

**BEFORE AN INDEPENDENT HEARINGS PANEL
OF THE WAIKATO DISTRICT COUNCIL**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the proposed
Waikato District Plan
(Stage 1) Hearing 25

**EVIDENCE SUMMARY OF LAURIE COOK ON BEHALF OF HYNDS PIPE SYSTEMS
LIMITED AND THE HYNDS FOUNDATION**

LIGHTING

12 May 2021

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1. INTRODUCTION

1.1 My name is Laurie Cook. I am an Illumination Design Executive employed by the Independent Electrical and Illumination Engineers LDP Ltd. I have considerable experience in both Industrial Lighting Design and analysis of the environmental outdoor lighting effects.

1.2 I have prepared two statements of evidence on behalf Hynds Pipe Systems Limited and the Hynds Foundation (together, **Hynds**) in relation to their submissions/further submissions on the Proposed Waikato District Plan (**Proposed Plan**):

(a) The focus of my evidence dated 17 February 2021 was Hynds' request that the lower portion of its site at 62 Bluff Road (**Expansion Land**) be zoned Heavy Industrial whilst retaining the proposed Rural zone on the upper portion of the land; and

(b) The focus of my evidence dated 17 March 2021 was the submissions lodged by Havelock Village Limited (**HVL**), seeking that the elevated land west of Hynds' site be rezoned from Rural (notified Proposed Plan) to Residential.

1.3 This statement provides a summary of my evidence, and makes comments on the rebuttal evidence filed on behalf of HVL on 3 May 2021.

2. SUMMARY OF EVIDENCE

Evidence in support of Hynds' rezoning request

2.1 I undertook an assessment of the expected lighting effects from Hynds' rezoning proposal. In my opinion, the lighting effects of rezoning this small portion of 62 Bluff Road from Rural to Heavy Industrial will be inconsequential, given it is a relatively small area and it is next to the main Hynds Factory Site.

2.2 While it is anticipated that the Expansion Land will be part of a 24/7 operation, the lighting during the hours of darkness will be provided by lighting mounted on the machines being used for the operation. It is anticipated that the lighting from the machines will be directed downwards at a limited angle in order for the operator to carry out their task.

2.3 In my opinion, exterior lighting can be designed such that spill light and glare at the Expansion Land's boundary will be compliant with the Operative Waikato District Plan (**Operative Plan**) Part 29B Industrial 2 Zone standards and the Proposed Plan's standards.

Evidence opposing HVL's rezoning request

2.4 Whilst the Hynds Factory Site itself complies with existing resource consents and the district plan rules with respect to lighting, and the proposed buffer areas as suggested by HVL will reduce the number of dwellings that overlook the Hynds Factory Site, the lighting within the Hynds Factory Site will still be visible from parts of the proposed HVL development and the land owned by the Hopkins' where houses will overlook the Hynds Factory Site.

2.5 Those residents with a view of the Hynds Factory Site will, in my opinion, experience (and potentially complain about) the lighting effects of Hynds' operations.

2.6 I do not agree that the buffer proposed by HVL will address the reverse sensitivity issues associated with the lighting effects of Hynds' operations. This is because it is my experience that industrial operations that use lighting of this nature and scale are likely to face complaints from residents who live in proximity to the operation, regardless of whether the lighting is compliant with the relevant consents and planning rules. Residents living behind the buffer proposed by HVL will still have views of the Hynds Factory Site and therefore, in my opinion, they will find the lighting from Hynds' operations to be obtrusive (and will potentially complain about it), even though Hynds is complying with the Operative Plan and Proposed Plan requirements and the conditions of its resource consent.

2.7 I understand that Hynds has already received complaints about the lighting effects of its operations. The residents of 10 Bluff Road complained about light entering their bedroom windows at night. Hynds' made adjustments to seek to satisfy the residents. Ultimately Hynds resolved the issue by purchasing the property in question.

2.8 The area that includes Synlait, Hynds, other industrial operations, the state highway, and Pokeno township, represents a large urban space with associated lighting effects. In my opinion this will contrast with the darker backdrop of the

wider rural area to the east when viewed from the proposed HVL residential development.

- 2.9 While lighting may not on its own constitute a nuisance in this situation, once somebody experiences perceived nuisance effects from other aspects of operations (e.g. noise, odour, etc), they tend to become more aware of/sensitised to other factors, such as lighting. As I have noted above Hynds has already experienced complaints about lighting from existing residents.

3. COMMENTS ON REBUTTAL EVIDENCE OF HVL

- 3.1 Bryan King has prepared rebuttal evidence on behalf of HVL.

- 3.2 While Mr King professes to be a qualified lighting engineer, I am unsure whether he has expertise in relation to industrial lighting design or the analysis of outdoor lighting environmental effects. Further, the technical report (**Technical Report**), supplied as Annexure 1 to his evidence, has been jointly signed by Mr King and Mr Godfrey Bridger. Neither the Technical Report nor the evidence clarifies Mr Bridger's role in preparing the Technical Report nor whether he has expertise in relation to industrial lighting design or the analysis of outdoor lighting environmental effects.

- 3.3 The Technical Report includes existing spill light measurements. However, the Technical Report only analyses the existing spill light and makes no allowance for future changes to lighting within the industrial sites. I understand that Hynds has firm plans to further develop its operations on its site, potentially including the expansion of floodlit yards. The Technical Report does not provide any insight into the lighting effects that would be experienced by residents of the proposed Havelock Village following further development by any of the occupants of the Heavy Industrial zone.

- 3.4 The Technical Report also provides a view shaft analysis from the HVL site towards the existing building on the Synlait site only. In addition to the comments I have made above about the spill light measurements, I have a number of concerns with the assumptions on which the sight line assessment were based as follows:

- (a) the analysis only shows the proposed ground contour and not the proposed HVL buildings. The view shaft effects will relate to views from windows in the buildings and as these will be higher than ground level,

they may protrude through the “Obtrusive Light Emission Sight Line” shown on the sections. Hence, the information provided and the resulting conclusions drawn in Mr King’s evidence are of minimal assistance;

- (b) the “lines of sight” appear to rely on proposed ground levels which could change as a result of final design. There is nothing that ensures these proposed levels will be adopted at time of development; and
- (c) it relies on sightlines 10m above Synlait, and Hynds’ floodlighting could be higher.

3.5 I have stated in my evidence that the spill light effects from the Hynds Factory Site, including the proposed expansion at 62 Bluff Road, will likely satisfy the permitted activity standards in the Proposed Plan. However, as stated, my primary concern is the potential dissatisfaction of adjacent residential occupiers when their night time view is significantly affected by the expanse of lit area (i.e. the ground and buildings) of all of the industrial sites (i.e. not only Hynds’ Factory Site), as a proportion of the overall view. This has nothing to do with the permitted activity standards as is suggested in section 8 of the Technical Report and is the main reason why it would be inappropriate, in my opinion, to locate Residential zoned land in such close proximity to the Heavy Industrial zoned land. Mr King does not appear to address this matter in those terms.

Laurie Cook
12 May 2021