural and historic heritage landscape possessing tangible and intangible heritage values. These values are not limited to the Park's nineteenth-century spatial organisation, character-defining quasi English character, and the scale and age of much of its tree cover but includes its experiential qualities and aesthetic values. In addition, the Park contains built structures and commemorative fabric of architectural, social and historical, cultural, technological and craftsmanship significance.

For these and its other heritage values Hagley Park and the Hagley Park Cricket Pavilion and Setting within the Park, are both recognised as being of high overall heritage significance to the Christchurch District, through their scheduling in the Christchurch District Plan 2017.³

Furthermore, Environment Court Decision No. [2013] NZEnvC 184 recognises that for the purposes of Section 6 (f) RMA, Hagley Park is an area of historic and cultural heritage.

Heritage New Zealand Pouhere Taonga similarly recognises the heritage values of the 'Cricket Pavilion on its site' through its inclusion as a Category 2 Heritage Place on the New Zealand Heritage List/Rārangī Kōrero.⁴ Notably, this list is the only national statutory record of New Zealand's heritage places.

¹ Reserved forever as a public park under the Canterbury Association Reserve Ordinance 1855

² Beaumont, L., Pearson, D., Mosley, B. (2013) *A Conservation Plan for Hagley Park and Christchurch Botanic Gardens Conservation Plan*, prepared for City Environment Group, Christchurch City Council

³ Hagley Park - ³ Heritage Item Number 1395, Christchurch District Plan, 2017 and Hagley Park Cricket Pavilion and Setting - ³ Heritage Item Number 1395, Christchurch District Plan, 2017

⁴ 'Cricket Pavilion' on its site – List number 3656, Heritage New Zealand

Despite this legislative recognition, Regenerate Christchurch, through its Section 65 Proposal for exercise of power in Section 71, are seeking to exempt the Hagley Park Cricket Pavilion Setting from the rules formulated in the Christchurch District Plan to provide for the management and protection of highly significant historic heritage.

1. Comments relating to the District Plan

The proposed exemption is inconsistent with, and completely at odds with the spirit and intention of Chapter 9, 'Natural and Cultural Heritage' of the Christchurch District Plan. This recognises the Hagley Park Cricket Pavilion and Setting, and Hagley Park (as a whole entity), as Highly Significant heritage items, with a high degree of authenticity and integrity, requiring provisions (objectives, policies, rules, standards, matters of control and matters of discretion to protect each item from inappropriate subdivision, use and development.

2. Comments relating to the proposed exemption

The proposed exemption seeks to allow activities as outlined in 18.4.1.1 of the Section 65 Report which will have an unacceptable negative impact on the heritage values of the Cricket Pavilion and Setting, and, by virtue of its encompassing open-space context, the greater Hagley Park landscape.

These activities are namely;

- i. Construction and use of an unlimited and unrestricted number of temporary structures and facilities ancillary to broadcasting or hosting sporting events at Hagley Oval. (Appendix 1, Activity P24 & P25, pages 1 & 2, Section 65 Report.)
- ii. The use of the Hagley Oval Pavilion⁵ (for recreation activities and accessory administrative, social, professional, and retail activities. (Appendix 1, Activity P27, pages 3, Section 65 Report.)

These proposed activities would undoubtedly result in a noticeable increase in the scale, intensity, frequency and duration of activity within the Hagley Oval, brought about by the mass assembly for, and associated activities around matches.⁶ This is proposed for a duration of up to 75 days per year to accommodate up to 25 days of major fixtures.

Because of its contextual relationship this increased scale and intensity of activity focused within the Oval has the potential to adversely effect the passive amenity quality, and the landscape / natural environmental experience across the wider Hagley Park landscape.

Moreover, allowing this scale of activity to occur with the Cricket Pavilion Setting is by default allowing it to occur within Hagley Park, which is contrary to the protections set out in the District Plan for this scheduled highly significant heritage item.

⁵ Known as the Cricket Pavilion and Setting in the Christchurch District Plan

⁶ Both in the unlimited number of structures and facilities required for the events, the number of days events will be held along with associated set up and set down time (up to 75 days per year) and the anticipated spectator numbers, (20 event days per year with over 2,000 spectators, with five events a year allowed to exceed 12,000 spectators, and an additional five days provided per year for International Cricket Council events if these occur with up to 20,000 spectators)

Additionally, the exemption seeks to allow;

iii. the erection of six 48.9 metre-high, permanently fixed light masts to be installed within the scheduled heritage setting of the Cricket Pavilion (Appendix 1, Activity P26, pages 2 & 3, Section 65 Report).

These non-retractable light masts are paired with 14.3 metre-wide, fixed headframes, and are associated with utility cabinets, low retaining walls and handrails and, in the case of two light masts, transformers and kiosks.

The towering scale and strong verticality of these proposed lighting masts - which are noted to be "*significantly taller than the cricket pavilion and the trees within the [Cricket Pavilion] setting*"⁷, coupled with the design of their headframes which include up to 550 floodlights across the six masts⁸, will introduce six visually intrusive, over-sized structures into the Cricket Pavilion Setting. These are not sensitive to the heritage values of the Cricket Pavilion, fail to respect its historic 'small village green' character and are also incongruous elements in the wider context of Hagley Park.

In addition, the nature and extent of their use (operational for up to 25 major fixtures per season at fixtures on any day of the week until 11pm plus one hour dim, with additional use for training purposes and for recreational activities) would have unacceptable adverse effects on the aesthetic values and experiential qualities of the wider Hagley Park landscape and its coherence and legibility as a heritage landscape.

Further, the considerable height of these permanent structures is in conflict with the scale of the city beyond the park which has been revised through new building height restrictions to "reflect the public's strong desire for a low-rise city on urban and heritage grounds." The proposed lights will extend 18.9 metres above the tallest of the city's new buildings in the central city zone abutting the park to the east⁹ and between 18.9 and 37.9 metres above new buildings in the Residential Mixed Density areas to the west. Consequently, the lighting masts and floodlights will have a negative impact on long-standing and historic views into the Park from many external viewpoints and will visually disrupt the heritage landscape character of the Park.

3. Comments relating to the Heritage Architecture Assessment Technical Report supporting the Proposal

Claims in the Heritage Architecture Assessment Technical Report: version 2¹⁰ [paragraph 49] as to the likelihood "*that the lighting poles will be widely accepted by members of the public at the Oval for what they are and their contribution to the development of the game of cricket*" cannot be considered a valid rationale for their installation in a highly significant heritage landscape,

⁷ Paragraph 33, Technical Report: Heritage Architecture Assessment – Hagley Oval, Version 2, Prepared by Dave Pearson of Dave Pearson & Associates for Canterbury Cricket Trust, dated 24 July 2019

⁸ Plan of Light towers and utility cabinets, Hagley Oval Lights Lease, <https://ccc.govt.nz/the-council/consultations-and-submissions/haveyoursay/show/273> Accessed 27 November 2019

⁹ Central City Building Height 30 Metre Overlay, as documented on Central City Maximum Height Planning Map, Operative 19 December 2017, Published 12/11/2019

¹⁰ Technical Report: Heritage Architecture Assessment – Hagley Oval, Version 2, Prepared by Dave Pearson of Dave Pearson & Associates for Canterbury Cricket Trust, dated 24 July 2019,

nor can it be used as an argument to mitigate the negative impact that the lighting towers will have on the heritage values of the Cricket Pavilion and Setting.

Similarly, earlier comment [paragraph 31] which claims that *“the effect of the lighting poles is offset by the fact that the pavilion will benefit from greater exposure as the increased use of the Oval raises its profile”* cannot be considered a valid argument to mitigate the adverse impact on the heritage values of the Cricket Pavilion and its setting and the wider Hagley Park.

4. Comments relating to the Landscape Assessment Technical Report supporting the Proposal

This report¹¹ has failed to consider the heritage values of Hagley Park and has directed its assessment to the landscape character and visual amenity effects of the (2012) Hagley Park Oval redevelopment proposal.

It is noted that at this time the lighting proposed was limited to four lighting masts which were retractable to 31 metres with headframes which were to be removed at the end of the cricket season.

5. Comments relating to the nature of the supporting Technical Reports provided in support of the Proposal

As previously acknowledged Technical Reports in the form of a Landscape Assessment and a Heritage Architecture Assessment were provided as part of the Section 65 Report prepared by Regenerate Christchurch on behalf of the Canterbury Cricket Trust.

However, the Section 65 Report fails to recognise Hagley Park’s status as a significant cultural and historic heritage landscape with identified tangible and intangible heritage values and does not include an appropriate Heritage Landscape Assessment of effects of the Proposal on the heritage values of the Cricket Pavilion Setting and the wider Hagley Park.

6. Comments relating to the Proposal’s consistency with other council plans

The Section 65 Report has argued that the Proposal is consistent with the vision of; the Hagley Park Management Plan 2007, principles of the Mahaanui Iwi Management Plan 2013, the objectives and policies of the District Plan and that it is aligned with numerous other documents¹².

However, the Report has failed to critically measure the Proposal against the Hagley Park and Botanic Gardens Conservation Plan 2013¹³. Although it is noted that there is some acknowledgment of this document in Version 2 of the Heritage Architectural Assessment.

¹¹ Boffa Miskell, Hagley Oval Landscape Assessment, 14 December 2012

¹² Including but not limited to Christchurch City Council – Public Open Space Strategy 2010–2040, Canterbury Spaces and Places Plan: A Regional Approach to Sporting Facilities December 2017, Physical Recreation and Sport Strategy September 2002, Christchurch City Council – Long Term Plan 2018– 2028, Christchurch Visitor Strategy 2016, Canterbury Land and Water Regional Plan 2017 (CLWRP) etc

¹³ Beaumont, L., Pearson, D., Mosley, B. (2013) *A Conservation Plan for Hagley Park and Christchurch Botanic Gardens Conservation Plan*, prepared for City Environment Group, Christchurch City Council

The Hagley Park and Botanic Gardens Conservation Plan 2013 was commissioned by the Christchurch City Council;

- to inform future review of the 2007 Hagley Park Management Plan and 2007 Christchurch Botanic Gardens Management Plan
- ensure that the heritage values of Hagley Park and the Botanic Gardens were properly accounted for in the management, use and development of these two landscapes

Relevant within this document is the Assessment of Heritage Values of Hagley Park and its component elements and structures including the Cricket Pavilion and its Setting together with the plan's conservation policies. Of particular relevance to the Proposal is Section 4 Volume 2 of this document which sets out a series of conservation policies designed to ensure that the heritage values of the Park and its structures including their settings are protected as follows;

Section 4.4. Setting.

There is a need to protect Hagley Park from a potential loss of integrity and definition. This can occur through the introduction of inappropriate or incongruous intrusions as well as obtrusive developments on the Park's margins.


Policy 4.4.1. Development within Hagley Park, which has the potential to negatively impact the heritage values and the experiential qualities of the landscape should be avoided. Where this is not possible every effort should be made to ensure that new development is of a scale, proportion and form that respects the established open 'parkland' aesthetic and landscape character.

In conclusion I consider that the Proposal;

- is contrary to the intention of the heritage provisions formulated for Highly Significant h heritage in the Christchurch District Plan
- will negatively impact the heritage values of the Cricket Pavilion and Setting and Hagley Park

For these reasons I do not support the Proposal to make amendments to the Christchurch District Plan to set standards for the operation and use of the Hagley Oval within Hagley Park through the use of Section 71 of the Greater Christchurch Regeneration Act 2016.

s9(2)(a)



From: s9(2)(a)
Sent: Tuesday, 26 November 2019 4:50 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval Section 71

I am writing to voice my opposition to the application for 6 light bars in Hagley Park which CCT are trying to gain permission for under s71 (Regenerate bill). This is a decision which should be taken under the RMA not section 71 which was not intended for this purpose. The decision for these lights should not be fast tracked. Hagley Park was never intended for this purpose, and the people of Christchurch should not have Hagley Park dictated to by the ICC. Hagley Oval is for county style cricket and not major international fixture requiring these light towers. The beauty of the park will be spoiled by this. The hospital staff, visitors and patients will suffer also if these lights are allowed to proceed. Traffic and parking for the hospital will be impacted. Cricket should not be allowed to short cut the protections around Hagley Park by using s71 rather than the RMA. Section 71 would not be allowed in this way elsewhere in NZ and section 71 should not be used to avoid consideration of matters that would be considered under the RMA Act. The process should not be used in this way. I voice my strong opposition to this and to the light bars in Hagley Oval. Cricket have permission for 4 retractable lights already.

s9(2)(a)

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

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

From: s9(2)(a)

Sent: Monday, 14 October 2019 7:21 PM

To: Poto Williams MP <Poto.Williams.MP@parliament.govt.nz>

Subject: Hagley Oval

Dear Sir,

I support having lights at Hagley Oval in Christchurch Regards s9(2)(a)

Sent from my iPhone

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [redacted]
Sent: Wednesday, 16 October 2019 4:29 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval proposal

I wish to register my approval for the proposal to erect lights at Hagley Oval.

Yours,

s9(2)(a) [redacted]

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)?

Hagley park is a public park for use by all
not for the few entitled who can afford
tickets to cricket matches

This proposal is a disgrace cricket NZ should be
ashamed

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

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

The written comment period has been extended from Wednesday, 20 November to 5pm, Monday, 2 December 2019.

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, Monday, 2 December 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)?

Since the Oval was opened I have with family + friends visited on many occasions to see grandchildren play as well as watch senior games. I strongly believe that our forefathers only knew polo cricket + maybe picnicking. They would have voted for ~~that~~ change today.

Please fold with the Freepost address portion on the outside, seal and return by 5pm, Monday, 2 December 2019.

s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

Issues in the S 71 Application

s9(2)(a)



2 December 2019

Hon. Poto Williams
Associate Minister for Greater Christchurch Regeneration
Section 71 Proposal: Hagley Oval
Freepost GCG
Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
CHRISTCHURCH 8140

1. Introduction

I seek that the Associate Minister ~~decline~~ the s 71 Proposal from Regenerate Christchurch, acting as proponent for the Canterbury Cricket Trust, to amend the Christchurch District Plan so that multiple changes can be made at Hagley Oval in Hagley Park.

I agree with the points raised in Agenda Item 27 of the Christchurch City Council meeting of 22 August 2019 *Hagley Oval proposed amendments to District Plan - Council response to Regenerate*, including the draft Council feedback to Regenerate Christchurch on the Proposal to make changes to the District Plan (See pages 533 to 554 of the Agenda item.)

In this submission the term:

“Council” refers to Agenda Item 27 of the Christchurch City Council meeting of 22 August 2019 *Hagley Oval proposed amendments to District Plan - Council response to Regenerate*; and

“Regenerate” refers to *Regenerate Christchurch: September 2019: Proposal submitted to the Minister under section 66(2) of the Greater Christchurch Regeneration Act 2016*; and

“CCTMemorandum” refers to *Memorandum to Regenerate Christchurch, Canterbury Cricket Trust, July 2019*; and

“CCT” refers to the Canterbury Cricket Trust.

In making this submission, I also bring to the Associate Minister’s particular attention the following points:

2. Lighting Towers

From Council, pg 535;

- 4.4 The lighting arrangements at the Oval are central to this Proposal. In order to be able to host and televise major international matches, lighting to international standards is increasingly becoming a requirement as matches are scheduled later in the day and into the evening, in order to suit overseas audiences.
- 4.5 The conditions under the current consent aim to maintain the amenity of the area by ensuring the lights do not exceed the heights of the surrounding trees, apart from when they are extended to their full height (no earlier than two hours prior to the scheduled start of a major fixture). The Proposal states that these lights are prohibitively expensive, that the technology is outdated (and does not meet international broadcasting standards), and that the process of installing and removing the head frames (involving trucks and cranes) would cause damage to surrounding trees and the ground. As a result, while the embankment and pavilion were constructed, the consented lights have never been installed.

And from Regenerate

Lighting 3.6

Like many sporting codes and organisations, the Trust funded construction of the embankment and new pavilion at the Hagley Oval through subscriptions, grants and fundraising. The four retractable lightpoles permitted by the 2013 Resource Consent, however, proved prohibitively expensive to implement. In addition, it became apparent relatively quickly that the retractable technology envisaged had drawbacks – the frequent use of heavy machinery damaging surfaces, and the set up and take down imposing higher maintenance costs. For these reasons, at Lords Cricket ground in London (the only other cricket ground with retractable lights) the decision was made in 2017 to change to permanent lights.

Comment

It should be noted that funding for the Oval pavilion was provided from a variety of sources, in particular NZ Lotteries Commission, SportNZ and the Christchurch Earthquake Appeal Trust. The embankment was built and paid for by the Christchurch City Council, not the CCT.

With regard to the lighting towers at Lord's Cricket Ground, I have had recent correspondence with the planners at the Westminster City Council, London, regarding the floodlighting at the MCC grounds.

Part of their response reads:

...

I would like to draw your attention however to one of four recent applications, 19/03697/FULL, whereby we have resolved to grant permission for the floodlighting on a permanent basis. You can see the committee report on the above record (this also gives you the extensive history of the site).

....

s9(2)(a)

Area Planning Officer (North Team)
Place Shaping and Town Planning
Westminster City Council, London

The document referred to can be downloaded from the Westminster City Council London website:

<https://idoxpa.westminster.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PRJLBRP2NK00>

then download: HERITAGE ASSESSMENT - FLOODLIGHTS

A reading of this document shows temporary lights were first used in 2007. New permanent ones were erected in 2009, but their use was restricted to a fixed number of times per year by agreement between the MCC and the local authority (Westminster Council). The four floodlights were retractable, and the light heads were to be removed at the end of each season.

The recent consent granted allows for permanent retention of the headframes on the four light towers, but they will be lowered to a retracted position during off-season and non-match days. The MCC is a private cricket field, unlike Hagley Oval, which is located in a public reserve.

3. Economics

From Council pg 538:

- 4.27 The proposed amendments could be argued to fall under the very broad definition of regeneration in the GCR Act. However, our analysis of the economics technical report provided illustrates that the economic benefits to greater Christchurch are of a relatively small scale. The projected guest nights for 2020/21 would constitute just under one percent increase in the total guest nights in Christchurch, based on the year ended May 2018. If such an increase were to materialise, it would contribute a little to the economic regeneration of the city but is very unlikely to be the regeneration driver or catalyst that would be expected from a proposal made under the GCR Act.

Comment

I agree with the above assessment of the economic benefits to the City. Furthermore, it should be noted that at in respect of the Cricket World Cup 2015, all funding from the media, TV rights, was channelled through the major event organiser *ICC Development (International) Limited*, a company incorporated

under the laws of the British Virgin Islands, a tax haven. It is reasonable to expect similar arrangements for the ICC Women's Cricket World Cup 2021.

I also note that the CCT Memorandum, para 73, admits that the City Council has had to assist financially for major games played at the Oval since the Canterbury Cricket Trust lacks the resources needed.

4. Haste

From CCT Memorandum

- 14 The resource consent was ultimately granted by the Environment Court on 29 November 2013 (Appendix 1) and generally did achieve all objectives sought by CCA. However, it was subject to significant conditions and constraints that were, in many cases, the result of limited consultation, assumptions made at the time of the application, and compromises resulting from the consenting process.

And Council pg539;

- 4.35 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 purposes, 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 New Zealand was awarded the Women's World Cup as early as 2013

Comment

Canterbury Cricket had tried before the Christchurch earthquakes to construct an international cricket venue in Hagley Park, and had been unwilling to consider other sites suggested. The statutory 2007 Hagley Park Management Plan prevented any such incursion.

It was the use of the CERA legislation that allowed a small group from CERA, Canterbury Cricket and the Christchurch City Council to have the Hagley Oval Anchor Project inserted into the Christchurch Central Recovery Plan Blueprint released 30 July 2012.

Now the CCT is claiming that in order to get the necessary resource consent and the Oval completed in time for the 2015 ICC World Cup, a number of hasty decisions were made, resulting in a consent which *"was subject to significant conditions and constraints"*.

The Environment Court made a number of conditions for very good reason. The hearing lasted several weeks, and the Court was able to sift through the evidence and reached a decision balancing the inclusion of a commercial venture in a public park and the rights of the public. The conditions and constraints were a result of that balancing act, and the final conditions were accepted by the Canterbury Cricket Association and not appealed.

5. Conclusion

The decision made by the Environment Court in 2013 was made possible by the overriding emergency powers of the Canterbury Earthquake Recovery Act.

That is no longer the case. Any changes to the original conditions must now comply with the statutory 2007 Hagley Park Management Plan.

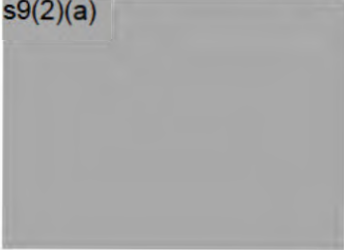
The changes requested by Regenerate Christchurch's (RC) Proposal on behalf of the CCT do not comply with the Hagley Park Management Plan.

I ask that the Minister decline Regenerate Christchurch's (RC) Proposal on behalf of the CCT.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

COMMENT on the Section 71 Proposal - Hagley Oval.

s9(2)(a)



26 November 2019

Associate Regeneration Minister Poto Williams
Freeport GCG, Greater Christchurch Group
Department of the Prime Minister and Cabinet
Private Bag 4999
Christchurch 8140

I seek that the Associate Minister **decline** the s 71 Proposal by Regenerate Christchurch acting as proponent for CCT, to amend the District Plan so that multiple changes can be made at Hagley Oval in Hagley Park. Much has been made by Canterbury Cricket Trust (CCT) of their 'must have 6 permanent lights,' so in my 'Comment' I have chosen to focus on that element of the Proposal. Other than the Proposal itself I have used public CCC (Council) documents due to Council being a Strategic Partner in this s 71 Proposal, CCT's Memorandum to Regenerate Christchurch and other technical reports eventually made available to the public.

The Lighting Technical report by Essential Lighting Consultancy Limited (Technical ELC report) states, at 49, "Permanent, fixed height masts are the most common lighting tower used for all sports codes throughout the world...."

However, the Appendix 2, Somerset Country Cricket Club Floodlighting Design Statement, (2015) (Appendix 2 SCCC report) states on Page 1.

"Each cricket ground involves unique locations that require very specific designs to accommodate site constraints and the venue users as well as the surrounding road users and residents."

I consider, that while the former statement may be true, the latter is much more detailed, nuanced and considered. The proposed lighting and its operation, requires changes in the CDP: e.g. in Chapter 18 Open Space Rule 18.4.1.1 by adding P26, and by amending Rule 18.4.2.4 Building Height. I believe the SCCC statement above identifies important points for good decision making, on what is really needed here: i.e. the teasing out and testing of, information and evidence through RMA decision making processes, as the proposed changes differ significantly in nature and degree from what was consented by the Environment Court's carefully considered, specific designs for this unique location.

I believe that changes as fundamental as this should NOT be a simple 'approve' via s 71 of the GCR Act, but rather it should be **declined**, so that such changes, if pursued by CCT, can be considered through the RMA, as befitting a site such as Hagley Oval in our city's treasure, Hagley Park.

The points I note in support of this position are given below, with sub-sections from the above quote in **bold**, to reference each section.

Point ONE. *Each cricket ground involves unique locations that require very specific designs to accommodate site constraints and the venue users as well as the surrounding road users and residents.*"

The s 71 Proposal itself describes Hagley Oval's unique location.

At 1.3 – 1.4 the Proposal refers to the Hagley Park Management Plan. "The vision for Hagley Park is for it to be an iconic inner-city open space area for the city of Christchurch and to be a place for present and future residents and visitors to the city to visit, recreate in and appreciate. This vision, alongside the Mahaanui Iwi Management Plan, sets the framework for management of the Park, in particular the principles of:

- 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."

Also from 1.3, "The Park is set aside as public reserve land and is managed by the Christchurch City Council (the Council) in accordance with the Hagley Park Management Plan 2007, prepared under the Reserves Act 1977...."

I am aware that the 18 November 2019, **Letter to DPMC from the Christchurch City Council:**

'Re: Section 71 Proposal,' references the HPMP, "Hagley Park is managed through the Hagley Park Management Plan, and is an important part of the culture, landscape and heritage of Christchurch." The **HPMP Appendix 1** states, "A reserves management plan is a statutory document and provides a framework by which all management of a reserve is carried out...It is a legally binding agreement between a local authority and the citizens of a local authority area."

I consider the inclusion of the HPMP in Council's letter is relevant and important. Under the GCR Act 69, "In considering whether to exercise the power in s 71, the Minister must; (b) have particular regard to any views of the strategic partners expressed in comments under s 68 (c).

I am also aware that in 2016 Hon. Megan Woods suggested crucial amendments to the GCR Act. I consider the will of Parliament was clear, through its unanimous support of the amendments - for the proper management of Hagley Park and that the HPMP not to be over-ruled in the future.

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
 - e. (iv) management plans approved under section 41 of the Reserves Act 1977 (with the exception of the Hagley Park Management Plan):
- (5) The Hagley Park Management Plan prevails where there is any inconsistency between it and a Regeneration Plan.

In 2013, in Environment Court [2013] Decision NZEnvC 184 the CER Act over-rode the HPMP, so the consented lighting poles were able to rise to 48.9m during matches. But they were also consented to retract to 30.9 m afterwards, partly to align with the relevant objectives and policies in the HPMP.

I consider this s71 Proposal, although seemingly not *directly seeking* to amend the HPMP, in seeking changes to Rule 18.4.1.1 (use of the lights) and 18.4.2.4 (six poles permanently at 48.9 m), with the other changes sought, creates a tension with the HPMP, and also with CCC's obligations under the HPMP. I believe that Parliament clearly wanted to prevent this through Hon. Wood's amendments.

I consider that the Proposal would create inconsistencies with, for example: *(my emphasis)*

Key Elements of the Vision for Hagley Park such as: "The Park is a space that is managed effectively

for a variety of public recreational uses, with access and facilities provided to a level that is *acceptable in terms of impact on the Park's environment.*"

HPMP Management Goals. "1. Protect and enhance Hagley Park's existing and historical environmental values, its landscape qualities and its botanical features." 2. "Provide areas for those recreational and sporting activities *that are compatible with* Hagley Park's inherent environmental and open space qualities, for the physical welfare and enjoyment of the public."

HPMP Policies. Policy 1.2. "The *natural qualities and features* of the landform, the open spaces, woodlands, waterways and meadowland areas shall be preserved."

Administration Objectives. 3. "To efficiently manage Hagley Park to ensure the health and well-being of *the people of Christchurch.*"

Objective 13. "To maximise the recreational potential of Hagley Park *but limit* the ancillary developments such as buildings and car parking *which detract from* the park's landscape value."

Objective 17. "To keep to a minimum the number of new buildings *and structures* on Hagley Park and to coordinate and integrate the existing Park building and structures into the Park environment. To protect historic buildings and structures within the Park."

Objective 20. To permit commercial activities which will enhance the *public enjoyment* of Hagley Park *and which are compatible with* the principle purposes, uses and character of the Park."

In view of the above, clearly indicating Hagley Park's "*unique location*" and "*special constraints*" – which include the amendments to the GCR Act imposed by Parliament, I consider that this Proposal under s71 GCR Act is effectively inconsistent with s 63 (5) in the GCR Act and should be **declined**.

The Heritage Values of Hagley Park and Hagley Oval

Hagley Park's heritage significance to Maori and non-Maori have been identified in many ways. E.g. **The s71 Proposal** at 1.2 states, "The land within Hagley Park holds considerable cultural and spiritual connections for Te Ngāi Tūāhuriri, reflecting its location within the Rūnanga's takiwā and the historic occupation of Ōtautahi.."

And, as referred to earlier, under the Mahaanui Iwi Management Plan and the principles of:

- 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.

Hagley Park has a Conservation Plan that identifies the individual and collective heritage elements and it assesses the Park as a whole as being of High Heritage Significance. Furthermore, the Independent Hearings Panel (IHP) identified Hagley Park as a whole as a heritage setting of High Significance and directed its listing in the **CDP** Chapter 9.3. In making this directive, the IHP noted in Decision 46, at [33] "...The evidence overwhelmingly satisfies us that Hagley Park meets the threshold for listing as Group 1 Highly Significant Historic Heritage, according to Policy 9.3.2.2." The Oval's historic pavilion is also a Highly Significant Group 1 Heritage Item in the CDP and is a Heritage NZ Pouhere Taonga listed building, the Oval as its heritage setting, as the ELC Report notes at 7.

The **Environment Court** in Decision [2013] NZEnvC 184 took into account RMA s6 (f) and found that: [348] *For the purposes of section 6(f) RMA we find Hagley Park is an area of historic and cultural heritage derived from its landscape design.*

[345] *Section 6(f) of the RMA provides that the recognition and protection of historic heritage from inappropriate development is a matter of national importance.*

While cricket has been at the Oval for 150 years, Hagley Park's "**unique location**" includes heritage value (beyond cricket), of "national significance" with protection a "matter of national significance."

Point TWO. *Each cricket ground* involves unique locations that *require very specific designs* to accommodate site constraints and the venue users as well as the surrounding road users and residents.”

The **Christchurch Central Recovery Plan**, (CCRP) provided for enhancements of Hagley Oval to deliver ‘a domestic and international purpose-built cricket venue’ with ‘sports lighting to international broadcast standards.’ And the Environment Court, having considered the CCRP and the CER Act, consented 4 retractable lighting towers for Hagley Oval, based on the details provided by Canterbury Cricket, expert evidence from Abacus Lighting and others and the unique, special site where they were to be erected. I refer to the Environment Court’s Decision through my COMMENT.

Ledmaster.com explains broadcasting requirements. **Vertical lux** is the illumination on the face & body of the cricket player, with brightness essential for televised matches so audiences can see facial expressions and movement clearly. **Horizontal lux** is the brightness on the cricket field. **Uniformity** is important across the ground and for ICC Cricket World Cup the uniformity requirement is about 0.7 to 0.8, which Ledmaster states is, “challenging to achieve.”

For live broadcast the brightness level should be in the range of 1500 to 2500 lux.

The Lighting Design and Application Centre (LIDAC) Recommendations for International Cricket, in the Lighting Technical Report Appendix 1, reveal:

Wicket	Ecam 2500 lx (vertical), Eh 3000 (horizontal) lx Min/ave (uniformity) 0.7 Min/max 0.6
Inner Field	Ecam 2000 lx Eh 2500 lx Min/ave (uniformity) 0.6 Min/max 0.5
Outer Field and boundary	Ecam 1500 lx Eh 2000 lx Min/ave (uniformity) 0.5 Min/max 0.4

The **Signify Lighting Report** states at 1 a. “There are four mast systems around the world, but none of these are used for major events.” However I point out that in NZ Seddon Park and Eden Park have four lighting masts and the 2019 MCWC final between England and NZ was at Lords in London which has 4 lighting poles. Ledmaster record that Kia (The) Oval London also has 4 light poles and its Lux is approx: 2000 lux H and 1500 lux V with uniformity of 0.65, and is used for televised matches. There are obviously famous cricket grounds with four lighting poles where lighting can be to international broadcasting standards – as the Court consented was preferable for Hagley Oval.

The **s 71 Proposal** states, at 3.7. “...in March 2019, a lighting work by Signify Limited, Musco Limited and ELC Limited identified that six lightpoles would be needed to meet ICC broadcasting guidance..”

The **CCT Memorandum** however states at 102, “Abacus, like the other companies advise that the specifications for a lighting a cricket ground should be based on the LiDac recommendations.

The ICC recommend six towers, however, less have been used on existing fields that have limited access and where floodlights are an after-thought. Abacus has designed and constructed cricket grounds using both four and six towers and can achieve satisfactory outcomes...”

I consider Hagley Oval can be described as a ground with “limited access” due to its trees etc. and the, “floodlights are an after-thought” now because CCT has not erected them, so the above would apply. Six poles (as in the Proposal) do not seem essential, “to achieve satisfactory outcomes.”

Guidelines only, not Standards.

Despite CCT’s assertions in the CCT Memorandum to Regenerate that NZ Cricket applies pressure over the allocation of games to Hagley Oval, and that CCT consider six lighting poles are the only mechanism to deliver lighting at international broadcasting standards, it seems that there are no actual International Broadcasting Standards, nor re the number of lighting poles required for that. <https://www.razorlux.com/> “There is no single standard specification for floodlights.”

<https://ledstadium.com/> The ICC doesn't offer standard specification for cricket field lighting." The technical **Signify Report** notes (un-numbered), "It should be noted that at present ICC do not have a documented specification brief. It is more governed by the broadcasters and the requirements they have..." and, at 1, "it is strict "demands" of broadcasters."

The **ELC Report** states at 11, "The four lighting poles currently allowed at the Hagley Oval through the CCT's resource consent are insufficient to achieve the level of lighting required to host day/night and night-time domestic and international cricket games to the standards required by NZ Cricket." Yet the same report records at 55, "NZ Cricket does not have a formal requirement for a minimum 6 mast arrangement but this organisation along with other recommendations is considered internationally as the best practice." And at 54, "The ICC 4, the ECB5 and AC6 all *recommend* a minimum six mast arrangement for international televised cricket....to achieve good horizontal and vertical illuminance using a range of different suppliers' equipment to all camera positions for *good quality* International TV coverage. NOTE 4 I understand ICC *recommend* the levels indicated in the LiDac recommendations, but *don't have any documented specification themselves* because their intention is to promote the game at all levels." (my emphasis).

The **ELC Report** continues, 56, "It is recommended that a six-mast arrangement at Hagley Oval will give the best overall lighting solution. This is because the six-mast arrangement will: 56.3 provide good lighting uniformity levels throughout to enable quality TV Broadcasting 7" NOTE 7. There are *no known Broadcasting Standards for reference*, but Philips have provided a *guidelines document* that they work with or reference when they design a televised facility." (my emphasis)

In addition the Elements of the Proposed Lighting at Hagley Oval are all INDICATIVE ONLY.

In the CCC HAVE YOUR SAY Hagley Oval lights lease consultation document, ii shows the following:

- (i) Lighting towers and headframes: Beside images of the six proposed lighting towers and proposed headframes there is a Note: "NOTE: Tower & Headframe Shape shown is indicative only and final design is to be confirmed."
- (ii) The number of floodlights: "The number of floodlights shown...will not vary greatly."
- (iii) Utility Cabinets and visible elements at the base of the lighting towers: "Indicative outline of utility cabinet transformer and kiosk" and "indicative outline of visible elements at ground level."
- (iv) Buried Foundations. "The base of each pole will have a buried concrete foundation of approximately 8 metres x 8 metres."
- (v) Even the Location of the Lighting towers is indicative. The document has a graphic titled, 'Location of new lease areas.' Above the graphic it states, "The location of the towers shown in the diagram below is the arrangement applied for by CCT."

However the **Technical ELC Report** notes, at 57, "Locating lighting masts is always a challenge when lighting an existing venue with physical site limitations, but with some *compromise* and careful planning six mast positions can be achieved at Hagley Oval. As noted above, *the final position of the six light towers would be determined by lighting installers* accounting for the alignment of the cricket wicket block, camera positions and other features at the ground, however a possible layout of the six light towers around Hagley Oval is set out in the plan.." (my emphasis)

The visibility, dominance and prominence of one lighting tower, let alone six at a permanent height of 48.9 metres is not self-evident. They would be the height of a multi storey building yet they cannot be appraised by reference to any existing light towers of similar height in Christchurch.

Three Questions need to be asked. Why should dramatic changes at Hagley Oval be approved by the GCR Act when all the lighting elements are indicative so effects cannot be accurately assessed? What elements might change further? What unanticipated decisions might installers make?

Further issues relating to the need for “very specific designs.”

The Technical Signify Report at 4b, recommends avoidance of retractable masts, because amongst other things, they say the lubricants used may over time leak and cause ground contamination. However, I find this argument rather hollow when CCT are seeking through the s71 Proposal to almost double the number of major fixtures at Hagley Oval (25). This would require double the number of trucks coming onto the Oval, in multiples for each event, and for both pack-in and pack-out, each truck likely discharging oil to some degree on the Oval site, with increased impacts compared to the 13 days consented by the Environment Court.

I think the same scepticism can be applied to the point made at 38 in the Technical ELC Report in relation to the consented removable headframes, “Removable headframes also involve truck and crane movements on a regular basis that can result in damage to trees and surrounding ground.” The **Environment Court** considered this at [389] “...Truck movements we think can reasonably expect to be minimal. On the evidence provided, we find that there will be an adverse effect on amenity if the headframes are not removed during the winter months.”

The **Technical ELC Report** states, “telescopic lighting masts with removable headframes (the kind currently utilised through the CCT’s resource consent) are problematic as they risk possible damage to lights, headframes and limitations on luminaire warranty. Regular handling of equipment during assembly and disassembly is likely to increase the chance of damage and may compromise any luminaire warranty or decrease the life/warranty period.” The Signify report at 4c, states the same.

However, Abacus provided expert evidence to the Environment Court for the original resource consent in 2013. Decision [2013] NZEnvC 184 notes:
[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.”

At 92 in its **Memorandum**, **CCT** writes without providing evidence, “...MCC have advised that they are in the process of making a planning application to seek to leave the headframes in permanently.”

I consider this comment “to leave the headframes in permanently” to be incomplete and misleading. On the Lords website, under ‘our history our future’ it details its plans: 2014 – 2017. A retractable floodlight was relocated and integrated within the Warner stand, to reduce the visual impact of the mast. 2019 – 2021 In January 2019, MCC were granted permission by Westminster City Council to construct two new three-tier stands... scheduled to start in late August 2019 and be completed for the 2021, with the build during the off-season, and be completely halted for major matches.

, London’s website. The planning application is found at the City of Westminster

Planning Applications: LORD’S CRICKET GROUND, ST JOHN’S WOOD ROAD, LONDON NW8 8QZ
TOWNSCAPE AND VISUAL ASSESSMENT - FLOODLIGHTS

It explains at 1.1. “This Townscape and Visual Assessment (‘TVA’) has been prepared by Bridges Associates (‘BA’) and Millerhale on behalf of Marylebone Cricket Club (‘M.C.C.’) (the ‘Applicant’) in

support of four Minor Material Amendment ('MMA') applications (application under Section 73 of the Town and Country Planning Act 1990 [as amended]) to Westminster City Council relating to floodlight usage at the Lord's Cricket Ground ('Lord's') beyond 22 January 2020."

Summary of the applications as they are relevant to my COMMENT.

As several large stadium stands at Lords are being redeveloped there was a need to integrate the lighting poles and headframes into the redevelopments of the stands. As a result of that the applications seek that, for each of the four headframes, one close to four different stands:

"The floodlights will be permanent and the headframes retained in situ (in a retracted position) throughout the year (extended during match days and lowered during off season and non-match days)."

I consider that once this crucial extra information is included a completely different perspective is provided. i.e. The lighting poles at Lord will allow the headframes to lower after every match day and they will remain lowered between major fixtures and remain lowered in the off season.

In Appendix 2 Somerset County Cricket Club report, lighting firm ME rejected lighting masts that retracted to 30-35 metres because of the extra cost and because at their specific site in Somerset (i) "it would have greater visual impact particularly to the immediate surrounding area for residents and visitors...occupying a large portion of one's normal field of view," and (ii) the "wider, chunkier" column at the base into which retractable masts would sink "was deemed to be undesirable."

Hagley Oval's consented poles retract to 31m and the headframes are removable to better remove the headframes "from the field of view" in summer and winter. The Environment Court described this eloquently at [387], *"As noted, the headframes partially extend above the deciduous tree canopy. In summer the tree canopy will assist in ameliorating the squatness of their bulk and form when viewed in a retracted position; however that will not be the case in winter. A simple mast without headframes would have less visual effect and we conclude that the removal of the headframes at the end of the cricket season will mitigate those effects for the broadest viewing audience. The diminishment in any functional aesthetic, legibility and coherence of the lighting structures due to their removal, we judge to be of lesser impact and importance than the visual effect of the headframes remaining in place during winter."*

And at [396] "During the cricket season the effects of the lights can be practicably mitigated when the headframes are in their retracted position when not in use."

In relation to light spill and glare.

The **Technical ELC Report** notes at 5, that as Hagley Park is zoned Open Space Community Park (OCP) in this zone, built form standard 18.4.2.4(v) controls the height of structures for floodlighting or training lights accessory to sports facilities in Hagley Park' up to 30m height. Such lighting must also comply with other applicable standards in the District Plan, including relevant rules for outdoor lighting glare and spill in section 6.3 of the Plan. At 390, the **Technical ELC Report** considers, "the effects from light spill at Hagley Oval would be acceptable" and "the preferred arrangement of a 6-mast installation plus using LED luminaire technology in my opinion will significantly reduce and improve the control of spill light over the consented 4 mast option."

I point out that for the four mast design, the Environment Court noted at [209], *"While Mr Anthony's evidence has a primary focus on ensuring that the chosen lighting system will satisfy international broadcasting requirements for high definition television, it includes horizontal and vertical illuminance lighting overspill contours for the areas around the Oval. Mr Anthony advised that particular attention had been paid in the design of the lighting system to minimise the extent of light spill and glare..."*

And also, if the Proposed lighting's "effects from light spill would be acceptable," then why are these other Proposed amendments necessary? Eg In Rule 18.4.1.1 for the Proposed Permitted Activity P26 (lighting rules) the Activity Specific Standards (ASS) says, "f. Chapter 6.3 rules controlling light spill and glare from outdoor lighting shall apply to Hagley Oval except where otherwise specified below."

I point out that 'specified below' are all the situations when the lights would be used!

And in addition, CCT seek to Amend Rule 6.3.5.1 Permitted activities as follows:

Activity Specific Standards (ASS) for artificial lighting outdoors;

- i. with the light spill standards in Rule 6.3.6 as relevant to the zone in which it is located, and;
- ii. where the light from an activity spills onto another site in a zone with a more restrictive standard, the more restrictive standard shall apply to any light spill received at that site.

except as specified in Rule 18.4.1.1 P26 -

In other words where and when the lighting is used at Hagley Oval.

A further issue raised in the **Technical ELC Report** at 41, was that removable lights would require aiming and testing of luminaires at the start of every season. This results in the lights being switched on more often, hence more disruptions with no events taking place."

I point out in response, that in seeking to increase major fixtures from 13 – 20 days and some years to 25 days per season means doubling the times lights would be switched on, and in addition, CCT are seeking to amend Rule 18.4.1.1 P26 to use the lights for training purposes as well, so this would increase their use again. The consented lights however can only be used for the 13 major fixtures.

Conclusion for Point 2.

The **Technical ELC Report** at 70. "Overall this report recommends that six permanent lighting masts at Hagley Oval (as set out in the proposed amendments) would offer an improved installation with individual floodlight poles and masts being of a smaller scale than the consented lights...."

This statement does not appear to be true. The Proposed lighting poles would be permanently at a maximum height of 48.9m and the headframes are (indicatively) 14.3m wide. The Court described the specific heights of the poles and the dimensions of the headframes at [204]

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

I consider the dimensions of the Proposal's lighting towers and headframes are of a bigger scale.

The designs provided in the s 71 Proposal are "indicative only," and although there are lighting and broadcasting 'standards' it appears they are guidelines only. The Council has acknowledged in its letter to DPMC that the lighting designs are not finalised, saying "...Council staff, outside of this process, will continue to provide advice on ways to reduce visual impacts, including exploring whether it is possible to reduce the height and size of the lights."

I consider that on an issue as controversial as this the public should know exactly what is proposed. If the Associate Minister approves this s71 Proposal then "indicative only" headframes, and

"indicative" lights and their location would ensue. What the end products could be we can only assume. This is not an acceptable position in a park of Hagley's stature and significance.

POINT THREE. "Each cricket ground involves unique locations that require **very specific designs to accommodate** site constraints **and the venue users as well as the surrounding road users (and for Hagley Park users) and residents."**

Decisions should not just suit “venue operators,” NZ Cricket or international broadcasters. It’s not ‘just about cricket!’ and cheaper lights for CCT to fund or operate. There are multiple factors to consider in integrated decision making. Designs for Hagley Oval should meet other needs too – needs arising from Hagley Park itself as an open space reserve with nationally significant heritage value, from Hagley Oval’s unique location within the park and as a heritage setting, the needs of road users and patients and staff at Ch Ch Public hospital, school sport, community sport, Hagley Community College, the list goes on. The Environment Court sought to balance all that.

The CCT Memorandum talks about costs to CCT if it does not get the changes it seeks and CCT has sought out firms that will back up its position. While this may be true, I point out that CCT’s Memorandum has almost no mention of the impact of its preferred 6 pole option on amenity or on others - residents, other park users, visitors or people in Ch Ch Hospital, etc. nor how much the lights and their headframes would occupy all these people’s “normal field of view” or affect their welfare. Sadly it seems that it is all ‘just about cricket.’

Effects arising from the Proposed Lighting System.

In the **Technical Landscape Report**, at 7 and 8, Mr Craig states, “the focus of this assessment is on the effects arising from the most prominent physical structures of the proposed amendments – ... the 6 permanent poles and head-frames, and as compared to the existing resource consent..”

Mr Craig considers amenity at Hagley Oval, concluding at 21, “Overall, amenity is very high due to the dominance of open space and various forms of vegetation. Appreciation of this is heightened by the contrasting surrounding presence of the central city and associated hard urban landscape.....”

At 12, Mr Craig describes the, “Exotic trees, most of which are mature..... that form the outer perimeter and as such contain the oval, rather like a permeable wall” and that, “In combination with the open green space of the oval and surrounding trees results in a high level of integration with the wider park land setting.” It is concerning that Mr Craig does not consider that as the trees are already mature at 30 meters in height they cannot even over time, mitigate the visual impact of permanent 48.9m lighting towers, so they would create a significant, permanent and negative effect.

At 32, Mr Craig says that in terms of the GCR Act 3 (2), he assesses that “overall the proposed amendments will provide for revitalisation and improvement of an urban area through the provision and enhancement of community facilities from which a *section of the Christchurch community* will benefit.” i.e. “the pursuit of cricket at Hagley Oval will be significantly enhanced.”

I believe however, that the GCR Act’s regeneration focus - ‘Regeneration’ (2) b and for a s71 Proposal, must be wider than “a section of the Christchurch community.” (my emphasis)

Mr Craig assessed the Potential light pole visual dominance, integration and prominence, saying at 47, “For the proposed lighting poles to be visually dominant people would have to be sufficiently close to them to significantly suffer diminished appreciation of the surrounding cricket ground and park land, due to their significant vertical height in proportion to their relatively smaller width.”

I consider that the graphic in the CCC Have Your Say alone, even ‘shot’ from above, clearly shows that at ground level the lights would be very dominant. From 48, Mr Craig considers Prominence and acknowledges the proposed lighting poles will certainly be visually prominent, due to their height relative to nearby lights, their being twice as high as the surrounding trees, and their engineered geometric appearance contrasting with the natural organic character of the park setting.

He acknowledges that from the Christchurch Public Hospital buildings, close to Hagley Oval and multi-storeyed, “those occupying the buildings will have clear unimpeded views of the poles when looking southward. They will certainly be prominent from this particular vantage point.” And he also considers that, “Prominence will increase significantly when the proposed lighting is illuminated, especially when natural light is dull or dark. Consequently it is very likely that attention will be

drawn to their presence from multiple vantage points from within and well beyond the confines of the South Hagley Park. This will be particularly so for elevated vantage points such as those from tall buildings and areas on the Port Hills."

The impacts of the lights when considered for all the others than "venue users" tell another story. The GCR Act does not exist to address commercial imperatives of national sporting bodies or international audience wishes, nor to 'save' one specific sporting trust in one sporting group within our wider community from funding and bidding pressures and operational costs, that should have been factored into their thinking well before pursuing Hagley Oval in the first place. It was clear at the 2013 Environment Court hearing what a special site they were walking into. The GCR Act is instead about our Christchurch communities and addressing a greater loss for us as a collective.

CONCLUSION When considering the statement in full.

"Each cricket ground involves unique locations that require very specific designs to accommodate site constraints and the venue users as well as the surrounding road users (and for Hagley Park users) and residents."

The Environment Court stated, at [386] *"Although the Recovery Plan provides for lights suitable for an International Broadcast standard, the lights jar with the Recovery Plan's "village green" ethos which the enhanced Cricket Oval is to achieve. The lights will change the present day character of both the Oval and South Hagley Park which features extensive recreational use, particularly for local organised sports. That is because the lights' aesthetic would be associated with an intensive use of the Park, for purposes other than passive recreation and local organised sport. This change in character will reduce the visual amenity of South Hagley Park and is an adverse effect."*

The Proposed permanent lights and fixed headframes will have an even greater effect on the amenity values of Hagley Park, on its other users and on citizens near to the park or looking at the park even from the Port Hills. **I urge the Associate Minister to decline this s71 Proposal.**

I consider that in doing so, and recommending that CCT's request is returned for full RMA decision making, the Associate Minister's decision would align with the fact:

1. That the CCRP directed for Hagley Oval be developed to reflect village green values, and the lights consented by the Environment Court attempted to do this, while the lights in the Proposal are antagonistic to it. I consider Saying No would be making a decision in line with the CCRP.
2. The Minister would be making a decision that aligns with the HPMP, (eg Admin. Objective 3. "To efficiently manage Hagley Park to ensure the health and well-being of *the people of Christchurch*,"), the RMA s6 (f), Hagley Park's heritage listing in the CDP, Parliament's amendments to the GCR Act, and the true reasons for GCR Act's importance for 'regeneration.'

Under s 66 (1) of the GCR Act, "The requirement under the GCR Act is that the Minister's exercise of powers can be reasonably considered *necessary* to achieve the desired outcome, *rather than desirable or expedient*, taking into account all possible alternatives."

The CCT Memorandum CCT acknowledges at [107], *"Abacus has informed CCT that telescopic masts can be provided if the planning constraints mean this is the only way..."*

Using s 71 GCR Act might well be 'desirable' or 'expedient' for CCT, but I do not believe that it is 'necessary' or desirable for all the reasons provided. The option is there for CCT to proceed with their consented lights, maybe with the help of Abacus and the RMA. It is up to CCT to get on with it.

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)?

Since the Earthquakes we have been denied Night time Summer Cricket, it's taken too long, when hockey, Athletics, and other sports have the Pina Wan Sports Hub under lights.
We are missing out on watching World Class players in our own back yard.

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 regarding the changing of land use to accommodate commercial cricket activities in Hagley Park South on an ongoing basis.

I strongly oppose changes to any plan that will permit ongoing commercial activity in our premier park.

Both the government and the local council have a mandate to administer public parks for the common good.

The transformation in the proposal would elevate the cricket ground in Hagley Park from being a sports ground like the rugby fields and netball courts for locals, to a commercial venue for international matches. That is not within keeping of the 'spirit' of a public park.

Yes, it will bring money and visitors into the city. Do we want to sacrifice the common good of free access to our beautiful spaces for money? That is the crux of the matter. For you guardians of the good of all the citizens who voted you in to carve up our public space for the profit of a few would be a betrayal of your role.

Christchurch will have a multipurpose stadium that will probably be underutilised, that will also probably have floodlights and be operational at night. It will be a public space dedicated to exactly the type of activity that is being proposed for South Hagley Park. Why can those with a passion for international cricket not look to that venue which will be purpose built and not so far away. The MCG in Melbourne is not dedicated to cricket alone.

In approving the proposed changes to South Hagley Park not only will access be removed from the local public for up to 75 days a year but the events will cause considerable disruption and inconvenience to the local public. Riccarton Avenue is one of three main routes through the city and a main accessway to the Public Hospital. It is already a pinch point for parking. As one who travels from East to West, I can say that travelling through the city and across or around the park is already a pain. It is not quick and it is frustrating. All day events that attract thousands of people are going to do nothing for the thousands of local people who want to travel through that area, or access the Botanic Gardens or Hagley Park or the hospital. This alone makes the proposals not only not in the public interest but foreseeably contrary to the wellbeing of the majority of people who live or work in a large part of the city.

As an aside, the Christchurch District Plan noise provisions allow noise that is too loud!

Further, up to 75 days a year sounds like a huge number and when one realises that we won't be wanting the 75 days evenly spaced throughout the year but concentrated into the summer months. We could be talking giving a sport legal and exclusive rights to public ground to disrupt the city (see above) for two and half months out of three over the summer. This is crazy.

I would not be surprised if this happened under a National government, under a Labour government it would be a travesty and I don't expect it to happen at all if left to the City Council (unless we have become a corrupt country and take bribes or our priorities have moved from people first to money first).

Granting this Change in District Plan would be lining the pockets of businesses by pinching public land through a legal loophole. What kind of precedent is that!?

Please leave South Hagley Park as a public park in its entirety for the wellbeing and pleasure at all times of all Christchurch's citizens for whom it was set aside.

s9(2)(a)

9 November 2019

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [REDACTED]
Sent: Thursday, 17 October 2019 11:41 AM

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

Subject: Hagley Oval lights

Dear Ms Williams

I strongly object to the proposed light towers in Hagley park, and extension of playing days for major fixtures.

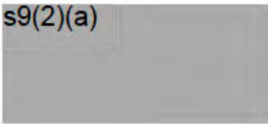
After a full consultation process the Environment Court has previously restricted installation of light towers and the number of major games that can be hosted at the venue.

To attempt to use the Earthquake Recovery Act is a devious, dishonest and cynical way to over-ride the common social and environmental rights of members of the public. The spirit of the Act would be broken and the Act totally misused.

All citizens have the right to the quiet and unrestricted use of all areas of Hagley Park. That is a legacy from our far-sighted forbears. Their vision and public minded efforts were not intended for commercial gain.

Therefore I urge you to consider the rights and wishes of all citizens not just a limited few seeking to exploit our treasure for commercial gain and their exclusive use on certain days.

s9(2)(a)



Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Sunday, 20 October 2019 3:16 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Lights at Hagley Oval

We fully support the proposal to exercise the power under Section 71 of the GCR Act to enable six permanent lights to be installed at Hagley Oval.

Furthermore, we support the additional maximum events days and use of temporary facilities and structures.

We visit Hagley Park on average three times a week and we have no issue with permanent lights being installed. In our view Hagley Oval has been a positive factor in the regeneration of Christchurch.

However, the full potential of Hagley Oval is not being realised due to no lighting at the oval.

Moreover, without lights Hagley Oval will continue to struggle to get top line International games here in Christchurch. We are already missing out to venues such as Hamilton and Tauranga, who have much smaller populations, due to their grounds having lighting. Also, Wellington and Auckland have lights at Westpac Stadium and Eden Park, that are used for International cricket.

The much anticipated and much needed Multi Use Arena in Christchurch, will not involve cricket in any capacity and hence the need for lights at Hagley Oval.

The Woman's World Cricket Cup will be a great opportunity to showcase Christchurch to a massive TV audience, to show them that we are open for business. Furthermore, it is in our view an opportunity, that Christchurch cannot afford to miss out on.

Kind regards

s9(2)(a)

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [redacted]
Sent: Monday, 21 October 2019 3:49 PM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: Fwd: Blazing row: Dispute over six Hagley Oval floodlights explained

Kia ora Poto,
I sent this to Regenerate Christchurch, but they require me to do it a different way. So am sending it to you.
Thank you for your work on this issue.

s9(2)(a) [redacted]

----- Forwarded message -----
From: s9(2)(a) [redacted]
Date: Sun, 20 Oct 2019, 9:09 PM
Subject: Blazing row: Dispute over six Hagley Oval floodlights explained
To: <info@regeneratechristchurch.nz>


Kia ora koutou,

I write to support the changes proposed for Hagley Oval in order to meet international broadcasting standards and to maximise the use of this ground within the limits proposed by Canterbury Cricket Trust. I understand the opposing points of view, and I also think that the changes outlined in this article in The Press, Saturday 19 October will be good for Christchurch.

I come from a cricket loving family, many of whom play the game, while those of us too arthritic to participate, love to watch on TV, (and sometimes just like to visit Hagley Oval to sit quietly in the stands). We feel really proud that since the upgrade in 2015, we have a world class cricket ground in the middle of the city. In the wake of the disasters we have had, it has been a great joy.

Now we just have to take the extra steps to meet international standards for lighting and to enhance the use of this ground for the benefit of Christchurch. I support the proposed changes Canterbury Cricket Trust has outlined in this article.

s9(2)(a)



<https://www.stuff.co.nz/sport/cricket/116617153/the-debate-over-six-hagley-oval-floodlights-explained>

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)?

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

s9(2)(a)



27/11/19

Dept. of Prime Minister and Cabinet,
P.B. 4999,
CHCH 8140.

Dear Sirs,

We, the signatories shown below, husband and wife, are long term owners/occupiers of houses (one at a time) in Christchurch. Please find enclosed copy of our submission regarding the Regenerate Christchurch proposal to amend the rules governing the uses of Hagley Park which they seek under section 71 of the Greater Christchurch Regeneration Act. We are sending this by email and also through the ordinary mail, being less than competent on the computer.

Yours faithfully,

s9(2)(a)



P.S. Sorry for the handwriting :
the computer crashed!

Proactively released by the Associate Minister for Greater Christchurch Regeneration

27/11/19

Dept. of Prime Minister + Cabinet
PB 4999
CHCH 8140

Dear Sirs,

Subject: Cricket at Hagley Park Oval.

The public has until Dec 2nd to make submissions to you re the Regenerate Christchurch proposal to change the rules governing cricket at Hagley Park Oval. We submit:

1) We are strongly supportive of the submissions of the Christchurch Civic Trust as per their letter of 22 August to the Christchurch City Council.

2) The fundamental purpose of the Park was expressed in the Canterbury Association Reserves Ordinance of 1855: "the land known as Hagley Park ... shall be reserved forever as a public park and shall be open for the recreation and enjoyment of the public."

3) It is true that those splendid words have been frequently ignored, - hospital, boys' school, museum etc. But the fundamental purpose remains, and enough is enough.

4) Many of the breaches of the principle involve sport. They are

just about 100% amateur. The cricket proposed by the present mover is 100% professional, more a business than a sport.

5) The conditions for international sport are laid down by international authorities and ^{ARE} progressively more onerous and complicated. It is intolerable that conditions at Hagley Park should be determined by foreign authorities. In the present case of cricket ~~and~~ only 6 years have elapsed between the start of professional cricket at Hagley Oval, and fresh demands.

6) Cricket should have its own home. Lancaster Park is available and I, and I think thousands, would donate towards its redevelopment.

7) The question of the site for the nearby Women's Cricket World Cup should not be allowed to influence the present ~~quest~~ matter, which is far more serious.

8) The public has many times shown its love of the park and its open and free character, notably when a few decades ago it was proposed to sacrifice areas at the N.E. corner to new roading. Let cricket go to a restored Lancaster Park, where they will be able to do what they want.
Yours faithfully

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

From: s9(2)(a)

Sent: Tuesday, 15 October 2019 7:35 PM

To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>

Subject: Hagley Oval

To whom it may concern

Lights must be installed at Hagley Oval , this is why.

We have no day/night cricket in CHCH (we use to) Limited international games only, big games played in North Island Christchurch with its English heritage has always been a iconic cricket city It builds tourism and stimulates the hospitality industry, bringing in \$\$\$ to our region Television exposure worldwide, best advertising we could get. Chch has missed out on to much since the earthquakes

Kindest regards

s9(2)(a)

Sent from my iPad

Proactively released by the Associate Minister for Greater Christchurch Regeneration

Hagley Oval - Section 71 01.12.2019

1. I am strongly opposed to any development of Hagley Oval, for very good reasons.
2. s9(2)(a)
- 3.
4. The magnificent and picturesque Hagley Oval cricket ground is in South Hagley Park, but access to the Oval is also from Riccarton Avenue.
5. CCC resolved at that time to shift all the crowd gathering entertainment events which had for many years been held at Hospital Corner and in South Hagley Park, to North Hagley Park; - away from the hospital approaches.
6. No events which might in any way hinder access to the hospital would be permitted in South Hagley.
7. Hospital Corner, next to the Oval, is now a landing zone for the helicopter ambulances.
8. ChCh A&E manages more than 80,000 emergency cases each year. Approximately 1 every 3 minutes. The second largest in the southern hemisphere.
9. With strokes, heart attacks and crash injuries, a 10 second delay may be critical.
10. It is impossible to manage a crowd in this vicinity of the hospital without some confrontation.
11. I like cricket, and have often attend daytime matches at Hagley Oval. Even with the much lower daytime attendances, I have frequently observed the inability of Canterbury Cricket Trust to manage the crowd with the traffic. Surgeons on call-up have been inadvertently stopped by insufficiently trained controllers who are supposed to manage the crowd, not the traffic.
12. CCT have never been able to meet the minimal standards of management required in the conditions of their Resource Consent. They are unlikely to be able to manage a greater numbers of events and bigger crowds in this area.
13. The Oval is not a suitable venue for night time events. There are many hazards in the huge unlit area of the park. It matters not how great the surroundings are, when you cannot see them. Night time events could be held at any properly lit venue.

14. Five years ago when The Environment Court considered the CCT application to develop the Oval, the very astute judge set conditions which should have clearly indicated to CCT that the Oval was not a suitable venue for their business and that it was time for them to find and develop another location for their commercial spectacles.
15. From an engineering point, there are many potential problems with this proposal. The area where the Oval has been developed was swamp. The water table away from the Avon River and Middleton Stream is less than 1m below ground level. In the past it has kept the wicket green.
16. The proposed enormous 8m square concrete rafts on which the lights are to be erected may be suitable in most locations where these towers have been erected, however in this location the lack of substructure and the continued propensity for minor earthquakes is of great concern.
17. The significant wind loading on these lighting towers is variable and unpredictable.
18. Harmonic oscillations with this height of lighting structure, under varying wind velocities, are generally unmanageable and over a period of time, destructive.
19. There are no obvious measures in the design of the lighting heads to deaden or counteract wind generated noise, which was in the past, a constant source of annoyance in the area about 'Lancaster' Park.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

s9(2)(a)

13th Nov 2019

Hon Poto Williams

Associate Minister for Greater Christchurch Regeneration

Dear Minister Williams

Re: Hagley Oval:

To provide for the operation and use of Hagley Oval: Proposal to exercise the power under section 71 of the Greater Christchurch Regeneration Act to amend the Christchurch District Plan

I write to express my **SUPPORT** for the amendments to the Christchurch District Plan as outlined by the proponent, Regenerate Christchurch.

Basis of my Submission

My support for the s71 proposal to amend the CCC District Plan to allow the installation of six permanent lights on the oval is intrinsically linked to the concurrent process to propose a New Lease and Variation.

The current lease, approved following the Environment Court decision to allow four retractable light towers, is now required to be amended to allow for the ground space for six permanent towers.

The four retractable towers (allowed for in the Environment Court decision and subsequent CCC lease) has a number of issues, the more significant being:

- Under the current conditions, the heads are required to be removed at the end of the season, a somewhat costly and onerous condition.
- To install retractable towers will require massive hydraulic oil reservoirs with inherent storage risks and potential environmental issues.
- Lighting for international fixtures is required to meet broadcasting standards and four towers do not distribute light evenly with some dark patches arising. Installing six towers will overcome these issues however there is likely a need to install one tower close to heritage buildings, a matter that the S71 process can hopefully address.

- To overcome some of the lighting issues with four towers, the towers would be required to be at least 60m high
- The current District Plan does not provide for towers in excess of 30m, hence the Lease and S71 process can provide the mechanism to approve the installation of six 48.9 m towers and meet lighting requirements both in light distribution and broadcasting requirement.

Hagley Oval is arguably the finest cricket venue in New Zealand and without lighting it is highly unlikely that any high profile matches, especially those involving England and India, will be allocated to the Oval. There is no venue in the South Island that would have the necessary standards and lighting for International events, thus South Island supporters will have to travel to the North Island to participate in such events. Another drain of money away from the city!!

The approval of the proposed amendments to the Christchurch City Council District plan will also provide huge economic benefit to the city in the form of:


- Increased demand for accommodation when major fixtures are held at Hagley Oval
- Benefits for the hospitality industry
- Flow on benefits to associated services, e.g.
 - Taxis and other forms of transportation.
 - Retail
- International Tourism promotion

In summary:

- The Hagley Oval is, I believe, the finest cricket wicket in the country.
- We need (and I support) the changes to the District Plan to allow for six permanent lights
- Without lights we will not attract high profile games
- Without lights we lose significant economic benefits
- With the changes to the District Plan (and ensuing New lease and Variations) and the installation of the six permanent lights, the International promotion that Christchurch will receive is immeasurable and is vital to the ongoing rebuild of the city.

I look forward to your favourable consideration of the matters that the proponent, Regenerate Christchurch, has placed before you.

s9(2)(a)

A large grey rectangular redaction box covers the bottom portion of the page, obscuring any text that might have been present.

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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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 keen cricket fan and enjoy going to Hagley Oval for matches. However I am strongly opposed to the light towers as I believe this will damage the beauty and aesthetics of the oval and the surrounding area - and indeed be a bridge too far taking us away from a boutique English style oval.

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

s9(2)(a)

Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Wednesday, 27 November 2019 8:49 PM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: Hagley Cricket

Dear Poto

I read in the recent Christchurch Evening Star that while submissions regarding cricket and lighting had closed last week, it was still possible to make views known to you.

A couple of weeks ago I visited a very sick aunt in hospital, it was hard to find a park with cricket on, eventually I did. What I noticed and experienced was an increase of activity and noise, I was surprised how much this affected me and has prompted me to write my concerns.

Firstly I feel we need to acknowledge the location of the hospital, and the needs of patients and those attending to them, their needs for a quieter less noisy and stressful surroundings, conducive to promoting health and well being. we also need to acknowledge that for many Hagley park is an oasis of peace, tranquility and calm. More international and national cricket fixtures will undermine the beauty and quiet and of Hagley park bringing with more frenzied search for parking, and crowds of people.

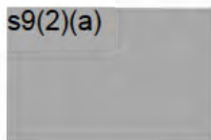
Secondly as I understand it Hagley Oval was never meant to be a permanent cricket fixture, I support the new stadium (when built), as having multi use capacity would be an ideal location, the lighting will most likely be up to the standards for international broadcasting, and I'm sure parking has been considered alongside crowd management for this.

We must protect Hagley park from the persistent sense of entitlement by some people, that prompts pressure to change the original intentions of the park, and seeks to use earthquake legislation for their interest.

I appreciate your position and trust that you can appreciate that many of Cantabrians, Christchurch friends and family support my concerns for the park.

Yours sincerely

s9(2)(a)



From: s9(2)(a) [redacted]
Sent: Thursday, 21 November 2019 4:26 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley lights.

I oppose the installation of large lighting structures at Hagley oval by cricket NZ.
s9(2)(a) [redacted]

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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?

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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 believe we should do as much as we can to improve the facilities 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

Hagley Oval – Amendments to the Christchurch District Plan

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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 AGREE, THERE IS A GREAT NEED FOR CHRISTCHURCH
TO MOVE ON, AND STOP LIVING IN THE PAST.

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

s9(2)(a)



From: s9(2)(a)
Sent: Saturday, 30 November 2019 4:58 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject:

Dear Poto Williams, I am adding the following to my opposition to the further development of Hagley Oval. I see it as death by a thousand cuts. The Cricket Trust already has planning consent for floodlights, it has chosen not to use, now it wants to add a further two to the ones it already has permission for but no money to pay for.

Sent from Mail for Windows 10

I think this is the thin edge of the wedge, they want to extend the days and hours they are allowed to operate, next they will want permanent tiered seating, to justify their investment as it will not hold enough people, and to raise the cap on crowd numbers to fill the stands. Where are all these people going to park, I know Hagley Park, to the detriment of other park users, how many other events now using over the warmer months will be declined by the council because the cricket and the car parking will have priority. Hagley Park is for every one to use as often as they want, not for a few who want it as a way to enrich themselves financially and socially. I encourage you to do what your predecessor did and let the environment court deal with this matter. The only reason I can think that they are trying it on with you is they think you are a SOFT TOUCH. Thank you s9(2)(a)

From s9(2)(a) [redacted]
Sent: Sunday, 1 December 2019 3:49 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject:

Dear Poto Williams, I believe that C ,E, R Act 2016, which expires in 2021, prevents any private plan change being sought , that is the wording in the Act. I think the existing conditions that the Hagley Oval operates under offer a fair compromise ,in a democracy, you do not get all that you want, all of the time. if the Canterbury cricket Board , do not like the terms that the Environment Court imposed on their operating Hagley Oval they should not try to obuse the roll of law , by encourage you to use your powers to override a lawful and thoughtful decision by a legal law court , the need for a quick decision is a rues that Bob Parker and Tony Marriot used on the council , on more than one occasion re s9(2)(a) [redacted] and the council coming to his aid financially, this could set a legal president for others to use to overturn judgements by the Environment Court , history will not look fondly on you if you do not refer the matter back to Regenerate Christchurch and encourage them to try their luck with the Environment Court , who will no doubt give it the well considered thought this issue deserves. s9(2)(a) [redacted]
Sent from Mail for Windows 10

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

Submission from ^{s9(2)(a)} [REDACTED] **OPPOSING the use of Greater Christchurch Regeneration Act s71 to alter the Christchurch District Plan to bring about unchallengeable changes to the conditions imposed by the NZ Environment Court 2013 / 2016 for Hagley Oval.**

As a long-time Labour Party supporter who is proud of your government's achievement to date, it grieves me to contemplate that you, as Minister for Greater Christchurch Regeneration, may exercise your power to order the use of Section 71 of the GCRA to override the RMA, which is the proper vehicle for public debate on matters of such importance for Hagley Oval, Hagley Park and for this city.

Hagley Oval is a significant and historic component of Hagley Park, the largest and most important natural and cultural green space in Christchurch. The Park is a protected reserve under the Reserves Act 1977 and has its own special management plan, the Hagley Park Management Plan 2007. The entire Park and Hagley Oval are scheduled by the Christchurch City Council as Highly Significant heritage places. Hagley Oval contains an HNZPT- listed heritage item, the Umpires' Pavilion, 1864. It is impossible to think of a more important and special urban, public green space in New Zealand.

You will not need reminding that while you were a member of the Opposition, your colleague Dr Megan Woods moved an amendment, carried unanimously, excluding Hagley Park and giving the HPMP 2007 primacy over the Regeneration Act, which enabled its passage into law in 2016.

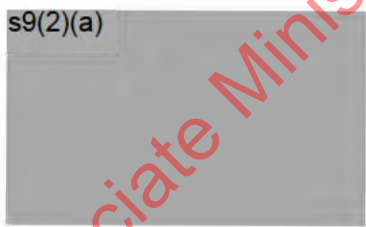
Post-earthquakes and for far too long, the CER Act s38 emergency power was used by CERA in the name of 'recovery' and too often it resulted in unnecessary loss of heritage and of city identity, whilst completely shutting out democratic public input: from 2011 – 2016 there were exceedingly few public RMA considerations of the fate of damaged heritage buildings, scores of which were unnecessarily demolished. The application by Canterbury Cricket in the NZ Environment Court for the large-scale commercial development of Hagley Oval was one of the few heritage matters to be publicly debated.

Because of the impending 2015 Men's Cricket World Cup, national and local cricket powers claimed urgency for developments they sought for Hagley Oval. Following the 2013 public RMA hearings the Environment Court delivered a decision which, in its own view, pushed development in the iconic historic natural and cultural green spaces of Hagley Oval and Hagley Park to the absolute limit. Accordingly, it imposed many conditions, chief amongst which was that the four permitted 48.9m lighting towers would have retractable heads which would be removed in the off season.

Now, six years later, having known since 2013 about the 2021 Women's Cricket World Cup, there is another claim of urgency from CCT. But this time its request is even more egregious, because it is asking that Regenerate Christchurch, as proponent, seek the Minister to use the extraordinary powers of GCRA s71 to alter the District Plan enabling further 'development' of Hagley Oval (read: commercialisation, intensification and transformation away from the 'village green' ethos, with six lighting towers permanently at 48.9m height) which will be immune from public challenge. I find this completely unacceptable and an affront to the wider citizenry of Christchurch which has endured so much hardship and loss of democratic voice in the past decade.

I urge you to totally reject the request by Regenerate Christchurch on behalf of Canterbury Cricket Trust for the use of GCRA s71 to alter the CDP for further unchallengeable 'development' of Hagley Oval.

s9(2)(a)

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**COMMENT in relation to GCR Act s71 Proposal to amend the CDP: Hagley Oval
Issues in the S 71 Proposal that relate to Heritage**

1 December 2019

s9(2)(a)

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

I strongly OPPOSE the use of S71 for the changes sought through this s71 proposal. I do not agree with the suite of changes that Canterbury Cricket Trust (CCT) are seeking through Regenerate Christchurch as proponent and **I oppose the proposal in total.**

However, for clarity I have concentrated on issues relating to Heritage. In respect of the effects on heritage alone I ask the Associate Minister to **DECLINE the proposal.**

Issues in the S 71 Proposal that relate to Heritage

In doing so I bring to the Minister's attention the following rule change being sought: In Chapter 9 "Natural and Cultural Heritage" in Christchurch District Plan (CDP) "Section 9.3.3 How to interpret and apply the rules," the proponent on CCT's behalf are seeking to include a 4th exemption under:

m. "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.

Hagley Park, and/or Hagley Oval and their heritage significance are noted in the following, documentation as well as in the s71 application. I refer to each of these in **my Comment.**

- Chapter 9.3 "Natural and Cultural Heritage" in the Christchurch District Plan (CDP)
- Heritage New Zealand Pouhere Taonga as a Category 2 listing (3656).
- A Conservation Plan for Hagley Park and the Christchurch Botanic Gardens: Vol. Two"
- The Hagley Park Management Plan 2007 (HPMP)
- Environment Court Decision No. [2013] NZEnvC 184

Despite the s71 Proposal and the GCR Act talking in general terms about expedited regeneration, Hagley Oval and Hagley Park are not ordinary spaces in our city. They are both formally recognised and documented as Highly Significant Heritage places, a status that cannot be ignored, a status that should be enduring and for all, not minimised for short term gain for one relatively small group of citizens within our wider city.

In fact the s71 Proposal refers to the Vision for Hagley Park from the Hagley Park Management Plan (HPMP), a statutory document that represents a contract between the Council and the citizens of our city. The Proposal at 1.4, goes on to state,

This vision, alongside the Mahaanui Iwi Management Plan, sets the framework for management of the Park, in particular the principles of:

- 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.

Certain activities and levels of their intensity can be tolerated in places of High Heritage Significance and others are rightly not tolerated. I feel this S71 Proposal can be declined on the basis of impacts of the plan change above alone, especially the cumulative impacts.

In support of my position, I consider that the detailed information in **1 – 5** below is extremely relevant and I reference the information to the documents listed on page 1. I also point out apparent shortcomings in the Heritage Technical Assessment that was part of the s71 application.

1. Within **Chapter 9 “Natural and Cultural Heritage’ in the Christchurch District Plan (CDP)**. <https://districtplan.ccc.govt.nz/pages/plan> (Relevant sections included)

Chapter 9.3.1 relates to “the management of the Christchurch District’s significant historic heritage.” The chapter’s introduction explains that while also recognising the impact of the Canterbury earthquakes on heritage items, the objective, policies, rules, standards and matters of discretion in this sub-chapter are intended to provide for the protection of significant historic heritage.

The CDP records historic heritage of note as being “significant” or “highly significant.” Hagley Park as a whole entity, and the (original) Pavilion and its setting at Hagley Oval, have documented evidence for and are listed as Group 1. Highly Significant.

Descriptors of heritage identified as “Group 1. Highly significant” are in Policy 9.3.2.2.1 “*Identification and assessment of historic heritage for scheduling in the District Plan*”

Policy 9.3.2.2.1 ii. To be categorised as meeting the level of ‘Highly Significant’ (Group 1), the historic heritage shall:

- 9.3.2.2.1 ii B. be of high overall significance to the Christchurch District (and may also be of significance nationally or internationally), because it conveys important aspects of the Christchurch District’s cultural and historical themes and activities, and thereby makes a strong contribution to the Christchurch District’s sense of place and identity;
- 9.3.2.2.1 ii C. have a high degree of authenticity (based on physical and documentary evidence); and
- 9.3.2.2.1 ii D. have a high degree of integrity (particularly whole or intact heritage fabric and heritage values)

The CDP details “Significant” (Group 2) and “Highly Significant” (Group 1) historic heritage in Appendix 9.3.7.2 Schedule of Significant Historic Heritage

Location: Central City	Description and/or Name	Heritage Item Number	Heritage Setting Number	Heritage NZ Pouhere Taonga Heritage List number	Group Group 1 - Highly Significant Group 2 – Significant
Address and Other Addresses 445 Hagley Avenue, 6,10 12, Riccarton Ave 1 Harper Ave Address 445 Hagley Avenue	Hagley Park	1395	N/A		Highly Significant
	Cricket Pavilion and setting	458	242	3656 Category 2	Highly Significant

Hagley Park was included in the Schedule as a result of a 2016 directive from the IHP in Decision 46 as a result of hearings for Chapter 9: Natural and Cultural Heritage, Chapter 9.3 Historic Heritage in the CDP.

At [5] This decision follows our consideration of submissions and evidence in relation to Hagley Park. At [33] Listing is a form of ‘provision’ and ‘method’ for the purposes of s 32AA, RMA. The evidence overwhelmingly satisfies us that Hagley Park meets the threshold for listing as **Group 1 Highly Significant historic heritage**, according to Policy 9.3.2.2.

NOTE. I return to the CDP, to the specifics of the sought Rule 18.4.1.1 P25 and P26 and also to (IHP) Decision 46 later in this document.

2. By Heritage NZ Pouhere Taonga.

<https://www.heritage.org.nz/the-list/details/3656>

The Hagley Oval cricket pavilion and its setting have a Heritage NZ Pouhere Taonga Category 2 listing (3656).

Heritage NZ detail that, “*The cricket pavilion has historical significance as the oldest such structure in Canterbury and probably the oldest in Australasia. These reflect the English traditions that surround the game, and the early Canterbury settlers' objectives to recreate an English atmosphere here. It also has technological and architectural value because of its form and styling. The pavilion has important cultural and social significance as one of the earliest structures associated with sporting activities in the newly settled province. The cricket pavilion can be assigned Category II status because it reflects the introduction of the sport of cricket in Canterbury, an important aspect of the province's cultural history.*”

I consider it extraordinary that CCT, an organisation directly involved with cricket would seek through the plan change (see page 1) to minimise the protections within the setting around this Category 2 listed building that is directly associated with their sport and its history.

I consider that this proposal, at this time, should be seen for what it is. CCT laud the site's heritage relevance when it suits them but they are now cynically attempting to minimise the value of, and controls over, this significant heritage item and its setting, to pursue intensified commercialism of the site and income via broadcasting international cricket to overseas markets.

3. In “A Conservation Plan for Hagley Park and the Christchurch Botanic Gardens: Volume Two” Dated, September 2013, developed by CCC City

This Conservation Plan, is co-authored by Louise Beaumont, a highly respected NZ Heritage Landscape Architect and Landscape Historian. This Council Plan details that greater Hagley Park, is an area of high heritage significance. In its Frontispiece it states, "The purpose of the conservation plan is to ensure that the heritage values of these places are properly accounted for in the management, use and development of the said places."

At 1.3 it details the 3 stage process used when heritage values are being assessed.

1. Assessment of heritage values. CCC assess 7 values: Historical and Social significance; Cultural and Spiritual significance; Architectural, Landscape and Aesthetic significance; Contextual significance; Archaeological significance; Technological and Craftsmanship significance; Scientific significance.
2. Ranking of the level of significance as international, national, regional or local
3. Determination of the degree of significance.

At 2.1 Hagley Park is of High Historic significance as one of the oldest and most extensively used public parks of its kind in New Zealand, and amongst other heritage values it holds, "*Hagley Park has significant cultural, social and historic value to the community as an important "lung to the city" and a prized public open space. This is evidenced through time by the zeal and determination of Christchurch residents who have actively lobbied to protect the Park's historic and gazetted function as a public park for the recreation and enjoyment of all members of the public.*"

Hagley Park is also found to be of High Cultural Significance for a variety of reasons.

High Architectural / Landscape and Aesthetic significance: "*for its rich horticulture heritage as expressed in its impressive collection of trees, the series of significant visual axes which extend through and around the Park and the experiential qualities these create.*"

Hagley Park was found to be of High Contextual significance: to Christchurch and New Zealand - for example as "*...an important and integral part of the 1850 boundaries of the first permanent European settlement in Canterbury.*" And, "*The Park has a significant landmark status by virtue of its size, location and the maturity of its vegetation. It is a prominent backdrop to the daily lives of numerous city residents who connect with it either physically or visually on a regular basis. It is also a defining aspect of Christchurch's Garden City image and special quasi English character.*"

In terms of Scientific Significance: "*Hagley Park is nationally significant for the retention of mature trees, the planting of which began in 1863.*"

At page 138 of Volume 2 the Conservation plan established under Determination:

Hagley Park is considered to be of local, regional and national significance.

4. The Hagley Park Management Plan (HPMP) 2007

Examples of how the HPMP manages heritage include:

Management Goal 1. "To protect and enhance Hagley Park's existing and historical environmental values, its landscape qualities and its botanical features." (p.4)

Objectives and Policies aligned with this goal are found within the Landscape and History sections of the Management Plan.

Objective 1: (a) To protect the English heritage style landscape character, atmosphere and scenic amenity of Hagley Park and promote this as a major objective of the plan.(p.6)

I believe it is relevant and significant that the Christchurch City Council (Council) included the HPMP in its response letter to the Minister dated 18 November 2019.

"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.”

As Council noted they manage Hagley Oval and Hagley Park under the (statutory) HPMP and management plans are contracts between Council and us as citizens and ratepayers. The Conservation Plan referred to earlier is another document to assist Council in the appropriate and sustainable management of Hagley Park.

In addition CCC is a strategic partner under the GCR Act. And, the Minister must in making a s 71 decision consider s 67 (2) (a):

s 67 (2) In making a decision, the Minister must—

(a) have particular regard to the views of the strategic partners

I also consider that the following section of the GCR Act is extremely relevant. It was an extra inclusion by amendment voted into the Act unanimously by Parliament, the inclusion coming originally from (now) Regeneration Minister Hon. Dr Megan Woods.

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
 - e. (iv) management plans approved under section 41 of the Reserves Act 1977 (with the exception of the Hagley Park Management Plan):
- (5) The Hagley Park Management Plan prevails where there is any inconsistency between it and a Regeneration Plan.

This s 71 proposal has elements that challenge the HPMP head-on. I believe that when both: our Council especially identifies the HPMP as a strategic document in how Council views Hagley Park’s management in its response re a s71 Proposal to a Minister as they have done in their letter, and our country’s parliament especially identifies the HPMP for special protection under the GCR Act, then the Associate Minister should make a decision that aligns with both of these, and do so **by declining this proposal.**

5. Environment Court Decision No. [2013] NZEnvC 184

In the Resource Management Act 1991, Section 5 outlines the purpose of the Act that is to:

1. Promote the sustainable management of natural and physical resources
2. Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while:
 - c. Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable need of future generations; and
 - d. Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
 - e. Avoiding, remedying or mitigating any adverse effects on the environment

I find it concerning that the original decision for Hagley Oval, ie Decision No. [2013] NZEnvC 184 was not provided with Regenerate Christchurch’s Draft Proposal sent to the Strategic Partners for their feedback. Instead just the final decision, Decision No. [2013] NZEnvC 281 was attached as Attachment C along with the Resource Consent Conditions. The original decision contains details of the Court’s decision making under the RMA Act (1991) and its consideration of other legislation in relation to all the elements at the Oval that CCT through Regenerate are trying to minimise controls over, through this S71 Proposal. Of relevance from Decision No. [2013] NZEnvC 281 to the heritage status of Hagley Park are:

At [325] the Court notes counsel for Canterbury Cricket's submission to the Court that, *the Oval is to be regarded as both the, subject site and receiving environment....*" i.e. the context in which the Oval exists cannot be separated from the Oval itself.

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

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

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

And at [331] the Court states, *without further analysis, the landscape experts were also agreed that South Hagley Park contributes to the historic heritage of Hagley Park in terms of section 6(t) of the RMA.*

At [345] it states, **Section 6(f) of the RMA provides that the recognition and protection of historic heritage from inappropriate development is a matter of national importance.**

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

At **Outcome [348]** the Court found, **for the purposes of section 6(f) RMA we find Hagley Park is an area of historic and cultural heritage derived from its landscape design.**

This finding alone, and for the reasons given by the Court, establishes that protection of the historic heritage in Hagley Park (therefore also at Hagley Oval) is a matter of national importance. I believe that this s 71 Proposal **should be declined**.

If the proposal was accepted it would mean that the Associate Minister was not acting in a way that protected this area of national significance under RMA 6 (f) "**from inappropriate development...**" Yet for such areas, doing so "**is a matter of national importance.**"

Limitations of the Heritage Technical Assessment by David Pearson

The heritage technical assessment is used by Regenerate Christchurch to support the s71 plan change proposal. Despite, author Mr Pearson stating at 11, that he revisited the site on 17 April 2019 to re-familiarise himself with the area and had visited the site several times prior, implying his familiarity with the situation and context, I consider there are significant shortcomings in the report. E.g:

At 4, where he is describing the Oval and again in the section, 'Heritage Values of Hagley Oval' Mr Pearson makes *no* reference at all to Hagley Park being a significant heritage item

of itself. Hagley Park was included in the CDP Chapter 9.3 Schedule of Significant Historic Heritage as a result of a 2016 directive from the IHP in Decision 46.

As stated earlier, Hagley Park's heritage significance as a whole as well as the heritage items within it, are explained in the Conservation Plan, with Hagley Park considered to be of local, regional and national significance. Mr Pearson co-authored that Plan so it is very strange that he did not include that consideration in his report.

Furthermore, in Decision No. [2013] NZEnvC 184, which is listed on the Environment Court website as a Decision of Public Interest, the Court, stated at Outcome [345], *Section 6(f) of the RMA provides that the recognition and protection of historic heritage from inappropriate development is a matter of national importance.*

And the Court established at [348], *"for the purposes of section 6(f) RMA we find Hagley Park is an area of historic and cultural heritage derived from its landscape design."*

I consider this omission also by Mr Pearson is significant in that it ignores the wider context the Oval is set in and ignores the implications attached to the status of the whole of Hagley Park as a listed heritage item, a place of high heritage significance and of national importance. I consider his assessment is therefore incomplete and inadequate. Furthermore his report is almost devoid of reasoning for his conclusions as to why the proposed amendments will not have significant impacts at Hagley Oval (the setting) in which the Umpires Pavilion is set.

This lack of detail is common across most of the subheadings in his report: For example: Under 'Temporary Activities', he simply writes, *"The immediate area surrounding the Pavilion will remain clear of these activities as shown on the Development Plan and on this basis this proposed amendment is acceptable from a heritage perspective."*

Under 'Temporary structures, signage and portable facilities' the report makes no mention of signage – which the application seeks as being permitted and Mr Pearson does not appear to have evaluated the proposed changes against the specific rules in Chapter 9 in relation to signage in heritage settings.

And under 'Assessment of Impacts of the Proposed Amendments to the District Plan on the Heritage Values of the Umpires' Pavilion and its setting' he concludes, *"Overall, it is considered that the proposed amendments to the District Plan will contribute to the ongoing and viable use of the Umpires' Pavilion and its setting while not having any unacceptable effects on the heritage features of the place.* Yet he does not evaluate the specific rules in Chapter 9 of the CDP at 9.3.4.1.1. in relation to signage in heritage settings.

For such a valuable location as Hagley Park, and for the proposed s71 changes that would greatly intensify what happens at Hagley Oval, full justification for conclusions should be paramount. Indeed full exploration of opinions, particularly expert opinions and their cross examination, is possible if these changes were being considered under the RMA.

I believe the RMA is the proper statute under which such changes must be considered.

Returning to 1. The City Plan and the Specific Plan Changes being sought.

Rules follow from Objectives and Policies and *have to* give effect to Objectives and Policies.

9.3.2.2.3 Policy - Management of scheduled historic heritage

This outlines that for heritage items, settings and areas scheduled in Appendix 9.3.7.2 and 9.3.7.3 the Policy is, to:

a. "Manage the effects of subdivision, use and development on the heritage items, heritage settings and heritage areas," and while the Policy i. provides for the ongoing use and

adaptive reuse of scheduled historic heritage, and that works may need to be done, this must be done “in a manner that is sensitive to their heritage values”, and iii. “protects their particular heritage values from inappropriate subdivision, use and development.”

b. That any work on heritage items and settings scheduled in Appendix 9.3.7.2, particularly on Highly Significant (Group 1) heritage items and heritage settings must be in accordance with the principles of “conserve, and wherever possible enhance, the authenticity and integrity of heritage items and heritage settings” and be “reversible wherever practicable (other than where works are undertaken as a result of damage).”

The Rule change sought by CCT/Regenerate appears in section 9.3.3. How to interpret and apply the rules

9.3.3 How to interpret and apply the rules (For brevity Relevant Rules only are quoted)

a. These rules apply to heritage items and heritage settings scheduled in Appendix 9.3.7.2 - Schedule of Significant Historic Heritage as Highly Significant (Group 1) and Significant (Group 2), and heritage areas

c. Appendix 9.3.7.2 - Schedule of Significant Historic Heritage contains the heritage item(s) which have met the significance threshold and their associated heritage setting. Where the heritage item is an area of open space, this is stated in the schedule in Appendix 9.3.7.2.....

d. The Heritage Aerial Maps - Heritage Items and Heritage Settings show an outline of each heritage item..... Some open spaces contain multiple individual heritage items and settings and have status as a heritage item in their own right. Where scheduled heritage items are located together and have related heritage values they are grouped with a collective name in Appendix 9.3.7.2 – Schedule of Significant Historic Heritage.

h. For signage on heritage items and in heritage settings scheduled in Appendix 9.3.7.2 the rules in Chapter 6 apply, except as expressly stated under Rule 9.3.4.1.1 P6 and Rule 9.3.4.1.3 RD7.

m. In relation to Rule 9.3.4.1 m. Activity Status Tables, the following exemption applies (Relevant sections quoted)

m. iii. For the Hagley Park heritage item (HID 1395) as identified on the Planning Maps and in Appendix 9.3.7.2, the rules for heritage items shall not apply to Hagley Park other than to heritage items and heritage settings within Hagley Park individually scheduled in Appendix 9.3.7.2

CCT/Regenerate are seeking that the Rules for Heritage should not apply for the Oval and its setting through proposing **9.3.4.1. m 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 permitted by Rule 18.4.1.1 P25 and P26.

The Independent Hearings Panel explain their reasoning for m. iii at [36] in Decision 46 Chapter 9: Natural and Cultural Heritage, Chapter 9.3 Historic Heritage in the CDP.

[36] ...with Hagley Park, we have added the following to the ‘how to interpret and apply the rules’ provision, so as to ensure that Hagley Park is not inadvertently subject to rules relating to the management of historic heritage in Chapter 9:18

For the Hagley Park heritage item, Rule 9.3.4 - Activity Status Tables shall not apply other than heritage items and heritage settings individually scheduled in Appendix 9.3.7.2.

[37] We have considered the costs and benefits of listing Hagley Park. We have done so without quantifying those costs and benefits as, without having received evidence on that, it is impractical to do so (s. 32(2)(b), RMA). For the reasons we have given, we find there is no significant cost in doing so, given that we do not add to the rules we have noted. For the

same reasons, we find there is significant, and overwhelming, benefit in specifically recognising the undisputed highly significant heritage values in the CRDP.

I appreciate the need for the above existing exemption **m.iii** existing for the *wider* Hagley Park so that the varied activities that the public engage in there can happen. But crucially, the Independent Hearings Panel (IHP) established that for heritage items individually listed in the Plan in Appendix 9.3.7.2, **such as the Hagley Oval Pavilion and its setting, the Heritage Rules should apply.**

Looking at this specific Rule Change sought in detail

Under the proposed 18.4.1.1 P25 the S71 Proposal seeks the following permitted activities: Construction and use of temporary structures and facilities ancillary to broadcasting or hosting sporting events at Hagley Oval – i. Broadcasting and media production facilities, ii. Broadcasting and media technical services and facilities, iii. Broadcasting camera towers and media transmission equipment, iv. Temporary power generators, v. Event, directional wayfinding and/or sponsor signage, vi. Event administration or operational facilities, vii. Facilities designed to cater for spectators and participants at events (including grandstands, corporate boxes, ticket sales, pedestrian entry structures, changing rooms, toilets, first aid and medical rooms, food and beverage outlets, souvenirs, sporting goods and liquor sales, score boards and officials' rooms. It also details the significantly increased lengths of time CCT now want such facilities to be present at the Oval.

The Environment Court, (Decision No. [2013] NZEnvC 184) found activities as proposed in **18.4.1.1 P25** were of concern and required mitigation through consent conditions, reasoning:

Eg Under Key Issues. At [324] the Court looked at, **(b) what are the effects of the proposal on Park's historic heritage, character and its amenity values including the effects arising in relation to the:**

(ii) temporary facilities and structures;

(iv) the cumulative effects of the proposal on the environment? (my emphasis)

At [408] As noted, all major fixtures would be televised. If 20 one day fixtures were played then television towers could be present (being erected, used for televising or being dismantled) for up to 100 days per season (i.e. five times 20). Put another way, the Oval and its immediate environs would be occupied for around 50% of the season.

[413] In their joint witness statement, the experts for Canterbury Cricket and the City Council advised that the temporary facilities and structures could potentially have an adverse effect because of their scale and form (television scaffolds); type and extent of use (car parking); exclusion of general public access (fencing) and their inherent intrusion into the Park.

[415]in his evidence-in-chief Mr Brown likened the television scaffolds to industrial or commercial structures bearing no visual relationship with the Oval or activities within South Hagley Park. In Mr Brown's opinion the level of intrusion and nuisance created by these structures outside of fixture days would be significant. He considered that the scaffolds should not remain on site longer than nine consecutive days in anyone period (which corresponds to a test match), and up to two such periods per season.

[420] We are in no doubt that the Park's character and amenity, including visual amenity of the Oval, will change if consent is granted. The character of South Hagley Park will change due to (a) the intensity of use associated with major fixtures and (b) the fact that public access to the Oval will be restricted for domestic T20 games and all international games. The frequency, scale and duration of temporary facilities and structures at the Oval bears no congruence with local organised sports taking place at South Hagley Park. Under the proposed conditions of consent it is possible that there will be frequent periods of intense

use over the duration of the cricket season. If this occurs this will be an adverse effect, which is more than minor.

[466] There is no doubt that the proposal will increase the intensity of use of the Oval. In doing so, of most concern are the adverse effects associated with the temporary facilities and structures required to support major fixtures, and secondly - and to a lesser degree - the use of the Polo Grounds for car parking. These activities would impact on the Park's character and amenity and the effects could be significant if not managed through appropriate conditions of consent. The scale of effects would vary seasonally and from week to week depending on the scheduling of major fixtures.

Under the proposed **18.4.1.1 P26** the S71 application also seeks as permitted - 6 permanent lighting towers and their use. The Court considered this in detail as shown:

Under Key Issues. At [324] the Court also looked at,

(b) what are the effects of the proposal on Park's historic heritage, character and its amenity values including the effects arising in relation to the:

(i) permanent buildings and structures;

(iv) the cumulative effects of the proposal on the environment (my emphasis)

At [377] The permanent structures for the lighting created the greatest level of concern for both the experts and the parties..... they addressed, without distinction, the effects on the Park's historic heritage, character and amenity.

[378] The concerns held by many of the parties concerning the lights are succinctly stated in the following statement from Mr Brown (expert witness for CCC):

More visually apparent and distinctive, however, will be the four light towers proposed around the oval's perimeter. As with all such lighting, each tower would be very tall and topped by a sizeable gantry of lights and support / maintenance structures. All four towers would overtop the surrounding trees, especially when fully extended, and will be clearly visible from a range of vantage points.

[379] Mr Brown gave a thorough analysis of views of the lights and concluded that the light towers would likely generate a moderate to high level of visual effect. This level of effect approaches the high end of his assessment when the lights are in use, and this is so despite their relative isolation from nearby residential catchments. In his view the lights would have a moderate effect when retracted.

[380] Ms Briggs and Ms Lucas also considered that the light towers would have an adverse effect on the character and visual amenity of South Hagley Park because of their height, overall scale and modern architectural profile (when both retracted and extended). The lights would serve to highlight a different scale and intensity of activity at the Oval when compared with the rest of South Hagley Park. Ms Briggs said "when people see it they would assume there's an international stadium along with all the other paraphernalia that goes with it". Note. Ms Briggs and Ms Lucas were expert witnesses

[382] There was agreement between the experts that the lights would have less impact in their retracted position and this would be their position most of the time. By way of further mitigation the Court explored with the experts the possibility of removing headframes between cricket seasons. If that was done the masts would be left in their retracted position and would appear around the Oval as a series of four large masts.

[386] Although the Recovery Plan provides for lights suitable for an International Broadcast standard, the lights jar with the Recovery Plan's "village green" ethos which the enhanced Cricket Oval is to achieve. The lights will change the present day character of both the Oval and South Hagley Park which features extensive recreational use, particularly for local organised sports. That is because the lights' aesthetic would be associated with an intensive

use of the Park, for purposes other than passive recreation and local organised sport. This change in character will reduce the visual amenity of South Hagley Park and is an adverse effect.

Considering the **cumulative effects** of permanent elements the Court concluded.

[395] Lighting is part of the paraphernalia for organised sports in the wider Park. However, the height of the masts and size of the headframes proposed for the Oval do not fit comfortably with the character of South Hagley Park. The removal of the headframes at the end of the cricket season would address the adverse visual effects of the lights during winter when there would be no leaves on the trees.

CONCLUSION.

Rules follow from Objectives and Policies and have to give effect to Objectives and Policies. Amending the District Plan, by means of ministerial s71 decision to effect a permanent increase to the height of the now-requested six lighting towers (48.9m) on the Hagley Oval would be inconsistent with the heritage listing of Hagley Park in the District Plan, thereby creating tension within the District Plan. It would also be inconsistent with the HPMP and that is a crucial document for this site as well.

The sought **9.3.4.1 (m) (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, does not align with or give effect to Chapter 9. "Natural and Cultural Heritage' Policies.

The sought changes will also intensify and extend the negative impacts on historic heritage elements at Hagley Oval and there will be flow-on impacts on Hagley Park and its users.

I consider that for the many valid reasons given, based on information from established formal agencies such as: CCC and its Conservation Plan, Heritage NZ Pouhere Taonga's Category 2 Listing for the Oval's Umpires' Pavilion and its setting, the District Plan created under the government appointed Independent Hearings Panel, and the NZ Environment Court's detailed considerations in Decision No. [2013] NZEnvC 184, a decision derived from expert evidence which was thoroughly tested and public submission, and especially when considering cumulative effects, the sought plan change 9.3.4.1 (m) (iv) under Chapter 9. Natural and Cultural Heritage **should be declined**, as too should the whole S71 Proposal.

Submission to: Greater Christchurch Group, Department of the Prime Minister and Cabinet

Concerning: Hagley Oval – Proposal under Section 71 of the Greater Christchurch Regeneration Act 2016

From:

s9(2)(a)



Submitted to: info.gcg@dpmc.govt.nz

Date: 29 November 2019

Introduction

This Submission is made on the basis of the Submitter's concerns that Canterbury Cricket Trust is playing fast and furious with the public of Christchurch, with under-arm bowling and batting the concerns of the public for a six well over the boundaries, on the basis that their rights outweigh those of people who have concerns for the heritage value of Hagley Park.

It has been obvious right from the start that Canterbury Cricket Trust had a wider agenda that they did not wish to share with the public, nor possibly even the Christchurch City Council. That intention is now well and truly out in the open, as their desire is for a sports ground of international standing which will attract teams from around the world to this venue for both day and night summer games.

While the Submitter has had misgivings from the time when the proposal to upgrade Hagley Oval was first mooted, he recognises the importance of cricket to the sporting public, and in general has no concerns about having a village green type facility available for use by the public, not just Canterbury Cricket as an amateur body and New Zealand Cricket as a professional body. However, the proposal now being considered by the Minister goes well beyond the concept of a village green.

Vehicle parking

A factor that must be taken into account is the major issue faced by Christchurch Hospital regarding access by the public to that essential facility and the ongoing problems with parking as well as parking for staff. Tragically, we have seen the results of the extreme measures that

one person had to take in order to secure a car park many hours before his scheduled work commitments at Christchurch Hospital. Suggestions that those who will attend the games will be able to use parking buildings in the city will only create further problems for those attending the outpatient clinic or hospital for appointments, or visiting those in hospital. The Submitter knows from first-hand experience how congested the Lichfield Street carpark where the hospital shuttle is based can be on a “normal” day let alone one on which an international day-night game would be held.

The heritage value of Hagley Park

While the Submitter admits to not being a sports fan, as his interests lie elsewhere, he is not aware that a cricket venue such as that now proposed for Hagley Oval can be found in similar settings in the great parks overseas, such as Hyde Park in London. According to www.playfinder.com there are “31 places near Hyde Park, London” to play cricket, but the Submitter is not aware that there is anything like Hagley Oval at Hyde Park, and certainly nothing like the ungainly and intrusive lighting towers that are the subject of the s 71 proposal in those 31 adjacent cricket grounds. Imagine for a moment the furore that would erupt if a day-night international level facility solely for the purpose of playing cricket was proposed for Hyde Park. Instead, international cricket in England is played at Lords, home of the Middlesex County Cricket Club or The Oval, home to Surrey County Cricket Club. Clearly the English value the heritage of Hyde Park over and above the rights of cricketers and their fans.

While the Hagley Oval proposal might be seen as being unique internationally, the Submitter does not believe that the spirit and intent of the legislation governing Hagley Park envisaged such an extreme use of this valuable public facility with its significant heritage status. Further, using s 71 of the Greater Christchurch Regeneration Act 2016 by Canterbury Cricket Trust is, in the opinion of the Submitter, a clear misuse of the intent of that section and the Act itself.

To what extent has s 71 been applied in Christchurch?

According to the DPMC website, the status of the application of s 71 is:

Currently:	Hagley Oval
	Lyttelton Commercial Zone Parking
Completed:	Residential Unit Overlay District Plan Changes
	Yaldhurst Recreation and Sports Facility

Redcliffs School Relocation

Yaldhurst Recreation and Sports Facility

The application by Canterbury Cricket Trust is quite obviously inconsistent with other applications under s 71, which are indeed “regeneration” applications. The one application that is anywhere close to that of Canterbury Cricket Trust is that of the Yaldhurst Recreation and Sports Facility, but even that is at a considerable distance from that by the Trust.

This facility is owned by Canterbury Sport Limited (“CSL”), a private company owned by two natural persons. The facility encompasses 19.8 ha. An application under s 71 was approved by the Minister on 17 December 2018. The intention is that the facility provide for a range of sports codes, including an indoor sports stadium for netball, basketball and futsal, as well as a gymnastics centre and potentially an aquatic facility as a sports hub in addition to the football venue that was established in 2014. The s 71 application was to enable for the development of the facility, with the application being made under s 71 due to no other legislative process otherwise being available regarding such a proposal.

The application for the Yaldhurst facility is quite different from that proposed for Hagley Oval. In particular, the Yaldhurst facility will cater for a far greater section of the community, with a much wider range of activities than the Hagley Oval will ever be able to accommodate given that its sole focus is the game of cricket, especially given that cricket is an outdoor summer pursuit.

Submitter’s Opinion

The Submitter is opposed to any further development or enhancement of Hagley Oval other than to maintain its present character as a venue for day games as a village green venue.

Both Canterbury Cricket Trust and the Christchurch City Council need to be looking elsewhere for a long-term international cricket venue that will meet the needs of those whose sole focus is the sound of ball on willow, without disadvantaging the wider public through restricting access to this historic piece of land and vulgarising the heritage that is Hagley Park as well as impinging on other exceedingly more important nearby public facilities. Perhaps the proposed stadium – even with a moving roof for wet days - may be that venue in the fulfilment of time.

In the interim, the Submitter has no objection to day-only games of cricket being played at Hagley Oval by both amateur and professional teams.

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

This is matter is of considerable public significance.

Our City Councillors abdicated their responsibility as trustees of Hagley Park by sitting on the fence over this application to fast-track changes to the oval by using earthquake recovery laws to relax strict rules governing Hagley Oval. This undermines local democracy.

Our background

We both grew up in Christchurch, worked away for a few years and returned in 1989. We have been residents and ratepayers ever since.

We are not anti-cricket. One of us played senior cricket outside Canterbury for a number of years.

Hagley Park means a lot to us. We use it practically every day. We highly value it for its long vistas and wide, open spaces. This green public open space is a civic treasure. There are already more than enough intrusions on it, most recently the development of the current cricket oval, which we opposed. We do not want to see the current oval intrude even further.

We opposed the original application by the Canterbury Cricket Trust (CCT) to have their grounds in the park because we highly value Hagley Park as a heritage public space that was to be "reserved forever as a public park, open for the recreation and enjoyment of the public", not set aside for ongoing commercial enterprises. We noted there were suitable venues close to the central city such as Lancaster Park, the original home of Canterbury cricket, for a major sports facility.

We strongly object to the application to change the rules regarding the use of Hagley Oval as proposed under Section 71 of the Greater Christchurch Regeneration Act 2016.

We oppose the use of s71 of the Greater Christchurch Regenerate Act to fast track changes to the Christchurch District Plan. This circumvents the resource consent conditions stipulated by the Environment Court, without allowing opportunity for the proposals to be cross-examined through normal Resource Management Act processes. as would be normal.

We agree with Martin Meehan that using the Greater Christchurch Regenerate Act is, "planning by stealth".

The proposed amendments and their effects must be considered within the appropriate statutory context – the Christchurch Regeneration Act is not appropriate

This application is being made under the Christchurch Regeneration Act to bypass the correct Resource Management Act and Reserves Act process without good cause. Allowing the oval development for commercial sport in post-earthquake times (2012-213) was completely out of kilter with the Hagley Park Management Plan.

We are encouraged that Minister Megan Woods stated when she moved an amendment to the Christchurch Regeneration Act in 2016 that "...there are a number of instruments that are used in this legislation, and what my amendments do is 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...".

The amendments should be applied for under the Resource Management Act and will need to comply with the Reserves Act.

Environment Court 2013 consent conditions were appropriate and must stand

The consent granted by the Environment Court in 2013 imposed 85 consent conditions. These consent conditions were restrictive with good reason.

They did not permit the installation of the lights now being sought but allowed for four partially-retractable lighting towers.

All the amendments CCT is seeking were thoroughly traversed over five weeks in the Environment Court. The conditions set were to help protect the integrity of the park from commercialisation and privatization.

The Environment Court stated [386] "The lights jar with the Recovery Plan's 'village green' ethos which the enhanced Cricket Oval is to achieve" and noted [348] "parties opposing the grant of consent are concerned about the effect of this proposal on Park character and amenity; and we think justifiably so."

The reasons for the conditions imposed by the Court remain valid today.

Six intrusive 50-metre lighting towers should not be approved. Nor should increasing the number of days the oval can be used be increased, or the ability to hold games with more than 12,000 spectators on any day of the week or the relaxed noise limits be allowed.

A true village green has to be the model for cricket in the park, not Lords or the MCG. Commercial sport has no place in Hagley Park. If CCT and NZ Cricket want a "major sports facility" and big commercial cricket here they are free to establish something on another site, like Lancaster Park.

Fake urgency used to bypass correct processes

Planners in the City Council rightly opposed using earthquake recovery laws to relax strict rules governing Hagley Oval. We understand they considered the application grounds given by CCT to apply for bypassing normal procedures were difficult to justify.

We agree. The urgency aspect (Clause 5.1 of the proposal) is too convenient. Since 2015 CCT have known the current consent did not suit its purposes, but had only recently begun the process to change the rules. We note cricket bodies were awarded the ICC World Women's Cricket Tournament in 2013.

It looks as though there has been a deliberate strategy to bypass the correct legislative process, which would require public input, and use the easy way out through the Greater Christchurch Regeneration Act.

Hagley Park was never intended for commercial sport

We support the use of the park's open green spaces for amateur sport but not commercial sports entertainment events. To allow these amounts to privatisation of the public commons of Hagley Park for commercial gain.

The original application that allowed the current development of the oval is incompatible with the Hagley Park Management Plan. CCT is extremely lucky to have pushed through the original application under the post-earthquake setting. That is bad enough for the park and sets a concerning precedent. It should not be further diminished by extensive additions CCT now seek.

In our 2013 submission on the original CCT application we predicted that, if the application was successful, "Canterbury Cricket may well add on more grand expansion ideas," and they have.

Seeking to Install six permanent 48.9-metre-tall lighting towers over the oval and increasing the number of days the oval can be used for cricket from 13 to 25 a year, plus the ability to hold games with more than 12,000 spectators on any day of the week instead of only on Fridays and the weekend, and relax noise limits is an outrageous departure from the historic intentions of the park's establishment and its management plan.

We must not further undermine the fundamental tenet of the park's non-commercial purpose and function. The character of Hagley Park is under incremental threat and this application by CCT is a prime example.

This application is another cut in the 'death by a thousand cuts' to the essential character and intent of Hagley Park.

Canterbury Cricket will keep wanting more development

This application is highly unlikely to be the last application from CCT that seeks to get around the consent conditions imposed. They described the oval as a "major sports facility" in their proposals. Once they get one thing on their wish list approved, they will be on to the next.

We agree with the Council feedback on the proposal that stated this application risks, "future development of a scale that is completely contrary to the village green and community park character of Hagley Park¹".

Very likely CCT will seek ratepayer support for their major facility too.

¹ The Press 29 August 2019

Re-designating the oval as a "major sports facility" opposed

We are opposed to this as it will enable further development of hard infrastructure on public green space. This is unacceptable for our park and in conflict with the original vision and intention for it and the Hagley Park Management Plan.

Large commercial events change the character of open green space

The CCT proposals to:

- extend advertising visibility and increasing the number of days the oval can be used commercially
- leave TV camera scaffolding in place for the whole commercial cricket season
- Erect more lights that are higher than the Environment Court allowed for and permanent ones.
- hold these cricket events on any day of the week and from 7.00 am to midnight.

will all negatively affect the open green character of Hagley Park.

They are unacceptable and in conflict with the original vision and intention for it and the Hagley Park Management Plan.

If approved, this application will set a disturbing precedent that does not augur well for Hagley Park as a free and open public space.

Claimed economic and social regeneration benefits disputed

We can find no evidence that large entertainment infrastructure/stadia in NZ cities, have long-term overall benefits for the cities they reside in. They rarely attract commercial investment and inevitably costs falls on the ratepayers. They can become financial millstones for ratepayers, e.g. the Forsyth Barr Stadium in Dunedin, and lead to the neglect of other public amenities.

Christchurch has already restored its town hall, is building a large convention centre, a Metro Sports Facility and a sports stadium. We do not need another major facility to come calling on ratepayer funds.

Increase in people using the area around the oval

An increase in the number of people using the area, and an increase in the times this happens, will have a negative impact on access to the hospital and Metro Sports Centre and the use of the popular cycle and walking paths.

Polo ground parking

We agree that it is unacceptable and unnecessary to use the polo ground for parking.

We support reducing the use of Hagley park for motor vehicle parking.

Submissions from outside Christchurch

We were concerned to find out NZ Cricket is encouraging people across the country to submit in favour of the application. Most of these people will not appreciate how much we living here value our largest public green park and will not be aware of background issues such as the purpose of the park and the Hagley Park Management Plan.

This is a concerning manipulation of the democratic process by a commercially focussed body.

When considering submissions, we want to see those coming from Christchurch residents and ratepayers take precedence over those of submitters outside Christchurch.

We are the ones who use the park regularly and fund its upkeep.

Actions sought

- Decline the application to amend the Christchurch District Plan with regard to Hagley Oval under Section 71 of the Christchurch Regeneration Act 2016.
- Require Canterbury Cricket Trust to go through the normal processes required for Christchurch District Plan amendment applications regarding Hagley Park, using the Resource Management Act 1991 and Reserves Act 1977.
- Discontinue using the polo ground for cricket-event parking.
- Give the submissions of Christchurch residents and ratepayers precedence over those of submitters outside greater Christchurch.

Thank you for the opportunity to comment.

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)?

see attached.

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

My name is s9(2)(a) I strongly oppose the proposed use of Section 71 of the Greater Christchurch Regeneration Act 2016, to make new rules in the Christchurch District Plan.

I was a submitter to the Environment Court Hearing in 2013, opposing the development of Hagley Oval on Recreation, landscape and open space values. The Hearing was an intensive process and a democratic outcome was achieved. It is disappointing to see Christchurch Cricket Trust, attempting to circumvent the democratic process and push through increased games and huge light poles and heads under perceived urgency. I do not believe the GCRA was intended for this purpose and CCT's proposal makes a mockery of the regeneration of Greater Christchurch after the earthquakes. The key words being Greater Christchurch.

CHRISTCHURCH HOSPITAL AND THE HELIPORT AND OVAL LIGHTING

I object to the proposal on the grounds that it is, in my opinion, in breach of Civil Aviation Rules part 77 Objects and Activities Affecting Navigable Airspace.

First of all, the Hospital Heliport is a 24/7 all weather operation for emergency delivery of patients and patient transfers. This Heliport has been designed for two helicopters landing at any one time. Christchurch Hospital has the largest A&E in the Southern Hemisphere, serving a large part of the South Island.

The proposed six light posts and light heads are a navigational hazard because of their height, nearly fifty metres and their close proximity to the Hospital Heliport, approximately 400 metres.

When the proposed light heads are illuminated they will adversely affect the helicopter pilot's night vision. The height and the spread out ground pattern of the light posts and light heads will limit the range of approaches the helicopter pilots can make. Surely the precautionary principle should be used here. Why create a hazard before it exists?

Furthermore, if the light poles and light heads are painted in white and red and have red blinking navigational lights on top of them, they will cause confusion for helicopter pilots unfamiliar with the area and coping with adverse weather conditions, such as fog. E.g major Alpine Fault rupture and multiple injuries.

The proposed light poles and light heads causing a navigational hazard would limit the opportunity of multiple helicopters to land in Hagley Park, directly opposite the Emergency Entrance of the Hospital, where patients could be taken directly from the helicopter to the ED.

As a hospital employee in Building Services and having worked in the emergency control room during the February 2011 earthquake, it is vital to have the ability to manage efficiently a large number of casualties. Roads were and can be damaged and congested. Helicopters fulfil the most efficient need for transport of casualties and services and transport of patients to other hospitals.

CONCLUSION

The proposed Light Poles and Light Heads are too high, too many of them and too close to a major hospital and hospital heliport.

The Christchurch Hospital is the largest acute hospital in the South Island and one of the largest in New Zealand. It has been designed to cope with multiple code black incidents, Alpine Fault Rupture, Multiple vehicle pile ups, tourist buses etc. Cruise ship fires. It is quite frankly ridiculous to prejudice the operation of the Christchurch Hospital and heliport because of a game of cricket.

It is worth noting that there wasn't any evidential photograph of the new Christchurch Hospital Acute Building and heliport included in the proposal by CCT.

I believe that this proposal by CCT is contrary to the regeneration of Greater Christchurch and will not improve the health and well being of Greater Christchurch.

I implore the Minister to turn down the proposal under Section 71 of the Greater Christchurch Regeneration Act 2016, to make new rules in the Christchurch District Plan

Yours Faithfully

s9(2)(a) [Redacted signature]

s9(2)(a) [Redacted name]

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Sunday, 1 December 2019 10:09 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: oval lighting

My name is s9(2)(a) and I submitted written comments on the Hagley Oval proposal.

On the receipt of further information I wish to amend my written comments on the Hagley Oval proposal.

I would like to amend a sentence in my written comments from "The proposed light poles and light heads causing a navigational hazard would limit the opportunity of multiple helicopters to land in Hagley Park, directly opposite the Emergency Entrance of the Hospital, where patients could be taken directly from the helicopter to the ED."

Amend to " The proposed light poles and light heads causing navigational hazards, would limit the opportunities of helicopters to land on the road directly outside the new Emergency Entrance of the Hospital, where patients could be taken directly from the helicopter to the ED."

This landing of helicopters on the road outside the existing Emergency Entrance of the Hospital, occurred during the February 2011 earthquake.

s9(2)(a)

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

The written comment period has been extended from Wednesday, 20 November to 5pm, Monday, 2 December 2019.

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, Monday, 2 December 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)?

See attached

Please fold with the FreePost address portion on the outside, seal and return by 5pm, Monday, 2 December 2019.

s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

My name is s9(2)(a) I strongly oppose the proposed use of Section 71 of the Greater Christchurch Regeneration Act 2016, to make new rules in the Christchurch District Plan.

I was a submitter to the Environment Court Hearing in 2013, opposing the development on Landscape and Open Space values. Although disappointed with the Resource Consent issued to the Canterbury Cricket Association, it appeared to be a decision extensively considered by Judge Borthwick and the Commissioners.

I regard using Section 71 of the GCRA by Canterbury Cricket Trust as an attempt to circumvent proper process through the Resource Management Act. I believe CCT is using urgency for Tournaments as an excuse to circumvent proper consultation in Greater Christchurch. In the long history of Cricket and Hagley Park, sporting events come and go and in the scheme of things losing one opportunity is not the end of the sport Cricket. However, Hagley Park's long landscape and open space history will be compromised irretrievably for present and future generations in Greater Christchurch, if towering light masts and light heads are constructed, higher than any other natural or unnatural feature in Hagley Park.

Hagley Park is a Taonga, a treasure given to all people in Christchurch, Canterbury and New Zealand. A gift, a precious gift from previous generations, to present and future generations, a park loved by many people in Greater Christchurch and New Zealand.

Cricket is a minor sport, in a myriad of world sports. It does not have Olympic Status. Essentially, cricket is a colonial sport played in British Empire Countries. Undoubtedly, it is loved in New Zealand but in a multicultural New Zealand it has not the same status. Cricket may be played internationally, but it is not a universal sport. Hagley Park is unique, the sport cricket is not unique. All that is required to play cricket is a bat, ball, batter, bowler and fielders. It can be played anywhere there is flat space big enough to accommodate it, for example village greens.

LANDSCAPE

Greater Christchurch is defined by its relationship to the Port Hills and Hagley Park Landscapes and recreational values. I was born in Lyttelton and reside in Mount Pleasant. The Port Hills landscape is in my blood so to speak. The 2011 February earthquake destroyed many familiar, loved Port Hills landscapes and landforms. For Instance, Te Tihi-o-Kahukura/Castle Rock, where I played as a kid and rock climbed as an adult is not usable now and is in fact, completely "munted". It will take decades of weathering before the Port Hills volcanic rocks are stable again. Shag Rock, another iconic Port Hills landscape and landform collapsed into a pile of blocks. Such loss caused by an earthquake.

This same loss of landscape and landforms has occurred with the Kaikoura earthquakes, many familiar loved landscape features destroyed or unrecognisably altered. Such loss caused by earthquakes.

Fortunately, Hagley Park's landscape and open space sustained minimal damage. Hagley Park became a refuge, a place for people to congregate and share trauma and stories. Hagley Park also received helicopters transporting injured and supplies. Some people camped in suburban parks for safety during aftershocks. A remembrance service was held in Hagley Park, as well as the one after the March Mosque Shootings. Hagley Park is gracious and offers an oasis of green as is the case for Hospital patients, workers and visitors, who now look out on a sea of green. With the proposed towering light poles and light heads, the hospital people will look out at these huge structures. Andrew Craig, Landscape Architect. No 51, page 12 "The exception will be from the Public Hospital buildings. As these are close to Hagley Oval and are multi-storied those occupying the

buildings will have clear unimpeded views of the poles when looking southward. They certainly will be prominent from this particular vantage point.”

These lighting poles and light heads will also be visible from some points on the Port Hills. Andrew Craig, Landscape Architect, No 53, page 12 “Prominence will increase significantly when the proposed lighting is illuminated, especially when natural light is dull or dark. Consequently, it is very likely that attention will be drawn to their presence from multiple vantage points from within and well beyond the confines of Hagley Park. This will be particularly so for elevated vantage points such as those from tall buildings and areas on the Port Hills.”

There are no two ways about it, these proposed light poles and heads will dominate South Hagley Parks landscape and open space.

It is incomprehensible that a sport called cricket could dominate South Hagley and by association Hagley Park. We have suffered landscape and recreational loss on the Port Hills, Greater Christchurch should not have to suffer the same loss of landscape of our beloved Hagley Park. The Landscape Architect, Andrew Craig of Andrew Craig Landscape Architect Limited, acknowledges that the Light masts and light heads will tower above Hagley Park trees. “The proposed lighting poles will certainly be prominent. Due to their engineered geometric appearance they will contrast with the natural organic character of their predominantly verdant setting. Their height will contribute significantly as well where the proposed poles will be more than twice as high as the surrounding trees and nearly existing light standards.”

In contrast to Mr Craig, I believe the light poles and light heads will be visible from roads surrounding the parks, especially when lit up and that prominence and contrast with the trees and open spaces will cause dominance of the South Hagley landscape values and open space character. The eyes will be drawn to these towering artificial structures and if the poles are painted in contrasting colours with navigational blinking lights on top of the light heads then all year the light poles and light heads will dominant South Hagley Park and by association Hagley Park. The Hagley Oval will consume South Hagley Park, like a Cuckoo laying its eggs in the nest of the Grey Warbler.

With their utilitarian function, the light Poles and light masts look like cranes, a visual reminder of post quake Greater Christchurch. Cranes were used at the CTV building among others. Cranes have been used in construction also, so cranes are a destruction / construction machine and are a vivid symbol of the Christchurch earthquakes. Hagley Park with its trees and tranquil spaces does not need crane-like structures in its midst.

CHRISTCHURCH HOSPITAL AND CHRISTCHURCH HOSPITAL HELIPAD

No up to date photo simulation, aerial or otherwise was included in the CCT proposal, indicating the proximity of the new hospital buildings and helipad.

Andrew Craig Landscape Architect, Attachment 1, figure 2 used an aerial photo dated 24 February 2011, used by Boffa Miskell 14 December 2012

Graphic Attachment Landscape Consent Variation Application page 3 old aerial photo showing nurses hostel and not new hospital buildings.

Above photo, different angle, used by Christchurch City Council Have Your Say Location of six proposed lighting Towers source; Athfield Architects Ltd

One has to ask the question, why was an up to date photo showing the new hospital buildings and helipad included with the CCT Proposal?

The proposed Light posts and light heads are not regenerating Greater Christchurch after the earthquakes because as follows;

No 1 Andrew Craig, Landscape Architect, No 21, page 5 "Amenity is very high due to dominance of open space and various forms of vegetation, not a hard urban like the central city."

It is obvious from the above that "urban renewal" does not apply to a soft urban park, like Hagley Park. Rather it applies to hard urban such as the central city.

No 2 The proposed light posts and light heads can not improve the social and cultural well being of Greater Christchurch as so many people oppose them, and therefore, cannot improve the resilience of communities through regeneration.

No 3 The proposed light poles and light heads did not exist before the earthquakes so they are not being "restored"

No 4 The proposed light poles and light heads with their utilitarian functions and their dominant prominence in the South Hagley/Hagley Park landscapes and open spaces, cannot enhance the environment for Greater Christchurch.

I request that the proposal under section 71 of the GCRA be declined as it does not regenerate Greater Christchurch. The proposal goes against the spirit and intent of the GCRA, I believe that if a proposal does not have almost universal backing of Greater Christchurch, then it fails in its intent. Creating a grievance for others is not restoring and regenerating social and cultural well being and the painful legacy of the September 2010 and February 2011 earthquakes will be passed on to future generations.

STARLAND

New Zealand is striving to cut back light pollution and protect the dark skies that a rarity in the rest of the world. "There's a star land waiting in the sky." Press October 19, 2019

People are becoming aware of light pollution and the effects on birds and stars. "The brightening of our night has been a silent death. Because how would we notice? We no longer need the stars in our daily lives." Press October 19, 2019

"We need the dark, because too much light at night is bad for us. It not only interferes with human circadian rhythm, leading to health problems and insomnia, but it also negatively influences the patterns of insects and animals. We evolved with a dark sky at night, and we continue to need it, despite the advances of modern power generation, of bright days that continue on long after sundown in our homes and on our streets." Press October 19, 2019

The irony of this proposal for six towering light poles and light heads is that the lighting is only needed for overseas audiences, mainly the United Kingdom and India. These games could be played during the daytime hours, but overseas viewers are dictating the loss of Hagley Park's landscape and open spaces while they themselves watch the cricket during daylight hours. Therefore, the proposed lights are not for the regeneration of Greater Christchurch, they are for India and the United Kingdom viewers.

DAYLIGHT SAVING


Cricket is essentially a summer game and sport. Played during the summer season, it is not played during winter. New Zealand has adopted daylight saving hours so summer evenings can be a bit longer and energy is saved. In contrast the mornings are marginally darker when people are asleep. Using lighting at night during daylight saving, wastes energy and this is contrary to climate change awareness.

CONCLUSION

This proposal under section 71 of the GCRA should be declined as it does not fulfil the intent of the Act and is contrary to the spirit of the Act for Greater Christchurch.

Yours faithfully,

s9(2)(a)



Proactively released by the
Associate Minister for Greater Christchurch Regeneration



Cricket is basically a colonial game only a few countries play it

BLACKCAPS FUTURE TOURS PROGRAMME 2018 TO 2023

2018-19

Date	Opponent	Venue	Format		
			Test	ODI	T20s
Oct-Nov	Pakistan	Away	3	3	3
Dec-Jan	Sri Lanka	Home	2	3	1
Jan-Feb	India	Home	0	5	3
Feb-Mar	Bangladesh	Home	3	3	0
June-July 2019, ICC Cricket World Cup 2019, England					

2019-20

Date	Opponent	Venue	Format		
			Test	ODI	T20s
Aug	Sri Lanka	Away	2*	0	3
Oct-Nov	England	Home	2	0	5
Dec-Jan	Australia	Away	3*	3	0
Feb-Mar	India	Home	2*	3	5
Mar	Australia	Home	0	0	3
June-July	Ireland	Away	0	3*	3
July	West Indies	Away	0	3#	3

* ICC Test Championship Match

ICC CWC 2023 Qualification Match (top eight ranked automatic qualification)

2020-21

Date	Opponent	Venue	Format		
			Test	ODI	T20s
Aug	Bangladesh	Away	2*	0	0
Oct	Bangladesh	Home	0	0	3
Oct	West Indies	Home	0	0	3
October-November 2020, ICC World T20, Australia					
Nov	West Indies	Home	3*	0	0
Dec-Jan	Pakistan	Home	2*	0	3
Jan	Australia	Away	0	3#	0
Feb	Sri Lanka	Home	0	3#	3
Feb-Mar	Bangladesh	Home	0	3#	3
Mar	Australia	Home	0	0	3
June 2021, ICC Test Championship Final, England					

ICC CWC 2023 Qualification Match (top eight ranked automatic qualification)



2021-22

Date	Opponent	Venue	Format		
			Test	ODI	T20s
Oct	Pakistan	Away	0	3 [#]	3
October-November 2021, ICC World T20, India					
Nov-Dec	India	Away	2*	0	3
Dec-Jan	Bangladesh	Home	2*	0	3
Jan-Feb	Netherlands	Home	0	3 [#]	0
Feb-Mar	South Africa	Home	2*	0	3
Mar	India	Home	0	3 [#]	0
June	England	Away	3*	0	0
July	Ireland	Away	1	3	0

2022-23

Date	Opponent	Venue	Format		
			Test	ODI	T20s
Nov	Pakistan	Away	2*	3	0
Dec	Sri Lanka	Home	2*	3	0
Dec	West Indies	Home	0	3	0
Jan	India	Away	0	3	0
Jan	Afghanistan	Away	0	3	0
February-March 2023, ICC Cricket World Cup 2023					

From: s9(2)(a)
Sent: Sunday, 1 December 2019 3:51 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval

My name is s9(2)(a) I have already sent a written comment form in, but because of misleading information in the Landscape Assessment by Andrew Craig I now am sending in updated amendments to my posted comment form.

Under the Heading CHRISTCHURCH HOSPITAL AND CHRISTCHURCH HOSPITAL HELIPAD, I amend the sentence "One has to question, why was an up to date photo showing the new hospital buildings and helipad included with the CCT proposal?"

to "One has to question, why was an up to date photo showing the new hospital buildings and helipad not included with the CCT proposal.?"

ANDREW CRAIG LANDSCAPE ASSESSMENT

I wish to delete my statement "It is obvious from the above that "urban renewal" does not apply to a soft urban park, like Hagley Park. Rather it applies to hard urban such as the central city."

I am deleting this statement because I was misled by Mr Andrew Craig's Landscape Assessment No 31, pages 7,8 where he omitted 'public open space' from the GCRA definition of "urban renewal". Going on Mr Craig's information I did not realize that "urban renewal" included the "(ii) the provision and enhancement of community facilities and public open space."

"Urban renewal' under GCRA Regeneration means that the public open spaces of Hagley Park need to be enhanced. The proposed six towering light masts and light heads will not enhance the public open spaces of South Hagley and Hagley Park

It is concerning that Mr Craig has prepared his landscape assessment with the wrong context in mind. No 32 page 8 "This assessment has been prepared with this context in mind and appreciates that overall the proposed amendments will provide for revitalisation and improvement of an urban area through the provision and enhancement of community facilities from which a section of the Christchurch community will benefit." Mr Craig has omitted the second part of "Provision and enhancement of community facilities and public open space."

Mr Craig does not mention "public open space" in his assessment No 33 and in assessment No 34 he uses the words "provide for the enhancement of community facilities and the appropriate use of open space."

"Appropriate use of open space" is not in the definition of the GCRA "urban renewal." In fact, open space is not interchangeable with public open space.

Thank you for the opportunity to amend my posted written comments.

s9(2)(a)

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [redacted]
Sent: Wednesday, 23 October 2019 8:19 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Submission Hagley Park Light Towers

To whom it may concern

Please find attached a copy of my submission to Minister Poto Williams in regards the proposal to use The earthquake legislation to install permanent light towers in Hagley Park


Can you please reply as acknowledgement of receipt of this submission

Many Thanks

s9(2)(a) [redacted]

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s9(2)(a)



20/10/2019

Right Honourable Poto Williams.

I can confirm I was born and raised in Christchurch and have lived in our city my entire life so know first hand about the advantages of retaining Hagley park as a recreational green space for both residents and visitor's alike.

I write to you with regards your position in having to consider making a formal decision on a proposal wanted by Canterbury Cricket Trust (CCT) and formally proposed by Regenerate Ch Ch on putting up permanent Light Towers in Hagley park under the disguise of the earthquake recovery legislation that was introduced following the devastating earthquakes that severely damaged much of our city and region.

I will start by saying I do not see the necessity for this legislation being rolled out to try and override the rights of all Cantabrian's in making a decision that will have serious ramifications for years to come. We as a city are more than 8 yrs on from the devastating earthquake of Feb 22nd and all of the major and minor aftershocks and I feel it is time for this city on many levels to stand on it's own 2 feet and be able to make our own decisions without intervention from central govt. For many of us we have moved on and to use this legislation could be seen as dragging up the past.

Following the recent local body elections, Christchurch is in a firm and sound position to be making important decisions about the future growth and development of our city without so much Central Government intervention so you should hand this process and decision making back to those we elected to represent us at local government level. This is a local issue and is not an issue that should be seen as being in the best interest of the country as a whole so therefore Central Government need to take a hands off approach.

In saying this I know you have been asked to do a job and you are really caught in the middle but looking at many aspects of this proposal I can see serious flaws and unanswered questions which tends to suggest there is a hidden agenda behind all of this and you are being used , so when the sh-t hits the fan they will say, " well we did not make the decision Minister Williams did " which could then have a serious negative impact on both yourself as a local MP and also the current Labour lead govt.

SO WHY SHOULD YOU DECLINE THIS PROPOSAL AS PRESENTED UNDER THE EMERGENCY EARTHQUAKE LEGISLATION.

- The Women's Cricket World Cup has already been allocated to NZ and The ICC were well aware of the Christchurch situation before allocating this tournament to NZ and had no concerns so now it is just a matter of what games are allocated to what venues.
- Christchurch can and should still get games allocated to the city irrespective of us having lights or no lights.
- There will be other games allocated around NZ that could be allocated to venue without lights or with lights but played as daytime games. Cricket NZ need to be asked to confirm this.
- In 2020 the NZ women's cricket team are playing international games scheduled and approved by The ICC as day games at venues that do not have lights, so not having lights at Hagley should not be a problem in scheduling international games at Hagley Park.
- Cricket can be played during daylight hours easier than at nights.
- The primary argument being used by CCT is the fact that they want to have more influential higher ranked teams and games in our city.
- This sounds like a level of Elitism and should not be considered in any outcome.
- Christchurch has become a more open welcoming city to a wider range of diversity of nations especially since the tragedy of March 15th and should be seen to be welcoming teams from all nations not just the selected few that CCT want to target.
- Christchurch since the earthquakes has and still hosts both women's and men's International Cricket in all formats of the game with the blessing of The International Cricket Council (ICC)with no demands to put in lights. Just ask NZ Cricket for a copy of their international schedule for the next few years.
- Hagley Park should never be allowed to be opened up for commercial entities (such as broadcasters) to pillage the serene nature that is Hagley Park.
- The location of The Hagley Cricket Oval so close to our major city hospital will have serious ramifications for years to come and could lead to an incident that puts a life at risk at some stage.

- Parking is a serious issue in and around Hagley park and the hospital which will be further challenged once the new Metro Sports facility around the corner from the hospital is completed and operational.
- Even if and when a parking building is built for the hospital there will be at times events at The Oval if allowed to remain there that will put added pressure on that building as event goers will see this as an easy parking option once again putting pressure on hospital visitors and staff.
- The permanent light towers will cause a **permanent visual pollution** on the surrounding environment and I am sure will be challenged in The Environment court therefore holding up any future development in time to meet the so called needs of The ICC and Broadcaster's making your possible decision fruitless.
- Any major event at the Oval if light towers are permitted will also cause at times **serious noise pollution** and given it's close proximity to our major hospital the **patients, visitors and staff's rights need to be seriously considered above anything else.**
- When looking into the details of the proposal and how many event days and night events including allowing 7 events to have up to a midnight finish that are already being signalled as likely to happen raises a serious **RED FLAG** as to what the true hidden agenda is and these proposed details already suggest that there are plans well underway by possibly council staff and promoters working secretly behind closed doors just waiting for you to rubber stamp this for the sake of The Women's Cricket world cup after all that is the only actual reason that has been formally identified as to why the lights are required.
- Reality is once the lights are in you will open a pandora's box for all sorts of other activities including many commercial events (up to 40 days which people would have to pay) from up to 60 event days .
- Hagley Park was never set aside for commercial enterprise and should be retained for the benefit of residents and visitors to Ch Ch to enjoy at their leisure.
- When looking at major parks in Cities around the world you will find virtually none of them if any, allow for any permanently based international sporting venue to be included within the boundaries of the parks, for example Central Park in New York or Hyde Park in London or even the major parks of both Sydney or Melbourne so there is no reason for Christchurch to step outside the norm.

Associate Minister for Greater Christchurch Regeneration

- When you look at what is identified as a village green and look around the world at facilities set up as such you will not find them in the middle of a major city such as Christchurch and you probably need to look no further than England who have many village greens that cater for sporting events and you would not find one in the middle of London so why would we put one in the middle of Ch Ch
- There are other options for a village green type atmosphere for international cricket in Ch Ch complete with permanent light towers but those in charge are being lead up the garden path and not thinking of what is possible instead just trying to go for what they see is their easiest option.
- Lancaster Park for many years was the traditional home of all international cricket and once the current demolition work is completed I see no reason why with a bit of ingenuity and the right investment we can not replicate a village green on this site complete with trees, embankments, low tiered seating with the ability to have temporary seating added for major events as well as permanent light towers and a permanent building that houses a sporting pavilion with changing rooms for visiting teams as well as other spaces that could be available at a reasonable cost for community groups should they need space for a meeting of some kind, it could even be designed to house a cantabrian based sporting museum.
- This then could be the new home for CCT ,while because of the lights could during winter be used for ITM Cup rugby games given the numbers that normally attend these games could easily be accommodated and given the likely rental costs for the rugby union being a lot cheaper than using the new proposed major stadium it should make ticket prices more family friendly and the site would be used more during the year and would be a great asset in lifting the spirits and well being of people living in the east. It would also take serious pressure off the parking issues around Hagley park and the hospital.
- It will also allow the council at some stage to invest in the east something they had well planned as part of the revamp of The AMI Stadium at Lancaster Park in anticipation of hosting Rugby World Cup games but to which the earthquakes took away from us so I am strongly asking please do not use the earthquake emergency legislation to allow this proposal to go ahead, to do so would be like having the earthquake hitting Christchurch all over again but this time destroying part of the history and true nature of what many of us identify as a jewel in the crown of Christchurch that being HAGLEY PARK.

Thank You

s9(2)(a)

From: s9(2)(a) [redacted]
Sent: Wednesday, 23 October 2019 7:40 AM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject:

I support the application to provide lighting at Hagley Oval as I wish to see Christchurch being able to host top tier cricket matches at this beautiful ground.

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

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Monday, 2 December 2019 4:37 PM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: Hagley Cricket Proposal Comment

My name is s9(2)(a)

My address is s9(2)(a)

My email address is s9(2)(a)

I **disagree** 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.

Introduction

Hagley Park is the only substantial green space in the central city. Almost the whole of the rest of the central city is a built environment.

Lighting towers 48.9 metres high and 14.3 metres across would destroy the natural beauty of Hagley Park. Recall the lighting towers at Lancaster Park. Imagine six of those in Hagley Park.

The current proposal for Hagley Park states "The essential village green character of Hagley Park will also be kept." I do not consider a green field with six huge lighting towers on it to be a village green. In my opinion the oval as proposed doesn't fit into Hagley Park, and Canterbury Cricket Trust refers to the oval as a village green in order to make it seem that it does.

A major reason for opposing that the changes to the cricket oval be allowed to be rushed through is that the reason for rushing them through is extraordinarily selfish. Hagley Park has been there for 150 years and might be there for hundreds more. Canterbury Cricket Trust wants to rush through permanent changes to Hagley Park so that two or three days of cricket in our time can continue into the evening rather than be played during the day. People

born in a hundred years time will be affected by these changes. Will they care whether we got to play a game in the evening instead of during the day?

Furthermore the proposal is seriously flawed and biased. Many claims are made quoting what others are said to have written, but not a single reference is given to the sources on which Canterbury Cricket Trust relies. There is no bibliography. It would be a travesty if such a proposal was implemented without being subject to rigorous public examination. This is especially the case when their proposal is based on fixing flaws in their earlier proposal (e.g. they got the parking wrong, and claim that they got the lighting wrong). Since the original proposal was so flawed, it would be foolhardy to allow the authors of that proposal to set in concrete another proposal without that proposal being challenged, and the other side of the case being given.

Canterbury Cricket Trust claims that the reason for rushing the changes through is that there has been a change in the requirements for lighting at cricket venues. It provides no evidence that such a change has occurred.

In fact a much bigger change has occurred. The part of Christchurch most in need of regeneration is the east. Lancaster Park, the traditional home of cricket in Christchurch, is in the east, and has recently become available and is looking for a tenant. Lancaster Park would be a much more suitable home for the type of stadium that Canterbury Cricket Trust seeks.

There are many things about this proposal that are flawed. I consider some of them below.

The Legal Process

Canterbury Cricket Trust wants to expedite the legal process and avoid its being examined by a court. The proposal states in Section 5.6 that "These changes would enable Christchurch to competitively bid for, and if successful ultimately host, top-tier fixtures including the 2021 Women's Cricket World Cup event".

How extraordinarily fortunate. Canterbury Cricket Trust became aware of the Woman's World Cup just in time to submit a bid for games but not in time to go through the proper legal processes for the desired changes to Hagley Oval. The probability of this happening must be very small. New Zealand was announced as hosts of the cricket women's world cup in July 2013, so they have had plenty of time. The proposal gives no evidence of any changes to lighting requirements.

Canterbury Cricket pulled the same stunt in 2013 when seeking permission to build the cricket stadium in Hagley Park in the first place. It claimed that that process had to be rushed through so that matches from the 2017

world cup could be played in Hagley Park. How unlikely that this should happen not once but twice. And what slow learners they are.

Hagley Park has been there for 150 years and might be there for another 150 or even 1000 years. Canterbury Cricket Trust thinks that its permanent use should be determined by their desire to have, in a couple of years time, two or three days cricket extending into the evening rather than being played in the daytime. To me this seems ludicrous.

In measuring the benefits of the lighting it seems to me that the benefit of the world cup is essentially zero since it will be on for a negligible proportion of the time for which the lights will be there.

Apparently Canterbury Cricket Trust thinks that some people should be unable to park near the hospital, for possibly the next century, so that Canterbury Cricket Trust can have evening cricket two or three times in 2021.

Or is this just an excuse? Perhaps the real reason that Canterbury Cricket Trust wants to avoid a court process is to be found in Section 4.2 of the proposal, where it states

“The Trust could apply for a new resource consent (or a variation of the existing Resource Consent) to address the operational issues identified and establish suitable lighting. Under the current District Plan provisions the changes proposed would overall be assessed as a non-complying activity. Non-complying activities are specified as non-complying because ‘the District Plan has anticipated that they would normally be inappropriate’. Non-complying consent applications are therefore likely to cost more, take longer to process and **have a greater chance of being refused consent.**”

Accordingly, a resource consent application (or variation of consent) to facilitate the use of Hagley Oval is **highly uncertain.**”

By their own admission, Canterbury Cricket Trust wants to avoid going to court because in court the proposal has “a greater chance of being refused consent and “is highly uncertain”.

The court process is designed to be impartial and unbiased. The Canterbury Cricket Trust here state that they have a greater chance of success if they are able to avoid going through the normal legal process. This implies that **Canterbury Cricket Trust wants the Section 71 process because it is biased in their favour.**

A court would consider both sides of the case, and seek opinions from multiple sources. The Canterbury Cricket Trust want the only expert witnesses to be ones they pay. Would they like to be allowed to pay money to the judge as well?

It seems that they want to avoid going through the proper legal process because the flaws in their proposal, of which there are many, would be exposed by such a process.

The Christchurch City council voted 11-1 against the original proposal. Cricket for some reason Canterbury Cricket thought they shouldn't have to accept this, and managed to convince the council to pass the decision over to the court. Now they want to completely over-ride that decision without going to the court, making a farce of New Zealand's legal system.

Lighting

The proposal states in Section 3.7 that "In addition, in March 2019, a lighting work by Signify Limited, Musco Limited and ELC Limited identified that six lightpoles would be needed to meet ICC broadcasting guidance ...".

Once more no reference is given in the proposal. However there was a link on <http://www.regeneratechristchurch.nz/hagley-oval/> to <http://www.regeneratechristchurch.nz/assets/Memorandum-Appendix-6-Signify-July-2019.PDF> where there is a memo written by Signify to Canterbury Cricket Trust.

Mr. Robinson, Chair Canterbury Cricket Trust, stated in a letter to The Press, 9 November 2019: We first knew of new ICC venue specifications for international lights late in 2018

.... The s71 process requires environmental assessments on noise, lighting, landscape/visuals, economic, transport, operational needs and planning. **All of these assessments were undertaken by independent consultants, at the Canterbury Cricket Trust's expense, and are included in our application.**"

If the assessments were undertaken at Canterbury Cricket Trust's expense, then they are clearly not independent.

This is reinforced in the report on lighting by Signify which states

"It would be expected that many proposals will be presented during the process of request for pricing. In an effort to best guide the trust, below are potentially some that potential suppliers may table."

Signify would be expected to seek to become the provider of any lighting system, and they expect that in doing so they would be competing against many other suppliers. This being the case it is highly likely that their report would not be independent but would say what Canterbury Cricket Trust wanted them to say. Implicit in their statement also is that other suppliers would have different opinions.

The memo from Signify states that "In our professional opinion, supported by International Cricket Committee [sic] (ICC) the best solution is a six-mast option".

No reference was given to support the claim that The ICC supports this opinion.

Mr. Robinson states that "We first knew of *new* ICC venue specifications for international lights late in 2018". The memo says nothing about specifications being new. It is convenient for Canterbury Cricket Trust to claim

that specifications are new, as this is part of their argument for having to rush this proposal and so avoid its being scrutinised. However no evidence is produced that the requirements are new.

In order to avoid having their proposal examined by a court, Canterbury Cricket Trust have made an unproven claim that something has changed since the Environmental Court allowed the Hagley oval proposal to go ahead, namely that the number of lighting towers necessary to televise cricket has increased despite continual improvements in technology, such as improved LED lights.

I wonder if the real reason for their seeking the lighting change might be that they don't want the retractable poles. However they couldn't create an excuse for overthrowing the court decision on this, but they could claim that something had changed regarding the number of poles.

Parking

The proposal states in Section 3.5 that "Finally, the 2013 Resource Consent requires the Trust to provide parking for the public on the adjacent Polo Grounds (or to provide 2000 carparks in another location). Parking on the Polo Grounds was found to cause damage to turf and trees and given the proximity of the Oval to parking buildings within the Central City and the Bus Interchange, this requirement is no longer considered necessary."

They ignore the fact that there is a hospital near the cricket oval, and that parking by cricket spectators will take up parking space that people going to the hospital would otherwise use. This is one reason why this proposal should not be waved through unchallenged. The bias in Canterbury Cricket Trust's proposal is evident.

I personally experienced this when visiting the hospital one evening when there was a function being held in the cricket pavilion. I was unable to get a park near the hospital. I was later told that the conditions for the cricket oval included that no such functions were to be held there. This is another reason that I don't trust these people.

The above statement from the proposal exhibits the same selfishness as the 2013 proposal to use other people's playing fields as cricket's parking lots.

I opposed the establishment of the cricket oval at Hagley Park in 2013 partly on the grounds of parking, including taking up parking spaces near the hospital. I found the proposal to use other people's playing fields as cricket's parking lots particularly objectionable. They now say "Parking on the Polo Grounds was found to cause damage to turf." It was pretty obvious that this would happen. There are many places in the world where there is a parking shortage. Why did Canterbury Cricket think that they don't use playing fields as parking lots in those places? Further some parts of Hagley Park had been used as parking lots, and people who played soccer on these sometimes sprained their ankles. I considered Canterbury Cricket's attempt to use the polo grounds and other people's playing fields as their parking lots to be the arrogant behaviour of entitled people. For this reason, I don't trust anything in the current proposal that is not supported by evidence.

The proposal mentions the requirement to provide 2000 carparks and states that "this requirement is no longer considered necessary." Who no longer considers it to be necessary? What gives Canterbury Cricket Trust the right to dismiss the court's conditions in such a cavalier manner?

It should also be remembered that the 2000 parking spaces that they provided to meet the court's conditions were at Horncastle Arena, which is two and a half kilometres from the cricket oval. This suggests that that a cricket oval at Hagley is unworkable: parking is necessary and there is none.

Parking is still a problem. This is another way in which the original proposal was faulty.

Hagley Takeover

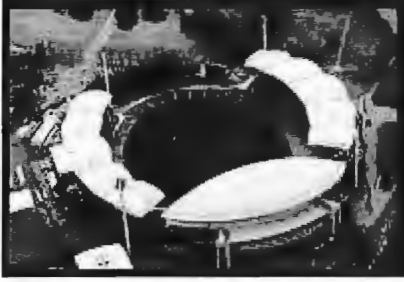
The proposal states in Section 3.4 that "The size of the event area authorised by the 2013 Resource Consent does not allow for additional activities to be undertaken in the concourse area. Such activities are increasingly part of international cricket games (for example children's activation zones) and contribute to the attractiveness of Christchurch bids."

Cricket's gradual creep across Hagley Park has already started.

In the part of the Christchurch Central Recovery Plan concerning the cricket oval, a picture is shown of Adelaide Oval, presumably to illustrate that an international cricket stadium can look like a village green:



This is what Adelaide Oval looks like now:



Canterbury Cricket says it wants a top-tier international cricket stadium. This is what one looks like.

Here is a photo of Lords cricket ground, a top international cricket ground, which is what the Canterbury Cricket Trust says it wants in Hagley Park:



A grass field with one pavilion/stand is not a top-tier international cricket stadium.

Goodbye Hagley Park.

Other Sports

I opposed the establishment of the cricket oval at Hagley Park in 2013, and already something that I feared would happen has happened. In my submission to the court in 2013, I stated "I believe that if cricket is allowed to have a stadium in Hagley Park, other

sports will claim the right to have one as well." In 2014, Canterbury Tennis, attempted to establish a tournament stadium in Hagley Park. They failed. In my opinion their attempt was inept. A better attempt might have succeeded.

Further, in this proposal Canterbury Cricket itself is attempting to take over more of Hagley Park.

A line needs to be drawn in the sand.

Lancaster Park

One of the conditions that was imposed on Canterbury Cricket for the Hagley cricket oval was that they provide 2000 parking spaces. They provided them at the Horncastle Arena, which is two and half kilometres from Hagley Oval. Obviously a car park for a sporting venue must be near the venue to be of any use, so Canterbury Cricket must consider sites two and a half kilometres apart to be near one another.

In arguing for the use of Hagley as an international cricket venue, the then Chairman of the Canterbury Cricket Association, Mr Cran Bull, stated in an article in The Press on 4 October 2012 that

"Apart from Hagley, there are no other suitable locations close to the CBD and its associated facilities. We have been categorically told by Christchurch City Council staff that Lancaster Park is not an alternative."

Now Lancaster Park is an alternative. Lancaster Park is two and a half kilometres from the bus exchange, and so by Canterbury Cricket's own reckoning, it is near the CBD. Canterbury Cricket said it wanted a ground near the CBD. Lancaster Park, the traditional home of Canterbury cricket, is near the CBD, and is currently looking for a new tenant.

Regenerate Christchurch should be aware that the part of Christchurch which is most in need of regeneration is the east. Lancaster Park is in the east of Christchurch and is the traditional home of first class and international cricket in Christchurch. In order to avoid having their proposal examined by a court Canterbury Cricket Trust have made an unproven claim that something has changed since the Environmental Court allowed the Hagley oval proposal to go ahead, namely that the number of lighting towers necessary to televise cricket has increased, despite continual improvements in technology, such as improved LED lights. In fact the biggest change that has occurred is that **Lancaster Park has become available, and is looking for a tenant.**

If cricket really wants a world-class stadium for cricket they should go somewhere where they can build one, and drop their farcical claim that a grass field with a single pavilion/stand is ever going to be a world-class venue without major upgrades.

They are obviously aware that their cricket stadium does not fit into Hagley Park, and so are trying to make it seem that it does by describing it as a village green. The trouble is village greens don't have lighting towers 48.9m high and 14.3m wide.

It is possible that Regenerate Christchurch has money available for the redevelopment of Lancaster Park. They might even pay for six lighting towers. It is fortunate that Canterbury Cricket has not yet spent money on lighting towers at Hagley Oval. At Lancaster Park cricket could have grass embankments, lights, pavilions, grandstands and parking. And they wouldn't have to share the ground with rugby, as they used to do. And they wouldn't get in the way of the hospital.

The cricket trust could stop their denial and face up to fact that the Hagley cricket oval is a square peg in a round hole. They would no longer have to pretend that a ground with six huge lighting towers is a village green. Or that a grass field with one pavilion/stand is a top-tier international cricket stadium. Or that a parking lot two and a half kilometres from an oval is next door to that oval. They could surrender their delusion, accept that the cricket stadium was Lee Germon's grand folly, and move on.

International Visitors

The proposal states, in Section 2.4, that *"it is estimated that the ability to host top-tier matches would increase visitor nights in Christchurch by an additional 54,000"*.

No reference is given to how this estimate is arrived at. However I found that the estimate was given in Technical Report, ECONOMIC ASSESSMENT – HAGLEY OVAL,

Report prepared by: Michael Copeland of Brown, Copeland and Company Limited, for: Canterbury Cricket Trust, 24 Julye [sic] 2019

This report states (p7) "Appendix A to this report sets out the various assumptions and results of this analysis. Over the three years 2020/21-2022/23 it is estimated there will be an

increase of 54,055 visitor nights for Christchurch and an increase in visitor spending of \$7.9 million."

However **the heading Appendix A is followed by nothing but blank space**. This makes the estimate itself worthless. Further, that the Canterbury Cricket Trust made this claim but gave no reference to this and so made it difficult to discover how worthless the estimate is, seriously damages the credibility of the whole proposal.

Furthermore the next three years won't be typical as they include the 2021 women's world cup, which was probably used to inflate the estimate.

Cricket's Popularity

The proposal states in Section 3.2 that "Cricket as a sport is growing in participation and audience, particularly in Canterbury."

No evidence is given to support this statement. Nor is any reference given to any such evidence. Historical figures for membership of cricket clubs in Christchurch or the number of paying spectators at cricket matches, would have been easy for them to give. Were they not given because the figures don't support the claims made?

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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 disagree entirely with the Proposal.
I believe strongly that there should be
no new rules in the Christchurch District Plan
that sets standards for the operation and use
of Hagley Oval.

Hagley Park is a heritage gift - a special treasure

Please fold with the Freepost address portion on the outside, seal and return by 5pm, Wednesday, 20 November 2019.
given to all the people of Christchurch.
Hagley Park should be honoured and respected.

s9(2)(a)



Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Saturday, 16 November 2019 1:14 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval

Public parks should not be taken over by major sports. We knew this would happen when the original application was approved. This is the thin edge of the wedge.
Definitely No.

s9(2)(a)

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Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [REDACTED]
Sent: Friday, 15 November 2019 6:45 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hadley Park

I note that the Christchurch City Council must be aware that a significant proportion of the population of the city oppose the unscrupulous legal manipulations that have allowed a commercial stadium in a Reserves Act protected space and yet the council gives no recognition to those ratepayers in its comments. I am extremely saddened by the disrespect for both the rule of law and democracy.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Sunday, 24 November 2019 8:21 AM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: Hagley park

I oppose use of Hagley Park for the commercial business of cricket and I oppose the contrived use of statutes and regulations to steal public land for subsidised commercial activity. I do not object to commercial cricket or cricket stadiums only to the corrupt means to take resources from the public portfolio.

The Christchurch ratepayers should not subsidise the running costs of a commercial operation as occurs when council staff do not collect sufficient rent from the user of city land for commercial purposes. The rent collected is not publicly disclosed but, from other behaviour, is likely to be peppercorn and will not cover even the maintenance contribution made by the City. The central government should not support this sort of corruption.

The economic benefits of commercial cricket have been exaggerated in that little of the the new funds generated will circulate in the Christchurch economy and only limited amounts will circulate in the New Zealand economy. Central government should not blindly accept contrived claims about benefits to the NZ or Christchurch economy.

The Earthquake Recovery Act and now the Regenerate legislation were never intended to take land out of protected status. Recovery is not an excuse for theft of public land by commercial enterprises. Public land is intended to be in place forever whereas commercial activity can be located anywhere so long as environmental protections are enforced. Central government should not support immoral and unscrupulous short-sighted theft of public resources for commercial or individual benefits.

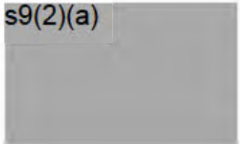
Hagley Park is an amazing resource accessible for free to the public. It was gifted and put into existence and protected by careful thought and public consensus with support from Tangata Whenua. No careful thought about change to commercial use was ever put in place to consult the community whose land it is. The bypassing, by contrived interpretation of rules, of public consultation should not be supported by central government.

All other commercial activity in Hagley Park is by special arrangement and very short term and remediated impacts. Commercial cricket is an exceptional breach of all the current management objectives of the resource. Public have been denied free access to the area taken by the commercial activity. Central government should not support corruption of carefully considered and enacted management plans.

If the Resource Management Act is put in place to process any proposed plan change, how is it fair and reasonable to to bypass such legislation only for the benefit of a handful of wage and salary earners who will, even then, only gain a small financial benefit. Central government should not support the dismantling of carefully built systems and processes and especially should not bypass legislation that protects against the excesses of greed.

Opinions from outside Christchurch and Canterbury should be excluded from this discussion because Christchurch citizens themselves are denied public hearings with the Christchurch City Council.

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?

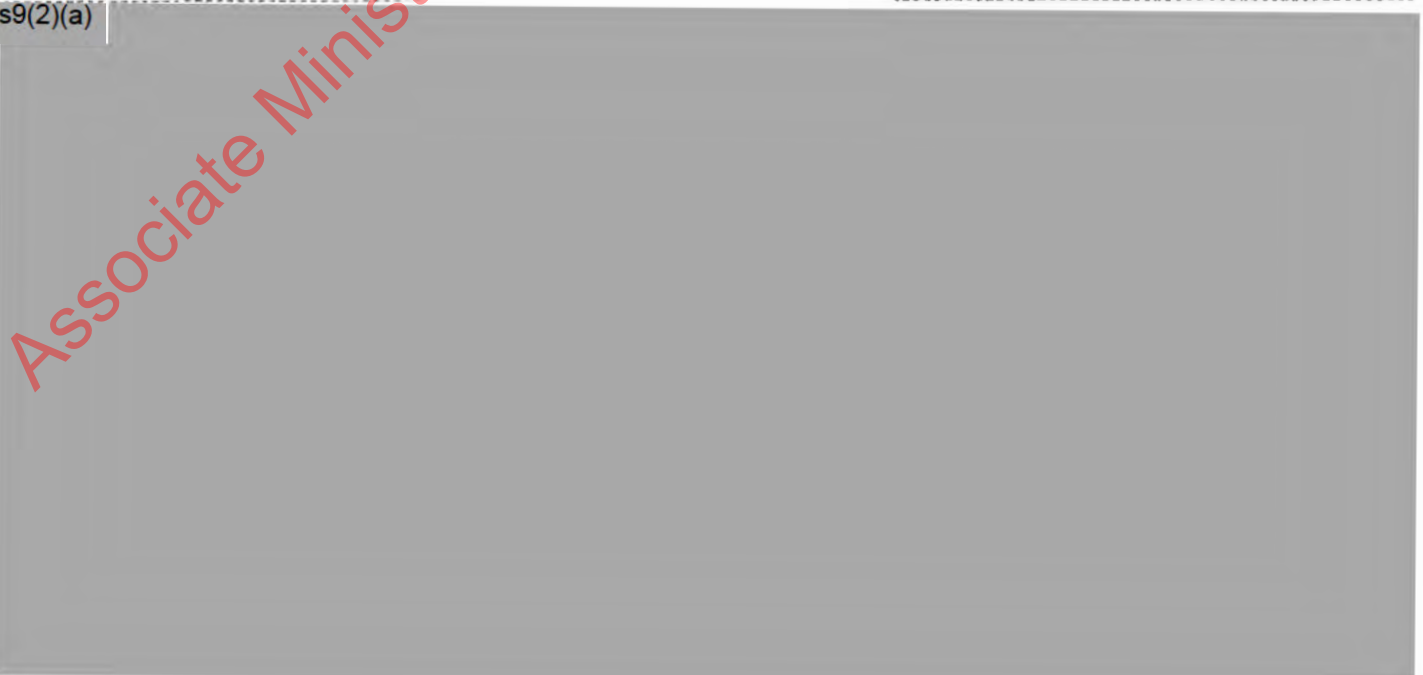
Yes No Please see below.

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

I agree with the installation of the permanent lighting - which should only be utilised when international or inter-provincial matches are occurring. I believe Hagley Oval is an asset for international cricket matches. However, I have ticked "NO" above because I do not believe that the G.C.R. Act should apply to these circumstances. The City Council should retain control of Hagley Oval and for items such as how many matches per year.

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

s9(2)(a)



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)?

* to lights permanently scaring above the tree line.
* the amount of factors at the grounds increasing from 13 to 25
* the time limits being increased until midnight any day of the week
Deans Avenue is a residential area not to mention the hospital in close

Proximity.

This application should be going through the RMA not using section 7 from earthquake legislation. In another 8-9 years is needed going to apply for more conditions for them in our Public Park.
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

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 Canterbury Cricket Trust should be kept to its original Resource Consent.
The proposed New lights are not appropriate for a Public Park. The lights are not just for a few games of Cricket but will be there 365 days a year. Also the height of approx 50 metres could be a danger to Rescue Helicopters approaching the New Hospital Helipad.
No thought has been given to hospital parking and Seamus Avenue Residents

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

s9(2)(a)

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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)?

* 6 lights permanently searing above the tree line.
* the amount of fixtures at the grounds increasing from 13 to 25
* the time limits being increased until midnight any day of the week
Deans Avenue is a residential area not to mention the hospital in close

Proximity.

this application should be going through the RMA not using section 71 from earthquake legislation. In another 8-9 years is cricket going to apply for more conditions for them in our Public Park.

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

Att: Minister Williams

Re: Section 71 Proposal:- my submission

My Name : s9(2)(a)

" Address :

((NB) I have also sent a submission to the CCC

Hagley Park is a most important part of our heritage, started by our early settlers or should be celebrated not destroyed by the abomination of these gigantic lighting towers.

At the moment Hagley Oval, after much discussion, is as was intended, a place to play "County Cricket", no more, no less, it should remain that way.

CCT should not under any circumstances be dictated to by NZC, or even worse the ICC who all have only one thing on their minds, MONEY.

After having attended the "walk n talk" on Mon Nov 4th @ 6.30pm, I am more convinced than ever, that under no circumstances should these huge towers, that will be a permanent eyesore be allowed to be erected to spoil the beauty of Hagley Oval.

And further more this is not an "emergency" as section 71 was intended for. The RMA is the only place for this ^{to be} heard, as this so called emergency has been caused by CCT not building the 4 consented retractable lights.

Finally NO NO NO to this brutal attack on the "People's Park". (I don't forget the parking problems this will cause the hospital.)

s9(2)(a)

Signed:

From: s9(2)(a) [redacted]
Sent: Wednesday, 16 October 2019 11:39 AM
To: Poto Williams MP <Poto.Williams.MP@parliament.govt.nz>
Subject: Lights at Hagley

I support lights at Hagley Oval. Having spent a year playing cricket for St Albans, I think that Christchurch is one of the great venues in New Zealand for cricket, and to see this opportunity go awry would be devastating.

Many thanks for your hard work.

s9(2)(a) [redacted]

From: s9(2)(a)
Sent: Wednesday, 6 November 2019 11:41 AM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: Hagley Cricket Oval

Hello,

I would like to lodge my objection to the Canterbury Cricket Trust's plan to install 6 48.9M tall lights and allow crowds of up to 20,000 people at the Hagley Oval.

Hagley Park is the pride and joy of Christchurch citizens and to allow 6 huge lights to tower above the established trees will ruin the character of the park. Not to mention the absolute chaos around the area if 20,000 people were to descend on already crowded roads.

The Cricket Trust agreed to strict conditions 6 years ago but as many people suspected, it appears that it has always been their intention to demand more later on once their foot was in the door and the oval established as a village green.

I belong to a walking group and we often walk there and have talked about how inappropriate it would be to have the park dominated by lights. Hagley is a magnificent park and is for the use and enjoyment of all citizens of Christchurch - not for a few elite to call the shots on park use.

Thanking you,

s9(2)(a)

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

The written comment period has been extended from Wednesday, 20 November to 5pm, Monday, 2 December 2019.

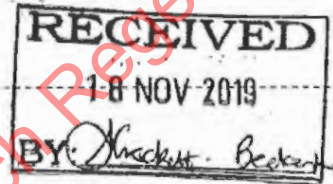
Where can you see the Proposal and find additional written comment forms?

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, Monday, 2 December 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)?

s9(2)(a)

s9(2)(a)

There is not enough parking around the hospitals (since our big earthquakes). When the cricket is on the parking is alot worse. The cricket supporters take the hospital supplied 'park & ride' meant for patients & visitors

Please fold with the Freepost address portion on the outside, seal and return by 5pm, Monday, 2 December 2019.

to the hospital.

s9(2)(a)

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Saturday, 23 November 2019 10:58 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: FW: Hagley Oval Section 71 Proposal - Written Comment

Oops. I incorrectly sent this using my wife's email address.

Now sent from my email.

s9(2)(a)

From: s9(2)(a)
Sent: Saturday, 23 November 2019 22:53
To: 'info.gcg@dpmc.govt.nz'
Subject: Hagley Oval Section 71 Proposal - Written Comment

Hagley Oval – Amendments to the Christchurch District Plan

Section 71 Proposal | Written comment 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?

No!!

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

In the table below I comment on the Overview of the Proposal.

Overview of the Proposal

Text of Overview	My Comments
The proposed changes to the rules in the District Plan would replace the need for the Canterbury Cricket Trust to make any future application for resource consent in respect of those rules covered by the Proposal.	I refer to Paragraph 1.3 of the introduction of the Proposal, which states: 1.3 The Park is set aside as public reserve land and is managed by the Christchurch City Council (the Council) in accordance with the Hagley Park Management Plan 2007, prepared under the Reserves Act 1977. The Hagley Park Management Plan states:

	<p><i>"The vision for Hagley Park is for it to be an iconic inner-city open space area for the city of Christchurch and to be a place for present and future residents and visitors to the city to visit, recreate in and appreciate".</i></p> <p>It seems that the proposal is intended to circumvent the limitations on the use of Hagley Park, in accordance with the applicable Acts which govern it.</p>
The rule changes relate to, amongst other things, flood lighting and the number of match days allowed.	Both of these changes are diametrically opposed to the vision for the Park intended by the Acts.
The Trust's current 2013 resource consent allows for four retractable lighting poles. The proposed changes to the District Plan would permit six permanent floodlighting poles and structures.	The existing development of Hagley Oval is completely in keeping with the 2013 Resource Consent. Successful domestic and international matches have been hosted. I am happy for the four retractable lighting poles to be installed.
Regenerate Christchurch advises the proposed lighting changes would meet international broadcasting standards and enable Christchurch to bid for "top-tier" international cricket matches in addition to the matches that can be bid for currently.	The "bid for "top-tier" international cricket matches" is a commercial enterprise whose demands are completely contrary to the vision for Hagley Park, protected by the Acts.
It is noted there is a deadline of 20 December 2019 for a Christchurch bid to host "top-tier" games - such as a final - of the 2021 Women's Cricket World Cup.	This is an artificial deadline, intended to put pressure on the decision makers. I am completely in favour of Christchurch bidding for such events, but that is not a justification for down-grading the vision for Hagley Park.
Regenerate Christchurch considers using section 71 would be more efficient than making the changes using other planning processes such as those in the Resource Management Act 1991.	The purpose of the RMA 1991 is to ensure that the full consequences of a proposed change are considered. It is nearly nine years since the 2011 Christchurch Earthquake. To use the GCR Act to justify this further intrusion into the Park is outrageous.

If the Cricket industry (this is not sport, it is business) wishes to bid for "top-tier" international cricket matches, they should find a site that meets their requirements and have it developed.

I am vehemently opposed to the Proposal. It is an extremely detailed and complex justification of a proposal whose intention is to increase the commercialisation of Hagley Park, contrary to its intended purpose.

s9(2)(a)

Hagley Oval – Amendments to the Christchurch District Plan

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)?

which has done without any major sporting events in recent years thanks to the plan. We need to be able to host night cricket so get three lights installed.

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

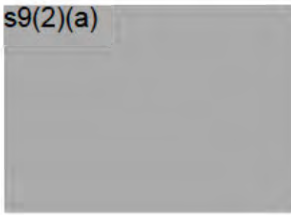
SUBMISSIONS/COMMENTS OF ^{s9(2)(a)} [REDACTED] ON A
PROPOSAL UNDER SECTION 71 OF THE GREATER
CHRISTCHURCH REGENERATION ACT 2016 TO FURTHER
DEVELOP HAGLEY OVAL AS A CRICKETING VENUE.

(SUBMISSIONS CLOSING 5PM 20 NOVEMBER 2019).

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

12 November, 2019

s9(2)(a)



To: The Hon. Poto Williams
Associate Minister for Greater Christchurch Regeneration
Private Bag 18888
Parliament Buildings
Wellington 6166

Dear Associate Minister

RE MY COMMENTS/SUBMISSIONS FOLLOWING PUBLIC NOTIFICATION OF REGENERATE CHRISTCHURCH'S PROPOSAL TO FURTHER DEVELOP HAGLEY OVAL PURSUANT TO SECTION 71 OF THE GREATER CHRISTCHURCH REGENERATION ACT 2016 ("the GCR Act").

By public notification you have invited comments/submissions on the above proposal, closing 5pm 20 November 2019.

My submissions/comments are submitted herewith, as follows:

1. As a general statement of my position as a citizen of Christchurch, I oppose Regenerate Christchurch's proposal for the further development of Hagley Oval, especially as it relates to lighting. The proposal tabled under S71 of the GCR Act, and what it seeks, rides roughshod over the history, heritage and status of Hagley Park as an open-space public reserve set aside in perpetuity for the recreation and enjoyment of the people of Christchurch. The creation of Hagley Park for those purposes was one of Canterbury's great founding ideals. That ideal and its legacy is now threatened by an intrusive commercial development initiated by a private body with scant regard to the public interest - but plenty for its own aims and objects.

It is my view that the proposal, if permitted, will set a precedent for the further commercialisation of Hagley Park. Its long term future - indeed existence - then becomes questionable. Unborn generations have the right to enjoy this great civic amenity untrammelled by commercial interests.

An inscription on a seat in Hagley Park, says it best of all. It reads: *Edward Ashton (Ted) 1914 - 1999. Born in Manchester, England. Emigrated to New Zealand 1950. Ted never ceased to appreciate that in egalitarian New Zealand this park is the property of all - that "we are all Lords of this Estate".*

2. My specific grounds of objection are:

There is insufficient legal authority for the proposal to proceed.

a. In my opinion, the Greater Christchurch Regeneration Act 2016 ("the GCR Act") is being used for an "improper purpose" (in terms of the legal meaning of those words). The proponent's real aim, it is apparent, is to circumvent the Resource Management Act by using the GCR Act as the more expedient means of meeting a deadline for hosting a cricket tournament. As such that would be to misapply the GCR Act by using it for a purpose ulterior to its true statutory aim of earthquake recovery through "regeneration".

Indeed, the proponent is quite frank and open about its aims and intentions. In page 8 of its proposal, it discloses that had it sought a resource consent to amend the District Plan, "the changes proposed would overall be assessed as a non-complying activity ... because the District Plan has anticipated that they would normally be inappropriate. Non-complying consent applications are therefore likely to cost more, take longer to process and have a greater chance of being refused consent".

Hence, then, the proponent's practical but improper idea of using the GCR Act to get around an inconvenient outcome. That, however, is to use the Act for an ulterior and therefore improper purpose.

To illustrate the point, I cite probably New Zealand's leading public law text, *Constitutional and Administrative Law in New Zealand*, by Canterbury Professor of Law, Philip Joseph. In his section on Improper Purpose, he writes:

"(1) Promoting Parliament's purpose: The doctrine of improper purpose is fundamental to public law. Statutory powers are given for a purpose and their exercise must always promote that purpose. A power granted for one purpose must be used for that purpose, and not for some unauthorised or ulterior one". The last sentence is particularly telling.

And in another section, he says: "A person exercising public powers must use them for the public good and not for ulterior or capricious purposes". He cites a case in support, where a judge sentenced an accused to two months gaol and then reduced it to lessen the chance of an appeal against his judgement. In a review of his ruling, it was held that he exercised his discretion in bad faith for an improper purpose. The facts may be different from those under examination here, but the principle remains the same.

b. I now turn to another vital consideration. Simply, I cannot agree that the proposal falls within the definition of "regeneration" in the GCR Act, as the proponent claims. This is a crucial consideration, because it determines the legality or otherwise of the proposal, whether under S.71 or a regeneration or recovery plan. Whatever the form of the proposal, there must be a "regeneration" outcome, and it must further the regeneration of greater Christchurch in the direct sense. My view is that the proposal is ultra vires the GCR Act (outside its powers) because it cannot meet the definition of "regeneration".

Reasons:

Two options for "regeneration" are provided for in the GCR Act: The first is stated in Section 2(a) of the Act, as follows:

"In this Act, -

Regeneration means -

- (a) rebuilding, in response to the Canterbury earthquakes or otherwise, including –
 - (i) extending, repairing, improving, subdividing, or converting land;
 - (ii) extending, improving, converting, or removing infrastructure, buildings, and other property:"

"Rebuilding" is the critical, key word. Simply, the proposal is **not** a rebuild or "rebuilding", but in reality a new development in essence unrelated to the Canterbury earthquakes and the ensuing "rebuild". On that basis alone, the proposal cannot fall within the scope, intent and jurisdiction of the Act. The ordinary and accepted meaning of "**rebuilding**", is to replace and reinstate something that has been damaged or destroyed, and that existed before the damage or destruction. The proposal espouses the exact opposite, because it involves building or creating something new not previously existing (fixed lights at the Oval for instance). It is not a "rebuilding" or rebuild, but a future new work to meet future-anticipated needs and circumstances (such as upgrading the Oval to attract bigger events). This shows the proposal to be by now too distant and remote from the Canterbury earthquakes of 10-years ago and the legislation in response, to qualify as "regeneration" under the GCR Act.

Even on the points made in the preceding paragraph, I cannot see how the proposal is applicable to the GCR Act; or, put another way, how it can be determined (justiciable) under it.

I also make the point that it would have been very simple for Parliament to have widened the meaning of "regeneration" by describing it as "rebuilding **or building**" (my emphasis), which may then have accommodated the proposal – but it chose not to. That is significant.

c. I turn now to the **second** option for "regeneration" under the Act, in Section 2(b).

In essence it is saying that "regeneration" can be by "urban renewal and development" if it improves the "environmental, economic, social and cultural well-being and the resilience of communities."

Firstly, there is nothing urban about Hagley Park to renew. It is instead a large open-space public reserve set aside for recreational purposes, devoid in itself of any urban characteristics, as has been the case ever since it was surveyed by Edward Jollie in 1849. Accordingly the proposal cannot be an urban renewal and development in that respect, as is obvious.

The same conclusion would result even if the words "urban" or "urban renewal" were enlarged in meaning to include the Christchurch suburban metropolis as a whole. For how can it be said that more first-class cricket on Hagley Park, under fixed lights, is somehow going to manifestly improve the "environmental, economic, social and cultural well-being" of urban Christchurch, and the "resilience of their communities"? Quite the contrary, in

fact. There would be adverse environmental effects with congested parking in an already critically congested area around the hospital, not to mention night-time glare across Christchurch from six, tall fixed lights and the effects on eco-life in the Park. Economically there would be little or no discernible benefit to suburban dwellers. For those interested, they would get to see more cricket, that's all. There might be commercial benefits to the hospitality, accommodation and taxi sectors from patronage at big games, but the GCR Act does not specifically mention or address commercial-sector "regeneration" as a reason for allowing a proposal. Accordingly it cannot be taken into account as "regeneration", as the proponent seems to think so. The meaning of "regeneration" must be that as defined in the GCR Act; and here I have to say that the proposal's interpretation differs somewhat with its "aspirational" take on the word. For instance, the proposal says (in an extract from the Christchurch City Recovery Plan) that "the CCRP recognises that the regeneration of the Cricket Oval will stimulate activity in the area. International events will bring a demand for hotel accommodation and other services for visitors". Laudable words but not found in the Act. The Act, as I have said, does not mention or provide for "commercial renewal" or for regeneration of a "commercial area or "the Central City" or whatever – only for "urban renewal", and to say or construe otherwise would be fanciful.

Further on this point, the Act defines "urban renewal" as "the revitalisation and improvement of an **urban area**" (my emphasis). The Act does **not**, however, define an "urban area", but it is obvious that Hagley Park let alone the Oval is most certainly not "an urban area" and never has been. It may be adjacent in part to small pockets of housing but in the main the surrounding ambience is industrial and commercial. Which begs the question of what *is* an urban area in terms of the GCR Act. It cannot be the inner or central city, because that is not urban but primarily commercial. And neither can it be metropolitan Christchurch as a whole, because reference to "an urban area" strongly implies something less than that, something that is discrete and self-contained in its own right, like a suburb or group of suburbs of the same socio-economic class.

In this light, and for the reasons above, the "regeneration" of Hagley Oval bringing urban renewal to an urban area would seem as wishful as it impractical in realising.

Furthermore, for there to be urban renewal under the GCR Act, a development has to benefit "communities" environmentally, economically (etc) and add to their "resilience" (S.3.2.b). This means public communities logically - in other words, the public at large. This is not the case here. What is proposed is primarily intended to benefit a private body seeking to increase crowd capacity and income to meet its own objectives. How that will "improve the environmental, economic, social and cultural well-being and resilience of communities", seems remote to me. At very best there may be some indirect, trickle-down economic benefit to communities - the so-called "invisible hand" at work - but that is so inconclusive as to hardly justify a private commercial venture with huge ramifications for Hagley Park and Christchurch.

d. I now address the last remaining ground/definition of "regeneration" [S. 3(2) (b) (ii)]. Here the "regeneration work" must be by way of "restoration and enhancement", and it must bring the same public benefits above-stated of improving the well-being and resilience of communities. All I need say here, is that the proposal would not meet the GCR Act's

definition of "regeneration", for the simple reason it is not a restoration and enhancement. There is no restoration element. Restoration relates to something that exists and needs restoring due to wear and tear or damage, which would thereby enhance it - as in the repair of earthquake damage. The proposal is quite the opposite (and contrary to the subsection), because it involves the building and erection of future *new* structures, which by definition do not require "restoration and enhancement".

3. Should the proposal be approved under S71, it will most likely create inconsistencies in the law and uncertainty in the future management and administration of Hagley Park. The Reserves Act 1977 with its policies for recreation reserves, already conflicts with the proposal and its invasive lighting by virtue of S.17C, which states": "Every recreation reserve shall be so administered under the appropriate provisions of this Act, [so] that those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be **conserved**" (my emphasis).

It does not take much imagination to visualise six 50-metre-high-light towers with powerful lights towering over the natural tree-line, and the impact this will have on the Park's natural environment, night and day. It would be as if Section 17C never existed.

The Hagley Park Management Plan (HPMP) would be similarly conflicted in its aims, policies and goals in case of an approval. To cite but one example, the Plan's prime landscape objective (as a policy) is "(a) To protect the English heritage style landscape character, atmosphere and scenic amenity of Hagley Park and promote this as a major objective of the plan".

Accordingly, I cannot agree with Cl. 2.1 of the proposal, when it says it is "consistent with the vision of the Hagley Park Management Plan". The "Vision For The Park", as I read it, says: "The vision for Hagley Park is for it to be an iconic inner-city open space area for the city of Christchurch and to be a place for present and future residents and visitors to the city to visit, recreate in and appreciate". How those words can then magically translate - as they do in the proposal - to mean a major cricketing venue of international standing replete with stands and high-rise lighting for night games, together with attendant issues of crowd control and parking congestion in and around Hagley Park, is - I have to say - rather beyond me.

Further in respect of the Hagley Park Management Plan, it is noteworthy that the Associate Minister may amend or suspend a management plan in the exercise of S.71 - except the HPMP. The words in Section 71 of the GCR Act make clear that the HPMP is protected and cannot be set aside. Parliament has so directed.

It is also my view that the HPMP does not necessarily yield to the Christchurch City Recovery Plan (CCRC), notwithstanding a management plan cannot be inconsistent with a recovery plan. I do not see the HPMP as standing in the way of or being inconsistent with the CCRC. When the recovery plan when conceived, as I understand it, it did not specify in any detail, in any particular case, as to what or would not be an acceptable development for Hagley Park or the Cval. Therefore, in the absence of such detail, guidelines or directives, the

HPMP has to remain the focal point for the management and governance of Hagley Park (in conjunction with the Reserves Act 1977).


4. Conclusion. Prior to the proposal, all agencies and interest groups involved in the Hagley Park enterprise seemed in reasonable accord as to what was best for the Park. Now a radical element has been introduced, to destabilising effect. To approve the proposal would be further destabilising. Existing norms for managing Hagley Park would be redundant and require a fresh management plan to accommodate the new reality of Hagley Oval. Hagley Park can only suffer in all this.

The Greater Christchurch Regeneration Act 2016 will expire in 2021. It will have come and gone and left an unfortunate legacy for Hagley Park if it is used to approve the proposal. It is most inappropriate and unseemly that emergency legislation designed for genuine and essential regeneration and recovery is being used the way it is.

Those are my submissions.

Yours faithfully

s9(2)(a)



Proactively released by the Associate Minister for Greater Christchurch Regeneration

FURTHER COMMENTS OF ^{s9(2)(a)} [REDACTED] ON HIS
ORIGINAL SUBMISSIONS DATED 12 NOVEMBER 2019
REGARDING A PROPOSAL UNDER SECTION 71 OF THE
GREATER CHRISTCHURCH REGENERATION ACT 2016 TO
FURTHER DEVELOP HAGLEY OVAL

THESE FURTHER COMMENTS ARE PURSUANT TO A
PUBLIC NOTICE EXTENDING THE CLOSING DATE ON
SUBMISSIONS TO 2 DECEMBER 2019

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

2 December 2019

s9(2)(a)

Mr Shane Collins
Acting Executive Director
Department of the Prime Minister and Cabinet
Christchurch

Attention also Mr Andrew Hammond

Dear Sir

RE EXTENDED DEADLINE FOR COMMENTS ON S71 HAGLEY OVAL PROPOSAL, FURTHER TO CERTAIN REPORTS BEING MADE AVAILABLE.

Thank you for advising the above by email of 15 November 2019.

Accordingly, herewith email comments of mine additional to those I submitted to your Department on 12 November 2019. Specifically they relate to the Economic Assessment Technical Report lately made available (the Report).

1. The Report advises the "necessity" of using Section 71 of the Greater Christchurch Regeneration Act 2016 (the Act) to meet a critical deadline for hosting a tournament, thereby securing certain economic benefits. That, to me, is the Report's key recommendation.

I would remind, however, that the prime purpose of the Act is to promote the "regeneration" of Christchurch as defined therein. The prime purpose is not, as the Report would have it, the use of Section 71 to meet a deadline date advantageous to a cricketing body pursuing a private interest.

I further contend the work proposed for the Oval mentioned in the Report does not qualify as "regeneration" as defined in the Act. What is proposed is new work (lights etc) and not a "rebuild" of infrastructure damaged in the earthquakes, which the Act requires. Moreover, these new works if implemented would be 10-years removed from the earthquakes and as such so remote from them as to be considered outside the scope of the Act. Simply, the new works are unrelated to the earthquakes, because of the passage of time.

Furthermore, using Section 71 for reasons of urgency in meeting an inconvenient deadline (the rationale behind Cricket's proposal) would constitute an improper purpose or purpose ulterior to the Act. Having dealt with this subject at some length in my original submissions, I will not elaborate much further, except to say the point is of critical relevance to the Associate Minister in her deliberations.

2. The only remaining comment I would make on “improper purpose”, is that the economic benefits sought in the Report and the means of achieving them, are in themselves to some degree questionable.

The Report is after all quite explicit about those means. Page 8 refers to “Economic Benefits From Using Section 71 Process - Urgency”. It goes on to say that, “Seeking to achieve the proposed amendments to the District Plan required to facilitate night cricket at Hagley Oval via the usual process under the RMA would take too long ... and not provide the certainty for CTT to submit realistic bids to NZC to secure the hosting of important fixtures in this tournament”

In short, the whole thrust of the Oval proposal is about a future cricket tournament first and foremost and the use of S71 to achieve it, with “regeneration” a seemingly secondary consideration. The Act cannot be used this way as an expedient contrary to its mission purpose of regenerating greater Christchurch in the manner defined. And as has been said with some depth of feeling, it is not as if there have not been other more bone-fide ways and procedures for the proposal to have been consented and authorised without using S71.

3. A disappointing feature of the original Proposal and the Report, is their quite cavalier interpretation of “regeneration” as defined in the Act. No real analysis of the words used and their context is apparent, as is any attempt to give them their natural and ordinary meaning. Instead they are given a meaning so expansive as to accommodate almost anything that could be argued as promoting the recovery of greater Christchurch, notwithstanding what the Act might say.

Typical is this generalisation from the Report’s conclusions: ... “Having Hagley Oval as a domestic and international purpose built cricket venue ... will stimulate economic activity within Christchurch, as a consequence of increased demand for accommodation and other services to visitors attracted to the city for cricket matches at the ground” ...


A desirable end but largely removed from what the Act actually says. For instance, regeneration as stimulating economic activity has to be within the context of “urban renewal” in an “urban area” (as one of three definitions of “regeneration”). Stimulated economic activity may well assist the commercial inner city, but would have negligible effect on the rest of Christchurch, which is primarily suburban/urban and residential in nature. The question then, is how will more commercial cricket at Hagley Oval bring urban renewal and strengthen the “resilience of communities” within greater suburban Christchurch, so as to qualify as regeneration under the Act? That answer is that it won’t. The only certain outcome, as I said in my original submissions, is that urban dwellers would be guaranteed more cricket. Hardly an economic outcome advancing urban renewal.

Further, in reference to “visitors” in the extract quoted above, how exactly will they promote urban renewal in an urban area? On the whole they won’t, because visitors will in the main stay confined to the commercial inner city for dining, entertainment, transport and accommodation. The benefits are commercial in nature and not urban. The definition of “regeneration” in the Act is not therefore met.

4. Conclusion: The Report tries to measure economic returns but at no point are they presented or evident in any substance. Assumptions abound about the economic benefits to the city but they are in the main speculative. To be fair that is somewhat inevitable given the uncertainty of forecasting economic benefits in the future.

Nothing in the report, however, persuades me that the proposed Oval development would yield the economic benefits contemplated under the Act or that they even qualify as "regeneration".

s9(2)(a)

A large rectangular area of the document is redacted with a solid grey fill.

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Sunday, 24 November 2019 4:07 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval - use of section 71

Dear Ms Williams,

When the Regeneration bill was passed in Parliament, Megan Woods moved an amendment, carried unanimously, that excluded Hagley Park and gave its Hagley Park Management Plan primacy over the Regeneration Act.

It is now nine years since the 2010 earthquake and eight years and nine months since the 2011 earthquake. The time for urgency has passed and it is no longer appropriate to attempt to use emergency legislation to override standard processes.

Section 71 should NOT be used to avoid consideration of matters that would be considered under the standard Resource Management Act (RMA).

Hagley Park is a heritage open green space and needs to be retained for community use. Strict conditions re. number of games and use of lighting were imposed by the Environment Court, in an attempt to protect the values of this open space.

CCT already have permission for 4 RETRACTABLE lights and a limited number of games, commercialising a public area and restricting access to it when it should be accessible to all.

The current proposal features huge lights that will permanently tower over the Park at a height of 48.9m, and significantly disturb the setting and ambience of the surrounding area, both when in use and when not in use. If permission is granted and major games held, patients, staff and visitors at Christchurch Hospital needing accessible parking in the vicinity, and already severely disadvantaged, will be even more badly affected. Surely the needs to our least advantaged and most needy citizens take priority over those wishing to attend sporting fixtures?

The chance to possibly host a semi final of the Womens Cricket World Cup, known about since 2013, and other similar events, is NOT a sufficient reason to cause urgency and override proper processes.

The proposal is iniquitous and must be rejected.

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 shall be putting in a submission
s9(2)(a) [redacted] on 20 November 2019
A copy will also go to Christchurch
City Council

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

From: s9(2)(a) [redacted]
Sent: Monday, 14 October 2019 7:24 PM
To: Poto Williams MP <Poto.Williams.MP@parliament.govt.nz>
Subject: Lights

I support the lights at Hagley Oval, please.

s9(2)(a) [redacted]

Please consider the environment before printing this e-mail.

1 Comments lodged by s9(2)(a)
2 Telephone contact s9(2)(a)
3 Regarding the s71 Greater Christchurch Regeneration Act (GCRA) proposal, on behalf of the
4 Canterbury Cricket Trust (CCT), for the Hon. Poto Williams, Associate Minister for The Greater
5 Christchurch Regeneration Act, under delegated authority from the Hon. Dr Megan Woods, Minister
6 for Greater Christchurch Regeneration Act, to allow by Ministerial decision, certain changes to be
7 made to the Christchurch District Plan (CDP).

8
9 We note that these comments are the only formal opportunity for citizens of Christchurch to provide
10 their opinions on the s71 GCRA proposal.

11 We are appalled that the interests of commercial cricket and the intended broadcast coverage on TV
12 for night cricket matches at Hagley Oval in Christchurch is driving the efforts of the Canterbury
13 Cricket Trust (CCT) to:

- 14 (a) Make changes to the Christchurch District Plan (CDP) to accommodate the interests of
15 cricket above all others
- 16 (b) Have the conditions of consent, issued by the Environment Court for four retractable light
17 towers, amended to allow six permanent non retractable light towers to be constructed.
- 18 (c) Have restrictions relaxed to allow for expansion in the number of matches and playing days
19 permitted by the Environment Court on environmental and amenity grounds, and some
20 conditions of consent for operational matters set aside because they are seen by the CCT to
21 be too costly and inconvenient.
- 22 (d) Resorting to the use of s71 Greater Christchurch Regeneration Act to fast track consent for
23 all the changes it seeks, when that legislation was not intended to be used for that purpose.

24
25 The Environment Court also noted that the proposed light towers jar with the village green concept
26 that was intended to be achieved.

27 Non-retractable light towers will impose an even greater visual intrusion, particularly for the
28 proposed longer hours of night use, and for heightening the suggestion of a stadium facility beneath
29 those tall light towers not foreseen or contemplated in the Hagley Park Management Plan (HPMP).

30 Retractable light towers were as far as the Environment Court was prepared to go without seriously
31 compromising the environmental and amenity factors of Hagley Park as a whole.

32 The Court noted that any future costs of complying with the conditions of consent were for cricket
33 to consider as no evidence on cost was presented to the Court. Retrospectively raising the cost
34 associated with compliance is not an acceptable reason to overturn the conditions now. The reasons
35 for those conditions of consent remain valid.

36 Now the CCT seeks to increase the number of cricket matches and playing days at Hagley Oval
37 fenced off to exclude the public except those who pay. They wish to have the Christchurch District
38 Plan changed simply to suit themselves without respecting other users of Hagley Park.

39 Anticipating that cricket authorities would likely try to have the restrictions imposed by the Court
40 reduced after some seasons had passed, the Environment Court warned that cricket could not
41 "future- proof" Hagley Oval in that way.

42 This is the second time that cricket authorities have availed themselves of temporary earthquake
43 recovery legislation.

44 Cricket achieved what they now have at Hagley Oval courtesy of Ministerial intervention using
45 temporary powers on their behalf without which the pavilion and the light towers structures likely
46 would not have been allowed according to the Environment Court. When read in conjunction, the
47 Canterbury Earthquake Recovery Act (CERA) prevailed over the statutory HPMP.

48 This second round is courtesy of s71 of the Greater Christchurch Regeneration Act (GCRA).
49 Regenerate Christchurch has generously used its resources (public monies) to shape the proposal on
50 behalf of the CCT. This second attempt to use temporary Ministerial powers is we believe
51 mischievous, unlawful and contemptuous of public participation.

52 In both cases urgency was the reason to use the extraordinary powers available under CERA and the
53 GCRA. A pending Cricket World Cup (Men) was the lever to develop Hagley Oval. A pending Cricket
54 World Cup (Women) is the lever to put in place the light towers, but not the four consented
55 retractable versions. At least the first use of temporary powers still required the Environment Court
56 to assess the environmental impacts and to issue appropriate conditions of consent. That process
57 allowed for intensive public participation.

58 The pressure to switch to six permanent light towers is, we are told, because the International
59 Cricket Council (ICC) has new specifications for such lights. The consequences for the citizens of
60 Christchurch is that they are being told they must sacrifice the protections afforded by the HPMP for
61 their heritage listed and iconic central city park, because of the dictate issued from an international
62 sporting body that has no regard for the local non cricket users of Hagley Park. The ICC may play
63 hardball and not allocate top end international cricket matches for Hagley Oval. That is still no
64 reason to give way. Such coercion is despicable. It is also poor form for cricket supporters from
65 elsewhere in New Zealand to tell the Christchurch public what they should do in their much loved
66 Hagley Park.

67 There can be other venues developed for commercial cricket matches in Christchurch, but not in
68 time for the pending Women's Cricket World Cup. To yield now for the sake of a pending cricket
69 tournament is simply short term satisfaction for a few at the expense of long term loss of amenity
70 for the many that we will come to regret profoundly if it is allowed by the Associate Minister.

71 It is clear to us that commercial considerations also drive the desire to modify conditions of consent
72 for the use of Hagley Oval. The light towers are needed for commercial TV broadcast of night games.
73 The income generated from international viewing does not compensate local citizens. The
74 professional forms of the game require very significant funds to pay the contracted cricketers and to
75 run the events. "Follow the money trail" and one will see who benefits. It is not local citizens in
76 Christchurch. It is definitely time for the lease conditions for Hagley Oval, especially the light towers,
77 to be considered under the commercial lease conditions in the Reserves Act.

78 Irritatingly for cricket interests, the legislative GCRA tool expressly states that s71 cannot be used to
79 amend the HPMP. The HPMP comes under the Reserves Act. Given the extraordinary powers within
80 the GCRA to set aside other planning legislation in favour of a Regeneration Plan, Parliament has
81 singled out the HPMP as immune to modification short of a full scale review and that the HPMP will
82 continue to prevail as the primary document for the management of Hagley Park.

83 The CDP also cannot arbitrarily amend the HPMP. Therefore the relief sought by the CCT through
84 changes to the CDP will come up against provisions in the HPMP. They can be read together, but the
85 intention of Parliament is clear, the HPMP is to remain the primary means for managing Hagley Park.

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

89 (Hansard - 29 March 2016

90 [https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-regeneration-bill)
91 [megan-greater-christchurch-regeneration-bill\)](https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160329_00000979/woods-megan-greater-christchurch-regeneration-bill)

92 Those were the words spoken by the current GCRA Minister, the Hon. Dr Megan Woods, when the
93 crucial amendments were included in the GCRA.

94 The lights issue tends to obscure the very significant changes sought in the CDP. Those changes
95 fundamentally would challenge the status of the HPMP. Significantly, the notification calling for
96 public comment did not indicate the status of the HPMP or the limitations within the GCRA with
97 respect to the HPMP. That omission is all too convenient for an entity intent on promoting the
98 cricket cause. Previous Canterbury Cricket administrations had problems with the HPMP blocking
99 their ambitions.

100 Cricket interests have been lobbying worldwide for support for the six light towers at Hagley Oval.
101 Those same cricket interests contend that opposition comes from a minority. The reality is that non-
102 cricket users of Hagley Park far outnumber cricketers. As individuals, they do not have the resources
103 to lobby worldwide to save their park from the commercialisation of the commons. They have to
104 rely upon the application of the law and the fortitude of the Associate Minister to withstand the
105 pressure. The Associate Minister is effectively being asked to say to the Environment Court, "you
106 got it wrong".

107 Without benefit of public participation in the s71 process, even though the GCRA has that as one of
108 its objectives, we and many like us cannot appeal the Associate Minister's decision other than
109 through a Judicial Review processes. That avenue is financial hardship and risk writ large.

110 The special pleading of one sport should be ignored. It shows no regard for how it impacts other
111 people's amenity. It disregards the adverse environmental consequences on Christchurch's premier
112 heritage listed park.

113 The CCT do not acknowledge the commercial element in their plans. They carefully refrain from use
114 of the word "stadium" but that is the trajectory being taken at Hagley Oval.

115 Just why the CCT did not build the four consented retractable lights then claimed urgency because of
116 a pending Women's Cricket World Cup, should be explained. We along with others suspect that
117 cricket know they have this one last chance under special emergency legislation to get what they
118 want but it is an improper use of that temporary legislation.

119 We seek that the Associate Minister, having digested the public comments, registered the misgivings
120 of her own advisers, and examined the law, finally concludes that she will not allow the s71 proposal
121 to continue, telling the CCT that there are other more appropriate ways to progress their interests
122 that do not involve the use of extraordinary temporary emergency legislation.

123

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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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)?

No Parking facilities.
Noise – Too close to our main hospital.
Impact on ground should another quake occur.
ch.ch. only residents to have a say. Others not affected.
Will golf now get extra holes – plus lights?
No PROFIT to be made as Hagley was for amateur sport only.

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

s9(2)(a)

Proprietary information released by the Associate Minister for Greater Christchurch Regeneration

HAGLEY OVAL SUBMISSION

A belated blatant second bite at the Hagley Oval cherry, via lame duck Christchurch earthquake Regeneration legislation, for obtrusive bits of the original proposal turned down for good reasons, is not an appropriate use of facilitating legislation.

I played many social games on or near Hagley Oval well before my old cricket club HSOB and others were evicted from the village green precinct to make way for the current first class commercial facilities. I played my last on an adjacent ground in 2017 s9(2)(a)

The Oval is pitch perfect for any kind of cricket but, given its setting, it is now more appropriate for longer daytime forms of the game, especially test matches and three-day fixtures, where spectator numbers are smaller and spread out over a long time. This eases the pressure of traffic and parking in an increasingly busy hospital precinct, with the adjacent Metro Sports facility for the wider public in the offing.

It is less appropriate in terms of access for one day games and Twenty/20 matches and not appropriate at all if they are to be played partly at night, illuminated by six 49 m high lighting towers in place of the four retractable lights earlier approved but not installed. A significant increase in playing days at the Oval is also being pursued.

According to the Chair of the Canterbury Cricket Trust, this late push to circumvent the proper Resource Management Act process is because, with the 2021 ICC Women's World Cup being jointly hosted by New Zealand cities, the Oval "wouldn't be able to host any India games, and likely no England games, if we don't have lights." This is because of TV viewing times in those two countries.

Daytime is the best time for spectators to experience a true village green atmosphere and appreciate elite women's cricket. Whatever their time zones it is also the best time, between overs, to capture for overseas viewers enticing glimpses of the recreational public *taonga* of Hagley Park and the Botanical Gardens.

WWC21, with 8 countries participating, is run by 2021 Ltd, an independent company with a North Island board. 31 fixtures-some day, some day/night-will be allocated to New Zealand cities, after New Zealand Cricket was allocated the tournament in 2013. As now redeveloped Hagley Oval stands to get its fair share of daytime games, without the need for any extension of the compromise rules governing intrusive lighting etc.

If Lancaster Park had been redeveloped post-quakes as a stadium the rules would have been far less onerous than those which apply to a public park, in an inner city hospital precinct, with access and parking constraints, where a village green concept is most appropriate. Village greens don't have lights.

The Greater **Christchurch Regeneration Act** 2016 was only passed after the Hon. Dr Megan Woods moved an amendment, carried unanimously, that excluded Hagley Park and gave the Hagley Park management plan primacy over the Regeneration Act.

The standard RMA plan change processes are the correct channel for handling any proposed changes for the Oval. The extraordinary powers of Section 71 of the Regeneration legislation should not be used only months before they expire to circumvent the RMA.

The latter is an inappropriate and attenuated fast track process for which there is no need and no justification.

s9(2)(a)

From: s9(2)(a)
Sent: Monday, 2 December 2019 6:05 PM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Cc: poto.williams@parliament.govt.nz
Subject: Minister Poto Williams - Hagley Oval submission

HAGLEY OVAL SUBMISSION

It is indeed worrying to see Cricket has once again trying to turn the cricket oval in Hagley Park into a commercial enterprise and overturn most of the conditions imposed by the Environment Court.

The Park is precious to the people of Christchurch, as has been seen by the response when past attempts to alter the park have been proposed.

When the Regenerate bill was passed in Parliament, Megan Woods stood up for the Park and the people of Christchurch and moved an amendment which was carried unanimously by members. This amendment excluded Hagley Park and gave the Hagley Park Management Plan primacy over the Regenerate act.

We have at the present moment a Mayor who has voiced her support for Cricket ahead of the recent elections and a compliant staff making matters more difficult. They are just not upholding the Management Plan but acting in a way wherein it seems the primacy of big business is what matters most.

There are risks in trying to fast track processes if proposals are not considered properly against standard requirements. Section 71 should not be used to avoid consideration under the standard Resource Management Act Plan changes processes.

Once again Cricket is trying to bit by bit erode and change most of the conditions imposed by the Environment Court.

I am in the unfortunate position of having to attend regular appointments at the Christchurch Hospital. The prospect of having the oval turn into a busy commercial enterprise does not auger well for anyone.

I certainly do not wish for the park to be taken over bit by bit by commercial enterprises to the detriment of Hagley Park. Hagley Park is special and there for all, not to be plundered by those who do not want to follow the RMA and the Environment court's rulings.

I fear that if Cricket NZ gets their way then what hope is there for other parts of the park. Leave Hagley Park alone, we do not require further development in the Park. It is a wonderful oasis and caters for all citizens as it is.

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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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?

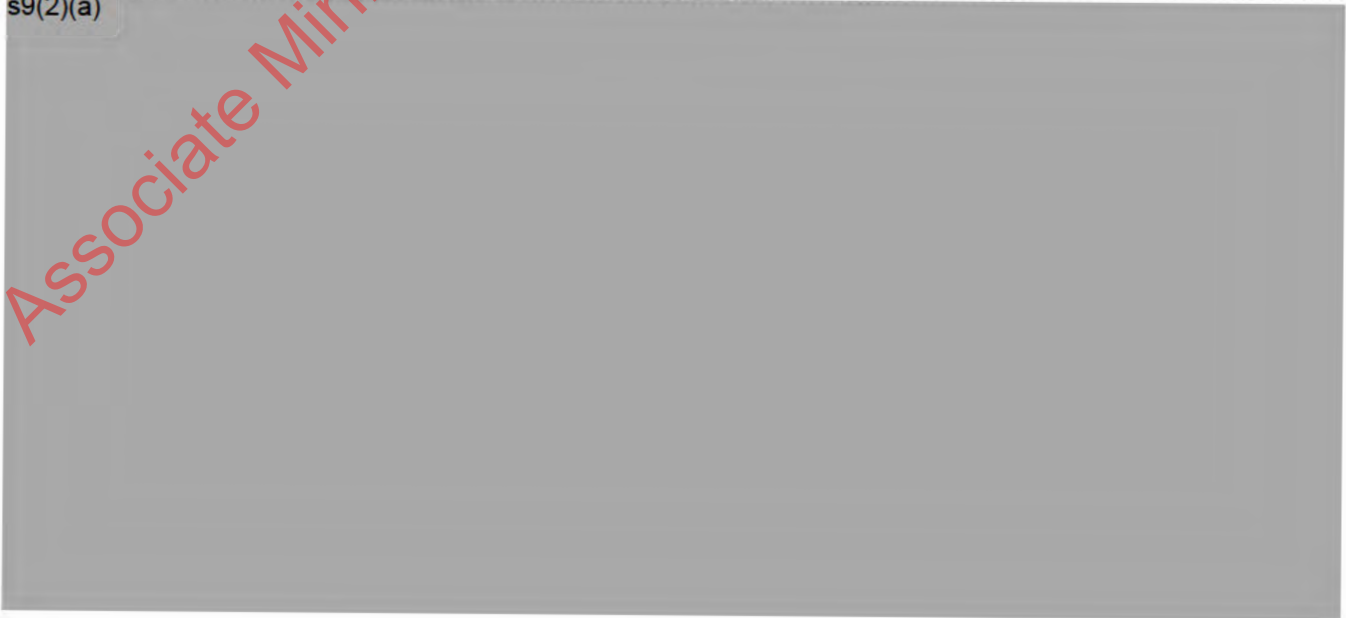
Yes No

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

I would like to see the installation of permanent floodlights at Hagley Oval. This would be a wonderful asset to cricket, being able to play day/night venues. Since we have lost the old 'Lancaster Park' venue, we have been limited to only having day games. It would attract more visitors to the City and help put Christchurch on the map again for International Cricket (especially with Women's Cricket World Cup 2021).

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

From: s9(2)(a) [REDACTED]
Sent: Sunday, 3 November 2019 8:43 PM
To: P Williams (MIN) <P.Williams@ministers.govt.nz>
Subject: Proposal from Canterbury Cricket Trust for installation of lights at Hagley Oval - please decline

Dear Poto Williams,

We are writing to you to request that you do not approve the Canterbury Cricket Trust (CCT) request for the installation of light towers at Hagley Oval.

We have lived in Christchurch for most of our lives (70+ years). We have been cricket lovers for over 60 years and one of us played club cricket in Christchurch and overseas for about 50 years. We want the best for cricket but not at the expense of our heritage and the enjoyment of other citizens.

We had misgivings about the original work on Hagley Oval after the Christchurch earthquakes but have accepted that this was a reasonable compromise between the aspirations of the CCT and

their supporters, and the community of Christchurch - both cricket lovers and other citizens. The current profile of the Oval is acceptable to us and most Cantabrians.

Over recent years there has been plenty of enjoyable cricket played at Hagley Oval without the need for artificial lighting.

The CCT needs a reality check when it come to the proposed usage of this part of our precious Park. For example, in the men's 2019/20 international season in New Zealand the Oval will be used for no more than seven days. Ramblers, runners, cyclists, field sports teams of all ages, to name a few, use the Park on an almost daily basis. Who speaks for them?

We are very concerned that the CCT wishes to use earthquake recovery laws to fast-track the changes to the district plan that would be needed for approval to be given for the installation of six 48.9-metre tall permanent (i.e. unretractable) lights. This is a significant "creep" from the original proposal of four retractable lights. Our understanding was this legislation was to facilitate the recovery of Christchurch after the earthquakes of 2010/2011. In our view, the CCT proposal is well without this remit. It seems to us that Section 71 of the Act should only be used in exceptional circumstances. In our opinion the CCT proposal does not pass that test.


We are concerned that the dictates of an international sporting body driven by commercial interest should have any say in decisions made by representatives of the Christchurch and Canterbury communities.

The proposed towers will be monstrous and will have a big impact on the Hagley Park "skyline". One gets a better idea of the impact of the proposed height when one considers there are only five buildings in central Christchurch over 50 metres in height. (According to Wikipedia)

We respectfully ask you as the Associate Greater Christchurch Regeneration Minister to decline this application in the interests of all Christchurch citizens.

Yours sincerely,

s9(2)(a)



From: s9(2)(a) [REDACTED]
Sent: Tuesday, 26 November 2019 9:51 AM
To: Info GCG [DPMC] <info.gcg@dPMC.govt.nz>
Subject: Hagley Oval section 71 Proposal - further information available

Thank you for the opportunity to provide a further submission on the Hagley Oval Section 71 Proposal.

The fact that the additional information regarding the submissions of other significant parties provided in the email from Shane Collins, Acting Executive Director, Greater Christchurch Group in the Department of the Prime Minister and Cabinet in the email of 15 Nov was not made available to members of the public in the first instance is disturbing. Where is the **transparency** in this process? It doesn't look good.

The process regarding the Section 71 Proposal **smacks of a *fait a compli*** with individual submitters being placed at a significant disadvantage and must bring into doubt the integrity of the consultation process.

The submission from the Christchurch City Council appears to be heavily influenced by **unproven assertions** from New Zealand Cricket and the Canterbury Cricket Trust regarding the economic benefits of the installation of lights at Hagley Oval. Anything that doesn't have a "**dollar label**" seems to have been ignored. Nowhere is there any consideration of the effects of this proposal on access to Christchurch Hospital for staff and visitors. There are already concerns being raised regarding access to the nearby Metro Sports Centre. What consideration has been made of potential disruption of the users of this facility?

There is **more to "regeneration" than a business balance sheet**. Regeneration for Christchurch is about healing and increased wellbeing for all its citizens. The current proposal fails in addressing these concerns.

The decision regarding the Section 71 Proposal must be declined.

s9(2)(a) [REDACTED]

25-11-19

Ms Poto Williams,
Associate Minister
Regeneration Christchurch

Dear Madam

Re Hagley Oval

I write to protest against the Canterbury Cricket Trust's proposals for changes to their lease of Hagley Oval.

Their demands for 6 49m permanent floodlights for day/night cricket matches would not be consistent with the strict conditions imposed by the Environment Court.

I request that you decline Canterbury Cricket Trust's proposals on the grounds that Hagley Park is meant to be for the use and enjoyment of Christchurch citizens, rather than a venue for a world-wide commercial venture.

Yours faithfully,

s9(2)(a)

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)?

THE VIEW IS TERRIFIC - AN ASSET FOR THE
CITY AND GREATLY APPRECIATED AND ATTENDED
BY MANY CRICKET-LOVING CITIZENS

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

From: s9(2)(a) [REDACTED]
Sent: Thursday, 31 October 2019 7:32 PM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: re Lancaster Park/Hagley Oval.

FYI Poto

Lancaster Park has now gone; the Deans Stand, Hadlee Stand; Paul Kelly Stand and the Tui Stand. A good college First X1 cricket/First XV rugby friend Trevor involved with Lancaster Park came to Christchurch in 1980 because it had a rugby test, a cricket test (both at Lancaster Park) and the Court Theatre. He also felt it would be a good place to live and get a job. I were living in the Wellington region (1971-2003) which saw the closure of Athletic Park in 1999. In the millennium opened @ Westpac Stadium with the Sevens Rugby International Tournament won by Fiji who beat New Zealand.

Now

No rugby tests until the Council and Crown spend \$500m. There is international cricket here in Christchurch because a few people made a substantial effort to return it to the City.

For over 150 years (1867) cricket has been played at the Oval in Hagley Park. Cricket participation in Canterbury are growing as are audience numbers.

Cricket at Hagley Oval contributes positively to the national and international perception of Christchurch and it came at a fraction of what the new stadium will cost - \$253m of ratepayers money. He was at Hagley Oval recently watching Northern Districts play Canterbury and chatted to the Black Caps coach Gary Stead who waxed eloquent about the Hagley Oval facilities.

When lights were installed at Lancaster Park Rugby representatives on the Victory Park Board said they were cricket lights as rugby did not need them. How things change.

Trevor had the privilege of playing in the first game played under lights at Lancaster Park as they had to "burn them in" before they were used in a competitive game. It was the Victory Park Board v The Valley of Peace and no one thought to bring a white ball so they had to play with a red one.

So it is with the lights at Hagley Oval. There is approval for four light towers that will not do the job. How things change.

Six of height 48.9m tall are required and they will ensure representative cricket does not become a North Island game. The Indian Cricket team who toured here in January and February 2019 played all their matches in the North Island under lights.

There are the local cricketers who get to play on Hagley Oval including Canterbury representatives and the school children who play outfield cricket on Friday evenings and Saturday mornings. The very same Oval that is being used for the T20 match Blackcaps v England this Friday

The status quo will not deliver international cricket in Christchurch just like Rugby will not play Tests here until \$500m is spent. Lancaster Park was used for both its now gone.

Post earthquakes I attended a public meeting where Hagley Oval was named an 'Anchor Project'. The plan being to upgrade to meet strict International criteria to host up to 20,000 people and LIT TO INTERNATIONAL STANDARDS.

The final decision rests with Associate Greater Christchurch Regeneration Minister Poto Williams. Let common sense prevail.

How things change. I encourage you to support the lights and lease application.

Regards

s9(2)(a)

From: s9(2)(a) [redacted]
Sent: Thursday, 24 October 2019 2:09 PM
To: s9(2)(a) [redacted] Main Broadcast Domain
Subject: re Lancaster Park Pics subsequent Submissions.

FYI

Formal submissions are required and in case you have not submitted the links are below.

Submission to the Minister

<https://dpmc.govt.nz/our-programmes/greater-christchurch-recovery-and-regeneration/section-71-proposals/hagley-oval> Go to **Fill in an online written comment form**

Submission to the Council

<http://www.ccc.govt.nz/the-council/consultations-and-submissions/haveyoursay/show/273> Go to the foot of **Hagley Oval lights lease and submit in favour and tell them "there'll be no catch up and will be left behind."**

Regards

s9(2)(a) [redacted]

Canterbury needs now (not tomorrow) to wake up and smell fresh roses.

Otherwise there'll be no catch up and will be left behind.

Along with other citizens we have supported getting the lights installed.

I know Wayne Hawker from the Liquorland success and we don't agree on this one.

You've probably read his Letters to the Press Editor.

Regards

s9(2)(a) [redacted]

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a) [REDACTED]
Sent: Friday, 15 November 2019 3:35 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Park

The Hagley Park is for the public. Not for the good of a private trust run by to Rich men

Proactively released by the
Associate Minister for Greater Christchurch Regeneration

Submission to Minister Poto Williams

S71 Regeneration Act application at Hagley Oval

Dear Minister

I submit respectfully requesting that you decline the application before you on the grounds that with respect to Hagley Park, the Regeneration Act Clause 34(5) states: 'where there are any inconsistencies between a Regeneration Plan and the park's Management Plan, it is the park's management plan that prevails'.

As a former Christchurch City resident, Council planner and submitter to the Christchurch District Plan hearings regarding Hagley Park, a few things stand out to me about the application before you. As an aside, I sat through the entire Environment Court hearing in 2013 as an interested member of the public. The Decision, which I've read cover to cover, shows the importance the Judge placed on the conditions of consent, as without them, it is stated, she would simply have had to decline the application as cumulative environmental effects were more than minor. Many of those conditions have been breached since the Canterbury Cricket development at the Oval has been operational.

This application, it has been stated in the media, has been declined by a Council planner in his/her report. That is something that rarely happens. The RMA is pro development. Planners have to follow strict parameters, as set out in the RMA. Every planner's report is subject to oversight by a panel of senior planners, before a decision to grant or decline an application is complete.

As a result the applicants, once again, are seeking to avoid the proper process in applying under S71 rather than the RMA. They have created a sense of urgency despite having had plenty of notice of the upcoming cricket calendar (2013) and requested the use of s71 Regeneration Act, a section that is to be considered by you as a last resort.

Hagley Park is an under-valued treasure. The residents of Christchurch, while proud of their park, are somewhat complacent, mostly getting on with their lives, and take for granted that their City has a majestic 165ha open greenspace at its heart, the largest open space in Christchurch. Hagley Park has few equals anywhere in the World in terms of size and central city location. Recreation facility planners and arborists around the World value Hagley Park greatly and it is viewed as part of a select few including the likes of Central Park, New York and Hyde Park, London.

This is the result of the foresight of planners who sought a well-conceived plan when designing on paper a new City in the colony of New Zealand. It was for the purpose firstly of assuring that the new settlers would have healthier conditions than they had left behind in England, but mostly it was a far-sighted vision to create a place where all future generations could feel comfortable to undertake passive recreation, it was purposely not a park for any one particular sporting code – the domain of some elite few who could pay. It was instead primarily a place for all the people created in 1855 by the Provincial Government. According to the government's decree at that time, Hagley Park is "reserved forever as a public park, and shall be open for the recreation and enjoyment of the public."

In time Hagley Park came under the Reserves Act, classified as a 'recreational reserve' and under the per-view of the Minister of Conservation whose powers have been delegated to the Christchurch City Council.

In the early years of the development of the City, several sporting clubs of various codes sprung up within the park – those facilities were of a size and scale that meant that the environment remained pre-dominantly for passive recreation and enjoyment of the open space environment. Fast forward

almost 170 years and we have an obligation to ensure that the foresight of the original City planners, in considering the passive needs of the future generations of New Zealanders, remains.

The environment doesn't have a voice. Preserving the environment falls to those who understand its worth and who appreciate its fragility. Never has the environment been more under threat and in need of guardianship by those in the position to make a difference for the greater good.

Today's sporting codes have become professional national businesses with huge profile and very specific demands on land use and the Christchurch District Plan caters for that by zoning land appropriately for such 'major sporting facilities.'


History

Canterbury Cricket cleverly harnessed the City's desperate desire after the earthquakes to overcome the adversity and return to normal and at the same time, to grow and encourage new development. Insidious lobbying happened, in fact crickets' people were even inserted into the organisations responsible for planning the way Christchurch's City Centre would emerge from the disaster. Indeed Hagley Oval was mysteriously elevated to the site of an 'anchor project' alongside the Justice Precinct and others on the list, despite all other sporting codes being similarly adversely effected in their pre-earthquake homes. Many codes are only just now re-located in the new Nga Puna Wai Sports facility. Others still wait for the Metro Sports Facility. Canterbury Cricket felt it had a real reason to hustle with the possibility of hosting rights for the upcoming World Cup event. It had people in high places in the new order of Christchurch earthquake recovery. It had the people to make it happen.

Before long the draconian CERA legislation over-rode all previous norms. It was for Hagley Park like taking a sledge-hammer to an eggshell. The Christchurch City Plan map of the Central City was changed to include Hagley Park, and the central city underwent an easing or removal of previous planning restrictions. Such was the desire to start afresh. CERA legislation over-rode the Hagley Park Management Plan, the City Plan and made it possible for Canterbury Cricket to make application for the right to occupy Hagley Oval with large new facilities, including lights creating light-spill over the park and Botanic Gardens and visible from the Port Hills.

Land in the Central City is zoned for such major sporting facility land-use. Lancaster Park is the right and proper central city zone for such land use.

s9(2)(a)



From: s9(2)(a) [redacted]
Sent: Monday, 11 November 2019 2:57 PM
To: Info GCG [DPMC] <info.gcg@dpmc.govt.nz>
Subject: Hagley Oval

Dear Madam or Sir

I do not agree to the installation of lights on Hagley Oval.
The height does not enhance Haley Park
Night match patrons will have on arrival and departure an adverse noise to patients in the new parts of the hospital.
I doubt our forebears anticipated the night use of the cities main park.
History will show that councils who want to alter Haley Park to any degree will not be treated well by the public.(a road through Hagley Park several years ago resulted in the mayor not being re - elected and the project was abandoned .

Yours sincerely,
s9(2)(a) [redacted]

Proactively released by the Associate Minister for Greater Christchurch Regeneration

From: s9(2)(a)
Sent: Thursday, 14 November 2019 11:56 AM
To: Poto Williams <poto.williams@parliament.govt.nz>
Subject: NZ Cricket proposed lights Hagley Oval

I wish to register my opposition to the installation of the proposed lights by NZ Cricket at Hagley Oval.

I believe it to be a fraud on a power to use old earthquake related legislation to push this through.

The lights will ruin the vista of Hagley Park and be obvious from afar. We need to preserve Hagley Park as it is for future generations to enjoy.

Perhaps NZ Cricket could relocate to Lancaster Park and install their lights there. This would be a great use of Lancaster Park as it has been a cricket (as well as rugby) ground in the past.

Thank you.

Kind regards

s9(2)(a)