

**Queenstown Lakes District Proposed District Plan**  
**Section 32 Evaluation**  
**Variation to Proposed District Plan**

For:  
**Glare Provisions**

**Chapter 7 – Lower Density Suburban Residential Zone**

**Chapter 8 – Medium Density Residential Zone**

**Chapter 9 – High Density Residential Zone**

**Chapter 12 – Queenstown Town Centre**

**Chapter 13 – Wanaka Town Centre**

**Chapter 14 – Arrowtown Town Centre**

**Chapter 15 – Local Shopping Centre**

**Chapter 16 – Business Mixed Use**

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## 1. EXECUTIVE SUMMARY

- 1.1. This variation regarding provisions that address the effects of *glare* applies to the following chapters of the Proposed District Plan (PDP):

Chapter 7 – Lower Density Suburban Residential Zone  
Chapter 8 – Medium Density Residential Zone  
Chapter 9 – High Density Residential Zone  
Chapter 12 – Queenstown Town Centre  
Chapter 13 – Wanaka Town Centre  
Chapter 14 – Arrowtown Town Centre  
Chapter 15 – Local Shopping Centre  
Chapter 16 – Business Mixed Use

- 1.2. The chapters listed above are identified as zones of the PDP within Volume A of the District Plan at Stage 1 of the District Plan review, as it relates to this variation.
- 1.3. The variation to the glare provisions will assist the Council to fulfil its statutory functions and responsibilities as required by the Resource Management Act 1991 (**'the Act'** or **'the RMA'**)

## 2. INTRODUCTION

- 2.1. Section 32 of the Act requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives.
- 2.2. The purpose of this variation is to introduce to the PDP, a variation to the glare standards that aim to improve clarity in plan implementation. This variation also recommends associated variations to PDP Chapters listed in paragraph 1.2 of this report.
- 2.3. The evaluation of the appropriateness of the glare provisions is based upon addressing the following broad resource management issue:
- a) Plan usability, administration and consistency across chapters
- 2.4. Addressing the issue set above will result in a more appropriate regime of managing the effects of activities in the relevant zones listed in paragraph 1.2, and is consistent with achieving the purpose of the Act.

## 3. STRUCTURE OF THE REPORT

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<sup>1</sup> Variation 1 – Arrowtown Design Guidelines 2016

<sup>2</sup> Ski Area Sub Zones, Upper Clutha Area and the Queenstown Area (excluding the Wakatipu Basin).

- 3.1. Section 32 of the Resource Management Act 1991 (**'the Act'** or **'the RMA'**) requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their efficiency, effectiveness and risk in achieving the objectives (MFE, 2014). This report fulfils the obligations of the Council under section 32 of the Act. The analysis set out below should be read together with the text of the following chapters:

Chapter 7 – Low Density Suburban Residential (**LDSR**) Zone

Chapter 8 –Medium Density Residential (**MDR**) Zone

Chapter 9 – High Density Residential (**HDR**) Zone

Chapter 13 – Wanaka Town Centre (**WTC**)

Chapter 14 – Arrowtown Town Centre (**ATC**)

Chapter 15 – Local Shopping Centre Zone (**LSCZ**)

Chapter 16 – Business Mixed Use Zone (**BMUZ**)

- 3.2. This report provides an analysis of the policy response proposed by the variation as required by s32 of the RMA, using the following sections:

- a) **Consultation** undertaken, including engagement with iwi authorities on the proposal.
- b) An overview of the applicable **Statutory Policy Context**.
- c) A description of the **Resource Management Issues** being addressed by the proposal.
- d) An assessment of the **scale and significance** of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.
- e) A **level of detail** that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal (Section 32(1)(c)) (Section 8);
- f) An **Evaluation** against s32 of the RMA, including
  - Whether the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (Section 32(1)(a)).
  - Whether the provisions (policies and methods) are the most appropriate way to achieve the objectives of the proposal (Section 32(1)(b)), including:
    - (i) identifying other reasonably practicable options for achieving the objectives
    - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives, including consideration of risk of acting or not acting, and
    - (iii) summarising the reasons for deciding on the provisions; and
- g) Consideration of **Risk**

#### 4. CONSULTATION

- 4.1. Consultation with Iwi authorities, required pursuant to Schedule 1, clause 4A of the RMA, was undertaken between 9 July and 28 July 2019, whereby a set of draft provisions were provided to Iwi representatives for consideration and comment. The Iwi authorities did not request any changes to the draft provisions and did not provide any comment regarding this proposal.

## 5. STATUTORY POLICY CONTEXT

### Resource Management Act 1991

- 5.1. **Part 2** of the Resource Management Act (RMA or the Act) sets out the purpose of the Act, which requires an integrated planning approach and direction to promote the sustainable management of natural and physical resources. Sections 6 to 8 sets out the framework within which objectives, policies and methods of a district plan are required to achieve the purpose of the Act.

#### **5 Purpose**

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
- *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

- 5.2. **Section 6** of the RMA sets out 'matters of national importance' that need be recognised and provided for in making decisions. The strategic and district wide provisions of the PDP, developed through Stage 1 of the review, set the framework for these matters of national importance.
- 5.3. **Section 7** of the RMA lists 'other matters' that Council shall have particular regard to when making decisions. Those considered to be of most relevance to the proposed variation includes the following:
- 5.4. **Section 8** of the RMA requires that Council takes into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi). The principles as they relate to resource management derive from Te Tiriti O Waitangi itself and from resource management case law and practice. They can be summarised as follows:

## Other National Legislation or Policy Statements

- 5.5. There are no relevant National Policy Statements (NPS) or National Environmental Standards (NES) that are relevant to this variation.

## Iwi Management Plans

- 5.6. When preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Councils must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.
- 5.7. Two Iwi Management Plans are relevant and these are discussed in turn below:

### ***The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008<sup>3</sup>***

- 5.8. The Queenstown Lakes District is identified as being located within the Takitimu Me Ona Uri area of interest. Section 3.5 of the Iwi Management Plan sets out the policies for the Te Ra a Takitimu (Southland Plains) area, relevant to the district. The following table highlights the provisions of the Iwi Management Plan that are relevant to this proposal, and briefly discusses how the provisions are taken into account.
- 5.9. Issue:
- 3.5.7 Subdivision and Development
    - Visual effects of building design and landscaping
    - Inadequacy of Resource Management Act in terms of ensuring cumulative effects are recognised

Provision	Discussion
3.5.7 Subdivision and Development	1. Require iwi involvement in local authority planning processes that establish zoning provisions, including decisions pertaining to where subdivision and development is considered appropriate or inappropriate

Provision	Discussion
	<p>2. Encourage developers to be proactive, and to seek views of iwi in the early stages of project development, particularly when the proposed subdivision is located in an area of cultural significance</p> <p>6. Encourage appropriate subdivision activities that protect and even enhance natural, ecological and cultural values</p> <p>7. Avoid adverse effects on the natural environment as a consequence of increased demands placed upon land, water and community infrastructure resulting from the granting of new subdivision consents for residential or commercial development</p>

#### ***Kāi Tahu ki Otago Natural Resource Management Plan 2005<sup>4</sup>***

- 5.10. Issues, objectives and policies for all catchments across Te Rohe O Otago (the Otago Region) are recorded in Chapter 5 of the KTKO NRMP 2005. The following overall objectives and policies are relevant:

Provision	Discussion
5.2 Overall Objectives	<p>These overall objectives apply to the whole of the Otago Region:</p> <ul style="list-style-type: none"> <li>i. The rakātirataka and kaitiakitaka of Kāi Tahu ki Otago is recognised and supported.</li> <li>ii. Ki Uta Ki Tai management of natural resources is adopted within the Otago region.</li> <li>iii. The mana of Kāi Tahu ki Otago is upheld through the management of natural, physical and historic resources in the Otago Region.</li> <li>iv. Kāi Tahu ki Otago have effective participation in all resource management activities within the Otago Region.</li> <li>v. The respective roles and responsibilities of Manawhenua within the Otago Region are recognised and provided for through the other objectives and policies of the Plan.</li> </ul>
5.6.4 Cultural Landscapes General Policies Subdivisions	<p>26. To encourage a holistic planning approach to subdivisions between Local Government Agencies that takes into account the following:</p> <p>[...]</p>

<sup>4</sup><https://www.waitaki.govt.nz/our-services/planning-and-resource-consents/Documents/RMA/Useful/Kai%20Kahu%20Ki%20Otago%20Natural%20Resources%20Management%20Plan%202005.pdf>

Provision	Discussion
	iii. visual amenity

### Regional Policy Statements

- 5.11. Section 74 of the Act requires that a district plan prepared by a territorial authority must “give effect to” any operative Regional Policy Statement. The Partially Operative Otago Regional Policy Statement 2019 (**PORPS 19**) and the Partially Operative Otago Regional Policy Statement 1998 (**PORPS 98**) are the relevant regional policy statements to be given effect to within the PDP.
- 5.12. The relevant provisions of the Otago Regional Policy Statement, both operative and proposed, have been considered in the preparation of this proposal. This proposal is required to give effect to the operative provisions of the RPS and have regard to the proposed provisions.
- 5.13. Sustainable management under the RMA includes enabling social, economic and cultural wellbeing for present and future generations. The RPS and PRPS emphasises on the need for resource management decisions to recognise that the wellbeing of the community depends on the use, development and protection of natural and physical resources. Several objectives and policies within the RPS and PRPS are relevant to the variation to the glare provision, and recognises the need to avoid significant adverse effects of activities and ensuring that urban developments are designed in a way which relates well to the surrounding environment and contributes positively to the community and the place.
- 5.14. The changes proposed are for administrative purposes. The changes enable more effective and efficient implementation of the objectives and provisions of the PDP, which include assessments of the degree of consistency with the RPS and PRPS. As such, it is not considered necessary to duplicate that analysis, other than to confirm that the proposed changes give effect to the operative RPS and have regard to the PRPS.

### Proposed District Plan – Notified 26 August 2015

- 5.15. The following objectives and policies (or parts thereof) of the PDP (Part 2 Strategic) are relevant to the glare provisions. This proposal should take into account and give effect to these higher order provisions.

### Strategic Direction Chapter 3

Reference	Detail
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Objective 3.2.3	A quality built environment taking into account the character of individual communities
3.2.5	The retention of the District's distinctive landscapes
3.2.5.1	The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration
3.2.5.2	The rural character and visual amenity in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values
Objective 3.2.7	The partnership between Council and Ngai Tahu is nurtured
Policy 3.2.7.1	Ngai Tahu values, interests and customary resources, including taonga species and habitats, and wahi tupuna, are protected
Policy 3.2.7.2	The expression of kaitiakitanga is enabled by providing for meaningful collaboration with Ngai Tahu in resource management decision making and implementation
Policy 3.3.10	Avoid adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes and Outstanding Natural Features that are more than minor and/or not temporary in duration
Policy 3.3.34	Avoid, remedy or mitigate other adverse effects on wahi tupuna within the District

5.16. The Strategic Directions seek to enable development while protecting the valued natural and physical resources of the District. This proposal is required to give effect to these obligations.

#### Urban Development Chapter 4:

Reference	Detail
Objective 4.2.2 B	Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna
Policy 4.2.2.1	Integrate urban development with the capacity of existing or planned infrastructure so that the capacity of that infrastructure is not exceeded and reverse sensitivity effects on regionally significant infrastructure are minimised
4.2.2.9	Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting "Crime Prevention Through Environmental Design".

4.2.2.10	Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky
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- 5.17. The Urban Development objectives and policies encourage consolidation of urban growth within the urban growth boundaries and existing settlements.

#### **Tangata Whenua Chapter 5:**

<b>Objective or provision</b>	<b>Detail</b>
Objective 5.3.1	Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan policies
Policy 5.3.1.1	Ensure that Ngai Tahu Papatipu Runanga are engaged in resource management decision-making and implementation on matters that affect Ngai Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi
Policy 5.3.1.2	Actively foster effective partnerships and relationships between the Queenstown Lakes District Council and Ngai Tahu Papatipu Runanga
Policy 5.3.1.3	When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account iwi management plans

- 5.18. The Tangata Whenua chapter objectives and policies recognise the importance of collaborating with Tangata Whenua through the decision making process. The relevant iwi authorities have been consulted regarding this proposal.

#### **Landscapes and Rural Character Chapter 6:**

<b>Objective or provision</b>	<b>Detail</b>
Policy 6.3.5	Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character (3.2.5.1, 3.2.5.2, 3.3.19, 3.3.20, 3.3.32)
Policy 6.3.17	Locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid adverse effects on Outstanding Natural Landscapes and Outstanding Natural Features, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases (3.2.1.9, 3.2.5.1, 3.3.25, 3.3.30)

Policy 6.3.23	Ensure incremental changes from subdivision and development do not degrade landscape quality or character, or important views as a result of activities associated with mitigation of the visual effects of proposed development such as screen planting, mounding and earthworks (3.2.1.1, 3.2.1.8, 3.2.5.2, 3.3.21, 3.3.24, 3.3.32)
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### Other Council Documents Considered

5.19. The following Council documents and projects have informed this Section 32 evaluation.

- QLDC Southern Light Strategy Part A Strategy
- QLDC Southern Light Strategy Part B Technical Specifications
- A guide to reducing glare and reflection in the Queenstown Lakes District
- A guide to suitable building colours and materials in Rural zones

5.20. Other documents:

- [Otago Southland Regional Transport Plan](#)
- [The New Zealand Urban Design Protocol](#)
- [CPTED](#)

## 6. GLARE PROVISION COMPARISON

- 6.1. The changes to the PDP *glare* provisions that are considered here-in are minor, however they will assist with enabling more effective and efficient implementation of the relevant objectives and provisions.

**Table 1: Comparison of glare provisions of the LDSRZ, MDRZ and HDRZ (Residential Chapters)**

	<b>7 Lower Density Suburban Residential Zone</b>	<b>8 Medium Density Residential Zone</b>	<b>9 High Density Residential Zone</b>
<b>Location</b>	Standards for Activities in the Lower Density Suburban Residential Zone	Standards for activities located in the Medium Density Residential Zone	Standards for activities located in the High Density Residential Zone
<b>Title</b>	Glare	Glare	Glare
<b>Direction</b>	All exterior lighting shall be directed downward and away from the adjacent sites and roads.	All exterior lighting shall be directed downward and away from the adjacent sites and roads.	All exterior lighting shall be directed downward and away from the adjacent sites and roads.
<b>Maximum</b>	No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.	No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.	No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.
<b>Status</b>	NC	NC	NC

**Table 2: Comparison of glare provisions of the QTC, WTC, ATC, LSCZ, BMUZ (Business Chapters)**

	<b>12 Queenstown Town Centre</b>	<b>13 Wanaka Town Centre</b>	<b>14 Arrowtown Town Centre</b>	<b>15 Local Shopping Centre</b>	<b>15 Business Mixed Use</b>
<b>Location</b>	Standards for activities located in the Queenstown Town Centre Zone	Standards for activities located in the Wanaka Town Centre Zone	Standards for activities located in the Arrowtown Town Centre Zone	Standards for activities located in the Local Shopping Centre Zone	Standards for activities located in the Business Mixed Use Zone
<b>Title</b>	Glare	Glare	Glare	Glare	Glare
<b>Direction</b>	All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and downward so as to limit the effects on views of the night sky.	All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and directed downward so as to limit the effects on views of the night sky.	All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and directed downwards so as to limit the effects on views of the night sky.	all exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and directed downward so as to limit the effects on views of the night sky;	All exterior lighting installed on sites or buildings shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting and directed downward so as to limit the effects on views of the night sky.
<b>Maximum</b>	No activity in this zone shall result in a greater	No activity shall result in a greater than 10 lux spill	No activity in this zone shall result in a greater	no activity shall result in a greater than 10 lux spill	No activity shall result in a greater than 10 lux spill

	than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property.	(horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.	than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property.	(horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property;	(horizontal or vertical) of light onto any adjoining property within the Business Mixed Use Zone, measured at any point inside the boundary of any adjoining property.
	No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.	No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.	No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Residential measured at any point more than 2m inside the boundary of the adjoining property.	no activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is in any Residential zone or Township Zone measured at any point more than 2m inside the boundary of the adjoining property;	No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is in a Residential Zone measured at any point more than 2m inside the boundary of the adjoining property.
<b>Building Materials</b>		External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted	All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.	All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.	External building materials shall either:  a. be coated in colours which have a reflectance value of between 0 and 36%; or

		stone, unpainted concrete, or copper.			b. consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.
<b>Exception</b>		Except that:  a. architectural features, including doors and window frames, may be any colour; and  b. roof colours shall have a reflectance value of between 0 and 20%.			Except that:  a. architectural features, including doors and window frames, may be any colour; and roof colours shall have a reflectance value of between 0 and 20%.
<b>Status</b>	NC	NC	NC	NC	NC

## 7. RESOURCE MANAGEMENT ISSUES

- 7.1. During the hearings<sup>5</sup> on Stage 1 of the Plan review, the Independent Hearings Panel (IHP) raised the matter of consistency in Plan implementation in relation to the glare provisions. No submissions were received on the notified version of the provisions, and the IHP did not have scope to amend the provisions. The issues are now able to be addressed by way of this proposed variation.
- 7.2. The key resource management issues identified for the glare provisions are discussed below.

### Issue 1 – Plan Usability, Administration and Consistency: Non-Complying Activity Status

- 7.3. Both the residential and business chapters have the issue of an overly onerous standard by having an activity status of non-complying for breaches to the glare rules in the respective chapters.
- 7.4. At the Stream 6 Hearing on residential chapters Report 9A<sup>6</sup>, the Panel requested that the Council review the activity status of *glare* and recommended that the rule be amended from non-complying activity status to restricted discretionary. The justification of this recommendation is that the Panel could not see any basis for requiring a non-complying activity status, and likewise consider potential effects to be so specific they could be readily identified as matters of discretion.
- 7.5. During the Stream 8 Hearing on business chapters Report 11<sup>7</sup>, the Panel requested that the Council review the glare provision, specifically the deletion of the rule relevant to building materials for consistency and plan usability. The IHP Decisions Report recommends that the rule be deleted, as it is onerous, overly prescriptive and that the rule is too subjective. The Panel also recommended changing the non-complying status to be consistent with the residential chapters discussed above.
- 7.6. All subsequent zones are recommended to adopt the variation of the rule activity status for plan consistency.

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<sup>5</sup> Specifically in Hearing Stream 8 (Business chapters) and Hearing Stream 6 (Residential chapters).

<sup>6</sup> [Hearing Panel Report 9A Stream 6 –Paragraph 543](#)

<sup>7</sup> [Hearing Panel Report 11 Stream 8 –Paragraph 1047](#)



## Issue 2 –Plan Usability, Administration and Consistency Building Materials

- 7.7. This issue is discussed below in the context of each the various business zones heard in Stage 1 of the Plan review.

### Queenstown Town Centre

- 7.8. Ms. Jones, as part of her S42a report<sup>8</sup>, states that the notified rule 12.5.14.4 *glare* is the most appropriate way of achieving the objectives. The Queenstown Town Centre is considered a relatively shaded part of the District, glare is not a significant issue, and allowance of a range of colours and materials would add vibrancy and diversity to this highly urbanised area.
- 7.9. It is also mentioned that there is no direct objective or policy for glare in relation to building materials, and the part of the rule relating to building material, has been adequately captured by notified Rule 12.4.6.1 and the guidelines, which together, retain discretion over the matter yet offer considerable flexibility. Rule 12.4.6.1 is notified as follows:

***12.4.6 Buildings except temporary ‘pop up’ buildings that are in place for no longer than 6 months and permanent and temporary outdoor art installations***

*Buildings, including verandas, and any pedestrian link provided as part of the building/development*

*Discretion is restricted to:*

- a. consistency with the Queenstown Town Centre Special Character Area Design Guidelines (2015), (noting that the guidelines apply only to the Special Character Area);*
- b. external appearance, including materials and colours’*

*[...]*

- d. lighting;*

*[...]*

- 7.10. Based on the evidence and report, part of the rule regarding building material has been deleted. Based on this evidence, it is recommended that the subsequent zones should take a consistent approach.

### Wanaka Town Centre

- 7.11. The notified rule 13.5.11.4 in relation to building material is considered to be overly onerous, as mentioned in the s42a report<sup>9</sup>. The part of the rule relating to building material has been adequately captured by the notified Rule 13.4.4 in relation to Buildings, and the Wanaka

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<sup>8</sup> [Section 42A Hearing Report – Chapter 12 Queenstown Town Centre](#)

<sup>9</sup> [Section 42A Hearing Report – Chapter 13 Wanaka Town Centre](#)

Town Centre Character Guideline 2011<sup>10</sup>. The Character Guideline has incorporated design advice, which sets out the principles in relation to colour. These include avoiding high glass and highly reflective finishes; use of stains and oils to reveal the natural grain of timber; and roof colour that blends with the natural environment. The recommendation for this rule is the same approach recommended in the Queenstown Town Centre, which adds consistency in the plan.

### **Arrowtown Town Centre and Local Shopping Centre Zone**

- 7.12. Ms Bowbyes' S42A Report<sup>11</sup> recommends that part of the rule be deleted, specifically in relation to roof glare as nearly all surfaces, especially roofs that comprise of pressed steel (i.e. brands such as colour steel) emit a reflectance value to some degree. Even the more recessive colour steel colours have a light reflectance value in the order of 10% (Ironsand).

### **Business Mixed Use Zone**

- 7.13. Similar to the reasons mentioned in the zones above, the S42A report<sup>12</sup> specified that the notified rule 16.5.10 is considered to be overly onerous. In addition the part of the rule in relation to building material has been adequately addressed by notified rule 16.4.4 in relation to Buildings, and the proposed Business Mixed Use Design Guide 2019<sup>13</sup>, as part of stage 3 within the district plan review. For plan consistency, it is recommended that part of the rule be deleted.

## **8. SCALE AND SIGNIFICANCE EVALUATION**

- 8.1. The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions. In making this assessment, regard has been had to the following, namely whether the proposed objectives and provisions:

- Result in a significant variance from the existing baseline in the Proposed District Plan to the relevant chapters;
- Have effects of national importance
- Adversely affect those with specific interests
- Involve effects that have been considered implicitly or explicitly by higher order documents
- Impose increased costs or restrictions on individuals, communities or businesses
- Are more appropriate than the existing provisions.

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<sup>10</sup> [Wanaka Town Centre Character Guideline 2011](#)

<sup>11</sup> [Section S42A Hearing Report – Chapter 14 Arrowtown Town Centre](#)

<sup>12</sup> [Section 42A Hearing Report – Chapter 16 Business Mixed Use Zone](#)

<sup>13</sup>

- 8.2. The level of detail of analysis in this report is low, given this analysis is an evaluation for a variation to a discrete set of provisions, where the extent of changes are minimal and would only result in minor changes.
- 8.3. In summary, the proposal will result in variance from the existing baseline, however in most instances the current approach to managing the effects of glare is recommended to remain.

## 9. BROAD OPTIONS

<b>Broad Options Considered</b> <b>Other reasonably practicable options for achieving the objectives (s32(1) (b)(i)):</b>
<p><b>Option 1: Retain existing provision (PDP Status quo)</b></p> <p>Retain the current glare provision as they stand. Design matters and effects of glare managed within the rule and a non-complying activity status stands</p>
<p><b>Option 2: Amend provisions for both residential and business chapters comprehensively</b></p> <p>Amend activity status from non-complying to restricted discretionary, add matters of discretion and amend rule regarding building and roof materials</p>
<p><b>Option 3: Delete glare standard and add into building standards</b></p> <p>Delete current glare provision and add into matters of discretion of building standard</p>
<p><b>Option 4: Delete glare standard</b></p> <p>Delete current glare standard</p>

	<b>Option 1: Status Quo</b>	<b>Option 2: Amend provision comprehensively</b>	<b>Option 3: Delete glare standard and add into a different standard</b>	<b>Option 4: Delete glare standard</b>
<b>Cost</b>	<p>Does not address the identified issue and would retain what appears as inconsistent and onerous and over prescriptive provisions.</p> <p>Results in higher resource consent requirements.</p> <p>More stringent rules, more difficult to obtain resource consent for activities which produce any glare.</p> <p>Implementing stringent provisions in relation to design and building material requirements may result in a 'one size fits all' approach, which may not be appropriate in different contexts. The rule and the effects it addresses is specific and may not apply to all contexts.</p>	<p>Would result in change from the status quo – Plan users would need to become familiar with new provisions.</p>	<p>Additional matters of discretion may only address glare in relation to the standard it addresses, not the effects of surrounding areas i.e. public spaces, transport and amenity values.</p> <p>May lose the significance of the adverse effect of glare, by deleting the standard and adding a small part within an existing standard</p> <p>Cost to Council for varying through the Schedule 1 RMA process</p> <p>Not all chapters are consistent, and may result in the glare provision being lost within various standards across chapters, therefore increasing inconsistencies within the plan</p>	<p>May change the character of the areas if glare provisions were to be deleted.</p> <p>There is no other standard that will address the adverse effects of glare, therefore the effects will not be managed appropriately.</p>

<b>Benefits</b>	<p>Retains the established approach which parties are familiar with</p> <p>Low cost for council. No cost required associated with formulating a guideline, evaluation report and plan change process to vary provision.</p> <p>Maintains strong planning regulation limiting the compliance of any glare, therefore ensuring strong protection of amenity values.</p>	<p>Simpler plan implementation, more flexibility in plan administration, non-compliant rule managed through matters of discretion</p> <p>Retains existing provision direction which parties are familiar with but improves the approach and administration of the provision</p>	No benefit identified	No benefit identified
<b>Ranking</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>4</b>

	<b>Option 1: Status Quo</b>	<b>Option 2: Amend provision comprehensively</b>	<b>Option 3: Delete glare standard and add into a different standard</b>	<b>Option 4: Delete glare standard</b>
<b>Appropriateness and Effectiveness</b>	<p>This option would not achieve the certainty of plan administration that would be achieved by option 2.</p> <p>This option addresses standards in relation to glare, however is difficult to implement and the activity status may be overly stringent given the matter it addresses (effects of glare).</p> <p>The glare provisions as it stands within the PDP is ineffective as it only creates</p>	<p>This option is the most appropriate and effective as it addresses the glare standard whilst ensuring that the standard is easier to implement.</p> <p>The level of planning intervention is able to be considered and amended to a more appropriate method to limit the anticipated effects of glare.</p>	<p>This option is ineffective as it creates inconsistencies between each chapter, as chapters do not contain the same standards due to the nature of the relevant zones.</p>	<p>This option is ineffective as it does not address the effects of glare at all within the plan.</p> <p>Effects of glare are important, therefore needs to be addressed</p> <p>This option is inappropriate in addressing this issue.</p>

	stringent standards, which makes plan implementation and administration difficult.			
<b>Efficiency</b>	This approach is low cost as it would not require any changes to the plan, and no requirement to assess the option within an evaluation report. However, it would not address the identified issue, and therefore not an efficient option.	This approach has associated costs as it would require a change through the Schedule 1 RMA process, however will be more efficient in the long term.	This option is inefficient in addressing the issue.	This option is inefficient in addressing the issue.

## **10. EVALUATION OF PROPOSED OBJECTIVES SECTION 32(1)(a)**

- 10.1. The identification and analysis of issues has helped define how Section 5 of the RMA should be applied. This has informed determination of the most appropriate objectives to give effect to Section 5 of the RMA in light of the issues.
- 10.2. Section 32(1)(a) requires an examination of the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act. The following objectives serve to address the key strategic issues in the District.
- 10.3. No objectives are being considered for the review; however, the objective of this variation is to provide glare provision which is clearer, unambiguous and will overcome various issues outlined.

## **11. EVALUATION OF THE PROPOSED PROVISIONS SECTION 32(1)(B)**

- 11.1. The following tables consider whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions and whether they are effective and efficient. For the purposes of this evaluation the proposed provisions are grouped by the resource management issue.

## **12. EFFICIENCY AND EFFECTIVENESS OF THE PROVISIONS**

- 12.1. The proposed provisions strike an appropriate balance to achieve the integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. In doing so, the proposed provisions are more appropriate than the alternatives considered.



<b>Purpose of the Proposal:</b> To manage the effects of glare on residential and business zones			
<b>Relevant Objectives and policies</b>			
<b>Objectives</b>		<b>Policies</b>	
7.2.5 8.2.6	Community activities serving the needs of people within the zone locate within the zone on sites where adverse effects are compatible with residential amenity values	7.2.5.1 8.2.6.1	Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided or mitigated
9.2.3	High density residential development maintains a minimum of existing amenity values for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone	9.2.3.2	Ensure the amenity values of neighbours are adequately maintained
12.2.3	An increasingly vibrant Town Centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone	12.2.3.5 13.2.5.3 14.2.4.3	Ensure that the location and direction of lights in the Town Centre does not cause significant glare to other properties, roads and public spaces and promote lighting design that mitigates adverse effects on views of the night sky.
13.2.5 14.2.4	Appropriate limits are placed on town centre activities to minimise adverse environmental effects within and beyond the Town Centre	12.2.4.3 13.2.6.3 14.2.5.3 16.2.1.9	Minimise opportunities for anti-social behaviour through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of streetscapes, car parking areas, public and semi-public spaces, access ways/pedestrian links/ lanes, and landscaping

15.2.1	Local Shopping Centres provide a focal point for a range of activities that meet the day to day needs of the community at a limited scale that supplements the function of town centres	15.2.3.3	Ensure that the location and direction of lights does not cause significant glare to other properties, roads and public spaces, and promote lighting design that mitigates adverse effects on views of the night sky.
16.2.1	An area comprising high intensity mix of compatible residential and non-residential activities is enabled	16.2.1.7	Ensure that the location and direction of lights does not cause significant glare to other properties, roads and public places and promote lighting design that mitigates adverse effects on views of the night sky and provide a safe and well-lit environment for pedestrians

Provisions	Costs	Benefits	Efficiency and Effectiveness
<p><b><i>Residential Chapters</i></b></p> <p>No change in the glare standards for residential zone, except for non-compliance status of <u>Restricted Discretionary</u> and an additional matter of discretion which specifies the following:</p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p> <p><b><i>Business Chapters</i></b></p> <p>Similar to residential chapters, an amendment to the non-compliance status of <u>Restricted Discretionary</u> and an additional matter of discretion which specifies the following:</p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>	<p><b><i>Environmental and Economic</i></b></p> <p>Activities which produce glare may create effects such as light pollution that can be incompatible with other activities and may disrupt residential amenity values.</p> <p>The notified provision holds a non-complying activity status is considered an overly onerous provision, making it difficult to obtain a resource consent for site specific applications. This may provide greater protection of environmental values, however, it is noted that the effects of glare from lighting would result in a discrete set of adverse effects, and a non-complying activity status is overly onerous and will add additional costs and uncertainty to the resource consent process, even for a very minor breach.</p>	<p><b><i>Economic and Social</i></b></p> <p>The proposed provision identifies specific matters of discretion in which the activity will be considered against. In applying this provision as a restricted discretionary activity, it provides certainty and a clear interpretation for plan users in what the Council assesses and decreases the likelihood of a s92 request. By applying a less onerous activity status, it will increase the likelihood of compliance for activities and will allow developments to be assessed at a case-by-case basis.</p> <p>There would be a social and cultural benefit from the implementation of the provisions, as there will be a clear and unambiguous provision which seeks to control emittance of glare. This provision addresses and respects sensitive environments such as the rural zone and protects views of the night sky.</p>	<p>The provision is considered efficient in costs, as it applies a less stringent activity status, increasing compliance for an activity with minor adverse effects on residential and business environments.</p> <p>The provision is an effective way in achieving the purpose of the proposal, which is to address the effects of glare in residential and business zones.</p> <p>The use of restricted discretionary activity status, is considered to be more efficient in comparison than requiring compliance with a non-complying activity status, which anticipates the activity to not occur in the area. The restricted discretionary activity status allows for enough regulation, whilst allowing for easier compliance at an ad-hoc basis, as effects are specifically outlined.</p>

Provisions	Costs	Benefits	Efficiency and Effectiveness
<p>Deletion of part of the rule in relation to building materials and deletion of part of the rule in relation to glare emitted from roofs, as follows:</p> <p><del>All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.</del></p> <p><b>And</b></p> <p><del>External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.</del></p> <p><b>Except that:</b></p> <p><del>a. architectural features, including doors and window frames, may be any colour; and</del></p>	<p>There are considered to be no economic, social or environmental costs in the deletion of this part of the rule.</p>	<p><b><i>Economic and Social</i></b></p> <p>In the reports and evidence provided, it has been noted that it is almost impossible for a roof, which contains steel to emit no glare. In addition, the part of the rule regarding external building material limits the variety in building materials and colours that developments in the relevant business zones can apply. This constrains the potential for vibrancy in already highly urbanised areas. In addition relevant character and design guides address matters in relation to building materials, and addressing a similar matter in this standard is repetitive, overly prescriptive and difficult to implement.</p> <p>The proposed deletion of the rule in relation to roofs and external building materials will remove repetition in the plan, as this is addressed in a different standard, through matters of discretion,. In applying this deletion, it will increase</p>	<p>The deletion of part of the rule in relation to building materials will create consistencies within the plan as there is no direct objective or policy in relation to the effects of glare in relation to building materials.</p>

<del>Roof colours shall have a reflectance value of between 0 and 20%.</del>		simplicity in plan implementation and compliance.	
<p>Variation to Policy 15.2.2.3 Local Shopping Centre Zone, to include principles of CPTED</p> <p>Ensure that the location and direction of lights does not cause significant glare to other properties, roads and public places and promote lighting design that mitigates adverse effects on views of the night sky <b><u>and provide a safe and well-lit environment for pedestrians</u></b></p>	There are considered to be no economic, social or environmental costs in the deletion of this part of the rule.	Additional policy strengthening safety and well-lit environments for pedestrians, also addressed through CPTED principles, will assist with increasing the safety of the community.	The addition of safe and well –lit environments for pedestrians into the Local Shopping Centre Zone policy will ensure consistency across the plan, and will make the rule more effective in implementing safety in the community.

### **13. REASONS FOR DECIDING ON THE PROVISIONS**

13.1. The proposed provisions are considered the most appropriate because:

- a) They are efficient and effective at achieving the purpose of the variation.
- b) The provisions assist with implementing the various identified objectives and policies of the Proposed District Plan.
- c) They are in accordance with the functions of territorial authorities in s31 of the RMA and the sustainable management purpose of Part 2 of the RMA.
- d) The proposed provisions assist with implementing existing PDP objectives and policies that give effect to the operative Otago PRS and have regard to the Proposed Otago RPS.
- e) Account has been taken of the two relevant iwi management plans, which are not considered to have significant bearing on this proposal.

## APPENDIX

### Variation to Chapter 7 Lower Density Suburban Residential:

#### 7.5 Rules - Standards

	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance status
7.5.13	<p>Glare</p> <p>7.5.13.1 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p> <p>7.5.13.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>

### Variation to Chapter 8 Medium Density Residential:

Underlined text for additions and ~~strike through~~ text for deletions.

#### 8.5 Rules - Standards

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
8.5.11	<p>Glare</p> <p>8.5.11.2 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p> <p>8.5.11.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>

## Variation to Chapter 9 High Density Residential:

Underlined text for additions and ~~strike through~~ text for deletions.

### 9.5 Rules - Standards

	Standards for activities located in the High Density Residential Zone	Non-compliance status
<b>9.5.10</b>	<p><b>Glare</b></p> <p>9.5.10.1 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p> <p>9.5.10.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>



## Variation to Chapter 12 Queenstown Town Centre:

Underlined text for additions and ~~strike through~~ text for deletions.

### 12.5 Rules - Standards

	Standards for activities located in the Wanaka Town Centre Zone	Non-compliance status
12.5.13	<p>Glare</p> <p>12.5.13.2 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky..</p> <p>12.5.13.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>12.5.13.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p> <p><del>12.5.13.4 External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.</del></p> <p><del>Except that:</del></p> <p><del>architectural features, including doors and window frames, may be any colour; and</del></p> <p><del>Roof colours shall have a reflectance value of between 0 and 20%.</del></p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>

## Variation to Chapter 13 Wanaka Town Centre:

Underlined text for additions and ~~strike through~~ text for deletions.

### 13.5 Rules - Standards

	Standards for activities located in the Wanaka Town Centre Zone	Non-compliance status
13.5.11	<p>Glare</p> <p>13.5.11.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky.</p> <p>13.5.11.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>13.5.11.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p> <p><del>13.5.11.4 External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.</del></p> <p><del>Except that:</del></p> <p><del>architectural features, including doors and window frames, may be any colour; and</del></p> <p><del>Roof colours shall have a reflectance value of between 0 and 20%.</del></p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>

## Variation to Chapter 14 Arrowtown Town Centre:

Underlined text for additions and ~~strike through~~ text for deletions.

### 14.5 Rules – Standards

	Standards for activities located in the Arrowtown Town Centre Zone	Non-compliance status
14.5.9	<p>Glare</p> <p>14.5.9.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky.</p> <p>14.5.9.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>14.5.9.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p> <p><del>14.5.9.4 All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.</del></p> <p><del>14.5.9.4 External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.</del></p> <p>Except that:</p> <p><del>architectural features, including doors and window frames, may be any colour; and</del></p> <p><del>Roof colours shall have a reflectance value of between 0 and 20%.</del></p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>

## Variation to Chapter 15 Local Shopping Centre Zone:

Underlined text for additions and ~~strike through~~ text for deletions.

### Policy 15.2.3.3

Ensure that the location and direction of lights does not cause significant glare to other properties, roads and public places and promote lighting design that mitigates adverse effects on views of the night sky **and provide a safe and well-lit environment for pedestrians**

## 15.5 Rules

	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
15.5.9	<p>Glare</p> <p><del>a. 14.5.9.1</del> All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky.</p> <p><del>b. 14.5.9.2</del> No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p><del>c. 14.5.9.3</del> No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p> <p><del>d. ——— All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.</del></p> <p><del>e. ——— External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.</del></p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>

	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
	<p><del>Except that:</del></p> <p><del>architectural features, including doors and window frames, may be any colour; and</del></p> <p><del>Roof colours shall have a reflectance value of between 0 and 20%.</del></p>	

## Variation to Chapter 16 Business Mixed Use Zone:

Underlined text for additions and ~~strike through~~ text for deletions

### 16.5 Rules - Standards

	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
16.5.10	<p><u>Lighting and Glare</u></p> <p>16.5.10.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky..</p> <p>16.5.10.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>16.5.10.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p> <p><del>16.5.10.4 External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.</del></p> <p>Except that:</p> <p><del>architectural features, including doors and window frames, may be any colour; and</del></p> <p><del>Roof colours shall have a reflectance value of between 0 and 20%.</del></p>	<p><del>NC RD</del></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. effects of lighting and glare on amenity values, the transportation network and the night sky</u></p>