

Wānaka Community Board
17 September 2020**Report for Agenda Item | Rīpoata moto e Rāraki take : 3****Department: Community Services****Title | Taitara Wānaka Tennis Club: Lessor's Approval and Affected Person's Approval to Install New Flood Lights****PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO**

The purpose of this report is to consider whether to grant Lessor's Approval and Affected Person's approval to install eight new flood lights at the Wānaka Tennis Club, 198 Upton Street, Wānaka.

RECOMMENDATION | NGĀ TŪTOHUNGA

That the Wānaka Community Board:

1. **Note** the contents of this report;
2. **Approve** Affected Person's Approval for the proposed new flood lights at the Wānaka Tennis Club; and
3. **Delegate** signing of the Affected Person's Approval to the General Manager, Community Services; and
4. **Recommend to Council** to exercise the Minister's consent (under delegation from the Minister of Conservation) to approve the new flood lights on behalf of Council as Lessor.

Prepared by:

Dan Cruickshank
Property Advisor
APL Property

2/09/2020

Reviewed and Authorised by:

Aaron Burt
Senior Parks and Reserves
Planner

3/09/2020

Approved by:

Thunes Cloete
General Manager
Community Services

3/09/2020

CONTEXT | HOROPAKI

- 1 The Wānaka Tennis Club Incorporated (the Tennis Club) have a lease with the Council to occupy land between Upton and Warren Streets. The location of the club is illustrated in ATTACHMENT A.
- 2 The land is recreation reserve and legally described as Sections 1, 2, 5, 6 and 7 Block XXXV TN of Wānaka, and Section 1 SO 24567. The Wānaka Croquet Club also occupies a portion of Sections 2 and 5 of Block XXXV TN of Wānaka. The Tennis Club area is approximately 2023 square metres.
- 3 There are approximately one million dollars' worth of assets on the site, including seven tennis courts, fencing, existing flood lights and nets. The site contains an existing building in the northern corner of the site, consisting of club facilities and clubrooms for the Wānaka Tennis Club.
- 4 The club provides a convenient and low-cost public facility that can be enjoyed by residents and visitors of all ages. They currently have 148 members, 75 holiday members and 72 junior members. They also host around 500 non-member visits each year.
- 5 Resource consent is sought by the Wānaka Tennis Club to install eight new flood lights for the purposes of illuminating two courts, being courts 3 and 4. Affected Persons Approval is required to enable the resource consent application to progress. The lights will be at the same height as the existing lights on court 6.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 6 Four of the new flood lights will be installed on three existing poles located to the south-west of the tennis courts and the remaining lights would be installed on three new poles, which are to be established along the north-eastern boundary of the site. The location of the light towers is shown in ATTACHMENT B.
- 7 The new light fittings are detailed by Pedersen Read Limited in their report "lighting report" as consisting of Thorn Champion LED Sports Lights. These lights have been designed to comply with the Australian Standard AS 2560.2.12 for illumination of commercial tennis courts. The Assessment of Environmental Effects for the resource consent application is included as ATTACHMENT C, and the lighting report is ATTACHMENT D.
- 8 The new poles are described as 8.5 metre poles with a maximum diameter of 85mm as measured at the base. An elevation plan depicting an overall design of each pole is attached. Each pole will be secured to the ground with 600mm bolts.
- 9 Each light will be directed to Courts 3 and 4 only although it is noted that Court 6 is already illuminated. Pedersen Read Ltd have undertaken an analysis of the proposed light fittings as it relates to Courts 3 and 4 and have detailed the subsequent Lux and glare spill that would be generated.

10 Glare impacts will be considered via the resource consent process, however it can be noted that the applicant and their designers have attempted to design the lights in a way that reduces the effects on the environment. The resource consent considerations will address effects on persons and the greater environment, and the Affected Persons Approval is only sought in the context of QLDC as the landowner. From a lessor's perspective the Council is supportive of the proposal, but this does not infer that Council's regulatory arm will approve the application.

11 Consultation has been undertaken by the Wānaka Tennis Club with adjacent owners, with some approvals received, however it should be noted that the property directly adjacent to the playground has not provided their approval.

12 Section 4.5 of the lease agreement states that the lessee shall not make any alterations or additions to the Premises without both the Minister's and the Lessor's prior written approval.

13 Option 1 To approve Affected Person's Approval and Lessor's Approval.

Advantages:

14 The structures will improve the visitor and recreation experience, as it will illuminate two of the existing tennis courts that currently have limited lighting.

15 The provision of extra lighting will enhance user's safety.

16 The provision of flood lights are common place in recreational/ sporting settings.

Disadvantages:

17 Potential adverse effects to the adjoining reserve and properties, although such effects are instead addressed via the resource consent process.

18 Option 2 To decline the request.

Advantages:

19 Will not create any adverse effects to the adjoining reserve and properties.

Disadvantages:

20 Will not improve the visitor and recreation experience, as two courts will have limited lighting.

21 Will not enhance user's safety of the courts.

22 Will not improve the longevity of the site.

23 This report recommends **Option 1** for addressing the matter because the additional lighting will illuminate two of the existing tennis courts.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 24 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it relates to a leased reserve.
- 25 The persons who are affected by or interested in this matter are the residents of the Queenstown Lakes District and users of the reserve.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 26 This matter relates to the Community & Wellbeing risk category. It relates to the ineffective management of community assets, identified as RISK00009 within the QLDC Risk Register. This risk has been assessed as having a moderate inherent risk rating.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 27 Council will not receive any income from the proposed works, however the Tennis Club will pay the costs associated with the installation, ongoing operational and maintenance costs for the site as per their existing lease.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

- 28 The following Council policies, strategies and bylaws were considered:
- Significance and Engagement Policy
- 29 The recommended option is consistent with the principles set out in the named policy.
- 30 This matter is not included in the Ten Year Plan/Annual Plan and does not impact on it.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

- 31 The recommended option:
- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by improving a recreational site through the provision of lighting.
 - Can be implemented through current funding under the Ten Year Plan and Annual Plan;
 - Is consistent with the Council's plans and policies; and
 - Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	Overview Plan
B	Site Plan – location of light towers
C	Assessment of Environmental Effects
D	Pedersen Read – Glare analysis

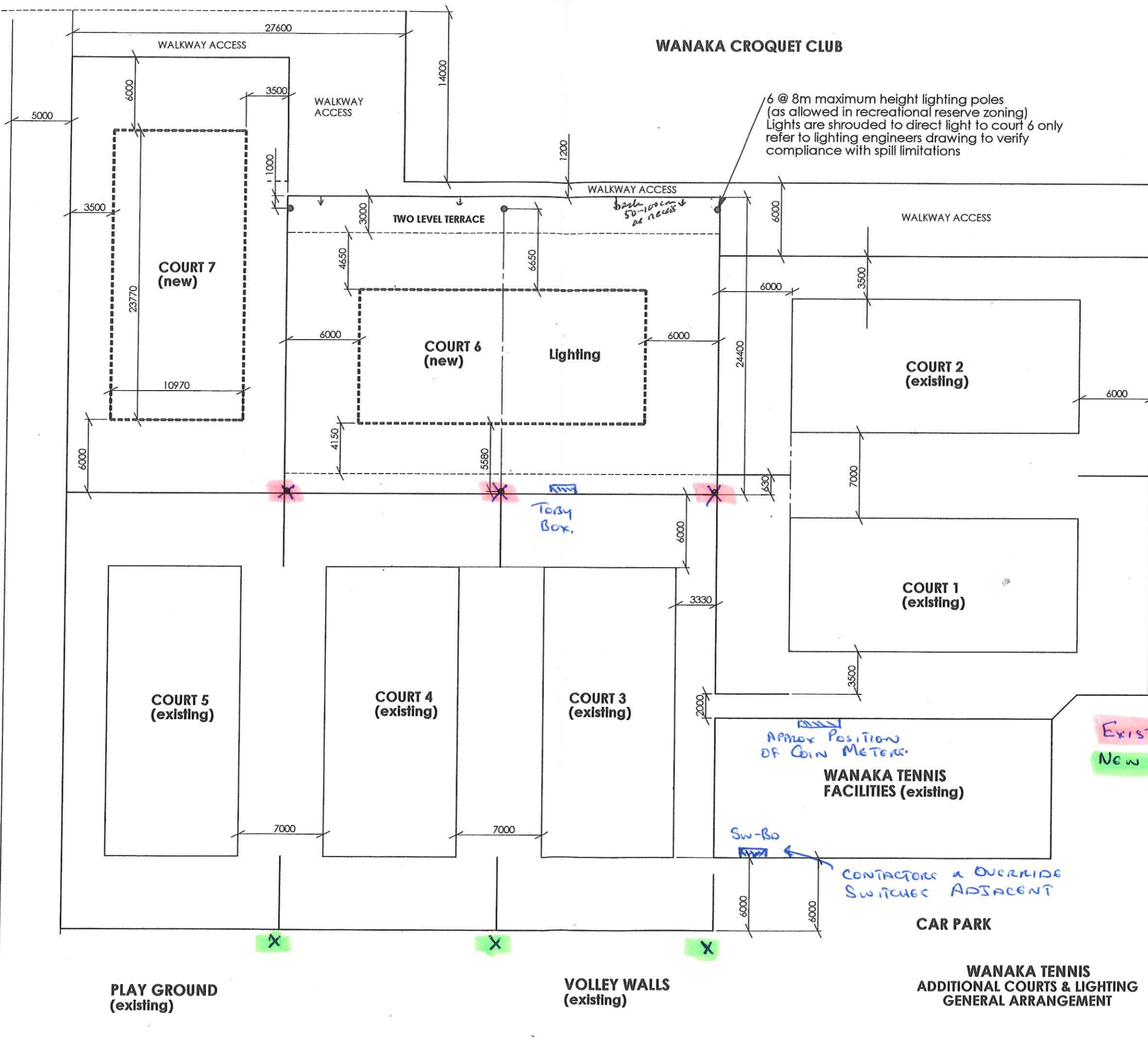


The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this site is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this site and data held within.



WARREN STREET

WANAKA CROQUET CLUB



EXISTING POLE
NEW POLE

PLAY GROUND (existing)

VOLLEY WALLS (existing)

WANAKA TENNIS ADDITIONAL COURTS & LIGHTING GENERAL ARRANGEMENT

APPLICATION FOR RESOURCE CONSENT TO INSTALL NEW FLOOD LIGHTS

Breens Construction Ltd

198 Upton Street, Wanaka

July 2020

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1.0 THE APPLICANT AND PROPERTY DETAILS

Site Address:	198 Upton Street, Wanaka
Applicants Name:	Wanaka Tennis Club
Address for Service	Wanaka Tennis Club C/- Southern Planning Group PO Box 1081 Queenstown, 9348 jake@southernplanning.co.nz Attention: Jake Woodward
Site Legal Description:	Section 1, 6, 7 and 5 Blk XXXV Town of Wanaka
Site Area:	2,023 square metres more or less
Operative District Plan Zoning:	Low Density Residential, Designation 102
Proposed District Plan Zoning:	Open Space Recreation Zone, Designation 102
Brief Description of Proposal:	Resource consent to erect new flood lights at the Wanaka Tennis Courts.

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991. The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

List of Information Attached:

- Appendix [A]** Site Plan
- Appendix [B]** Lighting Report, prepared by Pedersen Read
- Appendix [C]** Elevation and Bolt Down Plans
- Appendix [D]** Lux Level Plans, prepared by Pedersen Read
- Appendix [E]** Written Approvals
- Appendix [F]** Correspondence with 193 Warren Street



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Jake Woodward

Resource Management Planner

15 July 2020

2.0 SITE DESCRIPTION AND RECEIVING ENVIRONMENT

2.1 Site Description

The site subject to this application is that of the Wanaka Tennis Courts facility located at 198 Upton Street, Wanaka. The site covers multiple land parcels and is legally described as Sections 1, 5, 6 and 7 Block XXXV, Town of Wanaka. No Record of Title is available for the site.

The site consists of seven tennis courts, associated fencing, existing lighting and nets. The site contains an existing building in the northern corner of the site, consisting of club facilities and clubrooms for the Wanaka Tennis Club as shown in Figure 1 below.

In the southern portion of the site is that of the Wanaka Croquet Club, consisting of the main pitch/grounds and a single-storey building consisting of the clubrooms and storage (for the Croquet club).

The site is bounded on two sides by road (Upton Street and Warren Street) and a recreation reserve along the northern boundary. Within the recreation reserve to the north is an existing playground, carpark and practice (tennis) area. To the south of the site is an existing Croquet facility, administered by the Wanaka Croquet Club.

The subject site is understood to be owned by Queenstown Lakes District Council but is effectively managed and wholly maintained by the Wanaka Tennis Club.



Figure 1: Aerial image of subject site and surrounds (Image Source: QLDC GIS).

2.2 Receiving Environment

The surrounding environment is reasonably varied in terms of existing land uses as illustrated in Figure 1 above.

To the immediate north of the site is that of an existing public playground. Just beyond the playground is that of a residential property located at 193 Warren Street. This property contains an existing dwelling located approximately 27 to 28 metres¹ from the boundary of the subject site.

The eastern boundary is bordered by that of Warren Street. On the opposite side of Warren Street, the land use is predominantly residential.

To the south and south-west of the site, is that of the Croquet Club rooms and grounds.

To the west and north west and located on the opposite side of Upton Street is the Wanaka Holiday Park.

3.0 RESOURCE MANAGEMENT BACKGROUND

There are no previous resource consents that are considered relevant to this application.

4.0 DESCRIPTION OF THE PROPOSED ACTIVITY

Resource consent is sought by the Wanaka Tennis Club to install eight new flood lights for the purposes of illuminating two courts.

A site plan showing the location of the proposed new lights is attached in **Appendix [A]**. Specifically, it is proposed to illuminate Courts 3 and 4 (as shown in **Appendix [A]**), an extract of which is included in Figure 2 below:

¹ Based on QLDC GIS measuring tool. Not surveyed.

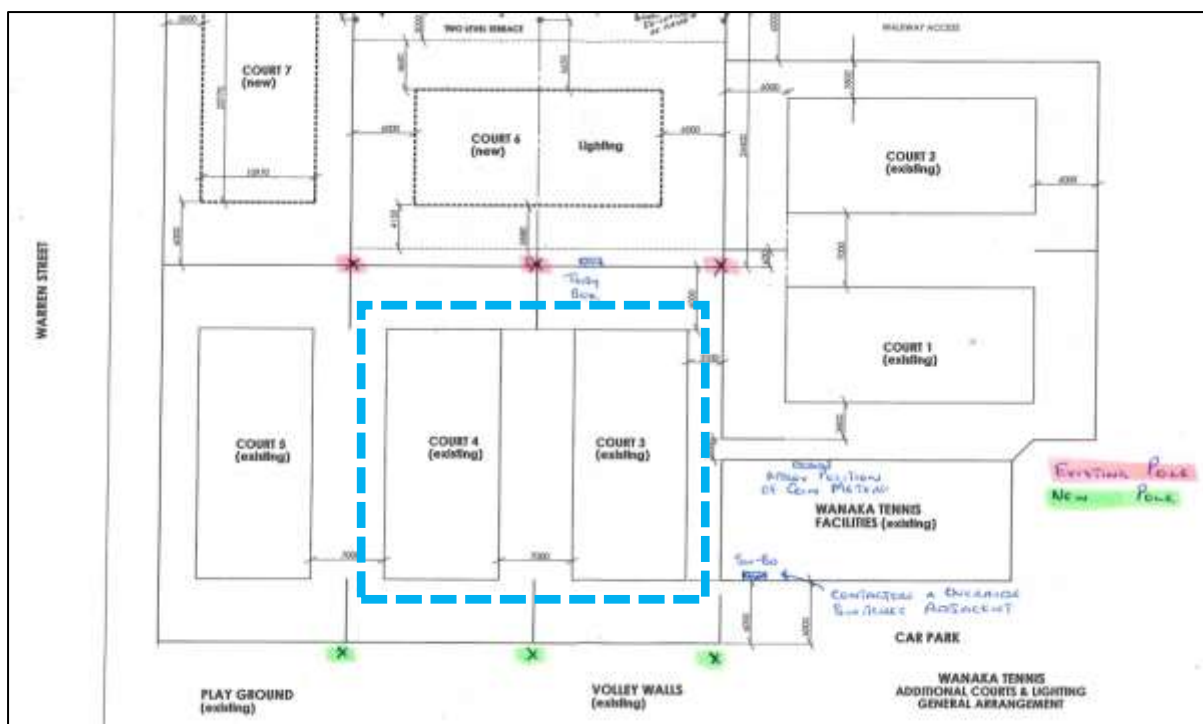


Figure 2: Extract of Site Plan showing Courts 3 and 4 to be illuminated. Three new poles will be erected to enable four new lights to be installed. Another four lights will be located on top of three existing poles.

As detailed in Figure 2 above, four of the new flood lights will be installed on three existing poles located to the south-west of the tennis courts and the remaining four lights would be installed on three new poles, which are to be established along the north-eastern boundary of the site.

The new light fittings are detailed by Pedersen Read Limited in their report ("lighting report") attached in **Appendix [B]** as consisting of Thorn Champion LED Sports Lights. These lights have been designed to comply with the Australian Standard AS 2560.2.¹² for illumination of commercial tennis courts.

The new poles are described as 8.5 metre poles with a maximum diameter of 85mm as measured at the base. An elevation plan depicting an overall design of each pole is attached in **Appendix [C]**. Each pole will be secured to the ground with 600mm bolts.

Each light will be directed to Courts 3 and 4 only although it is noted that Court 6 is already illuminated. Pedersen Read Ltd have undertaken an analysis of the proposed light fittings as it relates to Courts 3 and 4 and have detailed the subsequent Lux and glare spill that would be generated. This analysis is detailed in the plan set attached in **Appendix [D]**.

The site is designated under the Queenstown Lakes District Plan as a Recreation Reserve with Queenstown Lakes District Council as the relevant requiring authority. However, as this application is being sought by the Wanaka Tennis Club as opposed

² There is no equivalent New Zealand Standard for outdoor sport lighting.

to the requiring authority, the proposal requires resource consent as opposed to an Outline Plan Approval.

5.0 DESCRIPTION OF PERMITTED ACTIVITIES

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

Under the Operative District Plan, the site sits within the Low Density Residential Zone as well as being designated (Designation 102) for recreation purposes. When considering the level of permitted development as it relates to the Low Density Residential Zone, it is permitted to erect a structure that conforms to bulk and location provisions of the District Plan, noting that the maximum height in the Wanaka Low Density Residential Zone 7.0 metres.

In terms of the Active Sports and Recreation Zone, it is permitted to construct a new building/structure up to a height of 10 metres³.

In terms of glare, it is permitted to generate up to 3.0 Lux of glare as measured at any point when measured 2.0 metres inside the boundary of the adjoining property.

6.0 STATUTORY CONSIDERATIONS

6.1 Queenstown Lakes District Plan

Under the Operative District Plan, the site is located within the Low Density Residential Zone and within Designation 102 (Recreation Purposes).

Under the Operative District Plan, a building is defined as follows:

Shall have the same meaning as in the Building Act 1991, but does not include:

- **Fences or walls of 2m in height or less above ground level or retaining walls or 2m in height or less below ground level, not used for a sign or for any purpose other than as a fence, retaining wall or wall.**
- **Structures less than 5m² in area and in addition less than 2m in height above ground level.**
- **Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2m in diameter), less than 2m in height above ground level.**
- **Masts and poles less than 2m in height above ground level.**

³ Rule 38.9.24 and Rule 38.10.1 of the Proposed District Plan.

- **The upgrading and extension to the Arrow Irrigation Race provided that this exception only applies to upgrading and extension works that involve underground piping of the Arrow Irrigation Race.**

Building includes the construction, erection, alteration, relocation or placement on a site of a building

In considering the definition of a 'building' under the Operative District Plan, it is noted that any mast or pole over 2.0 metres in height would be deemed a building. Four of the proposed flood lights will be affixed to an 8.5 metre pole (x3) and therefore it is considered that the overall structure meets the definition of a building under the Operative District Plan.

Given that the proposal is being undertaken by the Wanaka Tennis Club as opposed to the Requiring Authority (QLDC), the proposed works require consideration in relation to the rules of the relevant District Plans.

Acknowledging the above, the proposal requires the following resource consents under the Operative District Plan:

- A **Discretionary (Restricted) Activity** pursuant to Rule 7.5.3.4(vi) for a breach to Site Standard 7.5.5.2(iv) which states that all buildings must be setback from an internal boundary of at least 2.0 metres.

In this instance, the three poles will be erected just inside the boundary (give or take 500mm) of the subject site, noting that the adjoining property to the north is technically a separate land parcel, despite forming part of the wider recreation reserve.

- A **Non-complying Activity** pursuant to Rule 7.5.3.5 for a breach to any Zone Standard. In this case, the proposal does not comply with Zone Standard 7.5.5.3(v)(a)(ii) where the maximum height in the Low Density Residential Zone in Wanaka is 7.0 metres.

The proposed poles will be 8.5 metres each.

- A **Non-complying Activity** pursuant to Rule 7.5.3.5 for a breach to any Zone Standard. In this case, the proposal does not comply with Zone Standards 7.5.5.3(vii)(b) where Lux levels must not exceed 3.0 lux spill measured at any point within any adjacent site.

The lights will result in a lux spill maximum of 3.4 lux as measured 2.0 metres inside the boundary of 193 Warren Street. Pedersen Read confirms that based on the lux spill from there modelling, the lux levels comply at all other boundaries.

6.2 Proposed District Plan

Under the Proposed District Plan ("PDP"), the subject site is located within the Active Sports and Recreation Zone. The remains designated under the PDP as Designation 102.

- A **Discretionary Activity** pursuant to Rule 38.10.8.1 where no activity shall result in 3.0 lux spill or greater as measured at any point when measured 2.0 metres inside the boundary of the adjoining property.

The lights will result in a lux spill maximum of 3.4 lux as measured 2.0 metres inside the boundary of 193 Warren Street. Pedersen Read confirms that based on the lux spill from there modelling, the lux levels comply at all other boundaries.

6.3 Overall Activity Status

Overall, the proposal is considered to be a **Non-complying Activity**.

7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The matters that must be addressed pursuant to Clauses 6 and 7 of the Schedule 4 of the Resource Management Act 1991 are detailed below.

7.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

The proposed activity will not result in any significant adverse effects on the environment. Any effects there are, will be adequately remedied and mitigated. Alternative locations are therefore not considered necessary.

7.2 An assessment of the actual or potential effect on the environment of the proposed activity.

Introduction

Subject to Part 2 of the Resource Management Act 1991, the Council in considering this application pursuant to Section 104(B) of the Act, shall have regard to any actual or potential effects on the environment of allowing the proposed development to proceed.

In assessing any actual or potential effects on the environment of allowing the proposal to proceed, Schedule 4, Clause 7(1) of the Resource Management Act 1991 states that the following matters must be addressed.

- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

- (b) any physical effect on the locality, including any landscape and visual effects:*
- (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*
- (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*
- (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:*
- (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

When considering the nature of the proposal, it is considered that the most relevant adverse effects as it relates to the wider environment includes:

- Building bulk and dominance; and
- Glare

With respect to the height of the poles when viewed from public spaces, it is considered that these will appear appropriate in the context of the overall use of the grounds, noting that the provision of sports/flood lights are common place in recreational/sporting settings. In addition, the poles are consistent with the overall design and finish of the existing lights located on the site. In this regard, the poles/lighting will not appear out of place or detract from the overall amenity of the wider area. Furthermore, the structures themselves will not visually dominate the immediate area where these structures are expected in a sporting facility setting.

With regard to glare, it is considered these effects are more relevant for adjacent properties more so than effects on the wider environment. Nonetheless, the lighting report concludes that the level of glare that would be generated will not result in any undue discomfort. As such, and relying on Pedersen Read's expertise, the level of glare will generate no more than minor adverse effects on the wider environment.

Pedersen Read have also undertaken a review of the Southern Light Strategy (Parts One and Two). In particular, Pedersen Read concludes that the proposed lighting will conform with the general requirements of the strategy through compliance with the Australian Standard AS 2560.2.1 along with the technical requirements sought by the strategy. The result is an illuminated facility that will have minimal light spill beyond the site boundaries, along with minimal glare and minimal 'sky glow'. Relying on this assessment, it is considered that the illuminated courts will generate no more than minor adverse effects on the wider environment.

Overall, the proposal is considered to generate no more than minor adverse effects on the wider environment.

7.3 If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use

N/A

7.4 If the activity includes the discharge of any contaminant, a description of:

- 1. The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and**
- 2. Any possible alternative methods of discharge, including discharge into any other receiving environment.**

N/A

7.5 A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce actual and potential effects:

No mitigation is considered necessary.

7.6 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:

7.6.1 Consultation and Written Approvals

Consultation was undertaken by the Wanaka Tennis Club with all adjacent and adjoining neighbours to which the written approval of the following properties has been received (Table 1 below and illustrated in Figure 4).

A copy of all written approvals received is attached in **Appendix [E]**.

The adverse effects on those persons who have provided written approval must be disregarded pursuant to s95E(3)(a) of the Resource Management Act 1991.

Table 1: Details of Written approvals received

Property Owner	Legal Description
Dean Hudson and Ross Hudson – Executors of the estate for Jean Hudson	Lot 2 DP 433234
N Dickey	Lot 3 DP 433234
E Macfie	Lot 4 DP 441674
D Tyree	Lot 5 DP 441674
T and E Hale	Lot 6 DP 443422
Wanaka Croquet Club	Section 2, 3, 4, 5 Blk XXXV Town of Wanaka
Agerta Hofsteenge and Rudolf Sanders	Wanaka Lakeview Holiday Park



Figure 3: Location of properties where written approval has been obtained (shown in green). Property shown in red is where written approval was sought but not provided.

7.6.2 Assessment on Persons

193 Warren Street, Wanaka

The applicant sought written approval from the property at 193 Warren Street, located on the opposite side of the playground to the north-east of the site. However, the applicant has since been advised in writing that written approval will not be provided and this correspondence is attached in **Appendix [F]**. The nature of the disapproval appears to highlight some prior concerns in relation to the existing playground, as opposed to the tennis courts facility (or proposed lighting). Nonetheless, for completeness, an assessment of the proposal on the property at 193 Warren Street is considered applicable.

The property at 193 Warren Street is located 20 metres from the boundary of the subject site as shown in the following figure. This measurement is taken from the boundary of the subject site, to the boundary of the property at 193 Warren Street, with the sites separated by a separate title consisting of the playground.

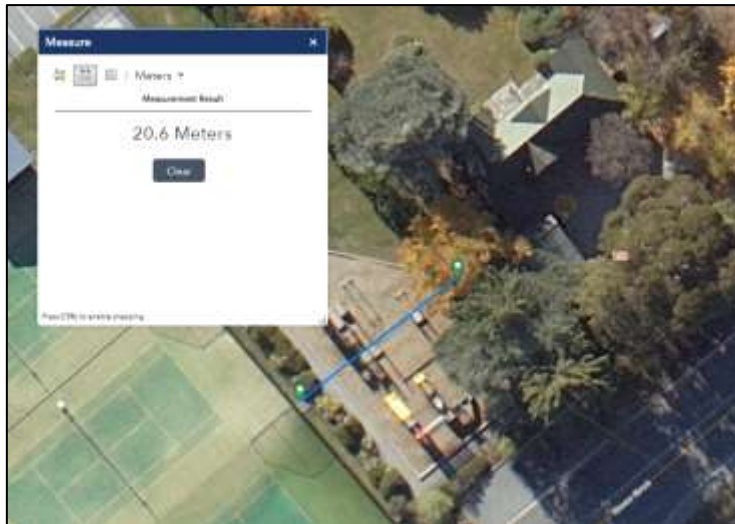


Figure 4: Approximate distance between the subject site and the boundary of 193 Warren Street, Wanaka (Source: QLDC GIS).

From the location of the proposed lights to the edge of the dwelling, the distance is even greater and equates to around 28 metres (based on the measuring tool provided on QLDC's GIS).

The site at 193 Warren Street is heavily vegetated in domestic planting, hedges and mature trees, particularly along the site's south-westernmost boundary.

Despite the extensive vegetation, the separation distances between the proposed lights to the boundary of the site (193 Warren Street) is such that the level of Lux spill as detail in **Appendix [D]** will be in the order of 3.4 Lux. Pedersen Read have reviewed this breach and considers that an additional 0.4 Lux over that permitted will not be noticeable and will not cause any undue discomfort for this property. Relying on this assessment, it is considered that the proposed lights will generate less than minor effects on the residential amenity values of this property.

198 Warren Street, Wanaka

The property at 198 Warren Street, Wanaka is located to the immediate east of the site, on the intersection of Warren and Connor Streets. This property (as measured to the legal boundary) is located approximately 47 metres from the nearest proposed pole/light.

Written approval was not sought from this property.

As detailed by Pedersen Read, the level of Lux spill on all properties with the exception of 193 Warren Street, comply with the permitted standards of the District Plan. As such, it is considered that the effects of the lighting will be no greater than that permitted and therefore less than minor.

No other person(s) are considered to be adversely affected by the proposal.

7.7 If the scale or significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved.

No monitoring is required other than standard conditions of consent.

7.8 If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

The proposed activity will have no effect on any customary rights.

8.0 SECTION 95 NOTIFICATION

8.1 Public Notification

Step 1 – Mandatory public notification

- We are not requesting public notification of the application.
- Provided a request is reasonable, we are unlikely to refuse to provide further information or refuse the commissioning of a report under Section 92(2)(b) of the Act.
- The application does not seek to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Accordingly, mandatory public notification of the application is not required.

Step 2 – Public notification precluded

- Public notification is not precluded by any rule or national environmental standard.
- The proposal is not a controlled activity, a restricted discretionary/discretionary subdivision or a residential activity, or a boundary activity as defined by section 87AAB.
- The proposal is not a prescribed activity.

Accordingly, public notification of the application is not precluded.

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

- Public notification of this application is not specifically required under a rule or national environmental standard.

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is made in Section 7 above.

Step 4 - public notification in special circumstances

- In this case it is considered that no special circumstances exist.

8.2 Limited Notification

Section 95B(1) requires a decision whether there are any affected persons. The following steps set out in this section, in the order given, are used to determine whether the Council should limited notify the application, if the application is not to be publicly notified.

Step 1: certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

- Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or NES that precludes notification.
- Limited notification is not precluded under Step 2 as the proposal is not a controlled activity and is not a prescribed activity.

Step 3: if not precluded by step 2, certain other affected persons must be notified

- Limited notification is not precluded under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity.
- Limited notification is not precluded under Step 3 as the proposal falls into the 'any other activity' category and the effects of the proposal on persons are assessed in section 7.6 above.

9.0 SECTION 104 (1)(b) ASSESSMENT

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) of this legislation. Such documents include:

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement
- A plan or proposed plan

9.1 Operative District Plan

Under the Operative District Plan, the site is located in the Low Density Residential Zone although it is recognised that the site is designated for recreation purposes under Designation 102.

Generally speaking, the proposed lighting is considered to form a logical addition/component to the overall use of the facility for sporting/recreational purposes. As such, while the lighting/poles may not be entirely aligned to the objectives and policies of the Low Density Residential Zone, the inherent use of the site remains unchanged with the lighting facility the ongoing use of a valued sporting facility for the District.

In addition, Pedersen Read concludes that the level of spill and glare will not result in adverse effects that would otherwise compromise amenity values, particularly for the nearby residents.

9.2 Proposed District Plan

The Queenstown Lakes District Council notified the Proposed District Plan on 26 August 2015.

Under the PDP, the site is identified as being located within the Active Sports and Recreation Zone.

The purpose of the Recreation Zone is to enable recreation activities and provide for associated infrastructure while protecting, maintain and enhancing amenity. Within the Active Sport and Recreation Zone, this includes larger parks and reserves that are primarily used for organised sport and events, with associated buildings and structures.

The key objective within this zone includes Objective 38.5.1 which seeks to provide for active sport and recreation activities while managing adverse effects on the surrounding environment and communities.

As assessed above, it is considered that the proposed lighting, forming a logical addition to the overall sporting facility, will not generate an inappropriate level of glare on neighbouring properties or the wider road network when recognising the reduction in Lux spill as it dispenses away from the light source. The level of Lux at both the neighbouring properties (with the exception of 193 Warren Street) and the road will be below what is permitted by the District Plan and therefore effects are considered appropriate. With regard to the minor breach to 193 Warren Street, Pedersen Read considers the level of the breach is unlikely to be noticed and therefore effects are considered to be less than minor.

Overall, the proposal is considered not contrary to the relevant objectives and policies of the PDP.

10.0 AN ASSESSMENT OF THE ACTIVITY AGAINST MATTERS IN PART 2

The proposal is consistent with Part 2 of the Act, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

11.0 CONCLUSION

Resource consent is sought to eight three new flood lights and three new poles at the Wanaka Tennis Courts at 198 Upton Street, Wanaka.

Overall, the activity is assessed as a Non-complying Activity

As a non-complying activity, consideration of s104D of the Resource Management Act 1991 is required.

The actual and potential effects on the environment have been outlined in section 7 of this report where it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor.

The proposal is considered consistent with the relevant objectives and policies of both the District Plan and the Proposed District Plan and meets the purpose and principles of the Resource Management Act 1991.

Noting the above, the application is considered to meet the requirements under s104D.

To Jake Woodward **File Ref** 2532
From Cameron Lindsay
Date Monday, 13 July 2020
Subject **Wanaka Tennis Club – Proposed Court Lighting Upgrade**

As requested, we have reviewed the information provided for resource application: RM190256 - Wanaka Tennis Club, 198 Upton Street, Wanaka in regard to the proposed lighting. Following calculations performed using the AGI32 programme (version 19.3) it is our opinion that the proposed fittings would not comply with the Wanaka Area District Plan in relation to light spill over the adjacent boundaries. Our calculations indicate that the vertical lux levels would be in excess of 30lux along most of the Warren Street properties. We also note that the glare from the proposed fittings would be within the 'Disturbing' bracket (see below)

	Glare Rating GR
Unbearable	90
	80
Disturbing	70
	60
Just Admissible	50
	40
Noticeable	30
	20
Unnoticeable	10

In order to provide a compliant solution, we have undertaken a redesign of the proposed lighting. See attached electrical services documentation.

The following items refer to the QLDC request for information (Refer to attached email from QLDC). Our comments are below each item:

- Lighting information:
- Item1
- a) through d)
 - Refer to the attached electrical services documentation.
 - As requested:
 - We have provided Lux levels for the area with measurable calculation points.
 - We have indicated the site boundaries and calculated the Lux values across these boundaries on the vertical and horizontal planes
 - We have calculated the existing 10No. light fittings located on the main court and taken these into account.

- Item 2
- a) Refer to attached Data Sheet for the proposed Thorn Champion LED Sports Light
- b) The proposed lighting level has been designed to comply with the Competition (Commercial) level as defined under Australian Standard AS 2560.2.1 (Specific applications - Lighting for outdoor tennis). We note that there is not currently a comparable New Zealand Standard for outdoor sport lighting. See below

**TABLE 2
RECOMMENDED PERFORMANCE CRITERIA
FOR LIGHTING FOR OUTDOOR TENNIS**

Level of play	Type of lighting system	Minimum service illuminance*† lx	Minimum uniformity ratio*	Recommended types of floodlight‡	
				Type	Beam classification
International and national	Side	500	0.75	B or C	H6-7 V5-6
Competition (Commercial)	Side	200	0.5	B or C	H6-7 V5-6
	Corner	200	0.5	A or C	4-6
Recreational (Residential)	Side	80	0.5	B or C	H6-7 V5-6
	Corner	80	0.5	A or C	4-6

*Illuminance and uniformity ratios are based on a horizontal plane 1 m above the court and the values recommended apply over the marked court area.

†Values of illuminance measured at the time of commissioning an installation should be higher than the minimum service values (see Clause 7.2).

‡See Appendix A of AS 2560, Part 1 for the significance of the floodlight classifications.

- c) We believe that we have complied with the relevant section of the District Plan covering the spill of light across the residential boundary areas, in particular Residential Areas – Rules (7) Section 7.5.5.3, clause v.i.i. Glare. The fittings suggested are aimed towards the ground plane and have sharp light control, allowing compliance with points (a) and (b) below. Refer also to the response to item (e) below

vii Glare

- (a) All fixed exterior lighting shall be directed away from the adjacent sites and roads; and
 - (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.
- d) We have calculated the glare levels from locations within the properties on Warren Street (both on the opposite side of the road and backing onto the Warren-Upton Street Reserve area) and within a property on Upton street. All of the locations have glare levels which are calculated as being below the 'Noticeable' level (less than 30 Glare Rating). Refer to the attached electrical services documentation.
 - e) The electrical services documents show calculated levels for the proposed fittings only and for both the proposed and existing fittings (Thorn Champion Metal Halide fittings). We note that there is one boundary that does not comply with the district plan requirements when both the existing and proposed fittings are active. The vertical level on the Warren-Upton Street Reserve Residential Boundary has a maximum Lux level of 3.4Lux, exceeding the allowable level by 0.4Lux. While this is above the allowable level, our opinion is that this would not cause undue discomfort to the residential property, in particular as the glare is below the 'Noticeable' level when viewed from this property.

Also, we have calculated the light levels with a Maintenance Factor of 1.0 (No Losses) to represent the 'worst case scenario'. The existing fittings would be expected to have a Maintenance Factor considerably lower than that considering the age of the fitting and lamp, this would reduce the maximum Lux value on the boundary.

- f) Reviewing the Southern Light Strategy (Parts One and Two) we believe that the proposed lighting will comply with the general requirements of the strategy. In particular, we believe that we are complying with the Technical Requirements detailed under Part Two. Some particular notes below:
 - Section 2 – Applicable Standards:
 - We have designed the lighting to the Australian Standard AS 2560.2.1 (Specific applications - Lighting for outdoor tennis).
 - Section 3 – Design Requirements:
 - Section 3.1 – Fittings are LED
 - Section 3.1 – Electrical documentation and Photometric data provided on the attached data sheet show that the proposed fitting will have minimal spill light beyond the boundaries, minimal glare, and minimal 'sky glow'
 - Section 3.2 – We note that as this is a Dedicated Sports Ground and hence not a Vehicle or Pedestrian Category Area, hence we have not designed to a specific Category V or Category P. However, we have designed to Australian Standard AS 2560.2.1 (Specific applications - Lighting for outdoor tennis) and also to the spill light levels for the district plan
 - Section 3.4.3 – We believe that the values indicated on the Electrical Services Documents prove that we have complied with this section, particularly in relation to point (b):
 - (b) Parameters that limit the adverse effects of the lighting on:
 - i. Users of the lit space e.g. pedestrians, vehicle drivers (i.e. control of glare);
 - ii. Night sky viewing conditions (i.e. reducing sky glow);
 - iii. Occupants of adjoining properties (i.e. minimise the amount of spill light).
 - Section 3.4.4 – We have used AGI32 for all our calculations
 - Section 3.4.5 – We have used a Maintenance Factor of 1.0 (i.e. no losses) to calculate the 'worst case scenario' for spill light when the fittings are brand new and producing their maximum amount of light
 - Section 3.4.6 – Design Output Deliverables. The electrical services drawings provide all information requested under this section with the exclusion of the light pole details. These will be provided by others for the new poles.
 - Section 5 – Equipment Selection
 - Section 5.1 – The luminaires specified comply with the majority of the listed requirements. We note that some of these items are related to road lighting as opposed to sports lighting and that the mounting of the fittings is to be confirmed with the pole supplier
 - Colour Temperature = 4000K
 - CRI = >70
 - Rated Life = 100000hrs (L90,B10).
 - Protection Degree = IP66
 - IK Rating = IK08
 - Gear Tray = Remote
 - Section 5.3 – Information to be provided by others

- Section 6 – Power Supply and Control Requirements
 - Section 6.2 – Switching of the fittings will be manual from the adjacent clubhouse.
- Section 7 – Community Specific Design Guidelines
 - We believe that by complying with the above items and the district plan in relation to light spill and control that we have provided a solution which will be in keeping with the area and have minimal impact on the comfort of the surrounding properties.

Please let me know if I can provide any further information

PEDERSEN READ

Cameron Lindsay