

## 8. CASHMERE TENNIS CLUB PROPOSED NEW COURT LIGHTING – CASHMERE VALLEY RESERVE

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Transport and Greenspace Manager
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### PURPOSE OF REPORT

1. The purpose of this report is to determine the Board's view regarding the Cashmere Tennis Club's application to install new flood lighting, including the erection of nine new poles, on Cashmere Valley Reserve prior to the Transport and Greenspace Manager making a decision on the application.

### EXECUTIVE SUMMARY

2. The Board will recall a report being presented at its meeting of Tuesday 18 April 2006, when the Cashmere Tennis Club was seeking the Board's support for the installation of new flood lighting at the club's tennis courts in Cashmere Valley Reserve, prior to the Transport and Greenspace Manager making a decision.
3. A deputation was heard at this meeting from a representative of the Cashmere Residents' Association, when concerns were raised that no community consultation had taken place in regard to this project.
4. At the 18 April meeting the Board decided:
  - (a) That the deputation's submissions be received.
  - (b) That the Cashmere Tennis Club's request for new lighting be held over to enable the community to be informed and its views sought on the proposal.

### Proposal

5. The Cashmere Tennis Club was formed in 1922 and is based at the Cashmere Valley Reserve where its clubrooms and thirteen artificial tennis courts are situated. Currently the club has 310 junior members and 150 senior members.
6. The proposal is to erect 9 x 6.0m Spunlight steel pole towers with Philips Optiflood lamps to enable courts two and three to be lit (**Attachment 1**). The design utilises six metre poles with a maximum tilt angle of ten degrees from the horizontal to provide adequate lighting with a low obtrusive installation.
7. The poles will be painted in environmentally sympathetic colours (such as "court green") to assist with minimising any potential adverse visual impact associated with the poles.
8. Although some of the wiring was installed when the tennis courts were upgraded, it was not completed so additional underground wiring will need to be installed.
9. The additional time available for coaching, particularly at the junior level, is one of the primary reasons the club is submitting its application for new lighting.
10. With the erection of the nine new poles and associated lights, two court areas for training will be illuminated (**Attachment 2**) and it is intended that these courts will be used Monday to Friday, and not utilised on Saturday and Sunday nights. The change in days of operation (the original request was for seven days) is a concession made by the club as a result of concerns expressed by local residents.
11. The applicant has stated that the court lighting system will be operated by meters located in the clubhouse, meaning that the lights will only be on when a tennis court is being used. All light circuits will be connected through a cut-off switch that will automatically turn the lights off at 9.00pm. This time was brought back by half an hour, following the public meeting when concerns were raised about the lights being on until 9.30pm.

12. The club has previously submitted a Resource Consent application to the Environmental Policy and Approvals Unit of the Council with the only matters of non-compliance being:
  - Rule 13-2.2.1  
*Parking and loading* – Parking space numbers (85 required, nil provided).
  - Rule 13-2.3.8  
*Access for high traffic generators* – (requires more than 25 car parking spaces and may generate more than 250 vehicle trips/day).
13. This application was identified as a restricted discretionary activity and processed as a non-notified application (**Attachment 3**).
14. Due to the potential for traffic related effects of the increased hours of the tennis courts, the application was referred to the Council's Consultant Traffic Planner for comment. A copy of this report is included in the resource consent (**Attachment 3**). On receipt of this advice it was considered that any adverse traffic effects would be insignificant, and the resource consent was subsequently granted on 1 February 2006.
15. While the Resource Consent has been granted, the club still requires the consent of the "Landowner" (Council) before the project can proceed.

### Consultation

16. On 9 May 2006 a letter was sent to 113 properties within the valley area of the Cashmere Tennis Club (**Attachment 4**), advising of the club's lighting application and inviting residents to comment.
17. Twenty-four submissions were received, 18 opposing the development and six in support (this included the Cashmere Bowling Club and the Cashmere Croquet Club).
18. The main issues of concern raised by those opposing the installation were:
  - Parking.
  - Light pollution/spill.
  - Noise.
  - Social activities of the club.
  - Under utilisation of the courts during the day.
  - Lighting the courts is for a business purpose.
  - Intention of the club in any further lighting in the future.
  - Court behaviour.
  - Inappropriate court usage, eg hockey, rugby, roller blading.
  - The community was opposed to this when the club applied in 1998.
19. Due to the many issues raised, a public meeting was held on Thursday 22 June 2006 with members of the community, Cashmere Tennis Club representatives, Community Board members and Council staff (**Attachment 5**). This was facilitated by an external facilitator.
20. That meeting enabled the residents to express their concerns to the Cashmere Tennis Club with the club being given the opportunity to respond, make some amendments to its original proposal (being days of use and hours of use – see paragraphs 10 and 11 ), and also outline its intentions in relation to the new lighting proposal. Council staff clarified for the community the Council decision making process in relation to this project.
21. One of the outcomes of the meeting was that the Cashmere Tennis Club invite local residents to a BBQ/Open Day at the club. It was considered that this would give the members the opportunity to promote their club as well as spend some time with their neighbours, showing them the club facilities and also to discuss their project on site. An invitation to the club's pre-Christmas BBQ was sent to residents who attended the public meeting and to Community Board members. The club advised that no residents attended the event.
22. All residents who made a submission and/or attended the public meeting have been advised that this report is coming to the Community Board, and have also been advised of the process should they wish to have speaking rights at this meeting.

## **FINANCIAL IMPLICATIONS**

23. There are no financial implications as should this project proceed, all costs will be met by the Cashmere Tennis Club.

## **LEGAL CONSIDERATIONS**

24. The Council has granted delegated authority to the Greenspace Manager to make “decisions on the siting of flood lights on sports parks subject to the necessary Resource Consents and consultation with the appropriate Community Board”.
25. A resource consent under the Resource Management Act 1991 has been granted to the Cashmere Tennis Club for this project. As the poles to be erected by the club do not exceed seven metres in height from the point of attachment, a building consent under the Building Act 2004 will not be required.
26. In addition to the regulatory consent under the Resource Management Act 1991, the consent of the Council as the landowner is required under the terms of the Cashmere Tennis Club’s lease. The granting of the regulatory consent under the Resource Management Act 1991 does not bind the Council to grant consent to the proposed lighting works as the landowner.
27. As the proposed poles and lights will be the property of the Cashmere Tennis Club, all costs associated with their construction, operation and maintenance will be the responsibility of the club.

## **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

28. **LTCCP  
Parks, Open Spaces and Waterways – Page 123**

Recreation – By offering a range of active and passive recreation and leisure opportunities.  
Health – By providing areas for people to engage in healthy activities.

29. **LTCCP  
Recreation and Leisure – Page 131**

Recreation – By encouraging more people to participate in leisure, physical and sporting activities.  
Environment – By managing recreation and leisure activities to minimise damage to the environment.

## **ALIGNMENT WITH STRATEGIES**

30. Social Wellbeing Strategy.  
Older Adults.  
Youth Strategy.

## **OPTIONS**

31. There are three possible options.

### **Option 1**

32. Status quo – decline the Cashmere Tennis Club’s application to install training lights.

### **Option 2**

33. Support the club’s revised application as submitted and outlined in this report and accompanying application.

34. Should the application then be approved, the following conditions would apply:
- (a) The applicant to obtain the necessary resource consents and building consents at its own cost before commencing installation of the lighting system upon the park.
  - (b) The applicant or contractor being responsible for obtaining plans of all services presently laid underground in the park (electricity, telephone, sewerage, storm water, high pressure water supply and irrigation).
  - (c) The applicant being required to deposit scaled plans, showing the lighting poles and cable layout in the park, as built, within two months of the work being completed.
  - (d) The applicant being responsible for all costs associated with the installation and maintenance of the lighting system.
  - (e) The applicant being responsible for ensuring that the lighting system is maintained in a safe and tidy condition at all times.
  - (f) That the lights not be operated after 9.00pm and are used Monday to Friday only, with no lights being operated on Saturday and Sunday evenings.
  - (g) That the area is restored to its previous condition following the completion of the work to the satisfaction of the Council.
  - (h) That approval will lapse if the development is not completed within two years of application.

### **Option 3**

35. Support the club's application with additional restrictions to mitigate any potential or perceived adverse impacts

### **STAFF RECOMMENDATIONS**

It is recommended that:

- (a) The Spreydon/Heathcote Community Board confirms its view on the application from the Cashmere Tennis Club to install floodlighting, including the erection of nine new poles, on Cashmere Valley Reserve prior to the Transport and Greenspace Manager making a decision.
- (b) That the Transport and Greenspace Manager also advise the Spreydon/Heathcote Community Board and all submitters of the outcome, at the time the club is notified of his decision.

### **CHAIRPERSON'S RECOMMENDATION**

For discussion.