

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Stage 3 and 3b
Proposed District Plan –
Hearing Stream 18

**REPLY OF GABRIELA GLORY
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**PLANNING: VARIATION TO GLARE PROVISIONS - CHAPTERS 7, 8, 9, 12, 13, 14,
15 AND 16**

4 September 2020

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1. INTRODUCTION

1.1 My name is Gabriela Glory. I prepared the section 42A report¹ (**s42A**) and statement of rebuttal² for variation to glare provisions located in Chapters 7, 8, 9, 12, 13, 15 and 16 (filed in Hearing Stream 18). My qualifications and experience are set out in my s42A.

1.2 I attended the hearing on Friday 3 July 2020 and have been provided information from submitters and counsel at the hearing, including reports of what has taken place at the hearing where relevant to my evidence. I have read Mr Farrell's written answers to the Panel lodged on 24 August 2020. I agree with Mr Farrell that the issue relating to navigational safety can be further refined to "navigational safety of passenger carrying vessels operating at night." However, I consider that the issue is more suitable within other chapters such as Temporary Activities and Open Space and Recreation, which is outside the scope of this variation.

1.3 This reply evidence covers the following issues:

(a) Whether Chapter 38 Open Space and Recreation rule 38.10.8 is sufficient to manage the effects of glare on waterbodies.

1.4 The summary of submissions and recommendations found in Appendix 2 of my s42A remain valid.

2. RESPONSE IN RELATION TO CHAPTER 38 OPEN SPACE AND RECREATION LIGHTING AND GLARE PROVISION

2.1 During my appearance at the hearing, the Panel queried whether I was satisfied that Rule 38.10.8, and in particular Rule 38.10.8.2, was sufficient to manage effects of lighting and glare on waterbodies within the Open Space and Recreation Zone.

1 Dated 18 March 2020.
2 Dated 12 June 2020.

- 2.2** Rule 38.10.8.2 manages the effects of lighting and glare emitted from an Informal Recreation Zone, Active Sports and Recreation Zone or Civic Spaces Zone onto *other sites*. The definition of 'site' is limited to an area of land, which comprises one allotment or two or more contiguous allotments held in one certificate of title.³ 'Site' does not include roads, or, importantly, waterbodies. In addition, there is no reference to light directed downward and away from adjoining sites in a similar manner to the rules that are reviewed by this variation. Reflecting on the above I consider rule 38.10.8.2 is not sufficient in managing the effects of lighting and glare on adjoining waterbodies.
- 2.3** In addition, I have revisited the submissions made on the variation and I do not consider there to be scope to make changes to address this issue as the rule was not included in the Stage 3 or 3b notified variations.
- 2.4** I also note that there is a Stage 2 appeal for Rule 38.10.8, by Wayfare Group Ltd, which seeks that the activity status be changed from fully discretionary to restricted discretionary.⁴ I have been advised by legal counsel that this provision remains under appeal, which has not yet been mediated, and that the Stage 3 Panel should not be considering recommendations to a provision that is under appeal.



Gabriela Glory

4 September 2020

3 Chapter 2 PDP.
4 ENV-2019-CHC-076.