

The Eden Park Trust

Concert Events



Assessment of Environmental Effects in support of Application for Resource Consent

July 2024

Tattico Limited

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1 THE APPLICANT AND PROPERTY DETAILS

APPLICANT AND PROPERTY DETAILS	
Applicant	The Eden Park Trust ("EPT")
Address for Service	The Eden Park Trust Private Bag 56-906 Dominion Road, Auckland 1024 Attention: Nick Sautner Private Bag 56-906 Dominion Road Auckland 1146
Address & Legal Descriptions	42 Reimers Avenue, Kingsland, Auckland 1024 Legal Descriptions - See Attachment A .
Site Area	9.8004 hectares
Auckland Unitary Plan: Operative in Part 2016 ("the Unitary Plan")	
Road Classification	Sandringham Road (Arterial Road)
Designations	N/A
Zone	Special Purpose – Major Recreation Facility
Precinct	Eden Park Precinct
Overlays	<ul style="list-style-type: none"> ▪ Natural Resources: Quality Sensitive Aquifer Management Areas Overlay – Western Springs Volcanic Aquifer
Designations	<ul style="list-style-type: none"> ▪ Nil
Controls	<ul style="list-style-type: none"> ▪ Macroinvertebrate Community Index [rcp/dp] - Urban

2 INTRODUCTION

This report is submitted in support of a land use consent by the Eden Park Trust (the “**Applicant**” or “**EPT**”) to hold up to six concerts at Eden Park stadium.

Eden Park is owned by **EPT**, a charitable trust under the Eden Park Trust Act 1955 (as amended). Trustees are appointed by Auckland Cricket, Auckland Rugby and central government under the 2009 Trust Deed (the “**Trust Deed**”), whereby they are required (among other things):

- To promote, operate and develop Eden Park as a high-quality multi-purpose stadium for the use and benefit of rugby and cricket (including under the organisations of ARU and ACA respectively pursuant to their rights under this deed) as well as other sporting codes and other recreational, musical and cultural events for the benefit of the public of the [Auckland] Region; and
- To administer Eden Park and the Trust Assets on a prudent commercial basis so that Eden Park is a successful financially autonomous community asset.¹

As well as complying with the obligations set out in the Deed, EPT is required to operate Eden Park in accordance with the Auckland Unitary Plan, Eden Park Precinct Plan and the conditions of any applicable resource consent.

EPT was granted a discretionary activity resource consent (LUC60351212) on 15 January 2021 to hold up to six concerts in any 12-month period at Eden Park, including all related set-up, pack-down, and traffic and crowd management activities (the “**Concert Consent**”). The application was processed on a notified basis and attracted many submissions, both in support and opposition to the proposal. The decision was not appealed. The resource consent was approved subject to 59 conditions of consent relating to number and frequency and timing, noise limits and monitoring, management plans and pack-in and pack-out for concert events.

EPT has held eight concerts at Eden Park since the issue of consent and a further three concerts are planned this year. The concerts have included both single and multiple concert night events. EPT has consulted with music industry professionals and advisers to gain feedback on the scheduling and staging of concerts at Eden Park. The feedback from the industry is that the trend for large scale tours is to hold multiple events in a single location rather than single events in multiple locations. This is particularly the case in New Zealand given freight costs and foreign exchange rates.

¹ Section 4.1 (*Objects of the Trust*) Eden Park Trust Deed

This Applicant seeks an increase in the number of concerts that can be held in a calendar year, from 6 to 12 where these events are performed by up to a total of six different artists/acts in the same time-period. This will provide the opportunity for EPT to offer promoters the ability to secure multiple night concert events and provide certainty in terms of securing artists, organising and marketing the events. The cap on artists/acts will ensure there are no additional pack-in and pack-out activities over and above what is already consented.

As set out in this Assessment of Effects, EPT's view is that the further enabling of concerts at Eden Park will deliver social, economic and cultural benefits to the Auckland region and to New Zealand generally and assist EPT to meet the objects of the Trust Deed.

This report has been prepared in accordance with the requirements of Section 88 and the fourth schedule of the Resource Management Act 1991 (**RMA**) and is intended to provide the information necessary for a full understanding of the proposal and any actual or potential effects the proposal may have on the environment.

This report contains the following information:

- A description of the site and surrounding neighbourhood
- A description of the proposed activity
- An assessment of effects of the proposal on the environment and
- An analysis of the provisions of the RMA and the relevant statutory plan documents.

In accordance with Section 95A(2)(b) of the RMA, EPT requests that this application is publicly notified.

3 SITE DESCRIPTION AND SURROUNDING LOCALITY

3.1 SITE DESCRIPTION

The application site, known as Eden Park, is located at 42 Reimers Ave, Kingsland and contains a large well establish stadium. Since the 1900's Eden Park has hosted major rugby and cricket matches and has evolved from a major rugby and cricket ground to a multi-purpose stadium capable of hosting a range of entertainment, community and cultural events. It comprises almost all of the land bounded by Reimers Avenue to the south, Cricket Avenue to the east, Walters Road to the north and Sandringham Road to the west. The boundaries of the site are illustrated in **Figure 1** below. The legal description of the land and the Certificates of Title for the site are included at **Attachment A** to this report.

EPT also own the residential properties located at 60 and 62 Sandringham Road and Units 1, 3 and 5/64 Sandringham Road. Notably, although these sites contain residential dwellings, the sites are located within the Major Recreation Facility zone and the Eden Park Precinct. See **Figure 2** below. In addition to the land owned by EPT, seven adjacent properties previously owned by EPT have a non-objection encumbrance including 16 Raleigh Avenue and 6, 8, 10, 12, 14 and 16 Cricket Avenue.



Figure 1: Locality Plan



Figure 2: EPT Owned Properties (as described above)

3.1.1 Main Stadium and Number 1 Field

The main stadium and the Number 1 field is located towards the eastern side of the site. The main stadium comprises two covered stands (north and south) and two uncovered stands (east and west). In 2007 Eden Park was confirmed as the venue for the RWC 2011 Final, and the Government committed \$200m to the redevelopment of Eden Park. In 2009 Eden Park underwent a major redevelopment with the replacement of a new South Stand, redevelopment of the East Stand and the construction of a perimeter concourse level linking all four stands in the stadium. Gates A, D, E and H provide the primary public access to the main concourse and stands. The concourse allows people to circulate inside the stadium and provides access to food and beverage outlets, merchandise and toilet facilities.

Gate A is located in the north-western corner of the stadium on Walters Road and near the intersection with Sandringham Road in close proximity to the Kingsland Rail Station and provides a large, asphalted area at the entrance to the gate turnstiles.

Gate D is located near the corner of Walters Road and Cricket Avenue. The gate is accessed via a plaza area level with the footpath and a set of stairs that leads to the gate turnstiles. A tekoteko is centrally located in the plaza and the road boundary edges are planted with both mature trees and low-level vegetation.

Gate E is in the south-eastern corner of the stadium near the corner of Cricket and Reimers Avenues and is also accessed via a plaza that is level with the adjoining footpath, contains one of the tekoteko and planted gardens.

Gate H is in the south-western corner of the stadium and is accessed from Sandringham Road via the bus hub or from Reimers Avenue through the carpark area located between the stand and the road boundary. The boundary of the site with Reimers road is planted with mature vegetation to screen and soften the carpark areas.

Four tekoteko (Maori carvings) guard the main entrances to the stadium, the figures represent: Tanemahuta – the spirit of the forest; Rongo – the god of peace; Tumatauenga – the god of war; and Tawhirimatea – the god of wind. They were commissioned by the EPT and mana whenua Ngāti Whātua Ōrākei and installed as part of the stadium redevelopment prior to the 2011 Rugby World Cup.

3.1.2 North Stand

The North Stand is primarily accessed via Walters Avenue through Gates A, B and C. The covered stand provides 13,888 permanent and temporary seats and includes reception and hospitality facilities on Level 5 and corporate boxes on Level 6. Gates B and C provide direct access to the corporate facilities in the stand. The Stand also contains a merchandise retail shop, Auckland Rugby Union offices and gym facilities. There are three vehicle crossings located on the Walters Road frontage accessing a parking area providing 136 carparks located between the stadium and road boundary. The boundary with Walters Road is fenced and vegetated with mature trees, hedges and lower-level planting.

3.1.3 East Stand

The uncovered East Stand has a lower and upper tier and is primarily accessed via Gate D on the corner of Walters Road and Cricket Avenue and Gate E on the corner of Cricket and Reimers Avenues. The Stand provides seating for 8226 people (including temporary seating). The rear of the East Stand is dominated by the base and undercroft wall of the Stand. The undercroft is used for storage and match-day staff check-in.

Above the base of the Stand is the Upper East Stand and a digital screen located in the south-east corner. The frontage to Cricket Avenue includes a mixture of grass berm and gardens with low level planting and specimen trees, and pedestrian plaza's outside of the two entry points into the stadium. The East Stand occupies a considerable length of the western side of Cricket Avenue. It is setback approximately 14m from the road boundary. Cricket Avenue is approximately 20m wide. A glazed acoustic barrier and new digital screen was installed above the East Stand in 2021.

3.1.4 South Stand

The South Stand was constructed as part of the redevelopment of the stadium in 2009. The covered stand contains three tiers, has reception and lounge facilities, corporate boxes and a media centre. The Stand has a capacity of 21,411 people (including retractable seating). The South Stand is distinctive in that it is enclosed with a translucent material providing insulation and an integrated architectural finish. A service road is located underneath the Stand and is accessed via a two-way vehicle ramp adjacent to Gate F which is accessed from Sandringham Road via the bus hub and carpark area. The Stand also contains changing facilities, ancillary rooms and access to the field via two separate entrance tunnels located in the centre and south-eastern corner of the Stand. There are 99 car parks available directly in front of the Stand.

3.1.5 West Stand

The West Stand is the smallest stand in the stadium and comprises two uncovered tiers with a large reception room located beneath the upper tier. The Stand provides 4771 permanent and temporary seats and is primarily accessed via Gates A and H. The elevated concourse is located on the outer, western edge of the Stand. Beneath this concourse is a roadway (Utah Street) and service area linking the service lane beneath the South Stand and Gate Q located on Sandringham Road. The Upper West Stand does not connect to either the North or South Stands. A digital screen is in the gap between the North and West Stand beneath which is the main equipment and vehicle access to the field. The Lower West Stand seating is being demolished and replaced with retractable seating. The hospitality areas and event space within the Stand have been upgraded following Cyclone Gabrielle and weather events in Auckland in 2023. Further works are planned in 2024 and 2025 to complete the upgrade of these facilities to provide enhanced fan experience and corporate hospitality.

3.1.6 Number 2 Field (Outer Oval)

The Number 2 or Outer Oval is located on the western side of the site adjoining Sandringham Road. It comprises a cricket oval, practice nets, high performance centre and grandstand facilities (including the historic Eden Park grandstand). The field is fenced on Sandringham Road with a permeable rail fence about

1.8m in height. Gate Q, accessed off Sandringham Road provides vehicle access adjacent to the Outer Oval and connects to the service road which runs beneath the South Stand.

3.1.7 Bus Hub and Servicing

A central Bus Hub is located on the corner of Sandringham Road and Reimers Avenue and is accessed via three separate vehicle crossings on Sandringham Road. The Bus Hub is operated by Auckland Transport during large events and matches providing capacity for 12 coaches to load/unload passengers. When not in operation, the area is used for general parking providing 108 parks.

The main loading and service area for the stadium is located beneath the South Stand accessed either via the vehicle entrance off Sandringham Road through the Bus Hub and carpark or from Gate Q. The service road is large enough to accommodate 7-10 articulated trucks and provides the ability to load and unload goods in a covered, enclosed space. This and the undercroft are the main storage area for the stadium and houses the back of house, service, mechanical and plant areas.

3.2 SURROUNDING ROAD NETWORK

The surrounding road network is fully described in the Transport Assessment in **Attachment F** where it is detailed that Eden Park is centrally located approximately 4km from the Central Business District and is readily accessible via all transport modes. The Transport Assessment identifies that Eden Park can be easily approached from many different routes with the north-western motorway being the closest strategic route.

Sandringham Road is a main arterial road and public transport route. Walters Road, Reimers and Cricket Avenues are local roads providing access to residential properties and the Eden Park precinct. The stadium is located within 200m of the Kingsland Station and 800m from Morningside Station which connect to Auckland's rail network.

Walters Road is one of the primary roads used by pedestrians to access Eden Park during events as it provides a connection between the Kingsland Station, Sandringham and Dominion Roads and the North, West and East Stand general admission entrances (A and D). The pedestrian facilities and environment surrounding Eden Park was upgraded in 2010 to provide better pedestrian access to public transport to and from Eden Park. This included a signalised crossing across Sandringham Road providing direct access to the Kingsland Station, a new pedestrian walkway between Sandringham Road and Walters Road and the installations of speed tables along Walters Road for traffic calming effects. Together, these provide a high level of accessibility for pedestrians through the area.

3.3 PUBLIC TRANSPORT

The surrounding area is well served by public transport, including the Kingsland and Morningside Stations. Several bus routes run along Sandringham Road and Dominion Road, linking to the City Centre and wider Auckland. The nearest bus stop to the stadium is located on Sandringham Road north of Altham Avenue, directly opposite the stadium. The bus service operates every five to ten minutes during peak commute hours, and every fifteen to thirty minutes at other times.

Kingsland Station, located within 200 metres walking distance from Eden Park, and Morningside Station, located within 800 metres walking distance from Eden Park, are on the western rail line connecting to Britomart and the southern line (via Newmarket) and Swanson via Mount Albert, New Lynn and Henderson. It has services operating every ten to twenty minutes on a normal operating schedule. With the completion of the Central Rail Link (CRL) project in 2026, the efficiency, reliability, and frequency of Auckland's passenger rail network will improve almost double the number of trains coming into the city, allowing the network to carry up to 27,000 passengers per hour at peak times.

3.4 GENERAL LOCALITY

Eden Park is in Kingsland, a central Auckland suburb located in the City Fringe area close to the central city and is surrounded by residential development.

The majority of properties in the immediate vicinity of Eden Park are zoned Single House with a Residential Isthmus A Special Character Overlay. The overlay includes housing from early European settlement and development that occurred in and around Auckland City in the late 19th and early 20th centuries. The area retains a collection of Victorian, Edwardian and early 20th century houses, including villas and transitional villas. Houses are generally single-storey timber-framed detached dwellings on individual sites.

To the west of Eden Park, on the opposite side of Sandringham Road, are residential properties with a mix of housing types zoned Terrace House and Apartment Building (**THAB**), Mixed House Urban and Suburban and Single House. Beyond this housing area is the commercial and light industrial area of Morningside zoned Business Mixed Use. On the elevated embankment between the rail line and New North Road are a mix of residential properties (single house and apartments) zoned THAB and the commercial activities of Kingsland's Town Centre zoned Business Local Centre.

The main hospitality areas are in Kingsland and Dominion/Valley Road, within walking distance of Eden Park. To the north-east of the site is Kowhai Intermediate School and Trent Bray swim centre.

4 BACKGROUND

4.1 EDEN PARK HISTORY

Since the early 1900s Eden Park has hosted major rugby and cricket matches and is the home of Auckland Rugby and Auckland Cricket. Alongside its history of hosting rugby and cricket, Eden Park has more recently evolved from a solely rugby and cricket ground to a stadium capable of hosting a more diverse range of premier domestic and international events. Highlights from Eden Park's recent history include²:

- 2009: Major redevelopment of Eden Park commences.
- 2011: Eden Park hosts 2011 Rugby World Cup, including the final.
- 2014: Eden Park hosts the inaugural NRL Nines tournament.
- 2015: Eden Park hosts 2015 Cricket World Cup matches, including a semi-final.
- 2017: Eden Park hosts three Lions matches including two tests, the World Masters' Games and launches the G9 Stadium golfing event.
- 2018 Eden Park hosts the first day-night test to be held in New Zealand and the Mitre 10 Cup final between Auckland and Canterbury.
- 2019 Eden Park hosts the A-League football match between Wellington Phoenix and Melbourne Victory, hosts Nitro Circus for the first time and is selected to host the 2021 Te Matatini Festival. The Nelson Mandela: My Life exhibition opens at Eden Park.
- 2020 Women's Cricket World Cup
- 2022 Women's Rugby World Cup
- 2023 FIFA Women's Football World Cup

There has been significant change to the stadium resulting from New Zealand winning the hosting rights for the Rugby World Cup 2011. Joint central and local government funding of \$200 million was invested in the comprehensive redevelopment of Eden Park to bring the stadium up to a standard to host international events. This included new South and East Stands, a central concourse and significantly upgraded facilities (including a Bus Hub) and amenities. In addition, Kingsland station was upgraded and pedestrian links to the station enhanced and improved.

Eden Park is now also being used by many other sporting codes, entertainment operators and community and charitable organisations for a diverse range of events including the annual celebration of Eid by the Auckland Muslim community, Japan Day, Auckland City Mission Christmas food package distribution. EPT works with the community via its supporters club The Hood and local business associations to provide

² www.edenpark.co.nz/news

amenities and facilities for community activities, such as the Food Truck evenings organised by Eden Park local residents,³ community Christmas celebrations and local school assemblies, sporting events and award ceremonies.

4.2 HISTORIC RESOURCE CONSENTS

Eden Park has relied on various resource consents (the first granted in 1997) that have enabled it to host a range of events over the last 20 years. This includes the resource consent (R/LUC/2006/4828) approved in 2006 for the redevelopment of Eden Park and to enable it to host night-time sporting events that rely on the use of lights. The resource consent includes conditions that specify detailed operational parameters (start times, finishing times and frequency) that apply in the case of events using lights. The resource consent included the construction of new South and East Stands. An acoustic barrier formed an integral part of the new permanent East Stand but was not constructed during the redevelopment of the stadium. The acoustic barrier was installed following the issue of the Concert Consent in 2020 in fulfilment of a condition of the consent.

4.3 PLANNING FRAMEWORK

Like other regional stadia, Eden Park is zoned Special Purpose - Major Recreation Facility in the Auckland Unitary Plan (Operative in Part) 2016 (“AUP”). It is also subject to the Eden Park Precinct. The Major Recreation Facility zone and the Eden Park Precinct provide the resource management framework for the use of Eden Park as a sporting and recreation venue for daytime and night-time activities. This includes primary activities such as organised sporting and recreation activities undertaken during the day and night-time, and informal sport and recreation activities and non-sporting events undertaken during the daytime.⁴ The Precinct also provides for a range of permitted compatible activities such as functions, gatherings, conferences, meetings and community activities. Up to six concerts in a 12-month period is listed as a compatible activity and provided as a discretionary activity.

4.3.1 Night-Time Activities

The following standards apply to the use of the Eden Park for primary activities (sport and recreation) undertaken at night-time but not to compatible activities:

1310.6.11. Organised sports and recreation activities undertaken at night time on the Number 1 field.

These activities must meet all of the following standards:

³ www.edenpark.co.nz/the-hood

⁴ Day-time activities are those undertaken between 30 minutes before sunrise and 30-minutes before sunset on the same day, and night-time activities are those undertaken between 30-minutes before sunset on one day and 30 minutes before sunrise the following day.

- (1) *There must be no more than 25 activities within any 12 month period;*
- (2) *There must be no more than one day/night cricket test match within any 12 month period;*
- (3) *If scheduled between Monday and Friday (inclusive), these activities (excluding day/night cricket test matches) must commence after 7:30pm and be scheduled to finish no later than 9:30pm. Activities on public holidays are excluded from these time limits;*
- (4) *Day/night cricket test matches must be scheduled to finish no later than 10.00pm;*
- (5) *These activities must not be undertaken on a Sunday;*
- (6) *These activities must not exceed four occurrences within any 35 day period; and*
- (7) *The crowd attending any of these activities must not exceed 50,000 persons.*
- (8) *For the purpose of these standards, a day/night cricket test match of up to five days in duration is to be counted as one activity.*

The use of the stadium at night-time for organised sport and recreation requires a non-notified controlled activity resource consent. This method was included in the Precinct provisions to enable the operation of the stadium at night-time through adaptive management plans. Specifically, *I310.9. Special information requirements* set out that a Community Consultation and Communication Management Plan (“**CCCMP**”) and Events Management Plan (“**EMP**”) must be prepared and provided to the Council with any resource consent application for organised sport and recreation activities undertaken at during the night time. The plans are required to include the following information:

I310.9.1. Community consultation and communication plan

- 1) *The Community Consultation and Communication Management Plan must include the following information in addition to any other matters relevant to the matters of control:*
 - i. *details of the community communication and consultation liaison officer. The community liaison officer must be identified as being the main and accessible point of contact. The community liaison officer’s contact details must be listed on the Eden Park and Auckland Council websites;*
 - ii. *details of the membership of the Community Liaison Group (CLG);*
 - iii. *details of how all of the following have been invited to participate within the Community Liaison Group:*
 - i. *representatives of recognised local community organisations active in the Eden Park community;*
 - ii. *the Eden Park Neighbours Association Incorporated;*
 - iii. *the Eden Park Residents Association Incorporated;*
 - iv. *mainstreet business associations from Kingsland and Valley Road;*
 - v. *Council and relevant Council Controlled Organisations; and*
 - vi. *the New Zealand Police.*
 - iv. *details of the responses to the request to participate within the Community Liaison Group;*
 - v. *details of how the applicant will provide all of the following to the Community Liaison Group:*
 - i. *regular updates on scheduling of primary activities;*
 - ii. *opportunities for feedback and input with regards to the effectiveness of methods to avoid, remedy or mitigate adverse effects associated with the activity;*

- iii. *details of how the applicant will respond to queries and complaints including all of the following matters:*
 - *who is responsible for responding;*
 - *how responses will be provided; and*
 - *the timeframes that the responses will be provided within; and*
- iv. *details of consultation undertaken and responses and feedback received. Where responses and feedback are provided, the applicant must set out how feedback and responses have been addressed, and if not incorporated into the Community Consultation and Communication Management Plan, the reasons why;*
- vi. *details of methods for informing each household within the vicinity of Eden Park, the Community Liaison Group, other stakeholders and affected parties of forthcoming activities and related arrangements (including the use of fireworks) not less than four times per 12 month period;*
- vii. *details of the Eden Park “hotline”. The Eden Park hotline must be maintained and advertised for the purposes of enabling the local community, stakeholders and the Community Liaison Group to contact the appropriate authorities or gain assistance. The hotline must be operated for two hours prior to any event or function being held within Eden Park and must continue to operate until midday (12:00pm) the following day after any event; and*
- viii. *details of the complaints protocol. The complaints protocol must include methods for responding to and managing complaints arising from the actions of spectators, including methods for liaising with and assisting the New Zealand Police in devising and implementing an appropriate protocol to ensure as far as practicable, that spectators do not engage in anti-social behaviour in the vicinity of Eden Park.*

1310.9.2. Events management plan

- 1) *The Events Management Plan must include the following information in addition to any other matters relevant to the matters of control:*
 - (a) *details of methods for ensuring the removal of litter from streets within the vicinity of Eden Park.*
 - (b) *details of methods and procedures for preventing the consumption of alcohol in public places and areas outside of the Eden Park precinct.*
 - (c) *details of pre-event procedures including: (i) methods for ensuring the appropriate coordination of all agencies involved in managing events including:*
 - *New Zealand Police;*
 - *security companies (in the precinct and street security patrol);*
 - *Auckland Transport;*
 - *bus services;*
 - *St Johns;*
 - *fire Service;*
 - *taxi operators;*
 - *tow truck operators; and*
 - *media.*
 - (d) *methods for ensuring that security arrangements for both inside and outside of the precinct are undertaken in a safe and efficient manner; and*

- (e) *details of the post event procedures including methods for ensuring that patrons depart the precinct in a safe, efficient and orderly manner.*

Since the AUP was made operative, EPT has secured a controlled activity resource consent (LUC60126194), granted by Auckland Council on 23 June 2017, for the generic use of the stadium at night-time for sport and recreation under a comprehensive suite of management plans (Eden Park Operating Management Plan or “OMP”). This ‘global’ resource consent ensures that all night-time use of the stadium for primary activities, within the permitted AUP standards, occurs with the implementation of the approved OMP which includes traffic, event and communication and consultation management plans. A copy of this consent is included in **Attachment B**.

4.3.2 Resource Consents

EPT has also secured the following three additional resource consents for the playing of cricket matches at night-time. One is for a single cricket match, the other two apply to cricket matches generally and have on-going application:

- (a) A restricted discretionary activity resource consent (LUC60301178), granted by Auckland Council on 9 August 2017, to enable Eden Park to host ODI cricket matches with a scheduled finish time of 10pm on a week day/night and T20 cricket matches held during a week night between 7:00pm and 10:00pm.
- (b) A restricted discretionary activity resource consent (LUC60337912), granted by Auckland Council on 30 May 2019, to amend the scheduled finish time of ODI and T20 cricket matches for tours by the India national cricket team to 11:00pm on Friday and Saturday nights.
- (c) A restricted discretionary activity resource consent (LUC60338953), granted by Auckland Council on 25 October 2019 to hold a one-off T20 cricket match on Sunday 26 January 2020.

A copy of these consents is provided in **Attachment B**.

4.3.3 Concert Consent

EPT was issued resource consent to hold up to six concerts in any 12-month period at Eden Park (“**Concert Consent**”), including all related set-up, pack-down, and traffic and crowd management activities, on 15 January 2021 (see **Attachment C**). The application was processed on a notified basis and attracted many submissions, both in support and opposition to the proposal. The decision was not appealed. The consent is subject to 59 conditions.

Since the issue of the Concert Consent, EPT has obtained several consents to change conditions under section 127 of the RMA for individual concert performances to provide for changes to concert schedules and crowd sizes. These s127 consents have been for individual concert performances and have not resulted in any permanent change to the conditions of consent. A recent s127 consent amended the concert frequency condition to allow six concert events in a calendar year rather than a 12-month period and is a permanent change to the consent condition. The s127 consents issued are detailed in **Table 1** below and a copy of these consents is provided in **Attachment D**.

Table 2: S127 Consents

Variation	Proposal	Date
A	To use a temporary acoustic barrier for two concerts held at Eden Park between 23-25 April 2021 (ANZAC weekend).	15 March 2021
C	To change Condition 8 to enable a concert held on 3 December 2022 without a full free weekend in a five-week period. The consent was issued due to the postponement of a concert from April to November 2022 following Covid restrictions and pre-scheduled events in November/December. The concert event complied in all other respects with the conditions of consent, including the concert performance counting as one of the six authorised to occur in any 12-month period.	15 September 2022
D	To change Condition 10 of the approved consent LUC60351212 to host a concert on Friday 10th of February 2023 with a crowd size of up to 58,000 people, with earlier gate opening and support act times, and a longer duration than enabled through the consent (noting that the cumulative amount of music from supporting acts and the main did will not exceed four hours in duration as specified in the condition).	13 October 2022
F	To change Condition 6 to allow 'six concert events in a calendar year' rather than 'six concert events a 12-month period'.	21 December 2023
G	To change Condition 6 of the approved consent LUC60351212 to allow 'seven (7) concert events in the 2024 calendar year'.	5 July 2024

4.3 Concert Performances

The following concert performances were held at Eden Park following this issue of the consent:

Table 3: Concert Events

	Concert	Date	Crowd size
1.	Six 60	24 April 2021	50,000
2.	Six 60	19 November 2022	25,908
3.	Billy Joel	3 December 2022	32,537
4.	Guns N Roses	10 December 2022	25,000
5.	Ed Sherran	10 February 2023	50,000
6.	Ed Sheeran	11 February 2023	43,351
7.	P!nk	8 March 2024	42,613
8.	P!nk	9 March 2024	46,094

A further three concerts are scheduled for 2024 with Coldplay performing concerts on 13, 15 and 16 November.

To date, there has been no more than six concerts in a calendar year. All concerts have been held under a certified Concert Operating Management Plan⁵ (COMP) which includes a Community Consultation and Communications Management Plan, Event Management Plan, Pre and Post Event Management Plan and Transport and Traffic Management Plan in fulfilment of Conditions 28 – 31 of the approved Concert Consent. A copy of the COMP is contained in **Attachment E**.

The implementation of the above management plans includes the activation of a hotline to for the period of the pack-in concert performance and pack-out to ensure that the local community and stakeholders can contact Eden Park and gain information, advice, and assistance. A protocol is also activated to deal with complaints arising from the actions of spectators or concerns over the management of the concert event.

The noise level from use of the sound system, including sound checks and balancing has been monitored for each of the concerts and the monitoring results provided to Auckland Council for certification in fulfilment of the noise limit and noise monitoring requirements in Conditions 17 – 25. The monitoring has confirmed compliance with the noise limit conditions, except for one exceedance for the Ed Sheeran concert on 11 February 2023. Marshall Day notes in their monitoring report that *“without taking away from the presence of these non-compliances, subjectively a 1-2 dB exceedance is an imperceptible difference in level from the*

⁵ Certified by Auckland Council on 21 April 2021

compliance limit. As such, we consider these periods would have a negligible increase in effect for the residents.”

Following the completion of the first concert in 2021, an evaluation of the effectiveness of the management measures was conducted via a survey of all households within the vicinity of Eden Park. The feedback resulted in the following matters being revised in the COMP:

- Additional rubbish bins and portaloos in the surrounding streets.
- The inclusion of roaming waste removal personnel and the cleaning team to respond to complaints by Council to ensure litter and bottles are removed from surrounding streets.
- Work with NZ Police to effectively manage Liquor checkpoints.
- Install rubbish bins closer to liquor ban signage.
- Make improvements to pre-event newsletters to be clearer around:
 - Audio testing times and duration
 - Hotline details
 - Parking permits and process to obtain these.

No surveys were conducted in 2022 (following the Billy Joel and Guns n Roses concerts), however surveys were conducted following the two Ed Sheeran concerts in 2023 and the two P!nk concerts in 2024. Feedback on each concert has been reported to the CLG following the concert event(s).

5 PROPOSAL

5.1 OVERVIEW

The applicant is applying for resource consent to hold up to 12 concert events at Eden Park in any calendar year performed by no more than six different artists/acts (excluding supporting acts).

5.2 CONCERT ACTIVITY & PARAMETERS

The Concert Consent was issued based on the following concert description adopted by the Hearing Panel and includes all associated equipment “pack-in/pack-out” activities in the days immediately before and after the concert performances:

“A musical or other similar live performance or series of performances of any genre of music and may feature one or multiple artists of equal or lesser billing. It includes performances by an orchestra or other musical troupe or group or live music which may be accompanied by a dramatic performance (such as an opera or ballet). The activity may include a variety of accessory activities and entertainment elements such as staging, lighting, audio visual, special effects including theatrical/stage pyrotechnics, fireworks displays, aerial displays or performances or other features which form part of or enhance the event.”

This application does not alter this concert description and includes all associated equipment “pack-in/pack-out” activities in the days immediately before and after the concert performance(s).

The operational parameters of the Concert Consent comprise the following items:

- Number and frequency of concert events
- Days off the week
- Start and finish times, admission times and duration
- Stage configurations and crowd size
- Noise limits and sound checks
- Stadium lighting, helicopters and fireworks
- Truck movements.

The application seeks the following changes to the operational parameters for concert events:

- To allow up to 12 concert events in a calendar year where these events are performed by up to a total of six different artists/acts. This provides flexibility for an artist/act to perform multiple concert nights. Placing a cap on the total number of artists/acts limits the number of pack-in and pack-out

activities a calendar year to six. Note that the Concert Consent conditions limit the number of concerts that can be held in a 28-day period to four concert events. This will not be changed.

- To provide for concert events on a Sunday evening. The Consent Consent only provides for concerts on a Sunday preceding a Public Holiday.
- To increase the concert duration during weekdays to 5 hours and have a finish time of 11pm.
- Adjust the noise monitoring conditions to provide for measurements from the mixing desk and a night-time noise limit of 45 dB LAeq and allow pack-in and pack-out to occur over night in the stadium unrestricted.
- Allow sound checks to occur during the weekday and be finished by 8pm.
- Update the stadium lighting condition to reflect the new LED lighting capabilities.
- Provide for truck movements from Gate Q for pack-out following the completion of a concert event.

The consented operational parameters are set out in **Table 4** below, updated with the changes sought in this application shown in italics or strikethrough where the parameter is being altered/removed.

Table 4: Concert Parameters

Item	Description
Number of events	<i>Up to 12 concert events in any calendar year performed by no more than six different artists/acts (excluding supporting acts).</i>
Frequency	No more than four concert events in any four-week (28 day) period.
Respite period	At least one weekend (inclusive of Friday night) in every 35-day period must be free of any concert or organised sports and recreation undertaken during the night-time on the Number 1 field.
Days of week	<i>Monday to Sunday, including public holidays</i>
Start times	Weekday concerts to commence no earlier than 6.30pm for supporting acts and 7.30pm for the main act. Concerts on Saturdays, Sundays and public holidays can start anytime from 10am.
Duration	<i>The total duration of any concert(s) shall not exceed 5 hours on a weekday and 6 hours on a weekend and public holiday.</i>
Finish times	<i>11pm.</i>
Admission times	On a weekday (other than a public holiday) general admission to the number 1 field must not commence prior to 5pm. On Saturdays, Sundays and public holidays general admission to the number 1 field must not commence prior to 8:30am. Corporate hospitality areas may be opened earlier if required.
Multiple concerts	None – one concert performance per day.
Crowd size	<i>Up to 60,000 people.</i>
Stage configurations	Stages restricted to the Number 1 field only (but no restriction on stage location or configuration on the Number 1 field).
Noise limits - concerts	The noise level from use of sound systems associated with concerts, sound checks, and the balancing of sound systems must not exceed 75 dB LAeq(t) and 80 dB LAeq(10min) when measured/ <i>calculated</i> within the boundary of any residentially zoned site not owned by the Eden Park Trust.

Noise limits – pack-in and pack-out	Pack-in and pack-out shall meet <i>45 dB LAeq</i> within the boundary of any residentially zoned site not owned by Eden Park.
Sound checks	Testing and balancing of all sound systems involving PA and/or vocal checks and/or rehearsals by performers for a concert must not cumulatively exceed 3 hours for any concert, <i>must not commence before 10am on any other day, and must be completed by 8pm.</i>
Stadium lighting	At the end of the concert, stadium lighting must be switched to egress mode with the floodlights shut-off no later than 45 minutes after the conclusion of the concert.
Helicopters	Helicopter flights used in conjunction with a concert event shall comply with standard I310.6.14 of the Eden Park precinct. No helicopter to land or take off from the site on the date of the concert.
Fireworks displays	Professional fireworks displays shall comply with the noise standard in I310.6.13(5) of the Eden Park precinct.
Truck movements	Heavy vehicles associated with concerts must access and egress from Sandringham Road only, using Gate Q, the bus hub or temporary gates. No heavy vehicles associated with concerts may access, park or idle on Walters Road or Reimers Avenue. No heavy vehicles may exit the site between 10:30pm and 8:00am except for pack-out activities commencing immediately following the conclusion of a concert when 17 heavy vehicles may exit the site between the hours of 10:30pm and 8:00am the next day.

5.3 STAGE CONFIGURATIONS

The Concert Consent does not restrict stage location or configuration inside the stadium. Notwithstanding this, the three primary stage locations within the stadium are an East, West or Central stage with differing speaker arrangements and crowd sizes as detailed in **Table 5** below.

Table 5: Stage Locations and Crowd Size

Stage Location	Speaker Arrangements	Estimated Maximum Crowd Size
East	speakers facing west	42,000-46,500
West	speakers facing east	40,000-45,500
Central	360 degree speaker arrangement	58,000-60,000

Each of these stage locations has been utilised for the concerts held at Eden Park. The planned installation of retractable seating to the Lower West Stand will enhance the configuration of a West stage to provide more optimal sight lines from the North and South Stands and a greater capacity than for an East stage. For these reasons, a West stage is likely to become the predominant stage location.

In all stage configurations, all gates are activated for all three stage arrangements to optimise accessibility to the stadium and to allow people to circulate around the main public concourse inside the stadium where food and beverage and merchandise outlets are located. Gate Q and the Outer Oval are used to provide access to the Number 1 field under the concourse between the North and West Stands. The south-eastern tunnel and service ramp are also used for egress from the main field for a West Stage configuration.

This application does not seek any change to the stage location or configuration conditions.

5.4 PACK-IN AND PACK-OUT

The time required for these activities varies depending on the size of the production, tour schedule and other factors. Typically, this involves up to 7 days of preparations on-site to construct the necessary infrastructure including turf protection, security fencing, staging, production infrastructure, toilet and food and beverage facilities.

Following the completion of the event, pack-out commences immediately and is largely completed over a 3-day period where the production, stage and turf protection are deconstructed and removed from the site. Typically, production equipment is packed-out immediately following the completion of the show, with the remaining structures and equipment moved in the following days.

All this activity occurs within the Eden Park site itself, except for the movement of trucks to and from Eden Park to transport equipment. The area for storage and transfer of equipment ("**Boneyards**") are within the carpark behind the South Stand, the service tunnel under the South Stand, the road beneath the western concourse ("**Utah Street**") and the Outdoor Broadcasting Bay ("**OBB**").

Heavy vehicle (truck) access associated with concerts is restricted to Sandringham Road between the hours of 8am and 10.30pm each day, except that immediately following the completion of a concert, up to 17 heavy vehicles may exit the site between 10.30pm and 8am the next day via Gate Q at 15-minute intervals. These heavy vehicles are required to be parked on site prior to the concert performance.

Much of the pack-in/out activity takes place during the daytime, is like other activities that currently occur at Eden Park and has no difficulty complying with the daytime noise limits in the precinct plan. However, due to tour schedules, some components of the work must also take place through the night. The larger concert acts often need to pack-out immediately after the end of the concert, through the night, to head for their next venue.

Pack-in and pack-out activities can take place during the night, except that the use of forklifts, elevated working platforms or other mobile machinery is limited to inside the stadium, inside the tunnel under the South Stand, along Utah Street and the OB bay between the hours of 10.30pm and 8am. This coincides with the night-time noise limits in the precinct plan. In addition, no steelwork (dismantling towers, steel stage structure and scaffolding) is permitted to be undertaken during this time.

This application seeks the inclusion of a further Boneyard area located adjacent to the West Stand, on the Outer Oval. This area provides more direct access to the main field than the existing Boneyard area behind the South Stand and is located further from the residential properties on Reimers Avenue. Trucks associated with pack-in and pack-out can directly access the existing and proposed Boneyard area in either direction, from either Gate Q, or the Bus Hub and South Stand tunnel as illustrated in **Figure 3** below.

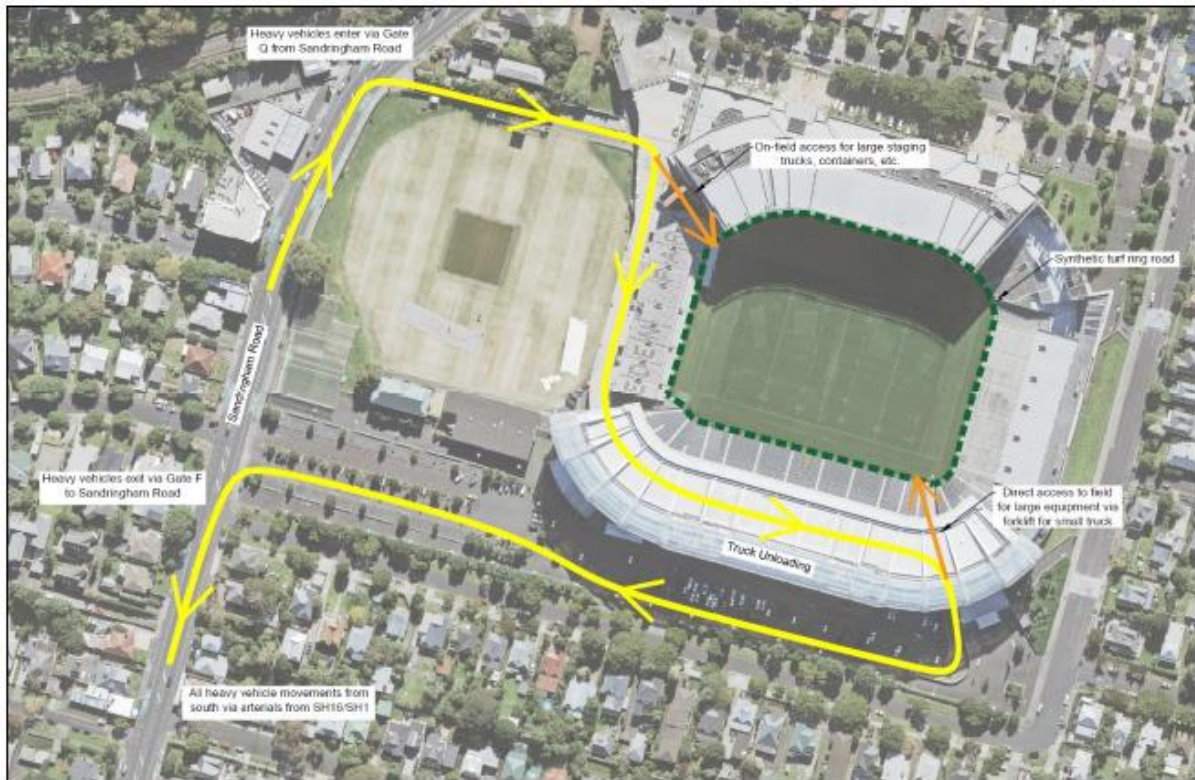


Figure 3: Truck access to the site

Changes are also sought to truck movements associated with pack-out following the completion of the concert performance. This application seeks to remove existing restrictions on truck movements via Gate Q following the concert event so trucks can enter and exit Gate Q as they are loaded, rather than at 15 minutes intervals. Truck movements are proposed to be managed via the Event Management Plan.

The other changes sought to pack-in, and pack-out relate to work within the stadium overnight and the night-time noise limits for these activities. Approval is sought to allow the use of forklifts outside the stadium, for steelwork to be carried out overnight and the noise limit for this activity limit is 45 dB LAeq. at the nearest residential boundary. To support this change, further management measures are proposed to be added to the Pre and Post Event Management Plan to include avoidance of tonal reversing alarms (beepers) on machinery and no use of impact wrenches (rattle guns) at night.

5.5 EVENT DAY

On event day the gates open at 5pm on a weekday, with the support act starting at 6:30pm/7pm and the main act at 7:30pm/8pm. For a weekend concert, the gate opening time and performance times have more flexibility but generally follows the profile if weekday concerts. Concerts finish at 10.30pm and there are no Sunday concerts, except preceding a public holiday. The capacity for a weekday concert is 50,000, with 60,000 permitted on the weekend and public holidays.

Changes are sought to the duration for concerts on weekdays, concert finish times for all days, crowd capacity during weekday events and the inclusion of Sunday concerts. The current and proposed event schedule is set out in **Table 6** below.

Table 6: Event Details

Activity	Weekday Existing	Weekday Proposed	Saturday and Sunday (preceding a public holiday)	Saturday, Sunday and Public Holidays
Gates Open	5.00pm	5.00pm	After 10am	After 10am
Support Act	No earlier than 6.30pm	6.30pm	No restriction	No restriction
Main Act	No earlier than 7.30pm	7.30pm	No restriction	No restriction
Finish	10.30pm	11.00pm	10.30pm	11.00pm
Duration	4 hours	5 hours	6 hours	6 hours
Capacity	50,000	60,000	60,000	60,000

The Transport Assessment in **Attachment F** provides details on the arrival profile of patrons and while a concert has a spreading profile, the busiest period is generally between 1-2 hours before the main act starts. Based on this data, a proposed arrival profile for a 60,000-capacity event on a weeknight has been developed and it is anticipated that 75% of a crowd will arrive before the start of the supporting act to almost full attendance by the end of the supporting act.

The Transport Assessment also includes travel mode split for events to Eden Park. The statistics on the public transport usage for arrivals to the concerts shows average 10% of arrivals by bus and average 30% of arrivals by train. The balance of the crowd either arrived in a car or taxi, walked or cycled to the event.

5.6 LIGHTING

Lighting associated with the concerts includes the use of theatrical lighting directed towards the performance and audience, use of the stadium floodlights for egress and feature lighting on the stadium grandstand facades.

The floodlights at Eden Park were upgraded prior to the FIFA Women's Football World Cup to LED lighting. This allows individual floodlights to be controlled and the floodlights to be switched on and off, without any time delays (as opposed to being switched to egress mode for the lights to be depowered). The application proposes the amendment of the lighting conditions to remove reference to egress lighting and for the avoidance of doubt, seeks the inclusion of lighting of the stadium during pack in/out activities.

5.7 NOISE MEASUREMENTS AND SOUNDCHECKS

The Concert Consent includes an external noise level of 75db LAeq at the nearest residential zoned property (not owned by EPT). This application seeks an additional 6 concert events, a night-time noise level of 45dB LAeq for pack-in and pack-out activities, technical modifications to the noise monitoring conditions, changes to the sound-check times and changes to truck movements after the conclusion of the concert performance.

5.8 CONCERT OPERATIONS MANAGEMENT PLAN

A Council certified **COMP** is implemented for each concert event in accordance with Conditions 28-38 of the Concert Consent. A copy of the Council certified COMP is provided in **Attachment E**. The COMP includes internal and external processes and procedures designed to provide a safe and compliant environment for patrons within the stadium and mitigate the effect that events may have on surrounding residential amenity. The COMP is a proven management method and has been successfully implemented for concerts to ensure the safe delivery of events and mitigation of impacts on the surrounding area.

The COMP is prepared in accordance with the special information requirements in I310.9.1 and incorporates a community consultation and communications plan and event management plan and the traffic management standards in I310.6.4 of the precinct provisions.

The COMP has been developed to manage the following external effects resulting from the operation of Eden Park for concerts:

- Crowd management and behaviour;
- Alcohol management;
- Litter;
- Traffic management;

- Lighting;
- Sound; and
- Pre and post event operations, including pack in/out activities and event day operations.

The COMP also includes procedures and protocols relating to:

- Communications (e.g. hot line/resident letter drop/e-mail messaging/complaints procedures);
- Collaborative working relationships with external agencies such as Police and Emergency Services, Auckland Council, Auckland Transport and the District Licencing Authority; and
- Feedback mechanisms available to residents via the Community Liaison Group (CLG) and direct contact with individual members of the CLG.

The COMP comprises the following four integrated components:

- Event management plan;
- Traffic management plan (addressed in section 7.4 of this report);
- Pre and post event management plan; and
- Community consultation and communication management plan.

5.9 PROPOSED CONDITIONS OF CONSENT

This application modifies the conditions included in the Concert Consent provided in **Attachment C**. A copy of the applicant’s proposed conditions of consent is provided in **Attachment I**. This includes the condition requiring the certified COMP to be implemented for all concerts events (and updated as required). It is considered that the proposed conditions will appropriately remedy or mitigate and adverse effects resulting from the proposal in accordance with Section 108 of the RMA. **Table 7** below summarises the proposed Concert Consent conditions that are amended. For the avoidance of doubt the end of the table includes conditions from the Concert Consent that are proposed to be deleted.

Table 7: Proposed Conditions

Condition	Proposed Conditions
Condition 3 Surrender of Consent	A new condition requiring the existing Concert Consent to be surrendered if consent is granted and beyond challenge.
Condition 6 Number and Frequency of Concert Events	Provide up to 12 concert events to be performed by up to six artists/acts.
Condition 9 Days of Week	Concerts may take place Monday to Sunday, including public holidays
Condition 10 Concerts on a Weekday	Provide a finish time of 11pm on weekdays, a duration of 5 hours and a crowd size of 60,000.

Condition 11 Concerts on a Saturday, Sunday or a public holiday	Provide a finish time of 11pm, concerts on a Sunday and include public holidays.
Condition 14 Testing and balancing	Provide for sound testing during the weekday and weekend between the hours of 10am and 8pm.
Condition 15 Noise limits	Provide for measurement of the noise from the mixing desk.
Condition 16 Noise limits	Include a night noise limit of 45dB LAeq to reflect existing background noise levels.
Condition 19 Noise limits	Provide for the measurement of sound to accord with the principles of NZS 6801:2008.
Condition 21 Noise monitoring	Provide for noise monitoring from the mixing for the three representative stage locations based on an established transfer function.
Condition 35 Pre and Post Event Management Plan	Include the avoidance of tonal reversing alarms (beepers) on machinery and no use of impact wrenches (rattle guns) at night.
Condition 35 Equipment and Containers	Include storage on the Outer Oval.
Condition 39 Lighting	Flood lighting may be used during pack-in and pack-out.
Condition 40 Lighting	Amend so all concert performance lighting ceases by 11.00pm.
Condition 41 Lighting	Amend to remove the reference to lighting egress mode.
Deleted Conditions (from Concert Consent)	
<i>Condition 5 Acoustic Barrier</i>	<i>Delete as the acoustic barrier has been installed.</i>
<i>Condition 12 Concerts on a public holiday</i>	<i>Delete as incorporated into new Condition 11.</i>
<i>Condition 16 Testing and Balancing</i>	<i>Delete condition due to changes in new Condition 14.</i>
<i>Condition 41-43 Heavy vehicle access</i>	<i>Delete these conditions to allow trucks to enter and exit the site for pack-out following the completion of the concert.</i>
<i>Conditions 45 and 46 Heavy vehicle access</i>	<i>Delete the condition to allow construction activity overnight that complies with management procedures to be added to the Pre and Post Event Management Plan to directly address the matters listed in Condition 34, including avoidance of tonal reversing alarms (beepers) on machinery and no use of impact wrenches (rattle guns) at night.</i>

6 CONSENT REQUIREMENTS

6.1 AUCKLAND UNITARY PLAN: OPERATIVE IN PART 2016 (THE AUP)

The activity tables in the overlay, Auckland-wide, zone and precincts specify the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991. Resource consent is required for the reasons outlined in **Table 5** below.

Table 5: Resource Consents Required

AUP Rule	Description	Activity Status
Eden Park Precinct - Chapter I310		
I310.4.1 (A15) Activity table	<i>More than 6 concerts in any 12 month period</i> The application seeks consent to hold up to 12 concert events within any calendar year.	Non complying

The Eden Park Precinct lists a range of standards which all permitted, controlled and restricted discretionary activities must comply with. As a non-complying activity, these standards do not apply to the proposal insofar as non-compliance with any of these standards does not require resource consent for an infringement of a standard under rule C1.9(2). However, in terms of rule C1.8(2), regard must be had to the standards for permitted activities on the same site as part of the context of the assessment of effects on the environment.

The following permitted activities standards are relevant for context:

- I310.6.1 Noise
- I310.6.2 Lighting
- I310.6.3 Special lighting events
- I310.6.4 Traffic management
- I310.6.5 Parking
- I310.6.10 Primary activities undertaken during the daytime
- I310.6.11 Organised sports and recreation activities undertaken at night time on the Number 1 field
- I310.6.12 Functions, gatherings, conferences and meetings
- I310.6.13 Professional fireworks displays
- I310.6.14 Helicopter flights
- I310.6.15 Temporary buildings and structures.

6.2 PERMITTED ACTIVITIES

Schedule 4 of the RMA requires that where an application is relying on a permitted activity as part of the proposal, a description of the permitted activity that demonstrates that it complies with the requirements, conditions and permissions for the permitted activity must be provided.

The following permitted activities set out in **Table 6** below form part of the proposal:

Table 6: Permitted Activities

AUP Rule	Description
Eden Park Precinct - Chapter I310.	
Table I310.4.1 Activity Table (25)	<i>Temporary buildings and structures.</i> The application includes temporary buildings and structures ancillary to the concert event.
I310.6.4 Traffic Management	<i>Activities must meet at least one of the following traffic management standards: (1) The activity and management of associated transport and traffic effects is undertaken in accordance with a Transport and Traffic Management Plan authorised by Auckland Transport.</i> The application includes a traffic management plan authorised by Auckland Transport.

6.3 REASONS FOR CONSENT SUMMARY

Overall, the proposal is to be assessed as a **Non-complying Activity** under the AUP.

7 ENVIRONMENTAL EFFECTS ASSESSMENT

Section 104(1) sets out that when considering an application for resource consent a Council must have regard to any actual and potential effects on the environment of allowing the activity. In accordance with section 104(2) when forming an opinion on the actual and potential effects on the environment a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. The following assessment is an analysis of both positive and negative actual and potential effects arising from the proposal.

7.1 PERMITTED BASELINE

Although the AUP provides for some activities to be undertaken within the Eden Park Precinct as permitted activities, without the need to obtain resource consent, the proposal does not rely on a permitted baseline.

7.2 EXISTING ENVIRONMENT

As detailed in Section 4.3 of this Report, the current planning provisions that apply to Eden Park in the AUP and the resource consents it holds comprise the 'existing environment' for the purposes considering the effects of the current proposal for an additional six concert events. There are no unimplemented resource consents that would affect the existing environment.

7.3 AMENITY AND EVENT EFFECTS

A Council certified COMP is implemented to manage the external effects of a concert event in fulfilment of Conditions 28-38 of the Concert Consent. The COMP includes processes and procedures to manage the actual and potential amenity effects associated with concert events to ensure a safe and compliant environment for patrons within the stadium and manage, as far as practicable, the overall effect that concert events may have on surrounding residential neighbourhood and amenity. The COMP has been adapted in conjunction with feedback from the Community Liaison Group, NZ Police, District Licensing Authority, Auckland Council Compliance Monitoring and Auckland Transport.

The COMP manages the following external effects resulting from the operation of Eden Park for concerts:

- Crowd management and behaviour;
- Alcohol management;
- Litter;
- Traffic management;
- Lighting;

- Sound; and
- Pre and post event operations.

The COMP comprises the following four integrated components:

- Event management plan;
- Traffic management plan (addressed in section 7.4 of this report);
- Pre and post event management plan; and
- Community consultation and communication management plan.

7.2.1 Event Management Plan

The Event Management Plan includes the following general procedures implemented as part of the COMP:

Control Room

On event days, Eden Park operates a central control room (based on the CIMS framework, which is commonly used by Police, Fire Services, St John and other emergency service agencies). All operational decisions are made through the control room. Services such as NZ Police, Fire Service, St John, security services, ticketing, traffic management and event management are in this room, including the information/hot line. In the event of a complaint from the neighbourhood being received, the appropriate response can be initiated immediately to deal with the issue.

Alcohol Management

Eden Park has developed a comprehensive alcohol management strategy, encompassing spectator ingress (vetting at liquor checkpoints/gate entry) and during an event via caterer controls, security, District Licensing Authority and Police oversight, thereby ensuring that spectator behaviour entering and exiting the general area is appropriate. For all events at Eden Park, there is zero tolerance of intoxication or bad behaviour with Eden Park proactively controlling bad behaviour in the stadium.

Alcohol Checkpoints

The temporary Liquor Bans surrounding Eden Park is in place for all events. For concerts, six liquor checkpoints located on the main streets leading into the park are activated and manned by security and/or Police. The purpose of these checkpoints is to:

- Promote the existence of the liquor ban;
- Monitor incoming spectators to ensure appropriate behaviour; and

- Prompt the surrender of alcohol carried into the ban area by spectators.

Portaloos and Rubbish Bins

Portaloos and rubbish bins are positioned in the streets surrounding Eden Park for all concert events. Their placement is based on best practice, consistent with EPT's commitment to mitigate the effect events have on surrounding residential amenity.

Crowd Management

Concert-specific crowd management plans are developed with the promoter and operations team to include measures and mitigations to ensure a safe and enjoyable experience for all concert goers from arrival to departure. Plans are based on identified risks relative to artist/act, crowd profile and stage configuration and are implemented and dynamically managed in accordance with best practice by experienced and qualified operational staff and agencies primarily located in the Control Room.

Public Address Systems (P.A.)

The Eden Park PA system (volume level) is managed via electronic limiters, which ensure compliance with the AUP daytime noise limits. This system is calibrated by a qualified acoustic engineer and checked by this specialist for correct operation on a six-monthly basis.

Field Lighting

The Eden Park field lighting systems are controlled via management systems designed to concentrate lighting emissions onto the field of play and lower bowl seating areas, and to minimise light spill out of the stadium structure. Regular checks are conducted to ensure individual fittings are in keeping with the original operational design parameters.

Police

NZ Police provide resource for events and assist Eden Park's security personnel with enforcement of the temporary liquor bans, and management of spectator behaviours.

For concerts, representatives of Auckland Police are present in the Control Room with a contingent circulating in the streets surrounding the stadium when the gates are opened for the public. This contingent moves into the stadium at the commencement of the event, and then move back out to the surrounding

streets (including the F&B districts) post event. Police also patrol the liquor checkpoints, set up on the main pedestrian pathways from Kingsland and Dominion Road to Eden Park. During the egress phase of an event, Police assist Eden Park's special security unit who will also patrol the area to ensure appropriate spectator behaviour.

Performance

EPT incorporates measures into its venue hire agreements with Concert Promoters to manage the duration, noise volume and lighting effects of the performance so they are aligned with the conditions of consent. Eden Park Ambassadors circulate in teams in the vicinity of the stadium for concert events. Deployment and numbers are dependent on factors including crowd size, crowd profile, likely modes of arrival/departure and other safety and security considerations. These matters are assessed in planning for an event in conjunction with the promoter and police and are managed through the Event Management Plan prepared and employed for the event.

Post Event Security Detail

Security circulates in the surrounding streets post event to ensure that the behaviour of exiting spectators is appropriate. This will be managed in conjunction with the NZ Police.

Post Event Litter Clean

A post event litter clean-up is carried out the following day covering the area of the TMP.

7.2.2 Pre and Post Event Management Plan

EPT incorporates additional measures for concerts into its standard venue hire agreements with concert promoters to manage the potential adverse effects of the pack-in and pack-out on non-concert event days on the surrounding residential neighbourhood. The number of days required for pack-in and pack-out depends on the stage configuration, artist/act and size and scale of the show. While many of the activities undertaken during pack-in and pack-out occur within the stadium itself, the following measures are proposed to manage the external effects of both the pack-in and pack-out operations, particularly at night-time.

Communications

The hotline is open for residents for the duration of build and pack down activities as well as on the day of the event.

Deliveries and Vehicle Movements

In addition to the requirements of the appropriate TMP, the following additional measures are included for delivery and vehicle movements around and within the Eden Park Precinct during pack in and pack out:

- (a) All heavy vehicles must be booked into the master delivery schedule which will be organised to mitigate impacts on traffic peak hours;
- (b) Engines must be switched off rather than idling when waiting, either within the Eden Park Precinct or the surrounding roads;
- (c) Heavy vehicle access and egress is from Sandringham Road, using Gate Q, the bus hub or temporary gates;
- (d) No stacking is permitted, and vehicles may not wait, idle or reverse on residential streets around the venue between Dominion and Sandringham Roads; and
- (e) No use of horns or engine braking, no blocking of driveways or otherwise obstructing vehicle roads or vehicle access in the vicinity of the stadium is permitted.

Production Build and Disestablishment

The production build and disestablishment include field treatment, stage construction, lighting, sound and visuals. The COMP includes additional mitigation measures to manage the off-site impacts of these activities.

Lighting

The following measures are included to ensure that the effects of light glare and spill are minimised as far as is practicable during pack-in and pack-out.

- (a) Light testing is required to cease no later than 11.00pm with light spill minimised as far as is practicable.
- (b) Lighting of the field for pack-in and pack-out activities is limited to that necessary to provide safe working conditions and minimise lighting spill on surrounding residential streets.

Sound

The following measures are included to ensure that sound effects are minimised as far as is practicable during pack-in and pack-out.

- (a) The sound system output must be tested and calibrated by Eden Park's sound engineers to meet applicable noise limits.

(b) No amplified sound other than small radios or similar is allowed during pack-in or pack-out.

7.2.3 Consultation and Communication

A Community Consultation and Communication Plan is implemented prior to a concert event taking place to ensure that nearby residents and businesses are aware of the event and the associated measures to be put in place to manage the event, including the movement to and from the stadium. Regular communication with the community occurs via the Community Liaison Group (CLG) which is administered and chaired by Auckland Council, providing two-way communication channel so that feedback concerns and input forms part of the adaptive management plan method used to maintain the COMP. The main elements of the consultation and communication plan are as follows:

Information/Hot Line

EPT currently operates a 24/7 information line for residents or members of the public to contact Eden Park during the business week, after hours or over the course of an event. All calls are answered, and action is taken, or written responses issued as soon as possible. This is activated for concert events, including during pack-in and pack-out.

Community Liaison Officer

Contact details for the Eden Park Community Liaison Officer (CLO) are included in the Eden Park website. To ensure that the local community and public can make direct contact with Eden Park at all times (irrespective of CLO availability), the information line number is listed on the Council's website. A response is provided either directly or within 24 hours of receiving a complaint or general feedback, depending on the urgency.

Residents Newsletter

Eden Park delivers a Residents Newsletter to all addresses likely to be affected by an event. The newsletter provides relevant information relating to each event, including TMP. This also includes Electronic Direct Mail (EDM) to residents prior to events to ensure a more direct means of correspondence between Eden Park and the neighbourhood. The resident's newsletter will be used as a mechanism to inform and provide relevant information relating to a concert event.

Website

Eden Park operates a comprehensive web page for the purposes of providing the latest general information and event specific details. All concert event details are included on the website.

Community Liaison Group (CLG)

The COMP includes full details of the CLG, administered and chaired by Auckland Council. Membership of the CLG includes representatives from the Neighbourhood Association, Residents Association, Albert Eden Local Board, Kingsland Business Society, Dominion Road Business Association, Auckland Council, Auckland Transport, NZ Police and EPT. Eden Park consults with and seeks from the CLG on matters relating to:

- i. The delivery of events;
- ii. Changes to event delivery processes and or procedures;
- iii. Mitigation strategies designed to manage and reduce impacts on residential amenity;
- iv. Mitigation strategies associated with feedback from the CLG; and
- v. New events which require change/alteration to the existing delivery models or are outside the planning framework.

The CLG is a mechanism to ensure that management processes and procedures for concerts are fit for purpose and adapted over time to respond to issues raised by residents and stakeholders.

7.2.4 Summary

The preparations and implementation of the COMP for concert events has demonstrated that the effects of concert activity on surrounding residential amenity are able to be adequately mitigated to an acceptable level and they provide the necessary flexibility to be updated with improved management techniques. Overall, any crowd disturbance effects on residential amenity are minor.

7.4 NOISE

The Eden Park Precinct contains specific noise standards that apply to permitted, controlled and restricted discretionary activities undertaken within the Eden Park during the day and night. The noise level from any activity (measured within the boundary of any site in a residential zoned property not owned by EPT) must not be greater than the noise limits in Table I310.6.1.1 below.

Table I310.6.1.1 Noise standards

Time, day, duration and frequency	Noise limit
All days between 8:00am and 10:30pm	55dB L _{A10} (13hr) 60dB L _{A10} (10min) 85dB L _{Amax}
At all other times	40dB L _{A10} and 75dB L _{Amax}

The Concert Consent includes an external noise level of 75dB LAeq at the nearest residential zoned property (not owned by EPT) and a night-time noise limit of 40dB LA10 for pack-in and pack out activities. This application seeks an additional 6 concert events, a night-time noise level of 45dB LAeq for pack-in and pack-out activities, modification of the noise monitoring conditions, changes to the sound-check times to allow sound check between the hours of 10am – 8pm and changes to truck movements after the conclusion of the concert performance.

Marshall Day has prepared an acoustic assessment examining the noise effects associated with holding additional concerts at Eden Park, provides advice on any necessary mitigation measures and recommended conditions of consent. The report is provided in **Attachment G**.

In undertaking an assessment of the noise effects generated from additional concert events, the report considers the monitoring of noise generated by concert events (for all three stage locations), pack-in and pack-out activities, special event noise controls in Auckland and New Zealand, annual noise exposure of other Auckland stadia and major recreation facilities, and the temporary activity noise standards for events in public places in the AUP. The report makes the following observations in relation to noise standards for events:

- Other New Zealand stadia are allowed between 3 to 36 high/medium noise events per year, with noise limits ranging from 75 to 90 dB and curfew times from 10pm to 11:30pm.
- The AUP has adopted a ‘multi-stage’ approach to the setting of noise limits for the other major recreation facilities in Auckland. This ‘multi-stage’ approach sets higher noise limits for infrequent events and lower noise limits as the frequency of events increases.
- The noise rules for Eden Park are unique in amongst the other major recreation facilities in Auckland in that there is no relaxation of the noise limits for short duration infrequent events as there are for the other stadia.
- The AUP Auckland-wide Temporary Activity provisions adopt the ‘short duration, infrequent, high noise limit’ concept and applies to typical parks in residential areas around Auckland.

- Noise monitoring of concert events has confirmed the noise modelling was accurate with a small degree of conservatism (the modelling slightly over predicted the noise level at the residential interface). The noise monitoring included calculations of the 'Transfer Function' – the difference between the sound level at the mixing console and the sound level at the 'most affected' residentially zoned house. The transfer function was found to be reasonably consistent for each stage orientation.
- Monitoring of pack-in and pack-out activity indicates the ambient noise level in surrounding residential streets is above the night-time noise limit of 40dB.
- Monitoring of truck movements using Gate Q following the completion of a concert performance confirms that truck movements can comply with the night-time noise levels while leaving at less than 15-minute intervals.

7.4.1 Concert Noise Effects

In assessing the noise effects associated with increasing the number of concerts, Marshall Day notes that there is a lack of research into the acceptability of concerts, although feedback from the community provides some insight of the extent to which surrounding residents are affected by concerts and has some bearing on the assessment.

Marshall Day further notes that there is no New Zealand standard for controlling noise from outdoor events, nor any local guideline, and the controls for New Zealand stadia vary significantly. Of all the relevant international literature there is a relationship between the number of events and the noise limit in most of the analysis. As all the controls on the number of events are specified in terms of the number of events per annum, and this application is to increase the annual number from 6 to 12, Marshall Day has analysed the 'annual noise exposure' of Eden Park, other comparable stadia and temporary activities permitted the AUP as a basis for assessing the noise effects of a greater number of concerts.

This analysis shows that the annual noise exposure from the proposed 12 concerts per year at Eden Park is less than some other large stadia in Auckland and like the Temporary Activity standards in the AUP. While the annual noise exposure does not take into account the pack-in and pack-out noise, this application does not increase the number of these activities. In considering the relevant noise assessment criteria in the Eden Park Precinct, Marshall Day provides the following assessment:

a) *Reasonableness:*

- i. *The overall noise effects from 12 concerts per annum (max of 6 artists), is slightly greater than 6 per annum and is approaching the upper limit of acceptability. 12 concerts at 75 dB LAeq is however, a lower annual noise exposure than some other major venues in Auckland and similar to the AUP Temporary Activity Rules.*

ii. *Pack in/out activities should be enabled at night and controlled by a 45 dB LAeq noise limit*

b) *Notice:*

i. *Residents will be given reasonable notice of scheduled events via existing conditions.*

c) *Duration and hours:*

i. *The duration and hours of concerts will be managed appropriately via existing conditions*

ii. *The pack in/out activities will be managed appropriately with the inclusion of recommended wording to be added to the Pre and Post Event Management Plan*

Overall, it is Marshall Day's opinion that the overall noise effects from 12 concerts per annum is slightly greater than 6 per annum and while approaching the upper limit of acceptability, is however, a lower annual noise exposure than some other major venues in Auckland and like the Temporary Activity rules in the AUP.

7.4.2 Crowd Noise Effects

Marshall Day considers the impact of crowd noise effects and notes that this was addressed in detail in the noise assessment for the initial six concerts and makes the following observations:

- *Crowd noise is specifically exempt from the Eden Park Precinct noise rules. A crowd noise exemption is consistently applied at stadia because it cannot be controlled with a limit.*
- *Crowd noise levels have previously measured 65 to 68 dB at the residential interface when a try was scored during a large rugby match (crowd size of approximately 40,000). The cumulative duration of the crowd cheering above the 55 dB limit has previously been estimated to be 5 to 10 minutes for a rugby game and 20 to 40 minutes for a One Day International cricket game. A concert crowd is generally expected to produce lower vocal effort but could rise to similar levels near the end of a show. Therefore, concert crowd noise levels are predicted to be similar to a rugby or one day cricket match. The annual noise exposure contribution from crowd noise would result in a negligible increase in cumulative annual noise exposure.*
- *There is some additional noise from patrons dispersing in the streets after sports and concert events that might last for up to an hour. This remains unchanged by this proposal. Crowd noise is intermittent, of short duration and the concerts are infrequent. The proposed change from 6 to 12 concerts per year would increase the cumulative number of crowd noise events during the evening from 31 to 37 (i.e. 25 'night' games plus the change from 6 to 12 concerts).*

7.4.3 Noise Monitoring

Marshall Day used computer noise modelling to assess the three proposed stage configurations with the following different sound levels at the mixing console:

- East Stage – speakers facing west (100 dB @ 30m)
- West Stage – speakers facing east (105 dB @ 30m)
- Centre Stage – 360 degree speaker arrangement (100 dB @ 30m).

The modelling showed that the three stage configurations were predicted to comply with 75 dB LAeq within the boundary of any site in a residential zoned property. Modelling of the West Stage configuration showed that it enabled the highest concert noise levels within the stadium while complying with the 75 dB LAeq noise limit.

Noise monitoring has been carried out in accordance the conditions of consent for all concerts held at Eden Park to date. Detailed reports have been provided to the Council after each concert in fulfilment of Condition 25. The monitoring results show that the concerts and sound check complied with the noise limits (generally with a margin of safety) except for a small infringement (1 and 2 dB) during the Ed Sheeran concerts due to a very low transfer function for the central stage and some technical difficulties with the sound equipment.

The measurements also confirmed the noise modelling was accurate with a small degree of conservatism, with the modelling slightly over predicting the noise level at the residential interface.

The noise monitoring included calculations of the 'Transfer Function' – the difference between the sound level at the mixing console and the sound level at the 'most affected' residentially zoned house. The transfer function was found to be reasonably consistent for each stage orientation:

- East stage: Transfer function was 23 dB and the most affected site was 67 Sandringham Road.
- Centre stage: Transfer function was 15 dB and the most affected site was 67 Sandringham Road.
- West stage: Transfer function was 25 to 27 dB and the most affected site 35 Walters Road.

Modifications to the monitoring procedures are proposed based on the consistency of monitoring results for an East and West Stage to reduce the time and cost of monitoring while maintaining confidence the concert noise limits are being complied with. Changes are proposed to Conditions 17 and 24 to provide for the measurement of noise at the mixing desk based on the established Transfer Function for an East and West Stage. Similarly, monitoring of the sound check at the mixing console is also proposed, using the

established Transfer Functions. For a Centre Stage, noise monitoring at the mixing console and most affected residential interface is required due to the variability in the Transfer Function.

The following changes are sought to Conditions 17 and 24 (additions in red underlined text and deletions in red ~~strikethrough~~ text):

17. *The noise level from use of sound systems associated with concerts, sound checks and the balancing of sound systems and any pyrotechnics displays that form part of the concert performance shall not cumulatively exceed 75 dB LAeq(t) and 80 dB LAeq(10min) when measured/calculated within the boundary of any residentially-zoned site not owned by the Eden Park Trust.*
24. *The consent holder shall engage a suitably qualified and experienced acoustic expert to carry out noise monitoring of every concert, except as provided by Condition 26 below. The objective of the monitoring shall be to accurately determine whether or not compliance with the noise limits in Condition 17 is achieved within the boundary of residentially zoned sites not owned by the Eden Park Trust that are most exposed to the noise from the concert, ~~and to provide feedback to the concert Front of House (FoH) team~~ by measuring at the mixing desk in real time to ensure that compliance is achieved. The noise limits in (a) below have been calculated using the established transfer function for the three representative stage configurations. The transfer function must be measured if a different stage configuration is used (e.g. south or north).*

The noise monitoring shall involve:

- (a) *Noise level measurements at the ~~mixing console that must not exceed: boundary of properties in the residential zone that are the most exposed to noise from the concert during sound checks and during the main concert. The measurement locations shall be varied initially or as necessary to determine the most exposed property to continue measurements from for the remainder of the sound check and concert;~~*
- i. East Stage (facing west): 98 dB LAeq(t) and 103 dB LAeq(10min)*
 - ii. West Stage (facing east): 100 dB LAeq(t) and 105 dB LAeq(10min).*
- (b) *~~The use of equipment and methods that comply~~ Measurement and assessment must be in accordance with the requirements of NZS6801:2008 and NZS6802:2008, except where varied by and the conditions of this consent ~~where they vary the requirements of either standard.~~*
- (c) *There shall be no adjustments for special audible character or meteorological effects.*
- (d) *The requirement for the ~~acoustic expert person undertaking noise monitoring outside the venue~~ to communicate directly with a nominated person at ~~FoH/~~ the mixing console desk inside the venue who has the authority to reduce noise levels ~~at source if necessary, on the advice of the noise expert conducting the monitoring~~ to ensure ~~that~~ compliance with the noise limits in Condition 17. ~~is achieved at all times.~~*
- (e) *Noise level measurements shall be conducted in contiguous 10 minute samples to determine the LAeq(10min) for each 10 minute period, and the LAeq(t) value shall be calculated in real time to allow for any reduction in the noise levels that might be necessary to achieve compliance with the LAeq(t) noise limit in Condition 17.*
- (f) *The acoustic expert shall establish the maximum sound system level at the mixing console for any stage configuration that is not represented in Condition 24 (a) by monitoring at the mixing console and at the most affected residential interface simultaneously (e.g. for a Centre Stage arrangement).*

Marshall Day also recommends a further change to the noise level measurement in Condition 22(a) with the Rating Noise Level assessment averaged over a prescribed time frame (in accordance with NZ 6802). The condition is updated to include the prescribed time frames for the concerts and sound checks detailed in Conditions 10 (d), 11 (d), 12 (d), 15 (a) and 16 (b).

22. Noise levels shall be measured in accordance with 'NZS 6801:2008 Acoustics – Measurement of Environmental Sound' and assessed in accordance with 'NZS 6802:2008 Acoustics – Environmental Noise', except that:

- (a) where LAeq(t) is specified, 't' is the duration in conditions 10(d), 11(d), 12(d), 15(a) and 16(b)
- ~~the total duration amplified sound generated during sound checks and balancing of sound systems where gaps of no amplified sound of up to 15 minutes are included in the measurement;~~
 - or
 - ~~the total duration of live or pre recorded amplified sound and pyrotechnic displays (that are not 'fireworks' subject to standard I310.6.13) generated during the concert event where gaps of no amplified sound of up to 15 minutes are included in the measurement.~~
- (b) for the duration of 't' as applied in Condition 17, there shall be no adjustment for special audible character (in accordance with section 6.3 of NZS6802:2008) for amplified music, and or amplified voice and no further adjustment for duration (in accordance with section 6.4 of NZS6802:2008) for amplified music or amplified voice.

7.4.4 Pack-in and Pack-out Noise

Pack-in and pack-out activities are described in Section 5.4 above and form part of the existing Concert Consent. Condition 18 requires that these activities comply with the Eden Park Precinct Noise standards of 55dB LAeq during the daytime and 40dB LAeq during the night-time. Pack-in and pack-out activities currently take place from the carpark to the rear of the South Stand, the Outdoor Broadcasting compound under Gate A, the area under the western concourse (Utah Street) and within the stadium and they occur throughout the day and night, depending on the tour schedule and the ability to undertake these activities over a 24-hour period reduces the total duration of the set-up and pack down operations. In addition, this application seeks consent for pack-in and pack-out activities to take place from the Outer Oval adjacent to the West Stand (see **Figure 4** below). This provides for more direct loading of equipment and material for a West Stage configuration.



Figure 4: Boneyard area – Outer Oval

Noise monitoring of pack-in and pack-out noise was carried out over the two P!NK concerts in March 2024. This included modelling noise in the Boneyard area on the Outer Oval. The results showed that if those activities were undertaken at night in the Boneyard area behind the South Stand, and adjacent to Reimers Ave, or the Bushub, they would infringe the night noise limit 40 dB LAeq. The predicted noise levels for the Outer Oval at the closest residential buildings in Reimers Avenue, Sandringham Road and Walters Road are 43 to 45 dB LAeq.

The noise monitoring suggests the night noise limit of 40 dB LAeq in Condition 18 is overly/unnecessarily stringent, based on background noise levels and Marshall Day recommends raising the night-time noise limit to 45 dB LAeq.

Conditions 45 and 46 of the Concert Consent prohibits forklift and steelwork from taking place inside the stadium at night (no matter what noise levels). In Marshall Day’s opinion, the effects from this activity should be controlled by appropriate noise limits rather than a blanket ban on the activity. Noise monitoring data confirms that activity within the stadium can comply with the night noise limits with appropriate management or mitigation. On this basis, Marshall Day recommends that Conditions 45 and 46 be deleted, and management procedures be included in the Pre and Post Event Management Plan to ensure compliance

with the pack-in and pack-out noise condition. This includes the avoidance of tonal reversing alarms (beepers) on machinery and no use of impact wrenches (rattle guns) at night. Condition 34 has been amended to incorporate these additional measures.

7.4.5 Truck Noise

Conditions 40 to 43 restrict the activity of trucks in terms of where and when they can operate. Condition 40 prevents heavy vehicles associated with concerts from using Walters Road or Reimers Avenue at any time. Conditions 41-43 restrict truck movements between 10.30pm and 8.00am.

Marshall Day recommends Conditions 41, 42 and 43 are deleted as the noise effects on residents located in the Residential Zone are protected by the noise limits, and those residential properties located along Gate Q are within the Major Recreation Precinct zone. EPT has obtained their written approvals to truck movements during night-time for previous concert events.

7.4.6 Summary

Overall, and based on Marshall Day's assessment, the noise effects of up to six additional concerts will be audible and noticeable and may be disruptive to some people. Overall, the adverse noise effects of the proposal are more than minor but are mitigated given they are fixed in number and have a short-term duration.

7.5 TRANSPORT

Conditions 35 to 38 specify the requirements for a Traffic Management Plan (TMP) for each concert event. Conditions 40 to 43 specify the requirements for heavy vehicle access.

TMPs have been prepared and authorised by Auckland Transport for each of the concert events held to mitigate the effects of traffic and minimise the impact concert events have on streets in the vicinity of Eden Park. The TMP is developed with the combined input of traffic management specialists, Auckland Transport, Police and Eden Park.

The concert TMP covers an area from Dominion Road, New North Road and back down to Gribblehurst Road (off Sandringham Rd). The plan includes integrated ticketing with the Eden Park Bus Hub is in full operation and with Auckland Transport operating rail services from the West and City into Morningside and Kingsland stations respectively. The TMP also incorporates road access check points (from Sandringham and Dominion Roads), road closures on Sandringham Road for ingress and egress phases and coach parking controls. Traffic management specialists are on duty for concerts and Residents Only Parking (ROP) is in place. Residents

Only Parking (ROP) is administered by Auckland Transport and is designed to provide residents with the ability to park vehicles on streets in the lead up to, and during events. Eden Park manages the resident temporary parking pass scheme which ensures that residents who have not received permanent parking passes or resident visitor passes, can obtain these and can park on the street during an event.

A Transport Assessment has been prepared by Mr Langwell of TPC and is included in **Attachment F**. The report details the existing traffic environment, the surrounding road network, daily traffic flows in the area, public transport accessibility, services and usage, pedestrian and active transport modes and event traffic management.

7.5.1 Effects of Additional Concerts

In assessing the likely transport impacts of holding additional concert events at Eden Park and the proposed changes to the concert parameters, the Transport report includes analysis of the event timeframes, stage configurations, crowd size, event activities and logistics, trip characteristic of the crowd, including arrival profiles, and travel mode split.

The Transport Assessment details that the related transport effects of allowing 12 concerts are the cumulative effect of increasing the number of large events that may occur and notes the following:

- *The schedule of concerts will still comply with the frequency requirements of no more than four concerts that can be held in any four-week period as set out in Condition 7 of the same consent.*
- *Furthermore, the event schedule will remain consistent with at least one weekend in every 35-day period that is free of any concert or organised sports and recreational nighttime event as set out in Condition 8.*
- *Retaining Conditions 7 and 8 will ensure that sufficient relief is available to surrounding residents and businesses in the same manner as what is currently permitted.*
- *There is no change to the permitted start times, therefore no change in effect on the evening commuter peak than is currently permitted because of increasing the number of concerts that could occur.*

When considering the day of the concert and impacts on neighbours and the surrounding road network, Mr Langwell considers that there is no difference to the existing consent, noting the following:

- *To mitigate the traffic effects on concert days, TMPs are used. As discussed above, TMP- 5 is used to manage pedestrian and vehicle movements for the largest crowd sizes that can occur at Eden Park*

(>35,000). It has been used regularly over the past few years and it has been an effective tool to manage effects of large events at Eden Park.

- The TMP's are continually monitored and refined with every event to ensure they are as effective as possible. If stakeholders have specific concerns with the use of TMP for an event, they can contact EPT to raise their concerns either on the day via the Eden Park hotline or by email following the event. This is an important part of the communication plan around an event and is the current practice with all Eden Park events. Residents can also raise these matters through the Community Liaison Group (CLG) that has been specifically set up to provide resident groups and stakeholders with the opportunity to raise concerns with events and the TMP's and to request modifications.
- In terms of the event set up / pack down activities, the impact in terms of transport is no different to having six single concerts which are permitted. The proposal retains the same number of artists in a calendar and therefore the number of set up days and post-concert pack down activities remains the same.

7.5.2 Effects of Later Finishing Time

Mr Langwell also assesses a later concert finish time of 11pm and considers that from a transport perspective, a later finishing time of 11pm is no different to the current finishing time, noting the following:

- The available capacity of the surrounding road network would be no different if an event ended at 10:30pm when compared to a 11:00pm.
- As there is no change to the start time, there is no change in effect on the evening commuter peak than is currently permitted.
- Special train and bus services are put in place for large events to coincide with the finish time and provided these are available, mode choice for attendees will not be disrupted.
- The event would be held under the current operational traffic management plans approved by Auckland Transport to manage the traffic and pedestrian effects. Engagement occurs with Auckland Transport months in advance of concerts to establish a transport response suited to a particular event and allow enough time for resources to be confirmed.
- The traffic management response around the Eden Park environs is designed to mitigate the effects of traffic and ensure pedestrian safety while minimising the impact traffic management has on the residential amenity.
- The third move to manage effects with the events is implementing a communication strategy. This is a common practice where Eden Park works with Auckland Transport to inform and assist local residents, the wider public and patrons of the event and the transport options available to them.

In assessing concerts on a Sunday, Mr Langwell considers that the general transport effects from allowing concerts to occur on a Sunday night would not be any different than if it took place on a Saturday night and can be accommodated on the road network without compromising its function, capacity or safety. Mr Langwell notes the following points:

- *The event would be held under the current operational traffic management plans (TMP's) approved by Auckland Transport to manage the traffic and pedestrian effects. The traffic management response around the Eden Park environs is designed to mitigate the effects of traffic and ensure pedestrian safety while minimising the impact traffic management has on the residential amenity.*
- *Special train and bus services are put in place for large events to coincide with the finish time and provided these are available there is no material difference in effect.*
- *The third move to manage effects with the events is implementing a communication strategy. This is a common practice where Eden Park works with Auckland Transport to inform and assist residents, the wider public and patrons of the event and the transport options available to them.*
- *Traffic flows on the surrounding road network on a Sunday are typically lower than on a Saturday suggesting that the overall effects will be less as there is additional capacity in the network to accommodate vehicle activity associated with an event. For example, vehicle flows measured by Auckland Transport on Dominion Road show that daily flows on a Sunday are 15% less than those recorded on a Saturday.*

7.5.3 Effects of Increased Capacity

The increase in the capacity of a weeknight concert from 50,000 to 60,000 is assessed in terms of the extra demand of patrons arriving at Eden Park within the afternoon commuter peak. To assess the demands on the public transport network and the local neighbourhood, Mr Langwell undertakes a comparison of the arrivals for a 50,000-capacity weekday concert and modal split to assess the ability for the network to accommodate the additional 10,000 arrivals. From this analysis, Mr Langwell draws the following conclusions:

- *Eden Park has successfully held weeknight events of this size during the 2011 Rugby World Cup where crowds of 60,000 people attended. At the time, the traffic management response around Eden Park environs was similar in nature the current TMP-5 which is expected to be implemented with future concert events.*
- *The event is held under an operational traffic management plan approved by Auckland Transport to manage traffic and pedestrian movement associated with the event. This can include the provision of additional bus and train services to accommodate the increased demand, or alternative travel options such as the walking trail or park and ride facilities.*

- *A communications strategy covering the event and travel planning of patrons, local residents and the wider community is also included all aimed at minimising transport effects.*
- *The traffic management response around the Eden Park environs can be designed to mitigate the effects of the event and ensure traffic flow and pedestrian safety is maintained while minimising the impact traffic management has on the surrounding neighbourhood. Over 50% of the crowd is anticipated to arrive after 6:00pm which is outside of the weekday afternoon commuter peaks especially for Mondays and Fridays. These being the likely days that weekday concerts would occur to align with what is expected to be concerts held on the adjacent weekend days.*
- *if for a typical weekday concert starting later, even less arrivals would be coming during the peak hours and the impacts would be less.*
- *Some large concert events having allocated seating for all ticket holder also ensures that there will not be an early crowd arrival which is typical with most events. This further reduces the risk of adding demand on the network and the normal bus and train services during the peak commute times.*
- *Although the proposal will permit increases in crowd sizes for weekdays. It is worth noting that the actual attendance with the concerts to date at Eden Park is has been lower than the actual capacity with a maximum crowd of 46,506 people. This included two Ed Sheeran concerts that were permitted up to 60,000 attendees. It has been common across all concerts to date that the actual attendance has been lower than the number of tickets sold.*
- *For those who do arrives early, catering for these people on the Outer Oval field will ensure that these people are kept clear of road reserve and within the site in a managed area.*
- *With a concert, crowd arrival is also spread across a longer period with the ability for patrons to arrive earlier than the afternoon peak and take advantage of hospitality nearby and on site. This is different to a conventional build up to rugby matches (as a permitted activity in Eden Park with up to 50,000 attendances) where general admission gates open 2.5 hours prior to kick off at the earliest. Some rugby matches also have pre-match hospitality, but these are typically limited to large occasions such as test matches.*
- *The peak Friday afternoon commuter period starts and finishes earlier compared to other weekdays, which is a typical day for holding weekday concert. It also has a lower congestion level than a typical weekday (excluding Mondays). Therefore, spare capacity is available on the roading network to accommodate a greater demand for attendees driving to the proposed concert and those commuters with other destinations, reducing the overall cumulative effect on the network.*
- *With any event occurring on a Friday before weekend, a reduced demand for public transport and its drivers will be required the following day. This will assist in ensuring a higher level of additional public transport can be provided for the event without impacting on public transport requirements on a Saturday. This is a conventional method of managing travel demands of patrons associated with major events and is a regular occurrence with events at Eden Park.*

- *The demand for public transport (for both train and bus services) on Friday is about 8.5% lower than the average demand on other weekdays (excluding Monday), and therefore this demonstrates that there is spare capacity on the public transport network on a Friday to accommodate a greater demand for passengers to attend the proposed concert. With future completion of Central Rail Link (CRL), the capacity of public transport by train is expected to increase and better serve the events held in Eden Park given its proximate location to the train station.*

Overall, Mr Langwell concludes that the added demand from an extra 10,000 people on the surrounding road network and public transport can be accommodated.

7.5.4 Heavy Vehicle Access

Mr Langwell considers the removal of conditions limiting truck movements following a concert performance. Mr Langwell considers that the intensity of truck movements following a concert performance can be accommodated on the surrounding network with minimal adverse effect such that no further mitigation is required. Notwithstanding this conclusion, Mr Langwell confirms, that the current TMP can be utilised to ensure that the heavy vehicle movement during the full course of the event can be conducted safely and not to impact on other vehicular or pedestrian activities.

7.5.5 Summary

Overall, the conclusions reached in the Transport Assessment are that the transport effects of additional concert events and changes to the parameters can be adequately mitigated by the existing conditions requiring the implementation of a traffic management plan appropriate to the parameters of the concert event and are overall minor.

7.6 CUMULATIVE EFFECTS

A cumulative effect is an effect that *“arises over time or in combination with other effects”*⁶. Cumulative effects were a relevant consideration in the Concert Consent on the basis that concerts would add to the overall quantum of events/activities authorised to occur at Eden Park. The decision stated that the consideration of cumulative effects related to the first aspect of the definition noted above rather than the second, *“because the proposal does not envisage a concert being staged at Eden Park contemporaneously with another large sporting event.”*⁷

⁶ Section 3(d) Resource Management Act, 1991

⁷ Para 220, Resource Consent Decision, LUC60351212, Page 50

Accordingly, the consideration of cumulative effects focused on the increase in the total number of large night-time events able to be held at Eden Park each year (up to 31 nights of activity and potentially 35 with the inclusion of a cricket day-night test match) equating to just under three events per month if spread evenly throughout the year. The Concert Consent decision noted however that *“based on the evidence presented at hearing that the concerts sought to be accommodated would occur around the first quarter of the year (due to international scheduling availability and NZ’s summer season), it is unlikely though that concerts would be distributed evenly throughout the year and would have a more compressed frequency over that period.”*⁸

Three conditions (Conditions 6-8) are included in the Concert Consent to address cumulative effects. Condition 6 is a total cap of six concerts in any 12-month period. Condition 7 limits no more than four concerts in any four-week period. Condition 8 requires at least one weekend (inclusive of Friday night) in every 35-day period that is free of any concert or organised sports and recreation undertaken during the night-time on the number 1 field. This is inclusive of pack-in and pack-out.

The Concert Consent decision specifically addressed each of the above conditions and stated:

*“Whereas condition 6 is intended to control the overall number of events, conditions 7 and 8 work in tandem to control the maximum frequency or intensity at which the concerts can be held and provide a respite period in every 35-day period from any night-time activity on the Number 1 field. We note that condition 8 will work in conjunction with condition 4(6) of LUC60126194, which limits nighttime sporting events to four in any 35-day period, with the effect that the Number 1 field must not be used for any event at least one weekend out of five.”*⁹

The Concert Consent decision also detailed that the frequency of night-time events and the distribution of concert events throughout the year was a relevant consideration in the assessment of cumulative effects:

“Our assessment of whether the cumulative effects of the proposal are acceptable starts from our findings in relation to the event specific effects that we have discussed above, namely crowd disturbance, social, noise, traffic, and lighting effects. Taken together we find that the adverse effects of one concert would not generate unreasonable or unacceptable effects if conducted in accordance with the specific event-related conditions proposed.

We accept that at some point the regularity of disturbance by night-time concerts (in combination with night-time sporting events) would itself become problematic and a source of complaint, however, it is

⁸ Para 221 Resource Consent Decision, LUC60351212, Pages 50-51

⁹ Para 223, Resource Consent Decision, LUC60351212, Page 51

difficult to define the point at which the number of concerts per year might start to give rise to an adverse cumulative effect.

The reason why only six concerts is sought by this application appears to be that this is the number provided for as a discretionary activity in the EPP and any more than that would be non-complying. Bearing in mind the different levels of scrutiny to be applied to activities classified as such it could be inferred that six per annum is potentially acceptable (in a cumulative sense), but more than six is not. However, we are reluctant to read too much into that. We prefer instead to focus on the proposal as presented, including its conditions, and carefully consider it in the context of the site in question, the expectations of its purpose and the nature of the receiving environment. On that analysis, we are satisfied that six concerts per annum is acceptable and will avoid any adverse cumulative effects from night-time activities at Eden Park (i.e., considered together with other authorised activities)."¹⁰

The application will provide an extra six concert events at Eden Park and would potentially increase the total number of night-time events in a year to 37 nights of activity and 41 if a day-night test is held. This equates to under 4 events per month, although recognising variability in the number of events held each year and events are not evenly spread throughout the calendar year. No additional pack-in and pack-out activity is generated by the application due to the inclusion of a cap on the number of artists/acts and limits the increase in activity to the day of the event.

The event calendar for 2022-2024 is detailed in section 5 of the SIA on Pages 24-25. Setting aside Covid lockdowns, there has been variability in the total number of night time and concert events held each year. Despite the inclusion of the recent World Cup tournaments, Eden Park has rarely reached 25 night-time sporting activities in a year and has yet to host six concerts in a year (although this should be achieved in 2024). This is due to the variable nature of events including tour schedules, changes in sporting schedules, format and fixtures, home teams making the finals and public demand.

Putting aside the variability of events in any given year, Conditions 7 and 8 of the Concert Consent limit the number of concerts that can be held within a month and require at least one weekend free in every 35-day period. These conditions, in conjunction with the night-time standards in the AUP remain the primary controls to manage the frequency or intensity of large-scale night time activity that may take place and ensure periods of respite occur. Their retention is an important mitigation, particularly with the proposed increase in the total number of night-time events to manage the amenity of surrounding properties.

¹⁰ Paras 224-226 Resource Consent Decision, LUC60351212, Page 51

The cumulative effects of an increase in the number of night-time events and intensity of activity on the general locality is also to a large part influenced by the acceptance or tolerance of local residents to these events, ongoing communication and engagement and the effectiveness of the various management plans implemented to manage the offsite impacts of large events.

The SIA details the community engagement, communication and outreach activities carried out by EPT in the local community, including through The Hood. The report also analyses feedback from surveys commissioned by EPT and other organisations to gauge the community response to events and concerts at Eden Park, including feedback on the effectiveness of management plans. The SIA notes that there has been significant input about concerts at Eden Park for affected and interested parties with the balance of the responses being strongly in favour of holding concerts at Eden Park. The surveys are also valuable in identifying aspects of running events at Eden Park that might continue to be refined. Those issues like traffic management, litter and behaviour of crowds, which feature in the feedback received as areas for improvement are familiar and constitute areas in which processes/mitigation measures can be enhanced as required. Indeed, the purpose of regular surveys of people in the vicinity of Eden Park to provide feedback on events is to ensure the measures contained in management plans are effective or if they require modification or adaptation. The suggested changes included in the most recent survey of the EPRA are being assessed to determine whether any further modification of the Concert Operating Management Plan is required for future concerts to address the issues raised.

The combination of the extra concert activity being limited to the day of the event (with no additional pack-in and pack-out activity) and retention of conditions to limit the number of concerts in a four-week period and provide a respite weekend are adequate to avoid and mitigate adverse cumulative effects that may arise from the over-intensive use for the stadium throughout the year. This is corroborated by the general community acceptance of concert activity at Eden Park demonstrated through the submission and survey feedback.

7.7 SOCIAL EFFECTS

A Social Impact Assessment (“SIA”) of holding up to 12 concert events has been prepared by Dr Peter Phillips of Dialogue and is provided in **Attachment H**. The SIA considers the social impacts of an increase in concerts noting that previously there were a lot of fears, expectations and assumptions about possible effects. These has now been replaced, at least in part, by the practical experience of the first eight concerts which have been documented through a range of community responses. including two independent surveys by the Eden Park Residents’ Association which provide a before and after perspective of some of the residents living in the vicinity of Eden Park. In considering the social effects of the proposal, the SIA relies on but does not

assess the noise and transport effects on amenity and the movement of patrons and residents, as these are addressed by other specialists.

The SIA outlines that one of the values which informs the Auckland Plan 2050 is Auaha – creativity, innovation and recognises *“the value of arts, culture, sport and recreation to quality of life”* and that *“Creativity, culture and the arts make Auckland a vibrant and dynamic city”*. The SIA references the Auckland Music Strategy (2018) which states that *“A primary benefit of being a City of Music is the contribution a vibrant music economy offers to the quality of life that makes people want to live and work in Auckland....”*.

The SIA also traverses the positive social and economic effects of music, culture and arts includes data that highlights the popularity of music concerts as a form of entertainment and the growth in recent years.

An analysis of the demography within a 1km radius of Eden Park identifies that the resident population has grown steadily since 2006, although at less than half the rate of Auckland. The report also notes that the population within 1km of Eden Park has a different population distribution to that of Auckland with people between the age of 15-44 years of age making up 55% of the population of the area compared to 44% is Auckland as a whole. The proportions of those aged 1-14 is slightly less (16%) than Auckland (20%)

Audience behaviour is analysed for events at Eden Park between 2021 and 2024, including the 8 concerts held to date. Six of the eight concerts held to date had no arrests or Police disorder incidents. The exceptions were the first Six60 concert with four arrests, and the second Six60 concert with two arrests and four Police disorder incidents. The SIA observes that the incident data recorded demonstrates a continuation of the low occurrence of incidents at Eden Park or in the vicinity of the Stadium (as observed in the SIA for the first concert application) with if anything a reduction in the number of events where a small group of individuals has impacted the statistics. The SIA attributes the active management of the audiences through the presence of security staff, community ambassadors, the traffic management area, and the local liquor ban for major events as a significant contributing factor.

Opinion on concerts at Eden Park is assessed in the report using submissions on the proposed charity concert at Eden Park on Waitangi Day 2019, submissions to the first concert application, surveys on concerts including the URM random sample social survey, the Eden Park Residents’ Association (EPRA) pre-concert survey, EPT concert and FIFA World Cup surveys, the EPRA survey conducted in 2024 on the parameters of the current application and complaints. The report concludes that *“overall it would appear that concerts at Eden Park have met expectations and that there is strong evidence of community support.”*. The SIA notes that *“the surveys are also valuable in identifying aspects of running events at Eden Park that might continue*

to be refined. The issues like traffic management, litter, behaviour of audiences are familiar and constitute areas in which processes/mitigation measures can be enhanced as required.'

The SIA identifies the range of effects (adverse and positive) that events at stadium venues may have on residential amenity. In considering the effects of concerts overseas examples are analysed and illustrate that concerts held at sports venues is not uncommon, with many stadia located in areas with significant residential development. The social effects of concerts are assessed in terms of impacts on lifestyle, culture, community, health, and amenity/quality of life. Effects on amenity are focussed on the perceptions and expectations that people hold about amenity, as well as the amenity attributes.

The SIA examines the distribution of effects between various interested and affected parties including neighbours, concertgoers, the wider community, mana whenua, businesses and organisations and summarises these in Table 53 on Page 94 of the report. Overall, the effects for various affected and interested parties are considered to be positive for concertgoers, suppliers, performers, mana whenua and the wider community. For organisations (government and NGO's) the effects are considered to be neutral. In relation to local neighbours, effects are assessed as *"neutral balancing the perceived inconvenience of patrons in their street and other nuisances with major events being offset by easy access to the Stadium and outreach activities of the Hood..."*

The conclusion drawn in the report is that the social effects of concerts at Eden Park (excluding noise and transport amenity attributes) are strongly positive at both the individual and community level.

While plans and resource consents focus on the volume of sound generated by concerts, the social, cultural, and economic benefits of music need to be considered when assessing how concerts contribute to enabling people and communities to provide for their social, economic, and cultural well-being and health and safety. The pioneering Canadian music city strategy notes that "there is nothing like music as a means to connect people, bridge linguistic and cultural divides and provide an avenue for identity and expression and that collectively, the music ecosystem generates rich social, cultural and economic benefits. The market for musical experiences continues to expand in Auckland and concerts at Eden Park are now helping realize some of the potential benefits.

When considered in the light of the community response collated here it appears that the noise standards have been working and that there is room for relaxation of conditions. In terms of traffic management and the operations of the Traffic Management Plan the surveys identify both the need for continued improvement and suggestions that might be considered. The balance of the positive and negative perceptions on these issues is probably close to neutral. The negative perceptions in some quarters on specific issues needs to be set against the overwhelming support for the application, the high level of support for proposed changes in

Conditions, and the support for 12 concerts a year (but probably not any/many more at this stage although over time people may become habituated to concerts and seek or accept more).

7.8 LIGHTING

Lighting associated with the proposed concerts includes the use of theatrical lighting directed towards the performance and audience, use of the stadium floodlights for egress and feature lighting on the stadium grandstand facades.

Lighting effects generated by concert events were addressed in the Concert Consent and considered to be acceptable with the Pre and Post Event Management Plan in Condition 34 including measures to minimise light spill to adjacent residents from pack – in and pack-out activities and the testing/checking of concert performance lighting.

Concerts are required to finish by 10.30pm in accordance with Condition 49 of the Concert Consent, all concert performance lighting must cease by 10.30pm. In addition, Condition 50 of the Concert Consent specifies that following the conclusion of the concert, the stadium floodlights may operate in egress mode and must be shut off no later than 45 minutes after the conclusion of the concert.

The Eden Park Precinct includes ‘Special Lighting Events’ which provide for a 70,000 cd luminous intensity limit. The proposal effectively seeks to increase the number of ‘Special Lighting Events’ within the Eden Park Precinct by six. In addition, with a change to the concert finishing time from 10:30pm to 11pm, the proposal exceeds the lighting curfew of 1ppm by up to 45 minutes to provide for egress following the completion of the concert.

Eden Park’s floodlights were upgraded as part of the requirements for hosting the Women’s Football World Cup in 2023. The playing field floodlights were upgraded to LED technology which enables lights to be individually controlled and the field lighting can be switched on and off instantaneously. The advantages of this include more targeted egress lighting and no requirement for lights to dim down over a set time.

Considering the additional lighting events and the later finish time, the following comments are made:

- Concert performance lighting is theatrical and by its nature has the potential to produce some effects beyond the site, particularly at locations to the east and west of the stadium. However, given short cumulative duration of any light spill, these effects assessed as being minimal.
- The use of curtains or blinds by residents would, adequately control lighting effects to ensure very little disruption to indoor amenity or sleep disturbance.

- The stadium floodlighting will be used for egress only and will be switched down to an average of nominally 300 lux on the field at the concert finish time for up to 45 minutes. The added lighting effects of this exceedance of the 11pm curfew would be minimal.
- The additional skyglow effects generated by the changes to the concert finish time would be minimal.

The added lighting effects generated by the additional concerts and during egress are temporary and the effects of the proposed concert activity will be minor.

7.9 POSITIVE EFFECTS

Hosting concerts brings positive economic benefits to the region with increased visitation and spend. In addition, the ability for EPT to host events makes efficient use of a physical resource and contributes to Auckland's social and economic wellbeing, enabling Auckland residents and visitors to enjoy a variety of concert performances from a variety of artists/acts.

7.10 EFFECTS CONCLUSION

The above assessment of effects has considered all elements of hosting an additional six concert events at Eden Park in a calendar year and modifying the event parameters. All potential adverse and positive effects have been assessed in the technical reports submitted in support of the application. The potential adverse effects of further concert activity are limited to the day of the event with no additional pack-in or pack-out activity proposed. The noise, traffic and social effects have been assessed in the technical reports submitted in support of the application. The preparations and implementation of the COMP for concert events has demonstrated that the effects of concert activity on surrounding residential amenity are able to be adequately mitigated to an acceptable level and they provide the necessary flexibility to be updated with improved management techniques. Overall, while the adverse effects of the proposal are minor to more than minor, their number and frequency is limited, and they are temporary in duration and any cumulative effects from the over-intensive use of the stadium throughout the year are avoided and mitigated by the retention of conditions limiting the frequency of events and ensuring respite periods.

8 STATUTORY ASSESSMENT

The following section analyses the relevant statutory provisions that apply to the application and the locality. The RMA sets out the statutory framework, within which resources are managed in New Zealand. The framework sets out a hierarchy of tests that must be passed in order for resources to be utilised, either on a temporary or permanent basis. Section 104 of the RMA sets out the matters for consideration when assessing a resource consent. Section 104(1) of the Resource Management Act 1911 (**RMA**) requires that when considering an application for a resource consent and any submissions received that the consent authority must, subject to Part 2, have regard to:

- a) Any actual and potential effects on the environment of allowing the activity;
- b) Any relevant provisions of;
 - i. A national environmental standard;
 - ii. Other regulations;
 - iii. A National Policy Statement;
 - iv. A New Zealand Coastal Policy Statement (**NZCPS**);
 - v. A regional policy statement (**AUP**);
 - vi. A plan or proposed plan (**AUP**); and
- c) Any other matter that the consent authority considers relevant and reasonably necessary to determine the application.

The NZCPS and HGMPA are not relevant to this application. An assessment of the AUP is considered below.

8.1 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

The National Policy Statement on Urban Development (“the NPS-UD”) provides direction to decision-makers under the RMA on planning for urban environments. It recognises the national significance of well-functioning urban environments and requires local authorities to provide sufficient infrastructure ready development capacity, so more homes can be built in response to demand. The following objectives and policies of the NPS-UD are particularly relevant to the consideration of this application:

Objective 1

New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 3

Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- (a) the area is in or near a centre zone or other area with many employment opportunities*
- (b) the area is well-serviced by existing or planned public transport*
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

Objective 4

New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

The NPS recognises that urban environments are characterised by the closeness of people and places, and the connections between them to enable people to live, work and play in close proximity, giving access to amenity, services and activities that people value. The NPS promotes urban planning to enable people and communities to provide for their social, economic, cultural and environmental wellbeing now and into the future. A central theme is that planning decisions contribute to a well-functioning urban environment and the supply of housing.

The Major Recreation Facility zone and Eden Park Precinct provides for the ongoing use and development of Eden Park as a multi-purpose stadium. This includes the use of Eden Park for organised sports and recreation, informal recreation, day-time non-sporting events and compatible activities including concerts. Regional facilities, including Eden Park are limited resources that contribute significantly to Auckland's social, cultural and economic well-being, and their efficient use and development is of resource management importance to the region. The site has been identified to provide for the social and economic wellbeing through the use and development of the facility and this outcome is consistent with the NPS-UD.

An increase in the number of concerts contributes to a well-functioning urban environment through the efficient use of an existing regional facility close to transport and services and provides for the social and economic well-being of the community, consistent with the strategic direction of the higher order policy provisions of the NPS-UD.

8.2 AUCKLAND REGIONAL POLICY STATEMENT

The Auckland Unitary Plan: Regional Policy Statement identifies nine issues of regional significance for resource management in Auckland. Of most relevance to this application are the objectives and policies in Issue 1 Urban growth and form, which includes the provision, use and development of open space and recreation facilities and social infrastructure.

8.2.1 B2: Urban Growth and Form

This issue relates to enabling quality urban growth and addresses managing growth in a way that optimises the efficient use of the existing urban area, and supports integrated land use, infrastructure and development.

The main issue of regional significance identified in the chapter is that Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities and services. The RPS outlines that growth needs to be provided for in a way that enhances the quality of life for individuals and communities; supports integrated planning of land use, infrastructure and development; optimises the efficient use of the existing urban area; encourages the efficient use of existing social facilities and provides for new social facilities; enables provision and use of infrastructure in a way that is efficient, effective and timely; and maintains and enhances the quality of the built and natural environment.

The objectives and policies for urban growth and form seek that a quality compact urban form enables a higher-quality urban environment, greater productivity and economic growth, better use of existing infrastructure and efficient provision of new infrastructure, improved and more effective public transport, greater social and cultural diversity, and reduced adverse environmental effects.

A quality-built environment is described as one which enhances the opportunities for people's well-being by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan's objectives and maintain and enhance the amenity values of an area.

The RPS identifies that with growth, new open spaces and social facilities will be required and the existing open space and social facilities will need to be expanded and upgraded to meet the needs of new residents and the increased level of use. Social facilities include public and private facilities which provide for services such as education, health, justice, corrections, community and cultural facilities. The RPS recognises that social facilities contribute to the economy of Auckland and that they are particularly important for a growing city, as increasing numbers of people rely on these facilities to meet their needs and provide for their social, economic and cultural wellbeing.

The open space and recreation facilities objectives and policies are set out in B2.7.1 and B2.7.2 respectively. The objectives and policies relevant to this application are set out below.

B2.7.1. Objectives

- 1. Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.*
- 3. Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.*

B2.7.2. Policies

- 1. Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.*
- 3. Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.*
- 5. Enable the development and use of existing and new major recreation facilities.*
- 6. Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes.*
- 8. Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities.*

The objectives seek to provide for the recreational needs of people and communities through the provision of a range of recreation facilities while avoiding reverse sensitivity effects. The associated policies seek to enable the development of and use of a wide range of recreational facilities to provide a variety of activities, experiences and functions in locations that are accessible to people and communities. The policies also seek to enable the development and use of existing major recreation facilities in a manner that avoids, remedies or mitigates significant adverse effects from the use of these facilities on nearby residents and communities.

The social facilities objectives and policies are set out in B2.8.1 and B2.8.2 respectively. The objectives and policies relevant to this application are set out below.

B2.8.1. Objectives

- 1. Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety.*
- 2. Social facilities located where they are accessible by an appropriate range of transport modes.*
- 3. Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.*

B2.8.2. Policies

1. *Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations as follows:*
 - (c) *large-scale social facilities are located where the transport network (including public transport and walking and cycling routes) has sufficient existing or proposed capacity.*
2. *Enable the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.*
3. *Enable intensive use and development of existing and new social facility sites.*
5. *Enable the efficient and flexible use of social facilities by providing on the same site for:*
 - (a) *activities accessory to the primary function of the site; and*
 - (b) *in appropriate locations, co-location of complementary residential and commercial activities.*
6. *Manage the transport effects of high trip-generating social facilities in an integrated manner.*

The objectives and policies seek to provide for a range of social facilities necessary to meet the diverse needs of people in Auckland to enable them to provide for their social, economic and cultural well-being and their health and safety. They also seek to enable intensive use and development of existing social facilities accessible by a range of transport modes.

The RPS recognises the role and importance of recreation and social facilities to meet the needs of Auckland's growing population. The provision and ability of facilities to expand and adapt over time is required as increasing numbers of people rely on them to meet the needs of and enhance their social, economic and cultural well-being. The provision, use and development of recreation and social facilities is particularly important to service the different demographic needs of Auckland's growing and culturally diverse population.

Eden Park is the largest stadium in Auckland and is a multi-use venue hosting rugby, cricket, rugby league, football, cultural and community events and concerts. It has adapted over time to the changing recreational and cultural preferences of the public to allow a greater variety of activity and experience.

Additional concerts at Eden Park will provide a broader range and diversity of concert events for the community. The SIA completed to support the application identifies the importance of arts and culture to a vibrant and dynamic city and the social benefits of music which are fostered by concerts at Eden Park. The assessment notes the popularity and growth of music concerts in Auckland. The stadium has the necessary infrastructure and facilities to stage large music events and additional concert events will make efficient use of an existing, significant physical resource and is consistent with B2.7.2.5.

Eden Park is centrally located, close to the city centre and existing rail, bus and pedestrian networks and is consistent with policy B2.7.2.3. The opening of CRL will improve rail connections and capitalise on the investment in rail infrastructure.

While the RPS recognises the importance of recreation and social facilities to the broader community, it also seeks to ensure that they are appropriately located and avoid, remedy and mitigate significant adverse effects from the use of such facilities on nearby residents and communities. This is achieved through the specific zone and precinct provisions relating to Major Recreation Facilities and Eden Park. The experience of concert events held at Eden Park to date together with the assessment undertaken in **Section 7** demonstrates that the identified adverse effects of concerts can be adequately avoided or mitigated where conducted in accordance with the conditions of the Concert Consent. The actual and potential adverse effects of the proposal on the surrounding residential neighbourhood are reasonable and acceptable overall and the proposal is consistent with Objective B2.7.2.8.

Overall, the proposal is consistent with those high-level policy matters set out in the AUP RPS.

8.3 AUP OBJECTIVES AND POLICIES

The following is an assessment of the relevant objectives and policies of the AUP. This includes the objectives and policies of E25, Noise, E27 Transport, H26 Special Purpose Major Recreation Facilities and I310 Eden Park Precinct.

8.3.1 Chapter E25 Noise and Vibration

The objectives and policies of the AUP for noise and vibration are relevant to this application.

E25.2. Objectives

- 1. People are protected from unreasonable levels of noise and vibration.*
- 2. The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.*
- 3. Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.*

E25.3. Policies

- 1. Set appropriate noise and vibration standards to reflect each zone's function and permitted activities, while ensuring that the potential adverse effects of noise and vibration are avoided, remedied or mitigated.*

2. *Minimise, where practicable, noise and vibration at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.*
3. *Encourage activities to locate in zones where the noise generated is compatible with other activities and, where practicable, adjacent zones.*
4. *Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.*
5. *Prevent significant noise-generating activities other than roads and railway lines from establishing in or immediately adjoining residential zones.*
6. *Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on:*
 - (a) *existing or authorised infrastructure;*
 - (b) *adjacent Business – Light Industry Zone and Business – Heavy Industry Zone;*
 - (c) *existing lawfully established rural production activities;*
 - (d) *major recreation facilities;*
 - (e) *existing lawfully established commercial activities within Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone; or*
 - (f) *regionally significant mineral extraction activities.*

Objectives 1 and 2 seek to ensure that people and the amenity values of residential zones are protected from unreasonable noise, particularly at night. Policies 1, 2 and 4 give effect to these objectives by setting appropriate noise and vibration standards reflecting the function of the zone while mitigating adverse effects on adjacent sites. Policies 3 and 5 seek to encourage activities to locate in zones where the noise generated is compatible with other activities, and where practicable, other zones and prevent significant noise generating activities from establishing near residential zones.

The purpose and function of the Major Recreation Facility zone is to appropriately manage facilities within the Auckland region capable of hosting large-scale sports, leisure, entertainment, art, recreation, or event and cultural activities. Major recreation facilities are large, multi-functional sites with the ability to accommodate over 10,000 visitors. Eden Park is identified as a major recreation facility. Noise monitoring from concerts held at Eden Park to date demonstrates that concert activity can meet the 75 dB LAeq within the boundary of any residentially zoned site. While the noise levels proposed for concerts are higher than those for permitted activities in the precinct, the level of noise generated is not unreasonable given the frequency and duration of concert activity is limited with controls on the finishing time of events.

Objective 3 and Policy 7 address reverse sensitivity effects of authorised activities and infrastructure and recognise the potential for major recreation facilities to give rise to such effects. EPT manages these effects

through an established set of procedures and protocols to ensure that surrounding residents and businesses are notified in advance of events being held at the venue, to ensure they are aware of the measures to be implemented to manage the event and so they can make plans in advance of the event.

It is considered that the proposal is consistent with the objectives and policies of Chapter 25.

8.3.1 Chapter E27 Transport

The objectives and policies of the AUP for transport are relevant to this application.

E27.2. Objectives

1. *Land use and all modes of transport are integrated in a manner that enables:*
 - (a) *the benefits of an integrated transport network to be realised; and*
 - (b) *the adverse effects of traffic generation on the transport network to be managed.*
4. *The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone.*
5. *Pedestrian safety and amenity along public footpaths is prioritised.*

E27.3. Policies

1. *Require subdivision, use and development which:*
 - (a) *generate trips resulting in potentially more than minor adverse effects on the safe, efficient and effective operation of the transport network;*
 - to manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle trips, staging development or undertaking improvements to the local transport network.*
15. *Require access to loading facilities to support activities and minimise disruption on the adjacent transport network.*

The purpose of the transport objectives and policies in the AUP is to manage the effects or impacts on the operation of the transport network. Eden Park is located close to existing rail, bus and pedestrian networks making it accessible to a range of transport modes. Information based on the type of travel of patrons to existing events at Eden Park demonstrates that 40% of those attending an event use public transport to access the venue.

A traffic management plan prepared by EPT and authorised by Auckland Transport is implemented for each concert event. The traffic management response is designed to ensure that traffic flow and pedestrian safety is maintained while minimising the impact that traffic management associated with large scale events

has on surrounding land uses. Traffic management measures are continually reviewed and adapted in consultation with the local community, Community Liaison Group, Auckland Transport, transport operators and other stakeholders. Further improvements are being considered following recent feedback through the EPRA survey.

Onsite parking is limited during large scale events, utilises existing vehicle access points and operates within the parameters of the traffic management plan implemented for the event.

No additional pack-in and pack-out activity is generated by the application due to the inclusion of a cap on the number of artists/acts and limits the increase in activity to the day of the event. Existing conditions of consent can adequately manage the external effects of pack-in and pack-out activity. The intensity of truck movement, even for large concert productions can be safely accommodated on site and on the adjoining road network and managed within the traffic management plan.

It is considered that the proposal is consistent with the objectives and policies of Chapter E27 of the AUP.

8.3.2 Chapter H26 Special Purpose – Major Recreation Facility Zone

The objectives and policies of the AUP for the Special Purpose - Major Recreation Facility zone and Eden Park Precinct are relevant to this application.

The purpose of the Major Recreation Facility zone is to appropriately manage facilities within the Auckland region capable of hosting large-scale sports, leisure, entertainment, art, recreation, or event and cultural activities. Major recreation facilities are large, multi-functional sites with the ability to accommodate over 10,000 visitors. These facilities are limited resources that contribute significantly to Auckland's social and economic well-being, and their efficient use is of resource management importance to the region. Eden Park is identified as a major recreation facility.

Major recreation facilities include sports arenas, showgrounds, events centres, racecourses, motor-racing tracks, the Auckland Zoo, and Museum of Transport and Technology (MOTAT). In many cases these sites contain extensive and highly visible buildings, substantial parking areas and significant areas of open space. Some are the home base for organisations such as sporting franchises, regional and national sporting organisations, heritage organisations and conservation organisations. Others are the base for high-performance athletes and their support facilities and services. There are currently 20 facilities within the Special Purpose - Major Recreation Facility Zone. Each facility is also contained within a precinct. The zone contains general objectives and policies which guide the operation and development of current and future

sites. The precinct provisions contain additional objectives, policies, activities, standards and assessment matters which are specific for each existing facility.

The relevant objectives and policies for the Major Recreation Facilities zone are detailed below.

H26.2 Objectives

- 1. Major recreation facilities are protected and enabled to provide for the social and economic well-being of people and communities.*
- 2. Adverse effects generated by the operation, development, redevelopment and intensification of major recreation facilities are avoided, remedied or mitigated as far as is practical.*
- 3. Major recreation facilities are protected from the reverse sensitivity effects of adjacent activities.*

H26.3 Policies

- 1. Enable the safe and efficient operation of the primary activities within each precinct.*
- 2. Provide for a range of appropriate accessory and compatible activities within the precincts.*
- 3. Discourage activities that may give rise to adverse effects on
(b) the safe and efficient operation of the transport network.*
- 4. Avoid, remedy or mitigate the adverse effects of major recreation facilities on adjacent development.*
- 6. Recognise the potential for major recreation facilities to give rise to reverse sensitivity effects and require new activities that are likely to be sensitive to these effects generated within the precinct to manage the risk of generating reverse sensitivity effects.*

The purpose of this application is to allow additional concert events at Eden Park to provide for multiple concert nights for the same artist/act and in doing so make efficient use of an existing Major Recreation Facility to provide for the social and economic well-being of people and communities in the Auckland region, giving effect to Objective H26.2.1 and Policy H26.3.2. Facilities of the size and scale of Eden Park are a limited resource and making more efficient use of this facility accords with the purpose of the zone.

Other Major Recreation Facilities have concerts provided as a permitted activity with operating parameters and noise limits similar to those being proposed for Eden Park as part of this application. This includes Ellerslie Racecourse, ASB Showgrounds, Bruce Pullman Park and ECO Light Stadium which are located within residential and mixed-use environments but arguably have less suitable facilities and infrastructure to hold concerts events. The provision of concert events at Eden Park provides an additional venue in Auckland to host concert events and further aligns Eden Park with other Major Recreation Facility venues.

The objectives and policies in the Major Recreation Facility zone also address the impacts of the operations of such facilities on adjacent development. In this context, the objectives and policies specifically recognise that the adverse effects generated by the operation, development, redevelopment and intensification of major recreation facilities may not be able to be fully internalised and seeks that are avoided, remedied or mitigated as far as is practical.

The foregoing Assessment of Effects in Section 7 above concludes that the adverse effects of concert activities can be remedied and mitigated as far as practical through the implementation of the Concert Operations Management Plan which includes event, community consultation and communication and traffic management plans. These are based on those successfully implemented for other large-scale events held at Eden Park including the Rugby and Cricket World Cups. Specific measures are proposed to manage the external impacts of pack-in and pack-out, principally the movement of trucks to and from the stadium. While concert activities will result in noise effects that are noticeable and may annoy some surrounding residents, they are limited in duration and frequency and accord with those of other major recreation facility venues with surrounding residential land use. This approach is consistent with Objective H26.2.2 and Policies H26.3.3 and H26.3.4.

The objectives and policies also address reverse sensitivity effects and recognise the potential for major recreation facilities to give rise to such effects. Eden Park has always been exposed to reverse sensitivity effects given the surrounding residential land use. EPT has sought to manage these effects through the procedures and protocols contained in the community consultation and communications plan implemented for events and through the Community Liaison Group and The Hood. These measures are designed to ensure that the surrounding residential neighbourhood is aware of upcoming activity and events at the venue, can make plans in advance of events, and are aware of the measures to be put in place to manage events, including the movement of patrons to and from the venue. Formal channels of communication have been established to provide information, deal with complaints and provide regular contact with the community to provide a two-way communication channel so that resident's concerns and input forms part of the adaptive management plan methods employed at Eden Park and in so doing reduce the likelihood of complaints. This is consistent with Objective H26.2.3 and Policy H26.3.6.

Chapter 1303 Eden Park Precinct

The Eden Park Precinct provides specific planning controls for the use, development and redevelopment of Eden Park. The Precinct description states that *“Eden Park was established as the home of Auckland Cricket in 1910, with Auckland Rugby joining in 1925. Eden Park is a multi-purpose stadium and is one of New Zealand’s premier sports facilities”*.

The precinct provides for organised sport and recreation, informal recreation and day-time non-sporting events as primary activities. Concerts are provided as a compatible activity, with more than 6 concerts in a 12-month period a non-complying activity. The objectives and policies for the Precinct are outlined below.

I310.2. Objectives

- 1. Eden Park is protected as a regionally, nationally and internationally important venue for all of the following primary activities:
 - (a) organised sports and recreation;*
 - (b) informal recreation; and*
 - (c) day time non-sporting events.**
- 2. A range of activities compatible with, or accessory to, the primary activities are enabled.*
- 3. The adverse effects of the operation of Eden Park are avoided, remedied or mitigated as far as is practicable recognising that the primary activities will by virtue of their nature, character, scale and intensity, generate adverse effects on surrounding land uses which are not able to be fully internalised.*

I310.3. Policies

- 1. Enable the safe and efficient operation of Eden Park for its primary activities.*
- 2. Protect the primary activities of Eden Park from the reverse sensitivity effects of adjacent development.*
- 3. Enable a range of accessory and compatible activities where they achieve all of the following:
 - (a) avoid, remedy or mitigate adverse effects; and*
 - (b) are of a character and scale which will not displace the primary activities.**
- 4. Manage the adverse effects of the operation of Eden Park, having regard to the amenity of surrounding properties.*
- 5. Recognise that Eden Park's primary activities may generate adverse effects that are not able to be fully internalised and may need to be further mitigated by limiting or controlling their scheduling, duration and frequency.*

Eden Park is recognised in the AUP as a multi-purpose stadium. The objectives and policies seek to protect Eden Park as a regionally, nationally and internationally important venue for organised sport and recreation, informal recreation and day-time non-sporting event and enable its safe and efficient operation. In addition, the objectives seek to enable a range of activities compatible with, or accessory to the Precinct's primary activities.

The Precinct includes concerts as a compatible activity including up to 6 concerts in a 12-month period as a discretionary activity and more than 6 concerts in a 12-month period as a non-complying activity with Policy I310.3(3) providing direction on the matters to be met to achieve the Objective 2.

In terms of Policy I310.3(3)(a) the experience of concert events held at Eden Park to date together with the assessment undertaken in Section 7 demonstrates that the identified adverse effects of concerts can be adequately avoided or mitigated where conducted in accordance with conditions of consent. The primary method to manage effects on the amenity of surrounding properties is through the traffic management, event management, and community consultation and communication plans. The implementation of the Concert Operations Management Plan is a proven method, yet able to be modified and adapted ensure they remain effective. The actual and potential adverse crowd, traffic and transport and lighting effects of the proposal on the surrounding residential neighbourhood are reasonable and acceptable overall and achieve the policy direction in I310.3(3)(a). These effects are not dissimilar with other permitted large scale night-time events.

The primary difference between concert events as opposed to other primary activities is the level of noise generated. Although the proposed noise levels are higher than those provided for permitted activities and are noticeable for people who reside or operate from sites in the vicinity of Eden Park, the effects will be avoided and mitigated as far as practicable and will not have an unreasonable impact on surrounding residential amenity. Important to this are the conditions limiting the frequency of events, the duration of activity and curfew times.

In terms of Policy I310.3(3)(b) the scheduling and hosting of concerts since the issue of consent in 2020 has demonstrated how concerts can fit into the calendar without displacing other primary activities. In addition, the Trust Deed provides Auckland Cricket preferential use rights for the Number 1 field for every alternate week between 1 November and 31 March and requires discussions between cricket and rugby codes for early start and late finish of the rugby season. This protects the cricket and rugby codes from displacement by concert events and this aspect of Policy I310.3(3) will be achieved by the proposal.

8.4 SECTION 104D NON-COMPLYING ACTIVITIES

The proposal requires a non-complying activity resource consent. Section 104D of the RMA sets out the matters relating to the determination of applications for a non-complying activity. Consent may only be granted to a non-complying activity if either the adverse effect on the environment will be minor or the activity is not contrary to the objectives and policies of a plan or proposed plan.

The application includes a detailed analysis and assessment of the effects of the proposal. Assessment of the effects of the proposal has included analysis of crowd disturbance, lighting, transport and traffic management, noise, social and cumulative effects. The conclusion resulting from this analysis is that there will be positive effects and any adverse effects will range from minor to more than minor.

In terms of the relevant provisions of the statutory documents and other matters, the above analysis concludes that the proposal is not contrary to the relevant objectives and policies in the NPS:UD and the relevant objects and policies relating to the management of social facilities in the RPS. In terms of the Major Recreation Facility Zone and the Eden Park Precinct, the proposal is consistent with these policies and objectives. The proposal provides for a compatible activity at Eden Park, where the adverse effects are appropriately avoided and mitigated by the proposed conditions of consent without displacing primary activities. Given the consistency with the relevant planning documents, the objectives and policies gateway is met and the application can be considered under Section 104.

8.5 CONDITIONS (SECTION 108)

As set out in Section 5 above, the application includes a set of proposed conditions of consent contained in **Attachment G**. It is considered that the proposed conditions will appropriately avoid and mitigate any adverse effects resulting from the proposal in accordance with Section 108 of the RMA.

8.6 OTHER MATTERS (SECTION 104(1)(c))

8.6.1 Auckland Plan 2050

The Auckland Plan 2050 is produced by the Auckland Council under the requirements of sections 79 and 80 of the Local Government (Auckland Council) Act 2009. It is a 'spatial plan' that provides a 30-year strategy for the development of Auckland and its communities that integrates social, economic, environmental and cultural objectives. The Auckland Plan contains six outcomes, a Development Strategy detailing how Auckland will grow and change over the next 30 years, 20 Direction to achieve the Outcomes and 37 Focus areas. The six outcomes include:

- Belonging and Participation
- Maori Identity and Wellbeing
- Homes and Places
- Transport and Access
- Environment and Cultural Heritage
- Opportunity and Prosperity.

One of the values which informs the Auckland Plan 2050 is Auaha – creativity, innovation and recognises “the value of arts, culture, sport and recreation to quality of life” and that “Creativity, culture and the arts make Auckland a vibrant and dynamic city”.

Under the Outcome for Opportunity and Prosperity, Focus Area 7 includes the recognition of the values of arts, culture, sports and recreation to the quality of life, including going to events. The Plan identifies that many Aucklanders already enjoy a lifestyle where they engage in a wide range of activities that contribute to their quality of life. It identifies that the ability to take part in sport and recreation, and arts and cultural activities is particularly important as it supports wellbeing.

The Plan also identifies the importance of providing opportunities for all Aucklanders to access, participate in and experience arts and that creativity, culture and arts makes Auckland a vibrant and dynamic city. The aspiration of the Plan is for the provision of a range of arts, culture and heritage experiences that all Aucklanders can enjoy.

The proposal is supportive of the Auckland Plan vision and outcomes for arts, culture and a vibrant city. The ability to host extra concerts at Eden Park will allow people in the region to enjoy music events and make available to artists and promoters a stadium with the facilities and infrastructure required to successfully hold concert events in a location accessible by public transport, close to food and hospitality areas and the city centre.

8.6.2 Consultation

EPT has undertaken the following engagement and consultation in the preparation of this application.

- Auckland Council - the applicant has engaged in a comprehensive pre-application process with Auckland Council, including providing draft documents for review and feedback. This has guided and informed the matters addressed in the technical reports and application documents.
- Local Board - EPT made a presentation to the Local Board.
- Local Business Associations, Hospitality and Accommodation Providers - EPT has met with representatives of the local business associations, hospitality and accommodation providers. Letters of support are provided in **Attachment J**.
- EPRA – EPT has met with representatives of the EPRA and assisted in providing information to the Association on the proposal for additional concerts and parameters of the application.
- The Hood – EPT has engaged with The Hood membership on the proposal for additional concerts.

8.7 PART 2 MATTERS

The Court of Appeal has confirmed (in the R J Davidson Family Trust v Marlborough District Council decision) that when undertaking the section 104 evaluation the Council “must have regard to the provisions of Part 2 when it is appropriate to do so”. In this situation, given that the AUP contains provisions prepared having

regard to Part 2 and a coherent set of policies to achieve clear environmental outcomes it is not considered necessary to undertake an assessment of the proposal against Part 2.

9 CONCLUSION

This application sets out the relevant assessment required for resource consent applications under the RMA. The plans and technical assessments submitted with the application have been provided in support of the application and in relation to the relevant criteria.

In terms of the RMA, all appropriate matters in section 104 are considered to have been addressed including the:

- Actual and potential effects;
- The relevant provisions of any plan of proposed plan; and
- Any other matters.

It is concluded that the proposal satisfies these matters and is in accordance with the relevant provisions of the statutory documents. Therefore, in accordance with section 104D, I support the grant of consent to this application for a non-complying activity.

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