

Your Ref

In reply please quote  
LUC0005/06.04

If calling, please ask for  
Karleen Kingsford



28 August 2012

John Olliver  
Bloxam Burnett & Olliver  
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Dear Sir

**APPLICATION BY G P FARMS LIMITED FOR LAND USE CONSENT TO CHANGE  
CONDITIONS 3 AND 9 OF CONSENT FOR MOTOR SPORTS PARK AT 26 CHRIS  
AMON DRIVE HAMPTON DOWNS**

You are advised that your application has now been determined and has been granted. Please find enclosed a copy of the Decision and the Consent.

**A Lapsing of Consents**

Your attention is drawn to section 125 of the Resource Management Act 1991. A summary of that section is that a resource consent lapses on the expiry of five years after the date of commencement of the consent, or after the expiry of such shorter or longer period as is expressly provided for in the consent, unless

- (a) The consent is given effect to, before the end of that period; or
- (b) An application which meets the criteria specified in section 125 is made to the Council.

**B Compliance with Conditions**

Please note that unless a specific time limit is stated in the conditions imposed by the Council when granting this consent, all conditions must be complied with before the use to which the consent relates is established.

**C Changes to Conditions**

Your attention is drawn to section 127 of the Resource Management Act 1991 which enables an application to be made at any time to Council to change or cancel any condition of this consent. Any such application should be accompanied by a deposit of \$1,250.00 for Land Use and Subdivision consents

**D Review of Decision on non-notified application**

Your attention is drawn to section 357 of the Resource Management Act 1991. This section provides that there is a right of objection to Council in respect of this decision. Section 357(5) requires:

Any such objection shall be made by notice in writing to the Council, setting out the reasons for the objection and should be accompanied by a deposit of \$1,250.00. This objection should be made within 15 working days after the decision or requirement being notified to that person, or within such further time as may in any case be allowed by the consent of the Council.

## E Right of Appeal

Your attention is drawn to the Resource Management Act 1991 sections 120 and 121 and also the Resource Management (Forms, Fees, and Procedure) Regulations 2003/153, Regulations 16 – 19. Some key provisions to note are as follows:

- i) You may appeal against the decision of the Council by lodging a Notice of Appeal in the prescribed form with the Registrar of the Environment Court and with the Council within 15 working days of the receipt by you, or the person who filed the application on your behalf, of the Council's decision. The address of the Environment Court is as follows:

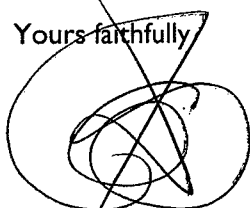
The Registrar  
Environment Court  
P O Box 7147  
Wellesley Street  
AUCKLAND

Specialist Court and Tribunal Centre  
Level 2  
41 Federal Street (Cnr Wyndham and Federal Streets)  
AUCKLAND CITY  
Telephone: 09 916 9091  
Fax: 09 916 9090

- ii) The appeal must be in the form prescribed by the Resource Management (Forms, Fees, and Procedure) Regulations 2003/153 or to like effect. The regulations may be purchased from Bennetts Government Bookshop, or they (and the RMA itself) are accessible on-line at [www.legislation.govt.nz](http://www.legislation.govt.nz). The form is identified as Form 34 in the regulations.
- iii) A filing fee of \$511.11 GST inclusive must accompany every document by which appeal proceedings are commenced.
- iv) Section 121 of the Resource Management Act 1991 sets out important information as to the persons upon whom the appeal must be served and the time when service must take place. It is essential that these provisions be adhered to. Failure to do so may result in your appeal being struck out.

If you are in any doubt as to the procedures to be followed it is strongly recommended that you consult a lawyer.

Yours faithfully



Joanne Smith  
**REGULATORY SUPPORT MANAGER**

Cc: Tony Roberts  
G P Farms Limited  
PO Box 28140  
Remuera  
Auckland 1541

# DECISION ON APPLICATION TO CHANGE OR CANCEL RESOURCE CONSENT CONDITION

*(Section 127, Resource Management Act 1991)*

Pursuant to Sections 34(A)(1) and 127 of the Resource Management Act 1991, the Waikato District Council, under delegated authority, gives approval for requested changes to conditions of an approved resource consent as follows:

**Application Number:** LUC0005/06.04

**Resource Consent Number:** LUC0005/06

**Applicant:** GP Farms Ltd

**Subject:** To change conditions 3 and 19 of consent for Hampton Downs Motorsports Park in the Rural Zone.

**Location Address:** Hampton Downs Road

**Legal Description:** Lot 1 DP 411257 Comprised in Computer Freehold Register 500902  
Lot 2 DP 411257 Comprised in Computer Freehold Register 449212  
Lot 5 DP 411257 Comprised in Computer Freehold Register 449214  
Lot 7 DP 411257 Comprised in Computer Freehold Register 449215  
Lot 8 DP 411257 Comprised in Computer Freehold Register 449216  
Lot 6 DP 411257 Comprised in Computer Freehold Register 500903

The resource consent is now subject to the Amended Conditions detailed in the attached Schedule 1.

The Reasons for this decision are detailed in the attached Schedule 2.

DATED at Ngaruawahia this 28th day of August 2012

For and On Behalf of Waikato District Council



Nath Pritchard

**GENERAL MANAGER REGULATORY**

## Schedule I

# Conditions of Consent

Resource Consent No: LUC0005/06.04

*Changes shown in Italics*

### COMMENCEMENT OF CONSENT

1. The period within which the consent holder may give effect to this consent shall be seven years from the date of commencement of this consent.

### GENERAL

2. The development shall be generally in accordance with the application documentation, unless otherwise altered by the consent conditions, and comprising:
  - Proposed Hampton Downs Motorsport Park, Application for Resource Consents and Assessment of Environmental Effects, January 2006.
  - Proposed Hampton Downs Motorsport Park, Application for Resource Consents and Assessment of Environmental Effects, Technical Reports, January 2006:
    - Fraser Thomas Ltd: GP Farms Ltd, Proposed Motorsport Track at Hampton Downs, Geotechnical Investigation Report, August 2005.
    - Fraser Thomas Ltd: GP Farms Ltd, Proposed Motorsport Track at Hampton Downs, Hydrology and Stormwater Management Report, August 2005.
    - Fraser Thomas Ltd: GP Farms Ltd Proposed Motorsport Track at Hampton Downs, Wastewater Management Report, August 2005.
    - GE Orbell: Land Use Capability Survey of Hampton Downs Motorsport Park .
    - Clough & Associates Ltd: Hampton Downs, Meremere: Proposed Motorsport Park. Preliminary Archaeological Assessment, December 2004.
    - Kingett Mitchell Ltd: Hampton Downs Motorsport Park Landscape And Visual Assessment, December 2005.
    - Kingett Mitchell Ltd: Hampton Downs Proposed Motorsport Park Freshwater Ecology Report, September 2004.
    - Hegley Acoustic Consultants: Proposed Hampton Downs Motorsport Development, Hampton Downs Assessment of Noise Effects, October 2005.
  - Fraser Thomas Ltd: Letter of 26 January 2006 responding to information request from Transit New Zealand.
  - Fraser Thomas Ltd: Letters of 14 and 20 February 2006 (in response to further information request), Indicative Business / Industrial Subdivision Plan and Indicative Building Types.

- Tony Roberts: Email of 20 February 2006, Artists Impression of Hampton Downs Circuit.
- Tony Roberts: Email of 10 March 2006 (in response to further information request), Indicative Rural Residential Subdivision Plan.
- Kingett Mitchell Ltd: Letter of 24 March 2006 (in response to submissions), confirming no application has been made for subdivision.
- Fraser Thomas Ltd: Draft Traffic Management Plan, Hampton Motorsport Park, Based on Proposed Consent Conditions Version V, May 2006.
- Fraser Thomas Ltd: Letter of 9 June 2006 responding to the traffic issues raised in the email of Mr Cameron Inder (Bloxam Burnett & Olliver) in his review of Traffic Planning Consultants Ltd's Traffic Impact Assessment report.
- Fraser Thomas Ltd: Email of 12 June 2006 to D Serjeant (Kingett Mitchell Ltd) regarding motorsport signage.
- Hegley Acoustic Consultants: Letter of 23 June 2006 (in response to submissions), an analysis report of noise levels that will be experienced at the houses of L Milnes and P & K Symes and at Springhill Prison.
- Traffic Planning Consultants Ltd: Hampton Downs Motorsport Park Traffic Impact Assessment, October 2006.
- Hegley Acoustic Consultants, Proposed Motorsport Development Hampton Downs Assessment of Noise Effects, October 2006.

## NOISE

3. The noise level from motor racing activities within the Motorsport Circuit shall not exceed the following limits measured beyond the 'Proposed Noise Control Boundary' as shown on Figure 4 submitted in the state of evidence of NI Hegley:
  - (a) On not more than 27 days per year (not more than 10 of the 27 days to be on a Sunday or public holiday), and between the hours of 9.00am to 6.00pm – 65dBA  $L_{10}$   
  
*Except that in any year where a V8 Supercars event is not held then a noise level of up to 65dBA  $L_{10}$  will be permitted between the hours of 9.00am to 6.00pm on up to 30 days per year (not more than 11 days to be on a Sunday or public holiday).*
  - (b) On not more than 40 days per year, and between the hours of 9.00am to 6.00pm – 55dBA  $L_{10}$
  - (c) Use of public address systems shall be permitted only between the hours of 7.00am and 7.00pm and shall not exceed a limit 50dBA  $L_{10}$

Figure 4 is attached as Attachment C.

Noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:1991: "Measurement of Sound" and New Zealand Standard NZS 6802:1991 "Assessment of Environmental Sound".

**Advisory Note:** The motor racing activities in (a) and (b) of condition 3 are exclusive of each other and define separate days.

**Advisory Note:** Any Event that complies with the noise limits set out in Rule 48.5.4(c) of the Operative Waikato District Plan does not require any limitation on the number of Events in regard to Noise.

4. The noise level from activities within the Business/Industrial area, Motor Camp Site and the Rural Lifestyle Zone shall not exceed the following limits when measured within the notional boundary of any existing dwelling;

Monday to Friday      7.00 am to 7.00 pm      50 dBAL<sub>10</sub>

Saturday      7.00 am to 6.00 pm      50 dBA L<sub>10</sub>

At all other times including Public Holidays      40 dBA L<sub>10</sub>

Monday to Sunday      10.00pm to 7.00am      75dBA L<sup>max</sup>

Noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:1991 "Measurement of Sound" and New Zealand Standard NZS 6802:1991 "Assessment of Environmental Sound".

**Advisory Note:** Notional Boundary as referred to in condition 4 above means a line 20 metres from the facade of any rural dwelling or the legal boundary, whichever is the closer to the rural dwelling, as defined in NZS6801:1991 "Measurement of Sound".

5. Noise from construction activities shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".
6. Monitoring of noise emission levels from motor racing activities within the Motorsport Circuit shall be undertaken by the Consent Holder to determine compliance with the specified limits of condition 3 above as follows:
- (a) During the initial Event allowing noise levels up to 65 dBA L<sub>10</sub> at the Noise Control Boundary, at representative positions around the Noise Control Boundary.
  - (b) During the initial Event allowing noise levels up to 55 dBA L<sub>10</sub> at the Noise Control Boundary, at representative positions around the Noise Control Boundary.
  - (c) At any other time if requested by the Waikato District Council where legitimate grounds exist for such a request.
  - (d) All monitoring shall be undertaken by a suitably qualified and experienced person and the results provided to the Environmental Services Group Manager at Waikato District Council within 14 days of completion of monitoring.

- (e) In the event of the noise monitoring required in (a), (b) and (c) above demonstrating non-compliance with the limits specified in condition 3 above, the consent holder shall take action to ensure that compliance is achieved prior to any further Event taking place and advise the Environmental Services Group Manager at Waikato District Council of the actions taken to achieve such compliance.
7. Prior to the operation of the Motorsport Circuit, the consent holder shall submit to the Environmental Services Group Manager at Waikato District Council a Noise Management Plan. The Noise Management Plan shall be prepared by a suitably qualified and experienced acoustical engineer engaged by the consent holder and shall identify all potential noise sources from motor racing activities at the Motorsport Circuit and indicate the means (both physical and management methods) by which compliance with the noise limits specified in condition 3 will be achieved. The Noise Management Plan is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with all noise limits specified in condition 3. The Noise Management Plan shall include, but not be limited to, the following:
- (a) A means of receiving, recording and responding to noise complaints, including a method of advising noise complainants within a reasonable timeframe (five (5) working days) of the outcome of the investigation into the noise complaint;
  - (b) A programme of noise measurement and assessment of compliance with the noise conditions, including details of the monitoring of noise levels for cars competing in Events with a noise limit of 65 dBA L<sub>10</sub>.

#### LANDSCAPING

8. Within six months from the granting of consent the consent holder shall submit to the satisfaction of the Environmental Services Group Manager at Waikato District Council, a Landscape Mitigation Plan prepared by a suitably qualified landscape architect. The Landscape Plan shall be based on the 'Landscape Plan (Figure 6, July 2006)' submitted in the statement of evidence of BM Gilbert and shall also include:
- (a) either the evergreen alders (*Alnus jorullensis*) or a boundary screen planting mix, along the full extent of the northern and eastern boundaries;
  - (b) detail of the staged visual mitigation and landscape restoration and implementation strategies that will be undertaken for all activities authorised by this consent, including but not limited to:
    - (i) The identification of the botanical name, common name, size at time of planting, mature height, quantities and location of all mitigation planting.
    - (ii) The height and location of any earth bunds or mounds created for visual, noise or mitigation purposes.
    - (iii) Topsoil stockpile and management plan for all topsoil stockpiled for more than six months from the time of stripping.
    - (iv) The restoration strategy for any disturbed landforms including:
      - permanent earthworks, including all road cuttings;

- temporary earthworks, including construction pads; and
- topsoil restoration.

The restoration strategy shall identify how any new landforms will be integrated into the natural contours, and revegetated so it appears homogenous with the surrounding landscape.

Figure 6 is attached as Attachment D.

9. Within six (6) months of the commencement of the consent, the consent holder shall undertake perimeter screen planting, as detailed on the approved Landscape Plan, to provide screening around the perimeter of the site adjacent to State Highway One.
10. The consent holder shall undertake the balance of the mitigation planting, landscaping and site rehabilitation works in accordance with the approved implementation strategy.
11. All mitigation planting, landscaping and site rehabilitation works shall be maintained in a satisfactory manner for the duration of the consent.
12. The 'shelter row planting' identified in 'Landscape Plan (Figure 6, July 2006)', Attachment D hereto, shall be established and maintained until the balance of mitigation planting has been undertaken, and forms an effective visual screen from State Highway One. The Environmental Services Group Manager at Waikato District Council will inspect this planting within 12 months of planting and thereafter on a three yearly cycle to ensure adequate growth opportunities beneath, for the boundary screen planting to establish.
13. Once a continuous screen shelter row has been established, the maintenance shall include replanting of any gaps created by death or damage of trees, in order to allow a continuous screen to re-establish. The shelter row planting shall not be removed until fifty percent of the boundary screen planting along the northern and eastern boundaries has reached at least three metres in height.
14. The Landscape Mitigation Plan shall be reviewed and amended as necessary by the consent holder, subject to the approval of the Environmental Services Group Manager at Waikato District Council to ensure that effective screening of the track is achieved. The consent holder shall strictly adhere to the plan and all works required by the plan shall be undertaken by the consent holder to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
15. Within six (6) months of the commencement of this consent the consent holder shall,
 

**either** enter into a performance bond to the value of \$100,000.00 (One Hundred Thousand Dollars) if the Motorsport Park is to be connected to a Waikato District Council reticulated wastewater system and evidence of a formal development agreement to confirm such system will be put in place is submitted to the Environmental Services Group Manager at Waikato District Council,

**or** enter into a performance bond to the value of \$250,000.00 (Two Hundred and Fifty Thousand Dollars) if the Motorsport Park is serviced by an on-site wastewater disposal system,

in accordance with section 108A(1) of the Resource Management Act 1991 for the purpose of remedying any failure in achieving effective screen planting over a ten (10) year term following the commencement of this consent. The bond shall also cover the



cost of remedying any failure of rehabilitated grassed areas and water control, and effective landscape screening. The bond shall be on the terms and conditions required by the Council and in a form acceptable to the Council and shall be prepared by the Council's solicitor, at the expense of the consent holder. The bond shall be a cash bond or shall be guaranteed by a surety acceptable to the Council.

## **SIGNAGE**

16. Signs associated with the Motorsport Park shall comply with the provisions of Rule 49.5 of the Operative District Plan, be internally facing so that their primary audience are Spectators and be screened from the State Highway by planting, so as not to compromise the safety and efficiency of traffic on the adjacent road network, nor interfere with the amenities outside the Motorsport Park.

## **TRAFFIC AND ROADING**

### ***Maximum Spectator Numbers***

17. The maximum number of spectators at an Event shall be 20,000.

### ***Weekday Events and Activities***

18. Except for Minor Events, no Events shall be held at the Motorsport Park on any weekday other than when a weekday is also a public holiday. Practise days for all Events are permitted on weekdays. For Minor Events and practise days on a weekday, total traffic volumes associated with a Minor Event or practise day and Day to Day Activities shall comply with the maximum arrival flow for Minor Events (that is, < 700 arrival vehicles per hour).

### ***Extreme Events***

19. There shall be a maximum of two (2) Extreme Events in any one year, *except for any year when no V8 Supercars event is held when five (5) Extreme Events may be held in any one year.* These Extreme Events require Traffic Management Plans that are based on TMS D (as identified in condition 47 below) to be implemented in addition to the physical works to the road network identified in condition 36 below.

### ***Implementation and Monitoring Committee (IMC)***

20. The consent holder shall establish and co-ordinate an "Implementation and Monitoring Committee" (IMC) within two months of commencement of the consent.

Voting members of the IMC shall consist (unless otherwise agreed by all voting members) of a representative from each of the following groups:

- The consent holder; and
- The NZ Police; and
- The Waikato District Council; and
- Transit New Zealand; and
- EnviroWaste Services Ltd or its successors or assigns; and
- Department of Corrections.

The IMC may also invite to the IMC meetings any other person, group or organisation that can assist the IMC in its responsibilities.

In the event that a group or organisation does not nominate a representative for the IMC, that group or organisation shall forfeit their right to be an IMC member until such time as they nominate a representative.

21. All draft Traffic Management Plans (TMP's) for Events associated with the Motorsport Park shall be submitted to the IMC for review and to make recommendations to the consent holder.
22. The consent holder shall convene all IMC meetings and appropriately communicate the proposed meeting agenda, meeting minutes, and any recommendations of the IMC to those affected and/or involved. A meeting agenda shall be circulated to all voting members and other meeting invitees at least 10 working days prior to the meeting to which it applies and meeting minutes shall be distributed to all voting members and other meeting invitees no more than 10 working days after completion of the meeting.
23. The consent holder shall advise all IMC members of the primary contact person and their contact details, and shall advise the IMC members if that contact person changes.
24. The consent holder shall provide required secretarial services and a venue within 65 km of the Motorsport Park for the IMC meetings. At least one meeting shall be convened before 1 September each year and additional meetings held if requested by any voting member of the IMC. Any additional meetings shall be held within one calendar month of the request.
25. The IMC shall operate with a quorum of 4 voting members unless otherwise agreed by all voting members. If any voting member of the IMC is not able to attend a meeting of the IMC, they shall (at least five working days in advance of the forthcoming meeting) provide written notice either requesting rescheduling of the meeting or advising that they do not want to attend.
26. Unless otherwise agreed by all voting members the recommendations of the IMC shall be made on the agreement of at least 4 members in attendance.
27. Issues that the IMC unanimously agree are minor issues may be addressed through correspondence (including e-mail and facsimile correspondence), provided that any decisions reached in this manner are unanimous decisions.

**Advisory Note:** *The intention of condition 27 above is to provide flexibility to the consent holder or other IMC members to clarify minor queries, which need to be addressed, without having to call a full meeting. These conditions do not preclude the IMC members from organising other meetings to address any issues that arise.*

### **Works**

28. Any roading related works the subject of these conditions shall not proceed until final design and specifications have been submitted to the relevant RCA, and their approval in writing has been obtained.
29. Prior to any parking in the northern 'event parking area' described as the two event parking areas of 1258 and 4440 spaces shown as Area C and Area D respectively on Fig 2.6 (Car Parking Plan) of the 'Application for Resource Consents and Assessment of Environmental Effects, January 2006', the consent holder shall construct a sealed

internal service road from Hampton Downs Road through the Business/Industrial area. Fig 2.6 is attached as Attachment E.

The internal service road shall be designed in accordance with Waikato District Council's Engineering Code of Practice and associated supplements, and shall include the following design parameters:

- Minimum sealed carriageway width: 10.5 m;
  - Minimum lane width: 3.5 m;
  - Mountable kerb and channel on each side of carriageway;
  - Vehicle parking 3.0 m wide within the carriageway (one side minimum);
  - Footpath required on one side from the access to the northern event car park to Hampton Downs Road;
  - Appropriate signage and road marking;
  - Maximum edge of seal radius of 15 m at intersections and accesses;
  - The intersection of Hampton Downs Road and the service road shall be generally located halfway between the western intersection of Hampton Downs Road with Old Hampton Downs Road and the accessway to the Springhill Corrections Facility.
30. The consent holder shall construct a right turn bay and a sealed vehicle entrance at the intersection of Hampton Downs Road and the service road to the Business/Industrial area before any of the following situations arise:
- (a) There is any development (excluding earthworks but including building construction) of the Business/Industrial area land for its intended long-term industrial use, or
  - (b) Any Medium Events are held, if these are being held prior to the development of the Business/Industrial area land. In this case, the right turn bay will be constructed to provide access to the parking areas, or
  - (c) Right turning traffic versus through traffic on Hampton Downs Road (at any point being used for access to the Business/Industrial area) falls into the areas described as AU or CH on the Austroads (Part 5, 2005) Figure 6.41.

Appropriate signage, flag lighting and road marking shall also be provided to the satisfaction of the Environmental Services Group Manager at Waikato District Council.

The right turn bay shall be located generally as shown on Traffic Planning Consultants Ltd Drawing 04221-11 and shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 - Roading. Drawing 04221-11 is attached as Attachment F.

31. The consent holder shall widen Hampton Downs Road from its eastern intersection with Old Hampton Downs Road to the westernmost vehicle entrance to the Motorsport Circuit as generally shown on Traffic Planning Consultants Ltd Drawings

04221-12 and 04221-13, being a distance of approximately 400m, before any of the following situations arise:

- (a) commencement of any Day to Day Activities, excluding construction activities associated with the Motorsport Park unless construction traffic volumes on Hampton Downs Road at any access point into the Motorsport Circuit falls into the areas described as AU or CH on the Austroads (Part 5, 2005) Figure 6.41, or
- (b) commencement of any Event at the Motorsport Park.

Drawings 04221-12 and 04221-13 are attached as Attachment G and Attachment H respectively.

The upgrading shall be shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 – Roading, and shall include the following design parameters:

- Minimum sealed carriageway width: 12 m;
  - Road marking to include:
    - Two traffic lanes of 3.5 m width;
    - Shoulders of 1m width each;
    - A 3 m wide painted median;
    - Painted right turn bays in the median at the Motorsport Park vehicle entrances.
32. Prior to the commencement of any Event at the Motorsport Park, the consent holder shall widen Hampton Downs Road from its intersection with the State Highway northbound off-ramp to its intersection with the eastern-most intersection of Old Hampton Downs Road (being a distance of approximately 50 m as generally shown on Traffic Planning Consultants Ltd Drawing 04221-13. Drawing 04221-13 is attached as Attachment H.

The upgrading shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 – Roading, and shall include the following design parameters:

- Minimum sealed carriageway width: 15m
- Road marking:
  - Two 3.5 m wide traffic lanes;
  - A 1 m wide (northern) shoulder;
  - A 3 m wide painted median end taper;
  - A 4 m wide (southern) shoulder.
  - Maximum edge of seal radius of 15 m at intersections.

33. During non-event periods when the additional sealed area provided under condition 32 above is not required, suitable marking or other suitable system as approved by the RCAs shall be provided to ensure no improper use of the additional sealed area occurs.
34. Prior to the commencement of any Event at the Motorsport Park the consent holder shall upgrade the State Highway southbound off-ramp to the Hampton Downs Road interchange. The upgrading shall comprise widening the off-ramp by 4m for a length of 60 m plus a diverge taper at the northern end of the widening that is at least 50 m long as generally shown on Traffic Planning Consultants Ltd Drawing 04221-14. The consent holder shall ensure that the design and implementation of the upgrading works takes into account the potential for differential settlement and the long-term stability of the existing off-ramp and the upgrading works. Drawing 04221-14 is attached as Attachment I.

The upgrading works shall be designed and road marked in accordance with Transit New Zealand requirements as defined by Transit's Standards and Guidelines Manual. The upgrading works shall be implemented to the satisfaction of the Transit New Zealand Regional Manager.

35. Prior to the commencement of any Event at the Motorsport Park, the consent holder shall construct the two sealed vehicle entrances, inclusive of flag lighting, to the Motorsport Circuit shown on Fig 1.3 (Overall Development Plan), Attachment A hereto. The vehicle entrances shall be generally in accordance with Traffic Planning Consultants Ltd Drawing 04221-12 (Attachment G hereto) and shall be constructed in accordance with Waikato District Council plan TSG – EI for a rural heavy commercial vehicle entrance and shall be wide enough to accommodate 2 (two) lanes of traffic travelling in either the same direction (two lane, one-way) or in opposing directions (two lane, two-way). Waikato District Council plan TSG – EI is attached as Attachment J.
36. Prior to holding an Extreme Event the consent holder shall widen Hampton Downs Road to 12 m from the westernmost Motorsport Circuit vehicle entrance to the intersection of the Business/Industrial area service road as generally shown on Traffic Planning Consultants Ltd Drawing 04221-21. Drawing 04221-21 is attached as Attachment K.

Works shall be in accordance with the following design parameters:

- Minimum sealed carriageway width: 12 m;
- Road marking to include:
  - Two traffic lanes of 3.5 m width;
  - Shoulders of 1 m width each;
  - A 3 m wide painted median.

The upgrading shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 - Roading

The works shall not proceed until final construction drawings, design quality assurance information and traffic safety and control measures, have been submitted to the

Environmental Services Group Manager at Waikato District Council, and approval in writing has been obtained from the Environmental Services Group Manager.

37. Prior to the commencement of any camping activity at the Motor Camp Site in the area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, the consent holder shall construct a sealed vehicle entrance off Hampton Downs Road. The vehicle entrance shall be constructed in accordance with Waikato District Council plan TSG – EI (Attachment J hereto) for a rural heavy commercial vehicle entrance and shall be wide enough to accommodate 2 (two) lanes of traffic travelling in either the same direction (two lane, one-way) or in opposing directions (two lane, two-way).
38. The consent holder shall maintain as clear space all the land shown on plan 29247/SK5 by Fraser Thomas as 'Clear space for start of possible road link to Dragway Road' to facilitate the extension of the service road for a link road connecting Hampton Downs Road with Dragway Road to be built if required in the future to mitigate adverse traffic effects arising from activities at the Motorsport Park. Plan 29247/SK5 is attached as Attachment L.

### **Parking**

39. Prior to the commencement of any Day to Day Activity at the Motorsport Park, the consent holder shall construct 250 car parking spaces on a sealed surface, within Area A of the 'operational parking areas' and the internal roading thereto shown on Figure 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
40. Prior to the commencement of any Minor Event at the Motorsport Park the consent holder shall construct at least an additional 2198 car parking spaces (to provide a total of 2448 spaces) on a hard-standing all weather surface and internal roading thereto shown as Area B on Fig 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
41. Prior to the commencement of any Medium Event at the Motorsport Park the consent holder shall construct at least an additional 1258 car parking spaces (to provide a total of 3706 spaces) on a hard-standing all weather surface within Area C of the 'event parking areas' and internal roading thereto shown on Fig 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
42. Prior to the commencement of any Major Event at the Motorsport Park the consent holder shall construct at least an additional 4440 car parking spaces (to provide a total of 8146 spaces) on a hard-standing all weather surface within Area D of the 'event parking areas' and internal roading thereto shown on Fig 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
43. Construction drawings for any parking areas under conditions 39 to 42 above shall be provided to the Environmental Services Group Manager at Waikato District Council detailing the proposed parking area layout. The works shall not proceed until final construction drawings, design quality assurance information (as defined in the Waikato District Council's Engineering Code of Practice and associated supplements), and traffic safety and control measures, have been submitted to the Environmental Services Group Manager, and their approval in writing has been obtained.

### ***Traffic Management Plans***

44. Prior to any Event being held at the Motorsport Park, the consent holder shall collect traffic survey data (that is, vehicle occupancy data, arrival flow rates, departure flow rates and spectator attendance numbers) that is no more than 5 years old from at least 5 events at other like venues, to support the basis of the consent holder's Traffic Management Plans.
45. Upon commencement of Events at the Motorsport Park, the consent holder shall commence collecting traffic survey data (that is, vehicle occupancy data, arrival flow rates, departure flow rates, and spectator attendance numbers) from the Motorsport Park Events to support the basis for Traffic Management Plans for future Events.
46. No less than 3 months before any Event, Traffic Management Plans (TMPs) shall be submitted to the RCAs for approval. All TMPs shall be submitted along with any recommendations of the IMC and supporting traffic survey data collected under conditions 44 and 45 of this consent. All TMPs shall be in accordance with the Transit New Zealand Code of Practice for Temporary Traffic Management (COPTTM) and shall be appropriate for the level of road (as defined by the individual RCAs) to which they apply.
47. All Traffic Management Plans shall also be prepared in general accordance with the Traffic Management Strategies (TMSs) presented in the Hampton Downs Motorsport Park Traffic Impact Assessment Report, October 2006, by Traffic Planning Consultants Ltd, which form part of this consent.

**Advisory Note:** *The Traffic Management Strategies (TMSs) are based on the range of total peak hour arrival flow rates for each event size, as follows:*

- *Minor Event; TMS A*
- *Medium Event; TMS B*
- *Major Event; TMS C*
- *Extreme Event; TMS D*

48. The Traffic Management Plans (TMPs) shall also contain the following information:
  - (a) Suitable provision for traffic to and from the Springhill Corrections Facility, the Hampton Downs Landfill site, and private dwellings, and for emergency access to and from those facilities/dwellings;
  - (b) Suitable provision for non-event traffic on all roads affected (including State highways and local roads), as identified within the TMP;
  - (c) Suitable provision for on-site traffic management including all weather parking and vehicle manoeuvring space for all Events;
  - (d) Provision for the use of buses, or other high occupancy vehicles (HOV), to take people to and from the Motorsport Park, and on-site parking for the buses and HOV;
  - (e) The programming, commencement and completion of all Events at times which will encourage Motorsport Park traffic to use the State Highway network other than at times of peak flows.
  - (f) When pre-ticketing and/or other non-road related initiatives are proposed to control any adverse effects on the State Highway.

- (g) The details of any Variable Message Signs (VMS) and/or other signage initiatives proposed to control any adverse effects on the State Highway.
- (h) Provision for concurrent Events at the Motorsport Park and Champion Dragway.
- (i) Measures to prevent parking and walking on the State Highway, and parking on local roads within 2 kilometres of the Motorsport Park.
- (j) Measures to ensure that the peak arrival times for traffic attending Medium or larger events at the Motorsport Park do not conflict with landfill traffic.
- (k) Appropriate traffic management contingency measures for any unplanned but reasonably foreseeable reduction in capacity of the roading network, which may include but is not limited to, the closure of off/on ramps, the closure of one or more State highway lanes, or cancellation of events.

**Advisory Note:** *the need to provide contingency measures for the unplanned closures of lanes or ramps (condition 48(k) above) is not dependent on the reason for the closure.*

**Advisory Note:** *Evidence of consultation with the landfill operator shall be included within the TMP to demonstrate compliance with condition 48(j) above.*

49. The consent holder shall ensure that sufficient equipment and personnel are available to satisfactorily and safely install and manage the contingency measures referred to in condition 48(k) above.

### **Performance Criteria**

50. The following operational performance criteria shall be met:

- (a) Total travel time of non-Motorsport Park related traffic must not be greater than 6 minutes for travel between the bottom of the appropriate interchange ramp and the intersection of the Springhill Corrections Facility access road with Hampton Downs Road.
- (b) Provision shall also be made for emergency services vehicles (eg fire, police, ambulance, military, Department of Corrections, vehicle needing emergency access to any site or dwelling located on, or with access from, Hampton Downs Road) such that the travel time for such vehicles, between the bottom of the interchange ramps and any facility that is accessible from Hampton Downs Road, must not be greater than 4 minutes.
- (c) Minimum deceleration lengths at off ramps from the State Highway shall be in accordance with Truck Stopping Sight Distance (TSSD) for a level grade, that is, 160 m (Table 6.10, Austroads, Part 5, 2005). This distance will be measured from a point where a minimum 3.5 m lane width (excluding shoulder) can be achieved within the existing off-ramp configuration (ie the diverge taper shall not be included in the length).

**Advisory Note:** *The 160 m deceleration length allows for a 2.0 second reaction time and deceleration from 90 km/h to a stop (for a truck) and is equivalent to the approach sight distance for a car with a 2.0 second driver reaction time and deceleration from 100 km/h to a stop.*



- (d) Travel speeds on the State Highway during Event departures (that is, on days when Events are being held and vehicles are departing the Motorsport Park) shall not be less than 85% of the State Highway speed (on days when Events are not being held) based on data from the corresponding hour for the same day of an equivalent week (as agreed by Transit New Zealand's Regional Manager) as measured over a continuous (rolling) 30 minute period. Speeds shall be measured on State Highway 1 at a point adjacent to the noses of the on ramps (as defined in Figure 12.10 (June 2004) of MOTSAM Part III).
51. Unless agreed otherwise by the RCAs, at least three Events of each size as defined shall be held and run in compliance with performance criteria condition 50 before the next sized Event is permitted to be held at the Motorsport Park.

### **Consequence of Non-Compliance with Performance Criteria**

52. If a breach of any of the performance criteria contained in condition 50 occurs during an Event, the consent holder shall not hold any more Events, of the same size (or larger) as the Event that was operating when the breach occurred, until such time as the mitigation measures have been identified and implemented to the satisfaction of the Waikato District Council and Transit New Zealand (Transit) in the manner set out below:
- (a) The consent holder and the IMC shall either separately or jointly provide Waikato District Council and Transit with a report detailing the nature of the breach, the reasons for the breach and the proposed mitigation measures to be undertaken.
  - (b) Within 28 days of receiving the report(s) Waikato District Council and Transit will advise the consent holder whether the mitigation measures proposed are acceptable to them, or alternatively, to advise of the mitigation measures they require.
  - (c) Failing agreement between Waikato District Council and Transit as to what mitigation measures are required, those parties will jointly appoint an independent and suitably qualified expert (and if they cannot agree on the expert, the appointment will be made by the President of the Resource Management Law Association of New Zealand) to determine what mitigation measures are required to be implemented.
  - (d) Waikato District Council and Transit will do all things necessary to ensure the independent expert is able to make a timely determination.
  - (e) Waikato District Council, Transit and the consent holder shall meet the costs of the independent expert on an equal basis.

**Advisory Note:** For the purpose of condition 52, the event size is defined as Minor, Medium, Major, or Extreme as described in the Definitions section of the Conditions. Therefore, if (for example) the breach occurs during a Medium Event, only Minor Events could be held until the mitigation measures are implemented.

## **Traffic Performance Monitoring**

53. For any Event requested by the consent authority, the consent holder shall engage a suitably qualified Traffic Engineer to produce a traffic survey report. The traffic survey report shall include analysis and comments on the adequacy of the traffic management and the adopted Traffic Management Plan (TMP), compliance and non-compliance with performance criteria (condition 50), and recommendations for future Events and changes needed to TMPs. The traffic survey report shall be submitted to the Environmental Services Group Manager at Waikato District Council and the IMC as evidence of compliance with the traffic and roading conditions of this consent and as supporting data for future TMPs as required under condition 46.
54. Ongoing monitoring and collection of survey data shall be determined at the discretion of the consent authority or as otherwise recommended by the IMC and agreed to by the Environmental Services Group Manager at Waikato District Council.
55. All Major and Extreme Events shall be monitored by the consent holder for spectator attendance numbers. The reports of spectator attendance numbers for each Event shall be submitted to the Environmental Services Group Manager at Waikato District Council and the IMC within 10 working days of the Event.
56. The consent holder shall supply and install at its cost Closed Circuit Television (CCTV) cameras (or such other objective recording system as may be agreed by the RCAs) to record traffic movements during Medium, Major and Extreme Events on the Interchange off-ramps to verify results and compliance with the performance criteria (condition 50) and to provide the IMC and the RCAs with a means to assess whether the performance criteria have been met. Markers (marker type to be agreed with RCAs) shall be installed at the maximum allowable queue length limit location. CCTV cameras (or the other agreed system) shall be installed at suitable position(s) along each Interchange off-ramp or at some other location such that the potential for parallax recording errors is minimised. Complete and continuous recordings of the images from the CCTV cameras (or other agreed recording system) shall be stored and retained by the consent holder for a period of not less than 1 month.

The results of the monitoring undertaken through the CCTV (or other agreed system) process shall be made available to the IMC and/or to the consent authority within 5 working days of their request for particular recordings to be made available. The recorded information shall be made available in the format agreed with the IMC and/or the consent authority.

**Advisory Note:** *Alternative objective recording systems may include (but are not necessarily limited to) a system of induction loops or still camera(s) that record images at an interval not exceeding 30 seconds.*

**Advisory Note:** *CCTV cameras or other agreed alternative objective recording systems may be install at any other time by the consent holder to verify results and compliance with the performance criteria (condition 50).*

## **Day to Day Operation**

57. Traffic Assessments shall be carried out by a suitably qualified Traffic Engineer to assess the day to day operational performance of the intersection of Hampton Downs Road with the State Highway off-ramps, the intersection of Hampton Downs Road with the Business/Industrial area service road, and other accesses to the Motorsport Park. The assessments shall be undertaken when the Business/Industrial area is half

occupied, and again when the Business/Industrial area is fully occupied. The Traffic Assessments shall:

- Determine the Business/Industrial area related trip generation rates for the AM peak, Inter-peak and PM peak hours for weekdays and for the highest peak hour for Saturdays,
- Compare the traffic volumes with those predicted in the 'Hampton Downs Motorsport Park Traffic Impact Assessment' dated October 2006 prepared by Traffic Planning Consultants, and
- Assess the need (and timing if required) for upgrading to traffic signal control at the intersections of Hampton Downs Road with the Interchange off ramps and/or any other measures as may be appropriate to minimise the potential for the performance criteria in conditions 50 (a), (b) and (c) to be breached.

Each Traffic Assessment shall be produced to the IMC for review, submitted to the Environmental Services Group Manager at Waikato District Council for approval, and any mitigation works promptly implemented to the satisfaction of the relevant RCA(s).

### ***Event Forward Planning***

58. The consent holder shall provide the IMC, the Environmental Services Group Manager at Waikato District Council and the Regional Manager of Transit New Zealand and occupiers of dwellings within 1km of the Motorsport Circuit with an annual provisional Event forward planning calendar for the period 1 June to 31 May the following year. The Motorsport Park calendar shall take into account the Champion Dragway calendar, such that Events do not coincide, other than concurrent Motorsport Park and Champion Dragway Events, permitted under condition 59, for which an appropriate Traffic Management Plan will be submitted to the IMC, and then the RCAs.
59. Motorsport Park Events shall be limited when programmed concurrently with Champion Dragway events, if the Champion Dragway event Traffic Management Plan requires the use of the Interchange to manage spectator arrival traffic. In this regard, the total combined peak hour arrival flow rate of concurrent Events on the Interchange off-ramps shall not exceed 1800 vph.
60. Notwithstanding condition 59, the consent holder shall not program an Event at the Motorsport Park concurrently with scheduled Champion Dragway events in instances where Champion Dragway is reliant on the Interchange until 3 Medium Events have been successfully held at the Motorsport Park.

### **BUSINESS/INDUSTRIAL AREA**

61. The maximum gross floor area for all activities in the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be 50,000 m<sup>2</sup>.

The consent holder shall keep a record of the gross floor area of all development within the 17 ha Business/Industrial area to ensure the 50,000 m<sup>2</sup> maximum gross floor area is not exceeded. This record shall be made available to Council upon request and shall be submitted in support of all building consent applications.

62. Activities established in the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be subject to the following conditions:
- (a) General warehousing shall comprise a maximum of 25% of the total gross floor area (gfa) of the 17 ha Business/Industrial area (being 12,500 m<sup>2</sup> gfa);
  - (b) Non-automotive activities shall comprise a maximum of 25% of the total gross floor area (gfa) of the 17 ha Business/Industrial area (being 12,500 m<sup>2</sup> gfa);
  - (c) Automotive activities may comprise 100% of the total gross floor area (gfa) of the 17 ha Business/Industrial area (being 50,000 m<sup>2</sup> gfa);
  - (d) Any activity that is of a noxious, dangerous, offensive or toxic nature is prohibited.
  - (e) The following activities are prohibited from establishing in the 17 ha Business/Industrial area:

Abattoirs	Asphalt and bitumen plants
Abrasive blasting	Animal by-product processing
Asbestos removal	Bulk Cartage Contractors
Building Recycling yards	Building Recyclers
Dairy Companies	Bus and Coach Tours
Car & Truck Wrecking Yards	Courier & Taxi Companies
Factory Farming	Carrier, Cartage Operators
Foundries	Explosive Manufacturers
Galvanising Plants	Fuel and Oil Suppliers
Heavy Haulage Contractors	Freight Forwarders
Hazardous Waste or Facilities Depot	Guns & Gunsmiths
Oil Refineries	House Removal
Septic Tank Services	Labour Hire Companies
Service Station	Recycling Centre
Scrap Metal Dealers	Shuttle Services
Saw Mill	Spring Manufacturers
Tallow Merchants	Tyre Retreaders
Timber Treatment Plants	Skating Rinks
Quarrying	Telemarketing Services
Zinc Products	Truck & Bus Dealers
Wool Scourers	

63. The maximum number of lots to be created by subdivision within the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be 20.
64. The standards and terms for development in the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be as follows:
- (a) Maximum building coverage: 45% of any site area associated with an activity or site area of a relevant certificate of title associated with the activity.

- (b) Landscaping/Screening: At least 10% of any site associated with an activity or an activity on a specific certificate of title shall be landscaped in a manner compatible with the open space rural environment and maintained in a manner that will enhance the visual appearance of the building and/or site.
- (c) Height and Height in Relation to Boundary: No building shall:
  - (i) Exceed 10 metres in height; and
  - (ii) Encroach into a plane 2.5 m plus three quarters of the horizontal distance from that part of the building to the boundary of a Residential, Rural Residential or Pa zone. Where a right of way adjoins such a boundary, the width of the right of way shall be included in the measurement of the horizontal distance.
- (d) Glare and lighting: Any activity that requires outdoor areas to be artificially lit, including verandah lighting, shall ensure that illumination does not exceed 20 lux measured vertically at the boundary of a Rural Residential or Pa Zone (Rural).
- (e) Yards: Yards shall be provided to the following minimum standards:
  - (i) Front Yard where a site is directly opposite a Residential, Rural-Residential or Pa Zone – 7.5 m minimum.
  - (ii) Side Yard abutting a Residential, Rural-Residential or Pa Zone – 7.5 m minimum.
  - (iii) Rear Yard abutting a Residential, Rural-Residential or Pa Zone – 7.5 m minimum.
- (f) Screening: Outdoor storage of waste materials, vehicle bodies or parts, shall be screened from view from any public road, reserve or boundary of an abutting Residential, Rural-Residential, or Pa Zone.
- (g) Parking, Loading Bays and Manoeuvring Space: Unless specified otherwise in these conditions of consent, all activities the subject of this consent are required to provide:
  - (i) Parking in accordance with Rule 36.5 Table I and Figures 1-3 of the operative district plan. Rule 36.5 Table I and Figures 1-3 are attached as Attachment M.
  - (ii) Sealed, drained and permanently marked parking spaces, loading bays and associated manoeuvring areas where there are five (5) or more parking spaces.
  - (iii) Parking spaces and loading bays which are not located on any access onto a public or private road, or common vehicle access onto a road, or outdoor living court. All parking and loading spaces shall remain unobstructed when not in use.
- (h) Reverse manoeuvring: Unless specified otherwise in these conditions of consent, an activity required to provide manoeuvring space for vehicles shall comply with the following:

- (i) Except for parking spaces required for a dwellinghouse or ancillary unit, all on-site design shall ensure that vehicles are not required to undertake more than one reverse movement when manoeuvring in or out of any vehicle parking space or loading bay.
  - (ii) Manoeuvring space for a dwellinghouse or ancillary unit shall be sufficient to enable a minimum of one (1) of the required number of parking spaces to comply with Rule 36.5 Figure 2 of the operative district plan (Attachment M hereto).
  - (iii) Turning space shall be provided so that no vehicle shall be required to reverse from or onto a road, or from or onto a private access serving two (2) or more sites.
- (i) On-site Parking Spaces and Loading Bays: Unless specified otherwise in these conditions of consent, parking, loading and manoeuvring spaces shall be located on the same site as the activity for which they are required and shall be constructed in accordance with the relevant performance standards specified in Rule 36.5 and Rule 36.5 Figures 1-3 (Attachment M hereto) of the operative district plan.
  - (j) On-site Safety Lighting: An activity in the Business/ Industrial area which requires parking and loading areas to be used at night shall be illuminated to a minimum level of 5 Lux on-site.

### **MOTOR CAMP SITE**

- 65. The Motor Camp Site shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be used for temporary short term camping activities only by a maximum number of 200 persons at any one time and be operated in accordance with the provisions of the Camping Ground Regulations 1985. For the purposes of this condition, 'temporary short term camping' shall be a period not exceeding 10 days.
- 66. A plan of the Motor Camp Site shall be submitted to the Consent Authority, which identifies the location of the utilities buildings, any cabins or other accommodation buildings and the location of the camping sites.

**Advisory Note:** For the purposes of conditions 65 and 66 above, "camping" means any form of overnight accommodation, whether in a tent, caravan, campervan, cabin or other structure of any form whatsoever.

### **RURAL LIFESTYLE ZONE**

- 67. Activities established in the 16 ha Rural Lifestyle Zone shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be permitted activities as stated in Rule 10.5.2 of the operative district plan. Rule 10.5.2 is attached as Attachment N.
- 68. The maximum number of lots to be created by subdivision within the 16 ha Rural Lifestyle Zone shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be 15.
- 69. Each lot created by subdivision shall accommodate a building platform complying with the following:
  - A residential area of 2500m<sup>2</sup>;

- A 30 m diameter circle exclusive of yards; or
- A rectangle of 1000m<sup>2</sup> with a minimum dimension of 25 m for one side, exclusive of yards.

**Advisory Note:** A geotechnical report may be required to confirm that the building platforms identified are suitable.

70. The standards and terms for development in the 16 ha Rural Lifestyle Zone shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be as follows:

- (a) Each lot shall be provided with underground power and telecommunication services.
- (b) Where a rural water supply scheme is available or provision for such a scheme is available, then all lots shall be required to join the scheme.
- (c) Maximum density of dwellings: One dwelling per lot contained in a separate certificate of title.
- (d) Height and Height in Relation to Boundary: No building shall:
  - (i) Exceed 7.5 m in height; and
  - (ii) No part of a building shall have a height exceeding 2.75 m plus three quarters of the horizontal distance from the building to the boundary of the lot. Where there is a right of way parallel and adjacent to such a boundary, the boundary to which the measurement is taken is to be that side of the right of way furthest from the site.
- (e) The gross floor area of all accessory buildings on a lot shall not exceed 100m<sup>2</sup>.
- (f) Yards: Yards shall be provided to the following minimum standards:
  - (i) Front Yard – 7.5 m.
  - (ii) Side Yard – 12 m.
  - (iii) Rear Yard – 12 m, except where the lot adjoins a lot of 1.6 ha or more then the minimum rear yard shall be 25 m.

### **SUBDIVISION CONCEPT PLAN OF MOTORSPORT CIRCUIT AREA**

71. The consent holder shall provide a comprehensive development plan of the Motorsport Circuit area of the site (identified on Fig 2.2 (Track Concept Design) Attachment B hereto) for approval by the Environmental Services Group Manager at Waikato District Council which will set out the proposals for subdivision in accordance with this consent, and which will show the location and extent of the separate activities to be carried out.

The comprehensive development plan shall be approved as a precursor condition of the lodgment of subdivision consents for the consented activities falling within this application, and shall include the framework for the subdivisions that will lead to the issue of separate certificates of title for all lots, units and/or apartments.

72. The standards and terms for subdivision of the apartments (within the Motorsport Circuit area) shall be:
- (a) Density shall not exceed one residential unit per 120m<sup>2</sup> RUSA.
  - (b) All residential units shall be provided with an outdoor living court, directly accessible from the unit, for the exclusive use of the occupants of that unit containing at least:
    - (i) ground floor units: 40m<sup>2</sup> which shall contain a circle with a minimum diameter of 6 m
    - (ii) first floor units and above: 10m<sup>2</sup> with a minimum dimension of 2 m.
  - (c) All residential units shall have access to and use of a service court containing at least 50m<sup>2</sup> within the unit development.
  - (d) All units shall be connected to utility services.
  - (e) Underground power and telecommunication services shall be provided to each building, and internally to each unit within each building.
  - (f) All units shall have access to a public road.
  - (g) Vehicle access and parking shall comply with Section 36 (Land Transport) of the operative district plan.
  - (h) Vehicle access and parking shall be located and formed so as to be readily accessible from each residential unit. Parking spaces shall be allocated for the exclusive use of each residential unit.
  - (i) The bulk and location of the units shall be as shown on Fig 1.3 (Overall Development Plan), Attachment A hereto.

### **WASTEWATER**

73. That at least two (2) months prior to the construction of the system for the treatment and disposal of wastewater from the main catchment (comprising spectator area, convention centre, restaurant, apartments, the driving school, and swimming pool backwash water only), as set out in Section 2.6 of the Application for Resource Consents and Assessment of Environmental Effects, the consent holder shall submit for approval by the Environmental Services Group Manager at Waikato District Council comprehensive investigation and design information showing:
- (a) Wastewater generation rates and likely variations;
  - (b) Treatment system proposed;
  - (c) The proposal for the disposal of treated wastewater showing:
    - (i) The location of proposed disposal area and reserve area(s); and
    - (ii) A full site characterisation of each area including a full description of the soils, information on ground water levels and the results of permeability



testing to demonstrate that the disposal area is suitable for the disposal of treated wastewater at the design irrigation loading rates; and

- (iii) A full assessment of the effects of the proposal on the environment including the control of odour, and management of water quality in drains, stormwater ponds and natural waterways as a result of the discharge of wastewater to land; and
  - (iv) Full design drawings and calculations to support these findings.
- (d) The system for the treatment and disposal of wastewater from the Motorsport Park site shall not include treatment ponds.
- (e) The consent holder shall submit evidence to the Environmental Services Group Manager at Waikato District Council of the legal mechanism to be put in place which will establish who is to be responsible for the future and on-going operation and maintenance, and ensure this legal mechanism is put in place.

### **STORMWATER**

74. That the construction and operation of the stormwater system be in accordance with the Application for Resource Consents and Assessment of Environmental Effects and reports submitted to support this land use consent.
75. That two (2) months prior to construction of the Motorsport Circuit the consent holder shall provide to the Environmental Services Group Manager at Waikato District Council, full and detailed engineering drawings and supporting calculations of the site's stormwater system, including all proposed reticulation for review and approval.
76. That prior to the commencement of any Event within the Motorsport Park the consent holder shall submit to the Environmental Services Group Manager at Waikato District Council a copy of the approved Stormwater Management Plan required under Environment Waikato's Discharge Permit 114109.
77. That two (2) months prior to any industrial activity occurring in the Business/Industrial area, the consent holder shall provide to the Environmental Services Group Manager at Waikato District Council a full design of the stormwater network, and provide details of the proposed contamination control measures to be adopted by the consent holder to avoid the contamination of stormwater for review and approval.
78. That construction of the Motorsport Circuit or undertaking of any industrial activity in the Business/Industrial area as identified in Conditions 75 and 77 above shall not occur until the plans have been approved by the Environmental Services Group Manager at Waikato District Council acting in a technical certification capacity.

### **DUST**

79. Dust and fine particulate matter discharged into the air from any activity subject to this consent shall not result in a rate of deposition in excess of 4 grams per square metre per 30 day period in any location beyond the boundary of the Motorsport Park.

### **GEOTECHNICAL AND EARTHWORKS**

80. A final earthworks design for the track fills and associated cut faces of borrow areas, access roads and ancillary earthworks shall be prepared and submitted to the

Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing, for review and approval. The earthworks design shall:

- (a) be based upon site specific design parameters and shall consider static and seismic conditions;
- (b) Include stability analyses for the following case loads:
  - (i) static loads, winter groundwater conditions;
  - (ii) static loads with 100 year flood including the effects of normal draw-down; and
  - (iii) seismic loads, winter groundwater conditions.
- (c) Detail measures for dealing with situations that do not conform at the time of construction with the design assumptions; and
- (d) Ensure that unsuitable fill spoil sites/dumps are located in such areas, and are of such size and slope profile, that they will not affect localised land stability.

81. An Earthworks Management Plan shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing for review and approval. The Earthworks Management Plan shall detail the following:

- (a) The proposed earthworks methodology;
- (b) Material sources, use/disposal and treatment;
- (c) Dust and noise control methodologies;
- (d) The process for managing any instabilities that may occur within the areas affected by earthworks; and
- (e) The remedial measures to be adopted and, where the effect of the instability extends outside the site, the means of remediating the affects to affected property owners.

82. A detailed Groundwater Management Plan shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing for review and approval. The Groundwater Management Plan shall:

- (a) Include final designs for the drainage systems;
- (b) Set out methods of site assessment by suitability qualified personnel to determine the need for the installation of further drainage during the site works;
- (c) In respect of subsoil drainage pipes in cut and fill slopes, detail the planned monitoring of the systems and means of access and cleaning of the systems; and
- (d) In respect of subsoil drainage pipes in cut and fill slopes, include certified as-built drawings and the production of a Drainage System Maintenance Procedure

detailing maintenance activities, timings and actions in the event of any defects being identified.

83. A liquefaction assessment shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing for review and approval.
84. Earthworks shall not commence until conditions 80 to 83 above have been met in full.

### **ARCHAEOLOGICAL**

85. In the event that any human remains or archaeological items are discovered, the works in the immediate vicinity of the remains or artifacts shall cease immediately, and the Environmental Services Group Manager at Waikato District Council, Police, Tangata Whenua and/or Historic Places Trust shall be notified by the consent holder as soon as practicable. Works may recommence with the written approval of the Environmental Services Group Manager at Waikato District Council. Such approval shall be given after the Environmental Services Group Manager has considered:
- Tangata Whenua interests and values;
  - the consent holder's interests;
  - any archaeological or scientific evidence;
  - any requirements of the Police; and
  - whether any necessary statutory authorisations have been obtained from the New Zealand Historic Places trust.

### **COMPLAINTS**

86. The consent holder shall to the satisfaction of the Environmental Services Group Manager at Waikato District Council ensure that there are sufficient resources available at all times to deal with public complaints and, in particular, noise problems. To this end the consent holder shall provide a 24 hours per day, 7 days per week contact service to facilitate the handling and resolution of any complaints.
87. The consent holder shall maintain and keep a complaint register for substantiated complaints about the activity received by the consent holder. The register shall record;
- (a) the date, time and duration of the event that is likely to have resulted in the complaint;
  - (b) the likely cause of the event and any factors which influenced its severity;
  - (c) the weather conditions and wind direction at the site at the time of the complaint;
  - (d) the nature and timing of any measures implemented to avoid, remedy or mitigate any adverse effects; and
  - (e) the steps taken or proposed to prevent reoccurrence of the event and similar events.

88. The register shall be made available to the Waikato District Council at all reasonable times. Complaints received by the consent holder shall be forwarded to the Environmental Services Group Manager at Waikato District Council as soon as practicable and within a maximum of 5 days of the complaint being received.

### **OUTDOOR STORAGE AND WASTE DISPOSAL**

89. All outdoor storage of materials at the Motorsport Park shall be located within the confines of a screened outdoor storage area.
90. All waste from the Day to Day Activities at the Motorsport Park shall be stored in suitable containers with appropriate lids and be removed from the site when full.
91. At the completion of an Event, all litter shall be cleaned-up within 12 hours, and removal from the site within 24 hours.

### **SALE OF LIQUOR**

92. The consent holder shall prepare and submit to the Environmental Services Group Manager at Waikato District Council for approval a plan which identifies the areas in which it is proposed to sell liquor to spectators. The areas shall be limited to the convention centre, restaurant, corporate boxes, spectator stands and screened merchandising/food/beverage areas. No sale of liquor is permitted outside the areas approved.

**Advisory Note:** *The hours of operation for the sale of liquor from any approved area under condition 92 above within the Motorsport Park site will be those determined and set by the District Liquor Licensing Authority.*

### **PETROLEUM FACILITIES**

93. That a Site Hazard Management Plan based on and prepared with reference to the following Local or National Standards and Guidelines shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council at least two (2) months prior to the installation of any petroleum storage tanks or the location of any tankers or drums containing petroleum, for review and approval. The petroleum facilities shall be constructed and operated in accordance with the approved Site Hazard Management Plan. The Site Hazard Management Plan shall include appropriate spill prevention and contingency measures.

- Building Act
- Dangerous Good Act
- Hazardous Substances and New Organisms Act
- Ministry for the Environment (MfE) – Environmental Guidelines for Water Discharges from Petroleum Industry Sites within New Zealand
- Occupational Safety and Health Service (OSH) – Code of Practice for the Design, Installation and Operation of Underground Storage Systems
- OSH – Code of Practice for the Transport and Disposal of Petroleum Storage Tanks and Related Wastes
- OSH – Guide on Sources of Ignition where Dangerous Goods are present

- Auckland Regional Council (ARC) – Technical Publication No. 10: Stormwater Treatment Devices
  - Accepted Oil Industry Protocols
94. That during construction activities, all machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so that it does not enter any surface water bodies.
95. That during construction activities, all storage and dispensing facilities for fuel, oil and similar contaminants shall be designed and operated in such a way that contamination of soil or water is avoided.

### **LOCATION OF BUILDINGS**

96. Prior to the construction of any buildings or structures requiring a building consent under the Building Act 2004, the consent holder shall provide to the Environmental Group Services Manager at Waikato District Council copies of the relevant certificate(s) of title/computer registers upon which the building or structure is to be constructed to verify that either the building or structure is not being constructed over the boundary of land parcels held in separate certificates of title or a Certificate pursuant to Section 77 of the Building Act 2004 has been issued to require that the titles must not be transferred or leased except in conjunction with any of the other allotments upon which the building is constructed and that the certificate has been recorded pursuant to Section 78 of the Building Act 2004.

### **REVIEW**

97. Pursuant to section 128 of the Resource Management Act 1991 (RMA) the Waikato District Council may serve notice on the consent holder of its intention to review the conditions of this consent during the month of the second anniversary of granting this consent and every second year thereafter after the commencement of Day to Day Activities. Such a review may be undertaken after consultation between the Council and the consent holder and shall address any adverse effects on the environment that may arise from the exercise of this consent, including without limitation:
- (a) amenity issues arising from noise generated by traffic associated with the Motorsport Park;
  - (b) amenity issues arising from the operating hours associated with the Motorsport Park activity; and
  - (c) traffic volumes, traffic noise and traffic safety on Hampton Downs Road, and the safe and efficient operation of State Highway 1.
98. Pursuant to Section 128 of the RMA the Waikato District Council may within two months of receiving a request from the Consent Holder (either at its own motion or on the recommendation of the IMC), review the conditions of consent and impose such further or amended conditions it considers necessary to ensure compliance with the traffic performance criteria in conditions 50 and 51 of this consent or to otherwise ensure the safe and efficient operation of the State Highway and the appropriate operation of the local road network.

## **ADMINISTRATION AND MONITORING CHARGES**

99. The consent holder shall pay to the Waikato District Council all actual and reasonable costs and additional charges in respect of monitoring the conditions of this consent in accordance with section 36 of the Resource Management Act 1991.

## **ADVISORY NOTES**

- a. Any work within the State Highway network will require prior approval of Transit New Zealand.
- b. All buildings and associated facilities within the Motorsport Park will require building consents in accordance with the requirements of the Building Act and Councils Building Regulations, and shall satisfy the relevant requirements of the District Plan.
- c. Applications for building consent for buildings within the Motorsport Circuit may be lodged following approval by Council of the comprehensive development plan required by Condition 71.
- d. Reference to Tangata Whenua in condition 85 refers to representatives of Tainui, Ngati Naho and Nga Muka iwi groups.
- e. As this application was received by Council prior to 21 June 2006 **no** development contributions will be payable to Council pursuant to the Local Government Act 2002 and Council's Development Contributions Policy.
- f. *The conditions in this resource consent do not apply to the V8 Supercars resource consent (LUC0250/12) which is a standalone resource consent that operates in parallel with this resource consent.*

## **Schedule 2**

### **Reasons for Decision**

Resource Consent No: LUC0005/06.04

- (a) Council is satisfied that the change to Conditions 3 and 19 can be granted pursuant to section 127 of the Resource Management Act, on a non-notified basis, for the following reasons:
- (b) That the change is minor such that potential adverse effects on the environment will be no more than minor in respect of noise effects and the number of extreme events that may be held per year.
- (c) That there will be no person adversely affected by the change;
- (d) That the change will not be contrary to relevant objectives and policies of the Waikato District Plan (Partially Operative); and
- (e) That the change is consistent with the purposes and principles of the Resource Management Act.

**REFER TO LUC0005/06 and LUC0005/06.03 for appendices and approved plans**





# Report on Application to Change Conditions of Existing Resource Consent

Sections 127 and 104 of the Resource Management Act 1991

<b>Date:</b>	26 July 2012	<b>LUC:</b>	LUC0005/06.04
<b>Reporting Planner:</b>	Karleen Kingsford	<b>Property Ref:</b>	1003194
		<b>Site Visit on:</b>	30 May 2012

<b>Applicant:</b>	G P Farms Limited		
<b>Property Address:</b>	Hampton Downs Road		
<b>Legal Description:</b>	Lot 1 DP 411257 Comprised in Computer Freehold Register 500902 Lot 2 DP 411257 Comprised in Computer Freehold Register 449212 Lot 5 DP 411257 Comprised in Computer Freehold Register 449214 Lot 7 DP 411257 Comprised in Computer Freehold Register 449215 Lot 8 DP 411257 Comprised in Computer Freehold Register 449216 Lot 6 DP 411257 Comprised in Computer Freehold Register 500903		
<b>District Plan Zoning:</b>	Motor Sport Park Sch 25D	<b>Map #:</b>	3
<b>Proposal:</b>	To change conditions 3 and 19 of consent for Hampton Downs Motorsports Park in the Rural Zone.		

## 1.0 INTRODUCTION

Pursuant to Section 88 of the Resource Management Act 1991 (the Act), Bloxam Burnett and Olliver (BBO) (the applicants agent) have prepared an application on behalf of GP Farms Ltd (the applicant), pursuant to Section 127 of the Act for a change of condition to land use consent LUC0005/06 granted on 28 November 2006 to establish and operate a Motorsport Park incorporating a 3.8 km race track with associated pit garages (32), spectator seating and support facilities, 95 parking spaces and race control facilities. Ancillary to the motorsport activities there are also proposed to be 80 residential accommodation units in four blocks of 20 units, inclusive of basement parking for 160 vehicles; a convention centre, restaurant and administration facility building; swimming pool and tennis court facilities; 12 industrial units for motorsport utilities and servicing industries; pedestrian over bridges; corporate show rooms, vehicle workshops and helipad facilities, a driver training school, inclusive of a skid pad and spectator parking for up to 7231 vehicles. Surrounding the Motorsport Park, it is also proposed to develop parts of the site for business/industrial activities (17ha), rural residential activities (16ha) and a camping ground (6ha) within the Rural Zone of the Waikato District Plan (Operative in Part).

This application has been lodged concurrently with an application for a land use consent (LUC0250/12) for a temporary activity to host the V8 Supercars at Hampton Downs

Motorsports Park for a three day duration, with remote park and ride car parking at Meremere Dragway in the Rural Zone of the Waikato District Plan (Operative in Part) and the at Mercer in the Business and Recreation Zone of the Operative Franklin District Plan. Whilst the proposal itself will be an annual event, the duration of the event and the use of the remote car parking areas will be temporary for a duration of three days, excluding set up and any temporary structures (security portacom, lighting, directional signage and portaloos) that will be set up at the remote car parking sites. The change of conditions will only be applicable if Hampton Downs Motorsports Park is successful in securing the V8 Supercars Event.

## 1.1 Proposal

BBO on behalf of the applicant have lodged an application to change two conditions of consent imposed as part of the original consent decision to LUC0005/06 issued on the 28 November 2006. The proposed changes require amendments to Condition 3 pertaining to noise and Condition 19 pertaining to number of extreme events that may be held per year.

## 1.2 Project & Site Description

The site is Hampton Downs Motorsports Park, which has constructed 2.7km of the consented 3.8km motor racing track, including spectator seating, corporate facilities, support facilities, pit garages, safety barriers and race control facilities. Four blocks of Apartments overlooking the race track and a small number of industrial units have also been established on site. The site has road frontage to Hampton Downs and State Highway 1. Landscape planting has been undertaken along the State highway road frontage to visually screen the site from the highway. All vehicular access to the site is via the Hampton Downs interchange. Land use in the immediate vicinity includes a small catchment of rural residential dwellings, Enviro Waste, the Springhill Mens Correctional facility and Meremere Dragway.

Diagram I – Site and Surrounding Area





Photo 1: Race Track at Hampton Downs

The site is consented for recreational motorised sport and has a defined category of events as follows:

Minor Event	<700 – 2000 total vehicles
Medium Events	2001-3500 total vehicles
Major Event	3501 – 5000 total vehicles
Extreme Event	5001- 8000 total vehicles

There are 99 conditions on the existing consent and it is proposed to change Conditions 3 and 19 as part of this application and include a new advisory note (f).

### 1.3 History

LUC0005/06 was granted on the 28 November 2006, as briefly described above, by the Council Regulatory Committee.

## 2.0 PROPOSED CHANGES

The application seeks to change Condition 3 and 19 as set out below and illustrated in underlined italics.

### 2.1 The existing Condition 3 reads as follows:

3. The noise level from motor racing activities within the Motorsport Circuit shall not exceed the following limits measured beyond the 'Proposed Noise Control Boundary' as shown on Figure 4 submitted in the state of evidence of NI Hegley:
  - (a) On not more than 30 days per year (not more than 11 of the 30 days to be on a Sunday or public holiday), and between the hours of 9.00am to 6.00pm – 65dBA  $L_{10}$
  - (b) On not more than 40 days per year, and between the hours of 9.00am to 6.00pm – 55dBA  $L_{10}$
  - (c) Use of public address systems shall be permitted only between the hours of 7.00am and 7.00pm and shall not exceed a limit 50dBA  $L_{10}$

Figure 4 is attached as Attachment C.

Noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:1991 : "Measurement of Sound" and New Zealand Standard NZS 6802:991 "Assessment of Environmental Sound".

**Advisory Note:** *The motor racing activities in (a) and (b) of condition 3 are exclusive of each other and define separate days.*

**Advisory Note:** *Any Event that complies with the noise limits set out in Rule 48.5.4(c) of the Operative Waikato District Plan does not require any limitation on the number of Events in regard to Noise.*

## 2.2 The proposed amendment to Condition 3 reads as follows:

3. The noise level from motor racing activities within the Motorsport Circuit shall not exceed the following limits measured beyond the 'Proposed Noise Control Boundary' as shown on Figure 4 submitted in the state of evidence of NI Hegley:

- (a) On not more than ~~30~~ 27 days per year (not more than ~~11~~ 10 of the ~~30~~ 27 days to be on a Sunday or public holiday), and between the hours of 9.00am to 6.00pm – 65dBA L<sub>10</sub>

Except that in any year where a V8 Supercars event is not held then a noise level of up to 65dBA L10 will be permitted between the hours of 9.00am to 6.00pm on up to 30 days per year (not more than 11 days to be on a Sunday or public holiday).

- (b) On not more than 40 days per year, and between the hours of 9.00am to 6.00pm – 55dBA L<sub>10</sub>
- (c) Use of public address systems shall be permitted only between the hours of 7.00am and 7.00pm and shall not exceed a limit 50dBA L<sub>10</sub>

Figure 4 is attached as Attachment C.

Noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:1991 : "Measurement of Sound" and New Zealand Standard NZS 6802:991 "Assessment of Environmental Sound".

**Advisory Note:** *The motor racing activities in (a) and (b) of condition 3 are exclusive of each other and define separate days.*

**Advisory Note:** *Any Event that complies with the noise limits set out in Rule 48.5.4(c) of the Operative Waikato District Plan does not require any limitation on the number of Events in regard to Noise.*

Comment

A copy of Figure 4 Proposed Noise Control Boundary is below:



The separate land use consent (LUC0250/12) for the V8 Supercars will enable all the V8 Supercars events to operate under a separate land use consent. As the V8's will exceed the noise limit of 65dBA for the three days, the purpose of this variation to the existing condition for the Hampton Downs Motorsports Park is to allow 3 of the consented 30 days under the existing consent to be used for the new landuse consent for the V8 Supercars Event.

The reduction in the number of days per year from 30 to 27, with not more than 10 (instead of 11) of these days being on a Sunday or Public Holiday, will ensure that the noise levels as a result of the V8 motor racing will be in accordance with the consented noise levels for Hampton Downs.

The change of condition will ensure that there will be no additional noise effects being created over what has been consented for at Hampton Downs due to any V8 Supercars Events being held. The V8 Supercars will operate under their own resource consent, in accordance with the above noise condition.

The change of condition will ensure that surrounding residents will not be exposed to any additional noise effects. A letter from Hegley Acoustic Consultants has confirmed that there will be no additional noise effects, subject to the change of conditions to allocate three days, one of which may be a Sunday, to the V8 Supercars and the equivalent noise condition being imposed in the V8 land use consent.

Any year that the V8 Supercars event is not held at Hampton Downs, the standard condition 3 shall apply. This has been endorsed by the addition to the condition as underscored in italics above.

### **2.3 The existing Condition 19 reads as follows:**

- 19 There shall be a maximum of five (5) Extreme Events in any one year. These Extreme Events require Traffic Management Plans that are based on TMS D (as identified in condition 47 below) to be implemented in addition to the physical works to the road network identified in condition 36 below.

### **2.4 The proposed amendment to Condition 19 reads as follows:**

- 19 There shall be a maximum of ~~five (5)~~ two (2) Extreme Events in any one year, except for any year when no V8 Supercars event is held (refer to resource consent LUC0005/6) when five (5) Extreme Events may be held in any one year. These Extreme Events require Traffic Management Plans that are based on TMS D (as identified in condition 47 below) to be implemented in addition to the physical works to the road network identified in condition 36 below.

### **Comment**

The advent of the V8 Supercars if they are to be held at Hampton Downs is considered to be an extreme event. The change of condition is to ensure that as a result of any V8 Supercars events that may be held at Hampton Downs, that there is no increase in the number of consented extreme events at Hampton Downs Motorsport Park.

The change of condition will effectively allow the V8 Supercars to operate within the established permitted baseline of effects with regards to the number of extreme events that may be held per year at Hampton Downs.

A further sentence has been added to the condition to ensure that in any year when there is no V8 Supercars event held, that the five extreme events may be held.

## **2.5 Inclusion of a new advisory note f.**

### Advisory Note:

- f. The conditions in this resource consent do not apply to the V8 Supercars resource consent (LUC0250/12) which is a standalone resource consent that operates in parallel with this resource consent.

### Comment

The addition of the above advisory note to the consent will not alter, change or affect in any way the validity of the conditions of consent of LUC0005/06.04. It merely advises that the V8 Supercars will operate under its own separate resource consent (LUC0250/12).

## **5.0 SECTION 127 – RESOURCE MANAGEMENT ACT 1991**

Section 127 of the Resource Management Act 1991 allows the holder of Resource Consent to apply to the Consent Authority for a change of any condition of that consent. In considering an application under section 127, the following matters require consideration:

### **127 Change or cancellation of consent condition on application by consent holder**

- (1) *The holder of resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:*
  - (a) *the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
  - (b) *no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*
- (2) *[Repealed]*
- (3) *Sections 88 to 121 apply, with all necessary modifications, as if-*
  - (a) *the application were an application for a resource consent for a discretionary activity; and*
  - (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- (4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who-*

- (a) made a submission on the original application; and
- (b) may be affected by the change or cancellation.

### **5.1 Section 127 (1)**

The consent holder is GP Farms Limited who has applied to change two conditions of consent LUC0005/06. The application is a land use consent not a subdivision and as such clause 1(a) is not relevant.

The requested change does not relate to a condition relating to the duration of the consent. As such clause 1(b) is satisfied.

### **5.2 Section 127 (2)**

Section 127(2) was repealed as part of the 2005 amendments to the Resource Management Act 1991.

### **5.3 Section 127 (3)**

Clause (3) states that all matters in sections 88 to 121 RMA apply to the consideration of an application to change a consent condition as if the application were for a discretionary activity and that for the purposes of assessment shall relate only to the effects of the change to the consent condition(s).

The proposal is to change Condition 3 and Condition 19 of LUC0005/06.

Condition 3 relates to the noise levels that shall not exceed the noise limits beyond the Proposed Noise Control Boundary as shown on Figure 4 in Section 2.2. Clause (a) of Condition 3, specifies that on 30 days per year that the consent may operate between the hours of 9am and 6pm up to a noise level of 65dBA  $L_{10}$ .

The change of condition seeks to modify clause (a) to 27 days, of which 10 (instead of 11) may be on a Sunday. The other three days, one of which may be a Sunday are effectively being reserved for an annual V8 Supercars Event. In any year that the V8 Supercars are not held then, the standard condition will apply. The potential effect associated with this change is noise and increased noise levels to surrounding neighbours. The change of condition seeks to ensure that there will be no increase in noise levels to neighbours and that the V8's can operate within the existing consented noise environment. This has been supported in a letter by Hegley Acoustic Consultants, who also assessed the noise levels for the establishment of Hampton Downs Motorsports Park.

The original noise assessment included noise from V8 Supercars. The supporting letter from Hegley Acoustic Consultants dated 4 July 2012 has stated that "...it is clear that V8 Supercar racing at Hampton Downs was allowed for in the original noise assessment and as such the proposed V8 racing will comply with the noise requirements of the existing consent conditions. I have been advised that an equivalent noise condition is being offered by the Applicant for the V8 Supercars resource consent which will adopt the same noise levels set out in Condition 3 above. I also understand that it is proposed to use three of the 30 days per year referred to in Condition 3(a) for the V8 Supercars event. On that basis it is clear that there will be no additional noise effects".



On the basis that the consent is not introducing any new noise effects, over what has already been consent, it is considered that there will be no change in effect by virtue of the change of Condition 3.

Condition 19 relates to extreme events and the number of extreme events that may be held in any one year. An extreme event is an event whereby it can be expected that there will be between 1801-2500 arrival vehicles per hour or 5001-8000 total vehicles. The Hampton Downs Motorsports Park is consented for five extreme events. It is proposed to change the condition, so that on any year when there is a V8 event at Hampton Downs, which has a duration of three days, that there shall only be two other extreme events held. Therefore cumulatively there will still only be five extreme events at Hampton Downs, regardless of whether the V8's are held or not. This demonstrates that the motorised sporting activities held at Hampton Downs are able to operate within the existing permitted baseline.

Based on the above analysis of the respective changes to Conditions 3 and 19 and the potential effects associated with the change it is considered that there will be no change in effect on the surrounding environment.

#### **5.4 Part 2 RMA**

Clause (3) states that all matters in sections 88 to 121 RMA apply to the consideration of an application to change a consent condition. As such, section 104 sets out the matters Council must have regard to subject to the overriding provisions of Part 2 RMA, in particular the effects on the environment of allowing the activity, any relevant provisions of plans (e.g. Operative and Proposed Waikato District Plans).

As already examined above, there will be no change in effect on the environment as a result of the change of conditions. Therefore it is also considered that the proposal will still be in keeping with the policies and objectives of the Plan.

Given the less than minor effects anticipated by the change, it is considered that the proposed change to Condition 3 and Condition 19 is consistent with the purposes and principles of the RMA - Part 2 matters, in particular the overall purpose of sustainable management of natural and physical resources - section 5 RMA.

#### **5.4 Section 127 (4)**

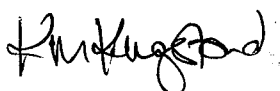
Clause (4) requires that Council consider who might be adversely affected by the change to the conditions. It states that for the purposes of determining who is adversely affected by the change the Council must consider every person who made a submission on the original application and may be affected by the change.

In this case, there were a number of submitters to the original application. The change of condition is effectively a transfer of the consented days when noise levels may operate to a certain level and reallocation of the number of extreme events that may be held at Hampton Downs to the V8 Supercars Event. In any year, that there is no V8 Supercar Event then the consent shall revert back to the original condition. This has been reflected in the change of conditions. The outcome is that all motorised recreational activities that are held at Hampton Downs Motorsport Park are able to operate within the existing permitted baseline with regard to noise level and the number of extreme events.

Therefore on this basis, it is considered that there are no potentially affected parties to the change of consent, as no new effects are being introduced.

## 6.0 CONCLUSION & RECOMMENDATION

For the reasons outlined above it is recommended that the application to amend Condition 3 and Condition 19 of resource consent LUC0005/06 be approved. The above report has discussed the potential effects on the environment and any potentially affected parties. It has been concluded that there will be no increase in effects and that there are no affected parties. A recommended decision including reasons is attached.



Karleen Kingsford

**PLANNER**

Date: 28/08/12.



//p Roger MacCulloch

**CONSENTS MANAGER**

Date: 28/8/2012



Nath Pritchard

**GENERAL MANAGER  
REGULATORY**

Date: 28/8/12

# DECISION ON APPLICATION TO CHANGE OR CANCEL RESOURCE CONSENT CONDITION

*(Section 127, Resource Management Act 1991)*

Pursuant to Sections 34(A)(1) and 127 of the Resource Management Act 1991, the Waikato District Council, under delegated authority, gives approval for requested changes to conditions of an approved resource consent as follows:

<b>Application Number:</b>	LUC0005/06.04
<b>Resource Consent Number:</b>	LUC0005/06
<b>Applicant:</b>	GP Farms Ltd
<b>Subject:</b>	To change conditions 3 and 19 of consent for Hampton Downs Motorsports Park in the Rural Zone.
<b>Location Address:</b>	Hampton Downs Road
<b>Legal Description:</b>	Lot 1 DP 411257 Comprised in Computer Freehold Register 500902 Lot 2 DP 411257 Comprised in Computer Freehold Register 449212 Lot 5 DP 411257 Comprised in Computer Freehold Register 449214 Lot 7 DP 411257 Comprised in Computer Freehold Register 449215 Lot 8 DP 411257 Comprised in Computer Freehold Register 449216 Lot 6 DP 411257 Comprised in Computer Freehold Register 500903

**DRAFT**

The resource consent is now subject to the Amended Conditions detailed in the attached Schedule 1.

The Reasons for this decision are detailed in the attached Schedule 2.

DATED at Ngaruawahia this th day of August 2012

For and On Behalf of Waikato District Council

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Nath Pritchard

**GENERAL MANAGER REGULATORY**

## Schedule I

# Conditions of Consent

Resource Consent No: LUC0005/06.04

*Changes shown in Italics*

### COMMENCEMENT OF CONSENT

1. The period within which the consent holder may give effect to this consent shall be seven years from the date of commencement of this consent.

### GENERAL

2. The development shall be generally in accordance with the application documentation, unless otherwise altered by the consent conditions, and comprising:
  - Proposed Hampton Downs Motorsport Park, Application for Resource Consents and Assessment of Environmental Effects, January 2006.
  - Proposed Hampton Downs Motorsport Park, Application for Resource Consents and Assessment of Environmental Effects, Technical Reports, January 2006:
    - Fraser Thomas Ltd: GP Farms Ltd, Proposed Motorsport Track at Hampton Downs, Geotechnical Investigation Report, August 2005.
    - Fraser Thomas Ltd: GP Farms Ltd, Proposed Motorsport Track at Hampton Downs, Hydrology and Stormwater Management Report, August 2005.
    - Fraser Thomas Ltd: GP Farms Ltd Proposed Motorsport Track at Hampton Downs, Wastewater Management Report, August 2005.
    - GE Orbell: Land Use Capability Survey of Hampton Downs Motorsport Park .
    - Clough & Associates Ltd: Hampton Downs, Meremere: Proposed Motorsport Park. Preliminary Archaeological Assessment, December 2004.
    - Kingett Mitchell Ltd: Hampton Downs Motorsport Park Landscape And Visual Assessment, December 2005.
    - Kingett Mitchell Ltd: Hampton Downs Proposed Motorsport Park Freshwater Ecology Report, September 2004.
    - Hegley Acoustic Consultants: Proposed Hampton Downs Motorsport Development, Hampton Downs Assessment of Noise Effects, October 2005.
  - Fraser Thomas Ltd: Letter of 26 January 2006 responding to information request from Transit New Zealand.
  - Fraser Thomas Ltd: Letters of 14 and 20 February 2006 (in response to further information request), Indicative Business / Industrial Subdivision Plan and Indicative Building Types.

- Tony Roberts: Email of 20 February 2006, Artists Impression of Hampton Downs Circuit.
- Tony Roberts: Email of 10 March 2006 (in response to further information request), Indicative Rural Residential Subdivision Plan.
- Kingett Mitchell Ltd: Letter of 24 March 2006 (in response to submissions), confirming no application has been made for subdivision.
- Fraser Thomas Ltd: Draft Traffic Management Plan, Hampton Motorsport Park, Based on Proposed Consent Conditions Version V, May 2006.
- Fraser Thomas Ltd: Letter of 9 June 2006 responding to the traffic issues raised in the email of Mr Cameron Inder (Bloxam Burnett & Olliver) in his review of Traffic Planning Consultants Ltd's Traffic Impact Assessment report.
- Fraser Thomas Ltd: Email of 12 June 2006 to D Serjeant (Kingett Mitchell Ltd) regarding motorsport signage.
- Hegley Acoustic Consultants: Letter of 23 June 2006 (in response to submissions), an analysis report of noise levels that will be experienced at the houses of L Milnes and P & K Symes and at Springhill Prison.
- Traffic Planning Consultants Ltd: Hampton Downs Motorsport Park Traffic Impact Assessment, October 2006.
- Hegley Acoustic Consultants, Proposed Motorsport Development Hampton Downs Assessment of Noise Effects, October 2006.

## NOISE

3. The noise level from motor racing activities within the Motorsport Circuit shall not exceed the following limits measured beyond the 'Proposed Noise Control Boundary' as shown on Figure 4 submitted in the state of evidence of NI Hegley:
  - (a) On not more than 27 days per year (not more than 10 of the 27 days to be on a Sunday or public holiday), and between the hours of 9.00am to 6.00pm – 65dBA  $L_{10}$ 

*Except that in any year where a V8 Supercars event is not held then a noise level of up to 65dBA  $L_{10}$  will be permitted between the hours of 9.00am to 6.00pm on up to 30 days per year (not more than 11 days to be on a Sunday or public holiday).*
  - (b) On not more than 40 days per year, and between the hours of 9.00am to 6.00pm – 55dBA  $L_{10}$
  - (c) Use of public address systems shall be permitted only between the hours of 7.00am and 7.00pm and shall not exceed a limit 50dBA  $L_{10}$

Figure 4 is attached as Attachment C.

Noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:1991: "Measurement of Sound" and New Zealand Standard NZS 6802:1991 "Assessment of Environmental Sound".

**Advisory Note:** The motor racing activities in (a) and (b) of condition 3 are exclusive of each other and define separate days.

**Advisory Note:** Any Event that complies with the noise limits set out in Rule 48.5.4(c) of the Operative Waikato District Plan does not require any limitation on the number of Events in regard to Noise.

4. The noise level from activities within the Business/Industrial area, Motor Camp Site and the Rural Lifestyle Zone shall not exceed the following limits when measured within the notional boundary of any existing dwelling;

Monday to Friday	7.00 am to 7.00 pm	50 dBAL <sub>10</sub>
Saturday	7.00 am to 6.00 pm	50 dBA L <sub>10</sub>
At all other times including Public Holidays		40 dBA L <sub>10</sub>
Monday to Sunday	10.00pm to 7.00am	75dBA L <sup>max</sup>

Noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:1991 "Measurement of Sound" and New Zealand Standard NZS 6802:1991 "Assessment of Environmental Sound".

**Advisory Note:** Notional Boundary as referred to in condition 4 above means a line 20 metres from the facade of any rural dwelling or the legal boundary, whichever is the closer to the rural dwelling, as defined in NZS6801:1991 "Measurement of Sound".

5. Noise from construction activities shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".
6. Monitoring of noise emission levels from motor racing activities within the Motorsport Circuit shall be undertaken by the Consent Holder to determine compliance with the specified limits of condition 3 above as follows:
- (a) During the initial Event allowing noise levels up to 65 dBA L<sub>10</sub> at the Noise Control Boundary, at representative positions around the Noise Control Boundary.
  - (b) During the initial Event allowing noise levels up to 55 dBA L<sub>10</sub> at the Noise Control Boundary, at representative positions around the Noise Control Boundary.
  - (c) At any other time if requested by the Waikato District Council where legitimate grounds exist for such a request.
  - (d) All monitoring shall be undertaken by a suitably qualified and experienced person and the results provided to the Environmental Services Group Manager at Waikato District Council within 14 days of completion of monitoring.

- (e) In the event of the noise monitoring required in (a), (b) and (c) above demonstrating non-compliance with the limits specified in condition 3 above, the consent holder shall take action to ensure that compliance is achieved prior to any further Event taking place and advise the Environmental Services Group Manager at Waikato District Council of the actions taken to achieve such compliance.
7. Prior to the operation of the Motorsport Circuit, the consent holder shall submit to the Environmental Services Group Manager at Waikato District Council a Noise Management Plan. The Noise Management Plan shall be prepared by a suitably qualified and experienced acoustical engineer engaged by the consent holder and shall identify all potential noise sources from motor racing activities at the Motorsport Circuit and indicate the means (both physical and management methods) by which compliance with the noise limits specified in condition 3 will be achieved. The Noise Management Plan is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with all noise limits specified in condition 3. The Noise Management Plan shall include, but not be limited to, the following:
- (a) A means of receiving, recording and responding to noise complaints, including a method of advising noise complainants within a reasonable timeframe (five (5) working days) of the outcome of the investigation into the noise complaint;
  - (b) A programme of noise measurement and assessment of compliance with the noise conditions, including details of the monitoring of noise levels for cars competing in Events with a noise limit of 65 dBA L<sub>10</sub>.

## LANDSCAPING

8. Within six months from the granting of consent the consent holder shall submit to the satisfaction of the Environmental Services Group Manager at Waikato District Council, a Landscape Mitigation Plan prepared by a suitably qualified landscape architect. The Landscape Plan shall be based on the 'Landscape Plan (Figure 6, July 2006)' submitted in the statement of evidence of BM Gilbert and shall also include:
- (a) either the evergreen alders (*Alnus jorullensis*) or a boundary screen planting mix, along the full extent of the northern and eastern boundaries;
  - (b) detail of the staged visual mitigation and landscape restoration and implementation strategies that will be undertaken for all activities authorised by this consent, including but not limited to:
    - (i) The identification of the botanical name, common name, size at time of planting, mature height, quantities and location of all mitigation planting.
    - (ii) The height and location of any earth bunds or mounds created for visual, noise or mitigation purposes.
    - (iii) Topsoil stockpile and management plan for all topsoil stockpiled for more than six months from the time of stripping.
    - (iv) The restoration strategy for any disturbed landforms including:
      - permanent earthworks, including all road cuttings;

- temporary earthworks, including construction pads; and
- topsoil restoration.

The restoration strategy shall identify how any new landforms will be integrated into the natural contours, and revegetated so it appears homogenous with the surrounding landscape.

Figure 6 is attached as Attachment D.

9. Within six (6) months of the commencement of the consent, the consent holder shall undertake perimeter screen planting, as detailed on the approved Landscape Plan, to provide screening around the perimeter of the site adjacent to State Highway One.
10. The consent holder shall undertake the balance of the mitigation planting, landscaping and site rehabilitation works in accordance with the approved implementation strategy.
11. All mitigation planting, landscaping and site rehabilitation works shall be maintained in a satisfactory manner for the duration of the consent.
12. The 'shelter row planting' identified in 'Landscape Plan (Figure 6, July 2006)', Attachment D hereto, shall be established and maintained until the balance of mitigation planting has been undertaken, and forms an effective visual screen from State Highway One. The Environmental Services Group Manager at Waikato District Council will inspect this planting within 12 months of planting and thereafter on a three yearly cycle to ensure adequate growth opportunities beneath, for the boundary screen planting to establish.
13. Once a continuous screen shelter row has been established, the maintenance shall include replanting of any gaps created by death or damage of trees, in order to allow a continuous screen to re-establish. The shelter row planting shall not be removed until fifty percent of the boundary screen planting along the northern and eastern boundaries has reached at least three metres in height.
14. The Landscape Mitigation Plan shall be reviewed and amended as necessary by the consent holder, subject to the approval of the Environmental Services Group Manager at Waikato District Council to ensure that effective screening of the track is achieved. The consent holder shall strictly adhere to the plan and all works required by the plan shall be undertaken by the consent holder to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
15. Within six (6) months of the commencement of this consent the consent holder shall,
 

**either** enter into a performance bond to the value of \$100,000.00 (One Hundred Thousand Dollars) if the Motorsport Park is to be connected to a Waikato District Council reticulated wastewater system and evidence of a formal development agreement to confirm such system will be put in place is submitted to the Environmental Services Group Manager at Waikato District Council,

**or** enter into a performance bond to the value of \$250,000.00 (Two Hundred and Fifty Thousand Dollars) if the Motorsport Park is serviced by an on-site wastewater disposal system,

in accordance with section 108A(1) of the Resource Management Act 1991 for the purpose of remedying any failure in achieving effective screen planting over a ten (10) year term following the commencement of this consent. The bond shall also cover the



cost of remedying any failure of rehabilitated grassed areas and water control, and effective landscape screening. The bond shall be on the terms and conditions required by the Council and in a form acceptable to the Council and shall be prepared by the Council's solicitor, at the expense of the consent holder. The bond shall be a cash bond or shall be guaranteed by a surety acceptable to the Council.

## **SIGNAGE**

16. Signs associated with the Motorsport Park shall comply with the provisions of Rule 49.5 of the Operative District Plan, be internally facing so that their primary audience are Spectators and be screened from the State Highway by planting, so as not to compromise the safety and efficiency of traffic on the adjacent road network, nor interfere with the amenities outside the Motorsport Park.

## **TRAFFIC AND ROADING**

### ***Maximum Spectator Numbers***

17. The maximum number of spectators at an Event shall be 20,000.

### ***Weekday Events and Activities***

18. Except for Minor Events, no Events shall be held at the Motorsport Park on any weekday other than when a weekday is also a public holiday. Practise days for all Events are permitted on weekdays. For Minor Events and practise days on a weekday, total traffic volumes associated with a Minor Event or practise day and Day to Day Activities shall comply with the maximum arrival flow for Minor Events (that is, < 700 arrival vehicles per hour).

### ***Extreme Events***

19. There shall be a maximum of *two (2) Extreme Events* in any one year, *except for any year when no V8 Supercars event is held when five (5) Extreme Events may be held in any one year*. These Extreme Events require Traffic Management Plans that are based on TMS D (as identified in condition 47 below) to be implemented in addition to the physical works to the road network identified in condition 36 below.

### ***Implementation and Monitoring Committee (IMC)***

20. The consent holder shall establish and co-ordinate an "Implementation and Monitoring Committee" (IMC) within two months of commencement of the consent.

Voting members of the IMC shall consist (unless otherwise agreed by all voting members) of a representative from each of the following groups:

- The consent holder; and
- The NZ Police; and
- The Waikato District Council; and
- Transit New Zealand; and
- EnviroWaste Services Ltd or its successors or assigns; and
- Department of Corrections.

The IMC may also invite to the IMC meetings any other person, group or organisation that can assist the IMC in its responsibilities.

In the event that a group or organisation does not nominate a representative for the IMC, that group or organisation shall forfeit their right to be an IMC member until such time as they nominate a representative.

21. All draft Traffic Management Plans (TMP's) for Events associated with the Motorsport Park shall be submitted to the IMC for review and to make recommendations to the consent holder.
22. The consent holder shall convene all IMC meetings and appropriately communicate the proposed meeting agenda, meeting minutes, and any recommendations of the IMC to those affected and/or involved. A meeting agenda shall be circulated to all voting members and other meeting invitees at least 10 working days prior to the meeting to which it applies and meeting minutes shall be distributed to all voting members and other meeting invitees no more than 10 working days after completion of the meeting.
23. The consent holder shall advise all IMC members of the primary contact person and their contact details, and shall advise the IMC members if that contact person changes.
24. The consent holder shall provide required secretarial services and a venue within 65 km of the Motorsport Park for the IMC meetings. At least one meeting shall be convened before 1 September each year and additional meetings held if requested by any voting member of the IMC. Any additional meetings shall be held within one calendar month of the request.
25. The IMC shall operate with a quorum of 4 voting members unless otherwise agreed by all voting members. If any voting member of the IMC is not able to attend a meeting of the IMC, they shall (at least five working days in advance of the forthcoming meeting) provide written notice either requesting rescheduling of the meeting or advising that they do not want to attend.
26. Unless otherwise agreed by all voting members the recommendations of the IMC shall be made on the agreement of at least 4 members in attendance.
27. Issues that the IMC unanimously agree are minor issues may be addressed through correspondence (including e-mail and facsimile correspondence), provided that any decisions reached in this manner are unanimous decisions.

**Advisory Note:** *The intention of condition 27 above is to provide flexibility to the consent holder or other IMC members to clarify minor queries, which need to be addressed, without having to call a full meeting. These conditions do not preclude the IMC members from organising other meetings to address any issues that arise.*

### **Works**

28. Any roading related works the subject of these conditions shall not proceed until final design and specifications have been submitted to the relevant RCA, and their approval in writing has been obtained.
29. Prior to any parking in the northern 'event parking area' described as the two event parking areas of 1258 and 4440 spaces shown as Area C and Area D respectively on Fig 2.6 (Car Parking Plan) of the 'Application for Resource Consents and Assessment of Environmental Effects, January 2006', the consent holder shall construct a sealed

internal service road from Hampton Downs Road through the Business/Industrial area. Fig 2.6 is attached as Attachment E.

The internal service road shall be designed in accordance with Waikato District Council's Engineering Code of Practice and associated supplements, and shall include the following design parameters:

- Minimum sealed carriageway width: 10.5 m;
- Minimum lane width: 3.5 m;
- Mountable kerb and channel on each side of carriageway;
- Vehicle parking 3.0 m wide within the carriageway (one side minimum);
- Footpath required on one side from the access to the northern event car park to Hampton Downs Road;
- Appropriate signage and road marking;
- Maximum edge of seal radius of 15 m at intersections and accesses;
- The intersection of Hampton Downs Road and the service road shall be generally located halfway between the western intersection of Hampton Downs Road with Old Hampton Downs Road and the accessway to the Springhill Corrections Facility.

30. The consent holder shall construct a right turn bay and a sealed vehicle entrance at the intersection of Hampton Downs Road and the service road to the Business/Industrial area before any of the following situations arise:
- (a) There is any development (excluding earthworks but including building construction) of the Business/Industrial area land for its intended long-term industrial use, or
  - (b) Any Medium Events are held, if these are being held prior to the development of the Business/Industrial area land. In this case, the right turn bay will be constructed to provide access to the parking areas, or
  - (c) Right turning traffic versus through traffic on Hampton Downs Road (at any point being used for access to the Business/Industrial area) falls into the areas described as AU or CH on the Austroads (Part 5, 2005) Figure 6.41.

Appropriate signage, flag lighting and road marking shall also be provided to the satisfaction of the Environmental Services Group Manager at Waikato District Council.

The right turn bay shall be located generally as shown on Traffic Planning Consultants Ltd Drawing 04221-11 and shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 - Roading. Drawing 04221-11 is attached as Attachment F.

31. The consent holder shall widen Hampton Downs Road from its eastern intersection with Old Hampton Downs Road to the westernmost vehicle entrance to the Motorsport Circuit as generally shown on Traffic Planning Consultants Ltd Drawings

04221-12 and 04221-13, being a distance of approximately 400m, before any of the following situations arise:

- (a) commencement of any Day to Day Activities, excluding construction activities associated with the Motorsport Park unless construction traffic volumes on Hampton Downs Road at any access point into the Motorsport Circuit falls into the areas described as AU or CH on the Austroads (Part 5, 2005) Figure 6.41, or
- (b) commencement of any Event at the Motorsport Park.

Drawings 04221-12 and 04221-13 are attached as Attachment G and Attachment H respectively.

The upgrading shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 – Roading, and shall include the following design parameters:

- Minimum sealed carriageway width: 12 m;
- Road marking to include:
  - Two traffic lanes of 3.5 m width;
  - Shoulders of 1m width each;
  - A 3 m wide painted median;
  - Painted right turn bays in the median at the Motorsport Park vehicle entrances.

32. Prior to the commencement of any Event at the Motorsport Park, the consent holder shall widen Hampton Downs Road from its intersection with the State Highway northbound off-ramp to its intersection with the eastern-most intersection of Old Hampton Downs Road (being a distance of approximately 50 m as generally shown on Traffic Planning Consultants Ltd Drawing 04221-13. Drawing 04221-13 is attached as Attachment H.

The upgrading shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 – Roading, and shall include the following design parameters:

- Minimum sealed carriageway width: 15m
- Road marking:
  - Two 3.5 m wide traffic lanes;
  - A 1 m wide (northern) shoulder;
  - A 3 m wide painted median end taper;
  - A 4 m wide (southern) shoulder.
  - Maximum edge of seal radius of 15 m at intersections.

33. During non-event periods when the additional sealed area provided under condition 32 above is not required, suitable marking or other suitable system as approved by the RCAs shall be provided to ensure no improper use of the additional sealed area occurs.
34. Prior to the commencement of any Event at the Motorsport Park the consent holder shall upgrade the State Highway southbound off-ramp to the Hampton Downs Road interchange. The upgrading shall comprise widening the off-ramp by 4m for a length of 60 m plus a diverge taper at the northern end of the widening that is at least 50 m long as generally shown on Traffic Planning Consultants Ltd Drawing 04221-14. The consent holder shall ensure that the design and implementation of the upgrading works takes into account the potential for differential settlement and the long-term stability of the existing off-ramp and the upgrading works. Drawing 04221-14 is attached as Attachment I.

The upgrading works shall be designed and road marked in accordance with Transit New Zealand requirements as defined by Transit's Standards and Guidelines Manual. The upgrading works shall be implemented to the satisfaction of the Transit New Zealand Regional Manager.

35. Prior to the commencement of any Event at the Motorsport Park, the consent holder shall construct the two sealed vehicle entrances, inclusive of flag lighting, to the Motorsport Circuit shown on Fig 1.3 (Overall Development Plan), Attachment A hereto. The vehicle entrances shall be generally in accordance with Traffic Planning Consultants Ltd Drawing 04221-12 (Attachment G hereto) and shall be constructed in accordance with Waikato District Council plan TSG – EI for a rural heavy commercial vehicle entrance and shall be wide enough to accommodate 2 (two) lanes of traffic travelling in either the same direction (two lane, one-way) or in opposing directions (two lane, two-way). Waikato District Council plan TSG – EI is attached as Attachment J.
36. Prior to holding an Extreme Event the consent holder shall widen Hampton Downs Road to 12 m from the westernmost Motorsport Circuit vehicle entrance to the intersection of the Business/Industrial area service road as generally shown on Traffic Planning Consultants Ltd Drawing 04221-21. Drawing 04221-21 is attached as Attachment K.

Works shall be in accordance with the following design parameters:

- Minimum sealed carriageway width: 12 m;
- Road marking to include:
  - Two traffic lanes of 3.5 m width;
  - Shoulders of 1 m width each;
  - A 3 m wide painted median.

The upgrading shall be designed in accordance with Waikato District Council's Engineering Code of Practice - Part 2 - Roading

The works shall not proceed until final construction drawings, design quality assurance information and traffic safety and control measures, have been submitted to the

Environmental Services Group Manager at Waikato District Council, and approval in writing has been obtained from the Environmental Services Group Manager.

37. Prior to the commencement of any camping activity at the Motor Camp Site in the area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, the consent holder shall construct a sealed vehicle entrance off Hampton Downs Road. The vehicle entrance shall be constructed in accordance with Waikato District Council plan TSG – EI (Attachment J hereto) for a rural heavy commercial vehicle entrance and shall be wide enough to accommodate 2 (two) lanes of traffic travelling in either the same direction (two lane, one-way) or in opposing directions (two lane, two-way).
38. The consent holder shall maintain as clear space all the land shown on plan 29247/SK5 by Fraser Thomas as 'Clear space for start of possible road link to Dragway Road' to facilitate the extension of the service road for a link road connecting Hampton Downs Road with Dragway Road to be built if required in the future to mitigate adverse traffic effects arising from activities at the Motorsport Park. Plan 29247/SK5 is attached as Attachment L.

### **Parking**

39. Prior to the commencement of any Day to Day Activity at the Motorsport Park, the consent holder shall construct 250 car parking spaces on a sealed surface, within Area A of the 'operational parking areas' and the internal roading thereto shown on Figure 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
40. Prior to the commencement of any Minor Event at the Motorsport Park the consent holder shall construct at least an additional 2198 car parking spaces (to provide a total of 2448 spaces) on a hard-standing all weather surface and internal roading thereto shown as Area B on Fig 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
41. Prior to the commencement of any Medium Event at the Motorsport Park the consent holder shall construct at least an additional 1258 car parking spaces (to provide a total of 3706 spaces) on a hard-standing all weather surface within Area C of the 'event parking areas' and internal roading thereto shown on Fig 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
42. Prior to the commencement of any Major Event at the Motorsport Park the consent holder shall construct at least an additional 4440 car parking spaces (to provide a total of 8146 spaces) on a hard-standing all weather surface within Area D of the 'event parking areas' and internal roading thereto shown on Fig 2.6 (Car Parking Plan), Attachment E hereto, to the satisfaction of the Environmental Services Group Manager at Waikato District Council.
43. Construction drawings for any parking areas under conditions 39 to 42 above shall be provided to the Environmental Services Group Manager at Waikato District Council detailing the proposed parking area layout. The works shall not proceed until final construction drawings, design quality assurance information (as defined in the Waikato District Council's Engineering Code of Practice and associated supplements), and traffic safety and control measures, have been submitted to the Environmental Services Group Manager, and their approval in writing has been obtained.

## ***Traffic Management Plans***

44. Prior to any Event being held at the Motorsport Park, the consent holder shall collect traffic survey data (that is, vehicle occupancy data, arrival flow rates, departure flow rates and spectator attendance numbers) that is no more than 5 years old from at least 5 events at other like venues, to support the basis of the consent holder's Traffic Management Plans.
45. Upon commencement of Events at the Motorsport Park, the consent holder shall commence collecting traffic survey data (that is, vehicle occupancy data, arrival flow rates, departure flow rates, and spectator attendance numbers) from the Motorsport Park Events to support the basis for Traffic Management Plans for future Events.
46. No less than 3 months before any Event, Traffic Management Plans (TMPs) shall be submitted to the RCAs for approval. All TMPs shall be submitted along with any recommendations of the IMC and supporting traffic survey data collected under conditions 44 and 45 of this consent. All TMPs shall be in accordance with the Transit New Zealand Code of Practice for Temporary Traffic Management (COPTTM) and shall be appropriate for the level of road (as defined by the individual RCAs) to which they apply.
47. All Traffic Management Plans shall also be prepared in general accordance with the Traffic Management Strategies (TMSs) presented in the Hampton Downs Motorsport Park Traffic Impact Assessment Report, October 2006, by Traffic Planning Consultants Ltd, which form part of this consent.

**Advisory Note:** *The Traffic Management Strategies (TMSs) are based on the range of total peak hour arrival flow rates for each event size, as follows:*

- *Minor Event; TMS A*
- *Medium Event; TMS B*
- *Major Event; TMS C*
- *Extreme Event; TMS D*

48. The Traffic Management Plans (TMPs) shall also contain the following information:
  - (a) Suitable provision for traffic to and from the Springhill Corrections Facility, the Hampton Downs Landfill site, and private dwellings, and for emergency access to and from those facilities/dwellings;
  - (b) Suitable provision for non-event traffic on all roads affected (including State highways and local roads), as identified within the TMP;
  - (c) Suitable provision for on-site traffic management including all weather parking and vehicle manoeuvring space for all Events;
  - (d) Provision for the use of buses, or other high occupancy vehicles (HOV), to take people to and from the Motorsport Park, and on-site parking for the buses and HOV;
  - (e) The programming, commencement and completion of all Events at times which will encourage Motorsport Park traffic to use the State Highway network other than at times of peak flows.
  - (f) When pre-ticketing and/or other non-road related initiatives are proposed to control any adverse effects on the State Highway.

- (g) The details of any Variable Message Signs (VMS) and/or other signage initiatives proposed to control any adverse effects on the State Highway.
- (h) Provision for concurrent Events at the Motorsport Park and Champion Dragway.
- (i) Measures to prevent parking and walking on the State Highway, and parking on local roads within 2 kilometres of the Motorsport Park.
- (j) Measures to ensure that the peak arrival times for traffic attending Medium or larger events at the Motorsport Park do not conflict with landfill traffic.
- (k) Appropriate traffic management contingency measures for any unplanned but reasonably foreseeable reduction in capacity of the roading network, which may include but is not limited to, the closure of off/on ramps, the closure of one or more State highway lanes, or cancellation of events.

**Advisory Note:** *the need to provide contingency measures for the unplanned closures of lanes or ramps (condition 48(k) above) is not dependent on the reason for the closure.*

**Advisory Note:** *Evidence of consultation with the landfill operator shall be included within the TMP to demonstrate compliance with condition 48(j) above.*

- 49. The consent holder shall ensure that sufficient equipment and personnel are available to satisfactorily and safely install and manage the contingency measures referred to in condition 48(k) above.

### **Performance Criteria**

- 50. The following operational performance criteria shall be met:

- (a) Total travel time of non-Motorsport Park related traffic must not be greater than 6 minutes for travel between the bottom of the appropriate interchange ramp and the intersection of the Springhill Corrections Facility access road with Hampton Downs Road.
- (b) Provision shall also be made for emergency services vehicles (eg fire, police, ambulance, military, Department of Corrections, vehicle needing emergency access to any site or dwelling located on, or with access from, Hampton Downs Road) such that the travel time for such vehicles, between the bottom of the interchange ramps and any facility that is accessible from Hampton Downs Road, must not be greater than 4 minutes.
- (c) Minimum deceleration lengths at off ramps from the State Highway shall be in accordance with Truck Stopping Sight Distance (TSSD) for a level grade, that is, 160 m (Table 6.10, Austroads, Part 5, 2005). This distance will be measured from a point where a minimum 3.5 m lane width (excluding shoulder) can be achieved within the existing off-ramp configuration (ie the diverge taper shall not be included in the length).

**Advisory Note:** *The 160 m deceleration length allows for a 2.0 second reaction time and deceleration from 90 km/h to a stop (for a truck) and is equivalent to the approach sight distance for a car with a 2.0 second driver reaction time and deceleration from 100 km/h to a stop.*



- (d) Travel speeds on the State Highway during Event departures (that is, on days when Events are being held and vehicles are departing the Motorsport Park) shall not be less than 85% of the State Highway speed (on days when Events are not being held) based on data from the corresponding hour for the same day of an equivalent week (as agreed by Transit New Zealand's Regional Manager) as measured over a continuous (rolling) 30 minute period. Speeds shall be measured on State Highway 1 at a point adjacent to the noses of the on ramps (as defined in Figure 12.10 (June 2004) of MOTSAM Part III).
51. Unless agreed otherwise by the RCAs, at least three Events of each size as defined shall be held and run in compliance with performance criteria condition 50 before the next sized Event is permitted to be held at the Motorsport Park.

### **Consequence of Non-Compliance with Performance Criteria**

52. If a breach of any of the performance criteria contained in condition 50 occurs during an Event, the consent holder shall not hold any more Events, of the same size (or larger) as the Event that was operating when the breach occurred, until such time as the mitigation measures have been identified and implemented to the satisfaction of the Waikato District Council and Transit New Zealand (Transit) in the manner set out below:
- (a) The consent holder and the IMC shall either separately or jointly provide Waikato District Council and Transit with a report detailing the nature of the breach, the reasons for the breach and the proposed mitigation measures to be undertaken.
  - (b) Within 28 days of receiving the report(s) Waikato District Council and Transit will advise the consent holder whether the mitigation measures proposed are acceptable to them, or alternatively, to advise of the mitigation measures they require.
  - (c) Failing agreement between Waikato District Council and Transit as to what mitigation measures are required, those parties will jointly appoint an independent and suitably qualified expert (and if they cannot agree on the expert, the appointment will be made by the President of the Resource Management Law Association of New Zealand) to determine what mitigation measures are required to be implemented.
  - (d) Waikato District Council and Transit will do all things necessary to ensure the independent expert is able to make a timely determination.
  - (e) Waikato District Council, Transit and the consent holder shall meet the costs of the independent expert on an equal basis.

**Advisory Note:** For the purpose of condition 52, the event size is defined as Minor, Medium, Major, or Extreme as described in the Definitions section of the Conditions. Therefore, if (for example) the breach occurs during a Medium Event, only Minor Events could be held until the mitigation measures are implemented.

## **Traffic Performance Monitoring**

53. For any Event requested by the consent authority, the consent holder shall engage a suitably qualified Traffic Engineer to produce a traffic survey report. The traffic survey report shall include analysis and comments on the adequacy of the traffic management and the adopted Traffic Management Plan (TMP), compliance and non-compliance with performance criteria (condition 50), and recommendations for future Events and changes needed to TMPs. The traffic survey report shall be submitted to the Environmental Services Group Manager at Waikato District Council and the IMC as evidence of compliance with the traffic and roading conditions of this consent and as supporting data for future TMPs as required under condition 46.
54. Ongoing monitoring and collection of survey data shall be determined at the discretion of the consent authority or as otherwise recommended by the IMC and agreed to by the Environmental Services Group Manager at Waikato District Council.
55. All Major and Extreme Events shall be monitored by the consent holder for spectator attendance numbers. The reports of spectator attendance numbers for each Event shall be submitted to the Environmental Services Group Manager at Waikato District Council and the IMC within 10 working days of the Event.
56. The consent holder shall supply and install at its cost Closed Circuit Television (CCTV) cameras (or such other objective recording system as may be agreed by the RCAs) to record traffic movements during Medium, Major and Extreme Events on the Interchange off-ramps to verify results and compliance with the performance criteria (condition 50) and to provide the IMC and the RCAs with a means to assess whether the performance criteria have been met. Markers (marker type to be agreed with RCAs) shall be installed at the maximum allowable queue length limit location. CCTV cameras (or the other agreed system) shall be installed at suitable position(s) along each Interchange off-ramp or at some other location such that the potential for parallax recording errors is minimised. Complete and continuous recordings of the images from the CCTV cameras (or other agreed recording system) shall be stored and retained by the consent holder for a period of not less than 1 month.

The results of the monitoring undertaken through the CCTV (or other agreed system) process shall be made available to the IMC and/or to the consent authority within 5 working days of their request for particular recordings to be made available. The recorded information shall be made available in the format agreed with the IMC and/or the consent authority.

**Advisory Note:** *Alternative objective recording systems may include (but are not necessarily limited to) a system of induction loops or still camera(s) that record images at an interval not exceeding 30 seconds.*

**Advisory Note:** *CCTV cameras or other agreed alternative objective recording systems may be install at any other time by the consent holder to verify results and compliance with the performance criteria (condition 50).*

## **Day to Day Operation**

57. Traffic Assessments shall be carried out by a suitably qualified Traffic Engineer to assess the day to day operational performance of the intersection of Hampton Downs Road with the State Highway off-ramps, the intersection of Hampton Downs Road with the Business/Industrial area service road, and other accesses to the Motorsport Park. The assessments shall be undertaken when the Business/Industrial area is half

occupied, and again when the Business/Industrial area is fully occupied. The Traffic Assessments shall:

- Determine the Business/Industrial area related trip generation rates for the AM peak, Inter-peak and PM peak hours for weekdays and for the highest peak hour for Saturdays,
- Compare the traffic volumes with those predicted in the 'Hampton Downs Motorsport Park Traffic Impact Assessment' dated October 2006 prepared by Traffic Planning Consultants, and
- Assess the need (and timing if required) for upgrading to traffic signal control at the intersections of Hampton Downs Road with the Interchange off ramps and/or any other measures as may be appropriate to minimise the potential for the performance criteria in conditions 50 (a), (b) and (c) to be breached.

Each Traffic Assessment shall be produced to the IMC for review, submitted to the Environmental Services Group Manager at Waikato District Council for approval, and any mitigation works promptly implemented to the satisfaction of the relevant RCA(s).

### ***Event Forward Planning***

58. The consent holder shall provide the IMC, the Environmental Services Group Manager at Waikato District Council and the Regional Manager of Transit New Zealand and occupiers of dwellings within 1km of the Motorsport Circuit with an annual provisional Event forward planning calendar for the period 1 June to 31 May the following year. The Motorsport Park calendar shall take into account the Champion Dragway calendar, such that Events do not coincide, other than concurrent Motorsport Park and Champion Dragway Events, permitted under condition 59, for which an appropriate Traffic Management Plan will be submitted to the IMC, and then the RCAs.
59. Motorsport Park Events shall be limited when programmed concurrently with Champion Dragway events, if the Champion Dragway event Traffic Management Plan requires the use of the Interchange to manage spectator arrival traffic. In this regard, the total combined peak hour arrival flow rate of concurrent Events on the Interchange off-ramps shall not exceed 1800 vph.
60. Notwithstanding condition 59, the consent holder shall not program an Event at the Motorsport Park concurrently with scheduled Champion Dragway events in instances where Champion Dragway is reliant on the Interchange until 3 Medium Events have been successfully held at the Motorsport Park.

### **BUSINESS/INDUSTRIAL AREA**

61. The maximum gross floor area for all activities in the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be 50,000 m<sup>2</sup>.

The consent holder shall keep a record of the gross floor area of all development within the 17 ha Business/Industrial area to ensure the 50,000 m<sup>2</sup> maximum gross floor area is not exceeded. This record shall be made available to Council upon request and shall be submitted in support of all building consent applications.

62. Activities established in the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be subject to the following conditions:
- (a) General warehousing shall comprise a maximum of 25% of the total gross floor area (gfa) of the 17 ha Business/Industrial area (being 12,500 m<sup>2</sup> gfa);
  - (b) Non-automotive activities shall comprise a maximum of 25% of the total gross floor area (gfa) of the 17 ha Business/Industrial area (being 12,500 m<sup>2</sup> gfa);
  - (c) Automotive activities may comprise 100% of the total gross floor area (gfa) of the 17 ha Business/Industrial area (being 50,000 m<sup>2</sup> gfa);
  - (d) Any activity that is of a noxious, dangerous, offensive or toxic nature is prohibited.
  - (e) The following activities are prohibited from establishing in the 17 ha Business/Industrial area:

Abattoirs	Asphalt and bitumen plants
Abrasive blasting	Animal by-product processing
Asbestos removal	Bulk Cartage Contractors
Building Recycling yards	Building Recyclers
Dairy Companies	Bus and Coach Tours
Car & Truck Wrecking Yards	Courier & Taxi Companies
Factory Farming	Carrier, Cartage Operators
Foundries	Explosive Manufacturers
Galvanising Plants	Fuel and Oil Suppliers
Heavy Haulage Contractors	Freight Forwarders
Hazardous Waste or Facilities Depot	Guns & Gunsmiths
Oil Refineries	House Removal
Septic Tank Services	Labour Hire Companies
Service Station	Recycling Centre
Scrap Metal Dealers	Shuttle Services
Saw Mill	Spring Manufacturers
Tallow Merchants	Tyre Retreaders
Timber Treatment Plants	Skating Rinks
Quarrying	Telemarketing Services
Zinc Products	Truck & Bus Dealers
Wool Scourers	

63. The maximum number of lots to be created by subdivision within the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be 20.
64. The standards and terms for development in the 17 ha Business/Industrial area shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be as follows:
- (a) Maximum building coverage: 45% of any site area associated with an activity or site area of a relevant certificate of title associated with the activity.

- (b) Landscaping/Screening: At least 10% of any site associated with an activity or an activity on a specific certificate of title shall be landscaped in a manner compatible with the open space rural environment and maintained in a manner that will enhance the visual appearance of the building and/or site.
- (c) Height and Height in Relation to Boundary: No building shall:
  - (i) Exceed 10 metres in height; and
  - (ii) Encroach into a plane 2.5 m plus three quarters of the horizontal distance from that part of the building to the boundary of a Residential, Rural Residential or Pa zone. Where a right of way adjoins such a boundary, the width of the right of way shall be included in the measurement of the horizontal distance.
- (d) Glare and lighting: Any activity that requires outdoor areas to be artificially lit, including verandah lighting, shall ensure that illumination does not exceed 20 lux measured vertically at the boundary of a Rural Residential or Pa Zone (Rural).
- (e) Yards: Yards shall be provided to the following minimum standards:
  - (i) Front Yard where a site is directly opposite a Residential, Rural-Residential or Pa Zone – 7.5 m minimum.
  - (ii) Side Yard abutting a Residential, Rural-Residential or Pa Zone – 7.5 m minimum.
  - (iii) Rear Yard abutting a Residential, Rural-Residential or Pa Zone – 7.5 m minimum.
- (f) Screening: Outdoor storage of waste materials, vehicle bodies or parts, shall be screened from view from any public road, reserve or boundary of an abutting Residential, Rural-Residential, or Pa Zone.
- (g) Parking, Loading Bays and Manoeuvring Space: Unless specified otherwise in these conditions of consent, all activities the subject of this consent are required to provide:
  - (i) Parking in accordance with Rule 36.5 Table 1 and Figures 1-3 of the operative district plan. Rule 36.5 Table 1 and Figures 1-3 are attached as Attachment M.
  - (ii) Sealed, drained and permanently marked parking spaces, loading bays and associated manoeuvring areas where there are five (5) or more parking spaces.
  - (iii) Parking spaces and loading bays which are not located on any access onto a public or private road, or common vehicle access onto a road, or outdoor living court. All parking and loading spaces shall remain unobstructed when not in use.
- (h) Reverse manoeuvring: Unless specified otherwise in these conditions of consent, an activity required to provide manoeuvring space for vehicles shall comply with the following:

- (i) Except for parking spaces required for a dwellinghouse or ancillary unit, all on-site design shall ensure that vehicles are not required to undertake more than one reverse movement when manoeuvring in or out of any vehicle parking space or loading bay.
  - (ii) Manoeuvring space for a dwellinghouse or ancillary unit shall be sufficient to enable a minimum of one (1) of the required number of parking spaces to comply with Rule 36.5 Figure 2 of the operative district plan (Attachment M hereto).
  - (iii) Turning space shall be provided so that no vehicle shall be required to reverse from or onto a road, or from or onto a private access serving two (2) or more sites.
- (i) On-site Parking Spaces and Loading Bays: Unless specified otherwise in these conditions of consent, parking, loading and manoeuvring spaces shall be located on the same site as the activity for which they are required and shall be constructed in accordance with the relevant performance standards specified in Rule 36.5 and Rule 36.5 Figures 1-3 (Attachment M hereto) of the operative district plan.
  - (j) On-site Safety Lighting: An activity in the Business/ Industrial area which requires parking and loading areas to be used at night shall be illuminated to a minimum level of 5 Lux on-site.

### **MOTOR CAMP SITE**

- 65. The Motor Camp Site shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be used for temporary short term camping activities only by a maximum number of 200 persons at any one time and be operated in accordance with the provisions of the Camping Ground Regulations 1985. For the purposes of this condition, 'temporary short term camping' shall be a period not exceeding 10 days.
- 66. A plan of the Motor Camp Site shall be submitted to the Consent Authority, which identifies the location of the utilities buildings, any cabins or other accommodation buildings and the location of the camping sites.

**Advisory Note:** For the purposes of conditions 65 and 66 above, "camping" means any form of overnight accommodation, whether in a tent, caravan, campervan, cabin or other structure of any form whatsoever.

### **RURAL LIFESTYLE ZONE**

- 67. Activities established in the 16 ha Rural Lifestyle Zone shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be permitted activities as stated in Rule 10.5.2 of the operative district plan. Rule 10.5.2 is attached as Attachment N.
- 68. The maximum number of lots to be created by subdivision within the 16 ha Rural Lifestyle Zone shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be 15.
- 69. Each lot created by subdivision shall accommodate a building platform complying with the following:
  - A residential area of 2500m<sup>2</sup>;

- A 30 m diameter circle exclusive of yards; or
- A rectangle of 1000m<sup>2</sup> with a minimum dimension of 25 m for one side, exclusive of yards.

**Advisory Note:** A geotechnical report may be required to confirm that the building platforms identified are suitable.

70. The standards and terms for development in the 16 ha Rural Lifestyle Zone shown on Fig 1.3 (Overall Development Plan), Attachment A hereto, shall be as follows:

- (a) Each lot shall be provided with underground power and telecommunication services.
- (b) Where a rural water supply scheme is available or provision for such a scheme is available, then all lots shall be required to join the scheme.
- (c) Maximum density of dwellings: One dwelling per lot contained in a separate certificate of title.
- (d) Height and Height in Relation to Boundary: No building shall:
  - (i) Exceed 7.5 m in height; and
  - (ii) No part of a building shall have a height exceeding 2.75 m plus three quarters of the horizontal distance from the building to the boundary of the lot. Where there is a right of way parallel and adjacent to such a boundary, the boundary to which the measurement is taken is to be that side of the right of way furthest from the site.
- (e) The gross floor area of all accessory buildings on a lot shall not exceed 100m<sup>2</sup>.
- (f) Yards: Yards shall be provided to the following minimum standards:
  - (i) Front Yard – 7.5 m.
  - (ii) Side Yard – 12 m.
  - (iii) Rear Yard – 12 m, except where the lot adjoins a lot of 1.6 ha or more then the minimum rear yard shall be 25 m.

### **SUBDIVISION CONCEPT PLAN OF MOTORSPORT CIRCUIT AREA**

71. The consent holder shall provide a comprehensive development plan of the Motorsport Circuit area of the site (identified on Fig 2.2 (Track Concept Design) Attachment B hereto) for approval by the Environmental Services Group Manager at Waikato District Council which will set out the proposals for subdivision in accordance with this consent, and which will show the location and extent of the separate activities to be carried out.

The comprehensive development plan shall be approved as a precursor condition of the lodgment of subdivision consents for the consented activities falling within this application, and shall include the framework for the subdivisions that will lead to the issue of separate certificates of title for all lots, units and/or apartments.

72. The standards and terms for subdivision of the apartments (within the Motorsport Circuit area) shall be:
- (a) Density shall not exceed one residential unit per 120m<sup>2</sup> RUSA.
  - (b) All residential units shall be provided with an outdoor living court, directly accessible from the unit, for the exclusive use of the occupants of that unit containing at least:
    - (i) ground floor units: 40m<sup>2</sup> which shall contain a circle with a minimum diameter of 6 m
    - (ii) first floor units and above: 10m<sup>2</sup> with a minimum dimension of 2 m.
  - (c) All residential units shall have access to and use of a service court containing at least 50m<sup>2</sup> within the unit development.
  - (d) All units shall be connected to utility services.
  - (e) Underground power and telecommunication services shall be provided to each building, and internally to each unit within each building.
  - (f) All units shall have access to a public road.
  - (g) Vehicle access and parking shall comply with Section 36 (Land Transport) of the operative district plan.
  - (h) Vehicle access and parking shall be located and formed so as to be readily accessible from each residential unit. Parking spaces shall be allocated for the exclusive use of each residential unit.
  - (i) The bulk and location of the units shall be as shown on Fig 1.3 (Overall Development Plan), Attachment A hereto.

## **WASTEWATER**

73. That at least two (2) months prior to the construction of the system for the treatment and disposal of wastewater from the main catchment (comprising spectator area, convention centre, restaurant, apartments, the driving school, and swimming pool backwash water only), as set out in Section 2.6 of the Application for Resource Consents and Assessment of Environmental Effects, the consent holder shall submit for approval by the Environmental Services Group Manager at Waikato District Council comprehensive investigation and design information showing:
- (a) Wastewater generation rates and likely variations;
  - (b) Treatment system proposed;
  - (c) The proposal for the disposal of treated wastewater showing:
    - (i) The location of proposed disposal area and reserve area(s); and
    - (ii) A full site characterisation of each area including a full description of the soils, information on ground water levels and the results of permeability



testing to demonstrate that the disposal area is suitable for the disposal of treated wastewater at the design irrigation loading rates; and

- (iii) A full assessment of the effects of the proposal on the environment including the control of odour, and management of water quality in drains, stormwater ponds and natural waterways as a result of the discharge of wastewater to land; and
  - (iv) Full design drawings and calculations to support these findings.
- (d) The system for the treatment and disposal of wastewater from the Motorsport Park site shall not include treatment ponds.
- (e) The consent holder shall submit evidence to the Environmental Services Group Manager at Waikato District Council of the legal mechanism to be put in place which will establish who is to be responsible for the future and on-going operation and maintenance, and ensure this legal mechanism is put in place.

### **STORMWATER**

74. That the construction and operation of the stormwater system be in accordance with the Application for Resource Consents and Assessment of Environmental Effects and reports submitted to support this land use consent.
75. That two (2) months prior to construction of the Motorsport Circuit the consent holder shall provide to the Environmental Services Group Manager at Waikato District Council, full and detailed engineering drawings and supporting calculations of the site's stormwater system, including all proposed reticulation for review and approval.
76. That prior to the commencement of any Event within the Motorsport Park the consent holder shall submit to the Environmental Services Group Manager at Waikato District Council a copy of the approved Stormwater Management Plan required under Environment Waikato's Discharge Permit 114109.
77. That two (2) months prior to any industrial activity occurring in the Business/Industrial area, the consent holder shall provide to the Environmental Services Group Manager at Waikato District Council a full design of the stormwater network, and provide details of the proposed contamination control measures to be adopted by the consent holder to avoid the contamination of stormwater for review and approval.
78. That construction of the Motorsport Circuit or undertaking of any industrial activity in the Business/Industrial area as identified in Conditions 75 and 77 above shall not occur until the plans have been approved by the Environmental Services Group Manager at Waikato District Council acting in a technical certification capacity.

### **DUST**

79. Dust and fine particulate matter discharged into the air from any activity subject to this consent shall not result in a rate of deposition in excess of 4 grams per square metre per 30 day period in any location beyond the boundary of the Motorsport Park.

### **GEOTECHNICAL AND EARTHWORKS**

80. A final earthworks design for the track fills and associated cut faces of borrow areas, access roads and ancillary earthworks shall be prepared and submitted to the

Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing, for review and approval. The earthworks design shall:

- (a) be based upon site specific design parameters and shall consider static and seismic conditions;
- (b) Include stability analyses for the following case loads:
  - (i) static loads, winter groundwater conditions;
  - (ii) static loads with 100 year flood including the effects of normal draw-down; and
  - (iii) seismic loads, winter groundwater conditions.
- (c) Detail measures for dealing with situations that do not conform at the time of construction with the design assumptions; and
- (d) Ensure that unsuitable fill spoil sites/dumps are located in such areas, and are of such size and slope profile, that they will not affect localised land stability.

81. An Earthworks Management Plan shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing for review and approval. The Earthworks Management Plan shall detail the following:

- (a) The proposed earthworks methodology;
- (b) Material sources, use/disposal and treatment;
- (c) Dust and noise control methodologies;
- (d) The process for managing any instabilities that may occur within the areas affected by earthworks; and
- (e) The remedial measures to be adopted and, where the effect of the instability extends outside the site, the means of remediating the affects to affected property owners.

82. A detailed Groundwater Management Plan shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing for review and approval. The Groundwater Management Plan shall:

- (a) Include final designs for the drainage systems;
- (b) Set out methods of site assessment by suitability qualified personnel to determine the need for the installation of further drainage during the site works;
- (c) In respect of subsoil drainage pipes in cut and fill slopes, detail the planned monitoring of the systems and means of access and cleaning of the systems; and
- (d) In respect of subsoil drainage pipes in cut and fill slopes, include certified as-built drawings and the production of a Drainage System Maintenance Procedure

detailing maintenance activities, timings and actions in the event of any defects being identified.

83. A liquefaction assessment shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council two (2) months prior to earthworks commencing for review and approval.
84. Earthworks shall not commence until conditions 80 to 83 above have been met in full.

### **ARCHAEOLOGICAL**

85. In the event that any human remains or archaeological items are discovered, the works in the immediate vicinity of the remains or artifacts shall cease immediately, and the Environmental Services Group Manager at Waikato District Council, Police, Tangata Whenua and/or Historic Places Trust shall be notified by the consent holder as soon as practicable. Works may recommence with the written approval of the Environmental Services Group Manager at Waikato District Council. Such approval shall be given after the Environmental Services Group Manager has considered:

- Tangata Whenua interests and values;
- the consent holder's interests;
- any archaeological or scientific evidence;
- any requirements of the Police; and
- whether any necessary statutory authorisations have been obtained from the New Zealand Historic Places trust.

### **COMPLAINTS**

86. The consent holder shall to the satisfaction of the Environmental Services Group Manager at Waikato District Council ensure that there are sufficient resources available at all times to deal with public complaints and, in particular, noise problems. To this end the consent holder shall provide a 24 hours per day, 7 days per week contact service to facilitate the handling and resolution of any complaints.
87. The consent holder shall maintain and keep a complaint register for substantiated complaints about the activity received by the consent holder. The register shall record;
- (a) the date, time and duration of the event that is likely to have resulted in the complaint;
  - (b) the likely cause of the event and any factors which influenced its severity;
  - (c) the weather conditions and wind direction at the site at the time of the complaint;
  - (d) the nature and timing of any measures implemented to avoid, remedy or mitigate any adverse effects; and
  - (e) the steps taken or proposed to prevent reoccurrence of the event and similar events.

88. The register shall be made available to the Waikato District Council at all reasonable times. Complaints received by the consent holder shall be forwarded to the Environmental Services Group Manager at Waikato District Council as soon as practicable and within a maximum of 5 days of the complaint being received.

### **OUTDOOR STORAGE AND WASTE DISPOSAL**

89. All outdoor storage of materials at the Motorsport Park shall be located within the confines of a screened outdoor storage area.
90. All waste from the Day to Day Activities at the Motorsport Park shall be stored in suitable containers with appropriate lids and be removed from the site when full.
91. At the completion of an Event, all litter shall be cleaned-up within 12 hours, and removal from the site within 24 hours.

### **SALE OF LIQUOR**

92. The consent holder shall prepare and submit to the Environmental Services Group Manager at Waikato District Council for approval a plan which identifies the areas in which it is proposed to sell liquor to spectators. The areas shall be limited to the convention centre, restaurant, corporate boxes, spectator stands and screened merchandising/food/beverage areas. No sale of liquor is permitted outside the areas approved.

**Advisory Note:** *The hours of operation for the sale of liquor from any approved area under condition 92 above within the Motorsport Park site will be those determined and set by the District Liquor Licensing Authority.*

### **PETROLEUM FACILITIES**

93. That a Site Hazard Management Plan based on and prepared with reference to the following Local or National Standards and Guidelines shall be prepared and submitted to the Environmental Services Group Manager at Waikato District Council at least two (2) months prior to the installation of any petroleum storage tanks or the location of any tankers or drums containing petroleum, for review and approval. The petroleum facilities shall be constructed and operated in accordance with the approved Site Hazard Management Plan. The Site Hazard Management Plan shall include appropriate spill prevention and contingency measures.
- Building Act
  - Dangerous Good Act
  - Hazardous Substances and New Organisms Act
  - Ministry for the Environment (MfE) – Environmental Guidelines for Water Discharges from Petroleum Industry Sites within New Zealand
  - Occupational Safety and Health Service (OSH) – Code of Practice for the Design, Installation and Operation of Underground Storage Systems
  - OSH – Code of Practice for the Transport and Disposal of Petroleum Storage Tanks and Related Wastes
  - OSH – Guide on Sources of Ignition where Dangerous Goods are present

- Auckland Regional Council (ARC) – Technical Publication No. 10: Stormwater Treatment Devices
  - Accepted Oil Industry Protocols
94. That during construction activities, all machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so that it does not enter any surface water bodies.
95. That during construction activities, all storage and dispensing facilities for fuel, oil and similar contaminants shall be designed and operated in such a way that contamination of soil or water is avoided.

### **LOCATION OF BUILDINGS**

96. Prior to the construction of any buildings or structures requiring a building consent under the Building Act 2004, the consent holder shall provide to the Environmental Group Services Manager at Waikato District Council copies of the relevant certificate(s) of title/computer registers upon which the building or structure is to be constructed to verify that either the building or structure is not being constructed over the boundary of land parcels held in separate certificates of title or a Certificate pursuant to Section 77 of the Building Act 2004 has been issued to require that the titles must not be transferred or leased except in conjunction with any of the other allotments upon which the building is constructed and that the certificate has been recorded pursuant to Section 78 of the Building Act 2004.

### **REVIEW**

97. Pursuant to section 128 of the Resource Management Act 1991 (RMA) the Waikato District Council may serve notice on the consent holder of its intention to review the conditions of this consent during the month of the second anniversary of granting this consent and every second year thereafter after the commencement of Day to Day Activities. Such a review may be undertaken after consultation between the Council and the consent holder and shall address any adverse effects on the environment that may arise from the exercise of this consent, including without limitation:
- (a) amenity issues arising from noise generated by traffic associated with the Motorsport Park;
  - (b) amenity issues arising from the operating hours associated with the Motorsport Park activity; and
  - (c) traffic volumes, traffic noise and traffic safety on Hampton Downs Road, and the safe and efficient operation of State Highway 1.
98. Pursuant to Section 128 of the RMA the Waikato District Council may within two months of receiving a request from the Consent Holder (either at its own motion or on the recommendation of the IMC), review the conditions of consent and impose such further or amended conditions it considers necessary to ensure compliance with the traffic performance criteria in conditions 50 and 51 of this consent or to otherwise ensure the safe and efficient operation of the State Highway and the appropriate operation of the local road network.

## **ADMINISTRATION AND MONITORING CHARGES**

99. The consent holder shall pay to the Waikato District Council all actual and reasonable costs and additional charges in respect of monitoring the conditions of this consent in accordance with section 36 of the Resource Management Act 1991.

## **ADVISORY NOTES**

- a. Any work within the State Highway network will require prior approval of Transit New Zealand.
- b. All buildings and associated facilities within the Motorsport Park will require building consents in accordance with the requirements of the Building Act and Councils Building Regulations, and shall satisfy the relevant requirements of the District Plan.
- c. Applications for building consent for buildings within the Motorsport Circuit may be lodged following approval by Council of the comprehensive development plan required by Condition 71.
- d. Reference to Tangata Whenua in condition 85 refers to representatives of Tainui, Ngati Naho and Nga Muka iwi groups.
- e. As this application was received by Council prior to 21 June 2006 **no** development contributions will be payable to Council pursuant to the Local Government Act 2002 and Council's Development Contributions Policy.
- f. *The conditions in this resource consent do not apply to the V8 Supercars resource consent (LUC0250/12) which is a standalone resource consent that operates in parallel with this resource consent.*

## **Schedule 2**

# **Reasons for Decision**

Resource Consent No: LUC0005/06.04

- I. Council is satisfied that the change to Conditions 3 and 19 can be granted pursuant to section 127 of the Resource Management Act, on a non-notified basis, for the following reasons:
  - a) That the change is minor such that potential adverse effects on the environment will be no more than minor in respect of noise effects and the number of extreme events that may be held per year.
  - b) That there will be no person adversely affected by the change;
  - c) That the change will not be contrary to relevant objectives and policies of the Waikato District Plan (Partially Operative); and
  - d) That the change is consistent with the purposes and principles of the Resource Management Act.





Your Ref

In reply please quote  
LUC0393/16

If calling, please ask for  
Cameron Aplin

27 May 2016

Cate Southworth  
Louise Feathers Planning Limited  
PO Box 1462  
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Hamilton 3240

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0800 492 452  
[www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz)

Dear Madam

**APPLICATION BY HAMPTON DOWNS MOTORSPORT PARK FOR LAND USE  
CONSENT TO ALLOW FOR A MAXIMUM BUILDING COVERAGE OF 4% IN  
THE RURAL ZONE AT 20 HAMPTON DOWNS ROAD HAMPTON DOWNS**

Please find enclosed the amended decision for the above application which we have re-issued under Section 133A of the Resource Management Act.

Amendments have been made to Reasons for Decision and advisory notes 3, 4 and 5 deleted with the numbering altered accordingly.

Yours faithfully



Beryl McCauley  
**CONSENTS ADMINISTRATION**

# Resource Consent

(Resource Management Act 1991)



[www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz)

## DECISION ON APPLICATION: LUC0393/16

Pursuant to Sections 34A(1), Section 104, 104B and 108 of the Resource Management Act 1991, the Waikato District Council, under delegated authority, grants Land Use Consent for a Discretionary Activity to:

**Activity:** To exceed maximum building coverage in the Rural Zone for consented activities granted by LUC0005/06.

**Applicant:** Hampton Downs Motorsport Park

**Location Address:** 20 Hampton Downs Road HAMPTON DOWNS

**Legal Description:** LOT 1 DP 411257 BLK X MARAMARUA SD SUBJ TO ESMTS comprised in Computer Freehold Register 500902

This consent is subject to the conditions detailed in the attached Schedule 1.

The reasons for this decision are detailed in the attached Schedule 2.

A handwritten signature in black ink, appearing to be "KJ", written over a horizontal line.

**CONSENTS TEAM LEADER**

**Dated:** 27/5/16

## **Schedule I**

# **Conditions of Consent**

**Resource Consent No: LUC0393/16**

### **General Conditions**

- 1 The proposal shall proceed in general accordance with the information submitted by the consent holder in support of application number LUC0393/16 and officially received by Council on 4 April 2016 and further information received 21 May 2016. Except as amended by the conditions below.
- 2 Pursuant to Section 36 of the Resource Management Act 1991 the consent holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.

### **Notification**

- 3 The consent holder shall notify the Waikato District Council Monitoring Department in writing 10 working days prior to the commencement of activities associated with this consent.

### **Stormwater**

- 4 Stormwater shall be connected to the existing on-site reticulation system. The stormwater discharge into any stream, watercourse or overland flow-path shall comply with the requirements of the District Plan and Regional Plan and meet any Regional Council discharge consent conditions.

## Advisory Notes

- 1 This Resource Consent for land use lapses five years after the date of this decision unless:
  - (a) the Consent is given effect to prior to that date.
  - (b) an application is made before the expiry of the above mentioned date for Waikato District Council to grant an extension of time pursuant to section 125 of the Resource Management Act 1991.
- 2 To notify Waikato District Council Monitoring Department, please email [monitoring@waikato.govt.nz](mailto:monitoring@waikato.govt.nz) with the consent number, address of property and date for when the works will commence.
- 3 The consent holder shall ensure that all vehicle movements associated with the construction work does not track dirt and loose material onto the public carriageway. Any material which is inadvertently deposited onto the road is required to be immediately washed or swept clear of the road carriageway so that there is no hazard to the travelling public.
- 4 The Consent Holder shall ensure that erosion and sediment control measures are in place in accordance with the Waikato Regional Council's Erosion and Sediment Control Guidelines for Soil Disturbing Activities: January 2009, prior to undertaking the consented activity.
- 5 Any increase to the existing stormwater volumes discharged from the site may require a Regional Council discharge consent or amendment to an existing discharge consent.
- 6 The capacity of the existing wastewater network, including all pumps and rising mains servicing the existing industrial units and private apartments and any new buildings shall be investigated to ensure that any additional loading will not impact on services to the existing users. If required the consent holder shall upgrade the treatment plant and pipes and/or pumps to the satisfaction of a suitably qualified Engineer.
- 7 The capacity of the existing water supply network, including all private water mains servicing the existing and new buildings shall be investigated to ensure the additional loading will not impact on services to the existing users. If required the consent holder shall upgrade pipes and/or pumps to the satisfaction of a suitably qualified Engineer. The Engineer is to consider fire-fighting ability of the supply for all existing and future development.

## **Schedule 2**

# **Reasons for Decision**

### **Resource Consent No: LUC0393/16**

- I The actual and potential effects created by the proposal are acceptable because:
  - The use of site has already been consented to under resource consent LUC0005/06.
  - Screen planting is already required by resource consent LUC0005/06 which will soften any visual effects of the proposed buildings/structures;
  - Increase in site coverage is unlikely to result in adverse effects in regards to rural character, stormwater, wastewater, noise or traffic.
- 2 The proposal is consistent with the objectives and policies of the operative District Plan.
- 3 The proposal is consistent with the operative Waikato Regional Policy Statement and all other relevant matters.
- 4 Overall the proposal meets the purpose (section 5) and principles (sections 6-8) of the Resource Management Act 1991