

# Appendix 1 – Officers Recommended Amendments to the Light Chapter

Note the below provisions represent the Section 42A Report Writing Officer's recommended amendments to the provisions of the Proposed District Plan, in response to submissions (with underline used for new text and ~~strikethrough~~ for deleted text).

## Overview

Artificial lighting performs an important operational and functional role for a range of activities that operate in the district. It enables activities to occur beyond daylight hours, including night time work, recreation, entertainment, and it can assist to improve safety and security for people and property. However, poorly-designed artificial lighting can cause glare or light spill which can interfere with the use or enjoyment of adjacent properties, ~~and create a nuisance,~~ and in some cases, pose a safety hazard<sup>1</sup> to users of adjoining sites and the transport network. The light spill can affect people's health and wellbeing, particularly if it causes sleep disturbance. It can also adversely affect people's enjoyment of the night sky and affect wildlife such as kiwi, bats, gecko, ruru (morepork) and other nocturnal species including insects. In addition, the night sky has important cultural and natural values associated with it that may be sensitive to light in parts of the Far North District.<sup>1</sup>

This chapter contains provisions that apply to artificial lighting. The provisions allow adequate lighting to support activities and enable safety and security while managing potential adverse effects.

Note: Guidance on best practice for installing and assessing lights in areas where it could affect the natural behaviour of indigenous fauna, is available in the [Convention on Migratory Species – Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds, and Migratory Shorebirds.](#)<sup>2</sup>

Objectives	
<b>LIGHT-O1</b>	Artificial outdoor lighting is designed and located to: <ol style="list-style-type: none"> <li>minimise adverse effects;</li> <li>be compatible with the characteristics and qualities of the surrounding environment; and</li> <li>protect the amenity values of light sensitive areas.</li> </ol>
<b>LIGHT-O2</b>	Artificial lighting is enabled while ensuring adverse effects do not compromise the health, safety and wellbeing of people and communities, including the transport network.
Policies	
<b>LIGHT-P1</b>	Provide for the use of artificial lighting that: <ol style="list-style-type: none"> <li>allows people and communities to enjoy and use sites and facilities during night time hours and contributes to the security and safety of private and public spaces;</li> <li>maintains the character and amenity values of the zone and surrounding area; and</li> <li>does not compromise the social, cultural, environmental, and economic wellbeing or health and safety of people and communities, including the transport network.</li> </ol>
<b>LIGHT-P2</b>	Control the intensity, location, and direction of outdoor lighting to: <ol style="list-style-type: none"> <li>ensure artificial lighting avoids conflict with existing light sensitive areas, other established uses, and the transport network;</li> <li>internalises light spill within the site, and minimises light spill at the site boundary;</li> <li>avoid adverse effects on views of the night sky and intrinsically dark landscapes; and</li> </ol>

<sup>1</sup> S563.001

<sup>2</sup> S364.074 and others

	d. manage adverse effects on the health, safety, and wellbeing of people and communities in the surrounding area, unless it is for critical health and safety reasons. e. manage adverse effects on indigenous fauna where appropriate. <sup>3</sup>
<b>LIGHT-P3</b>	Require sensitive activities located within and adjacent to the Mixed use, Light industrial, and Sport and Active recreation zones to ensure habitable rooms are designed and located to minimise sleep disturbance from light spill.
<b>Rules</b>	

**Note:**

1. There may be rules in other District-Wide Matters and the underlying zone in Part 3 - Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. Light emission shall be measured and assessed in accordance with AS/NZS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting.

<b>LIGHT-R1</b>	<b>Emission of artificial light</b>	
<b>All zones</b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> Artificial light emitted undertaken on from <sup>4</sup> a site complies with AS/NZS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting;  <b>PER-2</b> Artificial lighting emitted complies with standard: LIGHT-S1 Maximum level of light spill.	<b>Activity status where compliance not achieved with PER-1 and PER-2: Restricted discretionary</b>  <b>Matters of discretion are restricted to:</b>  a. any relevant matter in the infringed standard.
<b>Standards</b>		
<b>LIGHT-S1</b>	<b>Maximum level of light spill</b>	
<b>Mixed Use zone</b>  <b>Light Industrial zone</b>  <b>Heavy Industrial zone</b>	The maximum level of light spill when measured at a distance of 2m or greater from the boundary of any receiving site, or where any part of the building located within a receiving site is within 2m of the boundary of that site, when measured at the exterior surface of any window of any habitable room, must not exceed:  1. 10 lux (in both the horizontal and vertical planes) within any General Residential,	<b>Matters of discretion are restricted to:</b>  a. whether artificial lighting is for operational <sup>5</sup> or functional purposes; b. whether timing, duration, direction, intensity, focus, design, height, or type of lighting contributes to avoidable or unnecessary light spill;

<sup>3</sup> S364.074 and others

<sup>4</sup> S368.042

<sup>5</sup> Clause 16 correction

<p><b>Horticulture Processing zone</b></p> <p><b>Orongo Bay zone</b></p> <p><b>Quail Ridge zone</b></p> <p><b>General Residential zone</b></p> <p><b>Kororāreka Russell Township</b></p> <p><b>Settlement zone</b></p> <p><b>Rural Residential zone</b></p> <p><b>Open Space zone</b></p> <p><b>Sport and Active Recreation zone</b></p> <p><b>Hospital zone</b></p> <p><b>Ngawha Innovation and Enterprise Park zone</b></p> <p><b>Airport zone</b></p>	<p>Rural Residential, Settlement, and Quail Ridge zones; and</p> <p>2. 20 lux (in both the horizontal and vertical planes) within the Mixed Use, Light Industrial, Heavy Industrial, Horticulture Processing, Orongo Bay, Open Space, and Sport and Active Recreation zones.</p>	<p>c. adverse effects on the predominant character and amenity of the surrounding area;</p> <p>d. adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; and</p> <p>e. the extent to which light spill or glare affects residential properties, including outdoor living space and/or has the potential to result in sleep disturbance.</p> <p>f. <u>The extent to which artificial lighting affects the natural behaviour of indigenous fauna, including reference to best practice guidance where relevant.</u><sup>6</sup></p>
<p><b>Rural Production zone</b></p> <p><b>Rural Lifestyle zone</b></p>	<p>The maximum level of light spill measured at the notional boundary of any habitable building located within the Rural production, Rural Lifestyle, Horticulture zone, Māori Purpose, Kauri Cliffs or Natural Open Space zones must not exceed:</p>	<p><b>Matters of discretion are restricted to:</b></p> <p>a. whether artificial lighting is for operational<sup>7</sup> or functional purposes;</p> <p>b. whether timing, duration, direction, intensity, focus, design,</p>

<sup>6</sup> S364.076 and others

<sup>7</sup> Clause 16 correction

<p><b>Horticulture zone</b></p> <p><b>Māori Purpose zone</b></p> <p><b>Kauri Cliffs zone</b></p> <p><b>Natural Open Space zone</b></p>	<p>1. 10 lux (in both vertical and horizontal planes).</p>	<p>height, or type of lighting contributes to avoidable or unnecessary light spill;</p> <p>c. adverse effects on the predominant character and amenity of the surrounding area, including views and enjoyment of the night sky;</p> <p>d. adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; and</p> <p>e. the extent to which light spill or glare affects residential properties, including outdoor living space and/or has the potential to result in sleep disturbance.</p> <p>f. <u>The extent to which artificial lighting affects the natural behaviour of indigenous fauna, including reference to best practice guidance where relevant.</u><sup>8</sup></p>
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<sup>8</sup> S364.076 and others