

Eden Park Neighbours' Association

Newsletter

www.epna.org.nz PO Box 10-283 Dominion Rd

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Issue No. 34



Eden Park starts concerts push with a NO NOISE LIMIT application !!

Eden Park want to be "concert central". This could mean 6 concerts or more a year. To start this they have applied for a "charity" themed concert.

The application highlights their continued belief that they should have no constraints, by having no noise limit. By applying without a noise limit, they appear to want to ignore the residential constraints and to run an event at whatever set up and noise level they want - regardless of impacts on the neighbourhood.

This could be New Zealand's loudest venue, in its most inappropriate location.

It's their 6th attempt for concert(s)

- This time is worse with no proposed noise limit
- Noise model not for full concert setup/configuration and levels
- No crowd noise modelled
- 7-8 days of setup - including a full 24hr /overnight and multiple functions
- very late finish
- NO mitigation
- if charity event doesn't happen - can keep and vary consent to later concert
- Concerts are loud! 964m from Mt Smart, they record 50% greater noise levels than now at Walters/Cricket roads.
- No one moved here to be next to a concert venue
- There is no doubt that, for most people, concerts at Eden Park will make our neighbourhood a less attractive area to move into.

Application on Council site: <http://www.aucklandcouncil.govt.nz> under: have your say / Notified Resource consent (link at www.epna.org.nz)

Eden Park have applied before - declined by Independent Commissioners and Environment Court Judge. As part of the increase in night games from 16 to 25, they withdrew concerts and assured Council, the Environment Court and ourselves they would concentrate on sport and not concerts. Previous applications at least had a noise level limit proposed - albeit at a level deemed unacceptable - this one does not.

While linked to a charity, the event itself looks fully commercial, and it doesn't detail charity funding sources. Given the charity hasn't confirmed/signed the artist, telethon parts etc, there is a very real chance that if the event doesn't go ahead after gaining consent, Eden Park Trust could keep and vary the consent (likely non-notified) to a later concert of their choosing. So relying on the "charity" element as justification, comes with risks.

Submissions close 5pm 12 July - online on Council site

We suggest going through the application and details here and on our web site, and getting a submission in this week - before the start of school holidays, otherwise people often forget and miss the deadline. See back for submission pointers.

Check web for details and any updates: www.epna.org.nz

Noise Details

- Noise levels are complex - a 10 dBA increase is a doubling (100% increase) in noise levels.
- Application understates noise levels. Only uses 2 speaker arrays, with wrong location and height
- Should have used 4-6 speaker arrays / some angled towards houses, height near the top of Terraces and base speakers across front of the stage.
- And relay tower speakers hung from cranes part way down ground, and possibly additional roof hung speaker arrays pointing out towards houses
- Modelling was done using 105 dBA at the sound desk, as opposed to 110 dBA used to model the Forsyth Barr stadium.

South Stand EFTE plastic wrap designed to let 100% of noise pass through - needs to be correctly modelled.

We believe the noise levels will be much worse than those modelled.

The best factual info comes from Council's noise monitoring at Mt Smart, which is in a crater, with very large solid industrial buildings between the speakers and houses, so we can expect Eden Park to be much worse.

Mt Smart houses situated at 768m and 964m behind the speakers have recorded 56-59dBA. As a comparison that's louder than T20/ODI music if you were standing at the Walters Rd/Cricket Ave intersection.

The application doesn't explain the actual effects on people - e.g. a 75 dBA level would be like running a vacuum cleaner in the room with you - for over 3 1/2 hours!

Eden Park's own modelling shows properties at a level likely to require people to vacate.

And as seen with Mt Smart, the level up to 750m-950m away would likely prevent a conversation around the bbq and be generally disruptive. Especially to young children trying to sleep.

Australian noise monitoring also confirms average crowd noise is 5 dBA (50% higher) than the music, and for some groups it can be twice as loud as the music. And those examples are from contained, well roofed stands - not the multitude of stands, and leakage points that Eden Park has.

Crowd noise will be substantially louder than the current capacity sport events - 45,000 fans will all be facing east towards the stage, and 12,000 on the field. No crowd noise modelled - it was for the Forsyth Barr stadium.

Council's own noise experts will investigate and report on all noise effects. If you've submitted, you will receive these reports and be able to comment/query them at the hearing.

Mitigation

None has been offered or suggested. The application ignores the duty of Eden Park to mitigate the effects - this is a clear and direct Unitary Plan requirement for concerts at Eden Park.

It is historically accepted that "mitigation" of Eden Park events doesn't work, and why the number and frequency of events are restricted. A concert in many ways can't be mitigated either - and why declined in the past.

The sorts of mitigation could range from tickets, accommodation elsewhere etc. However these are problematic, and cause issues in themselves.



But it's for a charity?

The concert is promoted as raising \$4m for charity. However, there are no details of funding sources to back this up. In any case the concert could be held elsewhere - at a venue already consented - in that case tickets could already be selling. It appears the drive for Eden Park is around corporate wishes.

It's unfortunate that a charity, with better options elsewhere, has been caught up in Eden Park's concert push.

Survey

We're aware of a biased, push poll currently underway. While irrelevant to the Environment Court, it does, through its questions, highlight the true agenda and the wider context of gaining many more events including concerts to prevent Council properly looking at a CBD stadium. The questions also re-visit the failed Unitary Plan approach by Eden Park, to re-zone and sell or develop part of the ground. The ongoing strategy of moving concerts and their income from Council facilities to the private Eden Park Trust, will also impact on our rates, with the loss of income for Council.

But it's just a one off?

No, it's just a step in a campaign for at least 6 per year, and will be used by Planners in a later application.

We asked Eden Park if this really is a one off concert, to give a guarantee not to apply for another concert again for an agreed period (5yrs say) - they refused.

We also have Council's Chair of Finance openly saying that moving cricket to Western Springs will open up Eden Park to concerts. As ratepayers we also face Mt Smart losing revenue for Council, if concerts move here.

What does Environment Court direct referral mean?

The application doesn't warrant direct referral, given it's already been declined by Council before, and the Unitary Plan rules are clear.

If Council do continue to favour Eden Park and refer the application to the Environment Court, it will in fact be good news, as it gets past Council's sub-standard treatment of Eden Park consents.

It means that the matter will be properly dealt with for a change.

It will still be a submitter friendly process, and you will have the right to put your personal circumstances and effects before the Judge and Commissioners.

But I've already submitted

If you submitted saying yes and didn't realise they applied with no noise limit. You can put another submission online, saying you wish to amend previous submission - eg would only support with proper noise limit.

If you've opposed, you can also amend to add noise limit as an issue.

You can expand on issues at a hearing, but can't add new issues not in your submission.

Requests by Eden Park to meet

We're aware that those that have opposed, are being contacted by Eden Park to meet. We'd suggest there is nothing to be gained without the true and independent facts and analysis. You will be far better informed as the process unfolds – from the reports of Council's own noise experts and planners, and our experts – these will all be available during the hearing process.

We've seen in the past with RWC shading mitigation, Eden Park were able to favour some neighbours over others. The proper process is via the Environment Court treating all equally with regards to any conditions or mitigation offered.

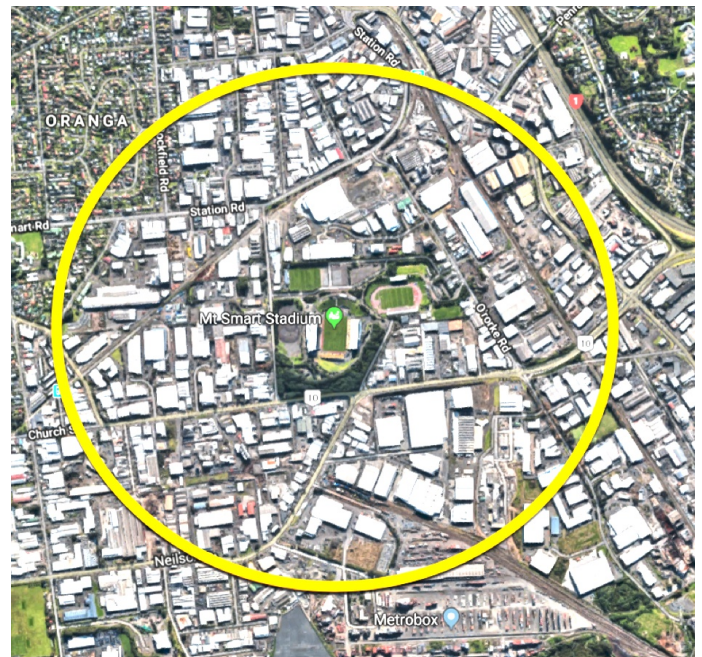
Why here and not Mt Smart?

The main difference seems to be for the corporates - who can use boxes and lounges at Eden Park. On the other side though - the photos below clearly show the differences in effects.

At 1 km from the speakers Mt Smart has only 93 houses - we have 4000



Eden Park - 1Km = 4000 dwellings



Mt Smart - 1Km = 93 dwellings

Submissions

There are a number of options for submissions.

If you want the concert regardless of there being no noise limit, then you can support the application.

There are then options around opposing. You can oppose, but say you may support if subject to adequate noise limits or mitigation, such as tickets, off site accommodation etc.

Or you can oppose it in its entirety as concerts not suited in such a unique close residential environment, per previous decisions, and that no mitigation has been offered or is possible to deal with the adverse effects.

It is valid to highlight the flaws in the application, and that a much more detailed analysis is required - eg proper noise modelling, including crowd noise.

Under the RMA, you should always detail your concerns regarding effects that you will face.

It's best to provide a personal context around these, e.g. how many children and ages in our household, do you do shift work, or have an early start the day after the concert. Do you need on street parking before midnight etc.

Then you should detail the effects that will impact you - obviously noise, including crowd noise, capacity crowd event in summer, traffic, parking, crowd issues etc. In looking at effects, after the major noise issues, it is worthwhile relating the normal disruptions and effects as they impact you - especially as this is a full capacity event ie crowds, traffic, parking at same level as a winter All Blacks game.

It is important to cover all effects, as you cannot add new issues at a hearing. You can expand on them during a hearing, and it is always very useful at the hearing itself to present evidence such as photos, videos of these effects and how they relate to this event.

Also tick the box that indicates that you 'wish to be heard'. While it can be difficult to attend (you can cancel later), it is usually more effective if the Commissioners are getting direct personal feedback and examples rather than just a written submission.

The Council online process is straight forward - however the fields for detailed information are far too limited. It is best to prepare your detailed submission in a document and upload as a doc or pdf file. Each person should make their own submission.

We suggest you cover key points:

- you and your family's details / ages etc / work and school commitments the next day
- impacts you get from a full capacity game now – eg traffic, parking, crowds, disruption etc and how this will affect you for this concert, providing evidence such as photos, videos etc can be very effective at the hearing
- likely concert noise effects on you - distance from the ground, level you expect and how that will impact on you and your family
- If you're close to the ground, the 7-8 days on construction and removal of the stage may impact.
- Detail the impacts from the later finish time for a concert.
- Raise any areas where the application is deficient in details eg Telethon, noise of stage build, proper wider area noise models etc
- Also explain the cumulative impact of the concert, the 7-8days build/removal, along with the normal day-to-day events in Feb/March.

Become a member / or update member email details.

Please email details to: epna@epna.org.nz

Confirming either that you are a member updating details or that you wish to join EPNA, and provide your name, address and email details.

We are also incurring legal and expert costs - so donations are needed....

Bank details: ASB Bank Limited 12-3016-0497668-00

If you require a receipt, please email donation date/amount and reference on deposit to: epna@epna.org.nz, requesting a receipt.

Please note:

The Association records membership and member details. Under the 1993 Privacy Act it is necessary to inform you of this fact. The details you provide will only be used by officers of the Association to enable them to conduct the business of the Association and may not be disclosed to outside bodies. You may request a copy of your information to check its accuracy at any time.