

Appendix A – Officer’s Recommendation Decisions on Submissions – Light

Submission Point No.	Submitter	Provision	Position	Summary of Decision Requested	Reasons	Officer Recommendation	Relevant section of S42A Report
117.11	G Moore	LIGHT-R1	Amend	AMEND LIGHT-R1 to include reflection/glare of solar panels to the light guidelines.	No reason provided; however the submission is concerned about glare and mentions that reflective surfaces can cause significant changes to natural environments.	Reject	Topic 4: Light rules
FS3.2	Director General of Conservation	LIGHT-R1	Support	AMEND LIGHT-R1 as requested by G Moore.	The further submitter supports the relief to the extent that it is consistent with their primary submission.	Reject	Topic 4: Light rules
117.2	G Moore	Definitions	Amend	AMEND the definition of "Artificial Outdoor Lighting" to clarify whether it also includes reflective surfaces such as solar panels.	The definition does not cover reflective surfaces which can cause significant changes to natural environments, in particular renewable energy sources, mainly solar panels. Not covering this allows broader scope for investment and renewable infrastructure on a larger scale, this will also leave the interpretation of visual pollution very open.	Reject	Topic 1: Light chapter overview, definitions and general submissions

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FS3.1	Director General of Conservation	Definitions	Support in part	<p>REJECT request for amendments to the definition of “Artificial Outdoor Lighting”</p> <p>AND</p> <p>ADD alternative new definition of “Intrusive Lighting” as follows:</p> <p><u>Lighting that causes a nuisance to other people, and/or the environment, usually by glare or light spill to other people, properties, highly mobile fauna such as avifauna or bats, or areas of significant indigenous vegetation or habitat.</u></p> <p>OR alternative relief to like effect.</p>	<p>The further submitter supports the intent of the relief sought by the submitter but consider that the proposed definition is not appropriate for addressing reflective surfaces such as solar panels. Artificial outdoor lighting is more commonly associated with lighting on buildings, sheds, and other similar structures.</p> <p>However, it would be appropriate to introduce a new definition that specifically addresses reflective surfaces such as solar panels.</p>	Accept in part	Topic 1: Light chapter overview, definitions and general submissions
136.145	Federated Farmers of New Zealand (Inc) - Northland Province	LIGHT-P1	Support	<p>AMEND LIGHT-P1.2 as follows:</p> <p>2. Enabling lighting that supports security, <u>health</u> and safety.</p> <p>AND</p> <p>Any consequential amendments.</p>	The submitter supports LIGHT-P1 in part. However, a minor wording amendment is sought to clause 2, regarding ‘security and safety’ to better align with LIGHT-O2, which recognises lighting for ‘health and safety’ purposes.	Reject	Topic 3: Light policies
136.146	Federated Farmers of New Zealand (Inc) - Northland Province	LIGHT-P2	Support	<p>RETAIN LIGHT-P2 as notified. OR</p> <p>With wording with similar effect.</p> <p>AND</p> <p>Any consequential amendments.</p>	The submitters supports LIGHT-P2 as notified.	Accept in part	Topic 3: Light policies

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FS3.3	Director General of Conservation	LIGHT-P2	Oppose	AMEND LIGHT-P2 as set out in DOCs original submission.	The further submitter does not support the retention of this policy as drafted. This is because the policy does not provide for the management of effects of s6(c) matters.	Accept in part	Topic 3: Light policies
136.147	Federated Farmers of New Zealand (Inc) - Northland Province	LIGHT-R1	Support	AMEND LIGHT-R1.3.c. as follows: 3. Matters over which discretion is restricted: ... c. Adverse effects on the health, safety, <u>security</u> and wellbeing of people and communities; ... AND Any consequential amendments.	The submitter supports LIGHT-R1 in part. It is noted that LIGHT-P1, clause 2 specifically notes the security aspect of lighting. While security is an aspect of health and safety, the Council should amend clause 3.c to be consistent with LIGHT-P1.	Accept	Topic 4: Light rules
149.96	Royal Forest and Bird Protection Society of New Zealand Incorporated	Light - Overview	Amend	ADD the following text to the Overview in the Light chapter: <u>Artificial lighting, including spill and glare, can negatively affect indigenous biodiversity by disrupting natural patterns and behaviours. For example, excessive night lighting can interfere with the movement and feeding of nocturnal insects, which in turn affects species that rely on them for food.</u> AND Any consequential amendments and alternative relief to address the concerns raised.	As drafted, the Light Overview does not reflect the potential adverse effects of light on natural environment values.	Accept in part	Topic 1: Light chapter overview, definitions and general submissions

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FS3.4	Director General of Conservation	Light - Overview	Support	ADD additional text to the Overview as requested by Forest & Bird.	The further submitter supports the inclusion of a description outlining the potential adverse effects light can have on the natural environment. Recognising and addressing this issue will contribute towards KDC meeting its s31 function to maintain indigenous biological diversity.	Accept in part	Topic 1: Light chapter overview, definitions and general submissions
FS2.1	Federated Farmers of New Zealand (Inc) - Northland Province	Light – Overview	Support in part	ADD the text requested by Forest & Bird into the Overview of the Light chapter, but with the following amendments: Artificial lighting, including spill and glare, <u>has the potential, if not managed appropriately, to can</u> negatively affect indigenous biodiversity by disrupting natural patterns and behaviours. For example, excessive night lighting can interfere with the movement and feeding of nocturnal insects, which in turn affects species that rely on them for food. OR with wording that achieves a similar effect.	The further submitter supports the intent behind the amendment sought by the submitter. However, they are concerned that the way the text is written is absolute and could impact on everyday operations in the rural environment.	Accept in part	Topic 1: Light chapter overview, definitions and general submissions

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Submission Point No.	Submitter	Provision	Position	Summary of Decision Requested	Reasons	Officer Recommendation	Relevant section of S42A Report
149.97	Royal Forest and Bird Protection Society of New Zealand Incorporated	Light – new objective	Amend	ADD a new Light Objective as follows: <u>The design and location of artificial lighting protects indigenous biodiversity from the effects of light spill and glare.</u> AND Any consequential amendments and alternative relief to address the concerns raised.	As drafted, Light Objectives do not reflect the potential adverse effects of light on natural environment values.	Reject	Topic 2: Light objectives
FS2.2	Federated Farmers of New Zealand (Inc) - Northland Province	Light – new objective	Support in part	ADD a new Light Objective as requested by Forest & Bird but with the following amendments: <u>Artificial light is designed and located in a way that avoids, remedies or mitigates any potential</u> The design and location of artificial lighting protects indigenous biodiversity from the effects of light spill and glare <u>where it is possible to do so.</u> OR with wording that achieves a similar effect.	The further submitter supports the intent of the amendment sought but believes the wording proposed is too absolute in its nature. It may not always be possible all the time to protect indigenous biodiversity from light spill and glare depending on where the biodiversity is located. It is unclear exactly what indigenous biodiversity would be affected by light and glare. It is unrealistic to impose such a requirement when it is not known exactly what the effects are that need to be managed.	Accept in part	Topic 2: Light objectives
FS3.5	Director General of Conservation	Light – new objective	Support in part	ADD a new Light Objective as requested by Forest & Bird, subject to the implementation of policies which achieve the intent set out in the proposed objective.	The further submitter supports the inclusion of this new objective as it provides for the protection of indigenous biodiversity from the effects or light spill and glare. However, policies also need to be implemented to achieve its purpose.	Accept in part	Topic 2: Light objectives

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Submission Point No.	Submitter	Provision	Position	Summary of Decision Requested	Reasons	Officer Recommendation	Relevant section of S42A Report
149.98	Royal Forest and Bird Protection Society of New Zealand Incorporated	LIGHT-P2	Amend	ADD an additional clause to LIGHT-P2 as follows: <u>Avoid areas of significant indigenous biodiversity other than necessary for health and safety purposes.</u> AND Any consequential amendments and alternative relief to address the concerns raised.	As drafted, LIGHT-P2 does not reflect the potential adverse effects of light on natural environment values.	Accept in part	Topic 3: Light policies
FS2.3	Federated Farmers of New Zealand (Inc) - Northland Province	LIGHT-P2	Support in part	ADD an additional clause to LIGHT-P2 as requested by Forest & Bird but with the following amendments: <u>Where possible, avoid</u> Avoid areas of significant indigenous biodiversity other than necessary for health, <u>security</u> and safety purposes. OR with wording that achieves a similar intent.	The further submitter made a submission to LIGHT-P2 that requested the policy be kept as notified.	Accept in part	Topic 3: Light policies
FS3.6	Director General of Conservation	LIGHT-P2	Support	ADD an additional clause to LIGHT-P2 as requested by Forest & Bird.	The further submitter supports the amendments sought to this policy as it would enable the management of effects from light in regard to s6(c) matters.	Accept in part	Topic 3: Light policies

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Submission Point No.	Submitter	Provision	Position	Summary of Decision Requested	Reasons	Officer Recommendation	Relevant section of S42A Report
149.99	Royal Forest and Bird Protection Society of New Zealand Incorporated	LIGHT-R1	Amend	<p>ADD an additional standard to LIGHT-R1.a. for artificial outdoor lighting within the Coastal Environment, Outstanding Natural Features and Landscapes, and areas containing indigenous biodiversity to avoid adverse effects of lighting on indigenous biodiversity.</p> <p>AND</p> <p>ADD the following matters of discretion to the new LIGHT-R1 standard:</p> <ul style="list-style-type: none"> • The effect of the light on indigenous biodiversity values • The extent of light and any practicable locations or methods to avoid or reduce the extent of effects on indigenous biodiversity values • The proposed measures to avoid, remedy, mitigate, offset or compensate adverse effects on indigenous biodiversity values <p>AND</p> <p>Any consequential amendments and alternative relief to address the concerns raised.</p>	As drafted, LIGHT-R1 does not reflect the potential adverse effects of light on natural environment values.	Accept in part	Topic 4: Light rules

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FS2.4	Federated Farmers of New Zealand (Inc) - Northland Province	LIGHT-R1	Support in part	<p>AMEND LIGHT-R1 in accordance with the following:</p> <p>(a) any new standard added to Light-R1.a refers to the effects hierarchy of ‘avoid, remedy or mitigate’ rather than just ‘avoid’.</p> <p>(b) the relief proposed new matter of discretion in bullet point 3 of the submission refers to ‘avoid, remedy or mitigate’ and any references to offsetting or compensation is declined.</p> <p>(c) Clause 3.c is amended to achieve consistency with the wording set out in LIGHT-P1.</p> <p>AND</p> <p>Any other consequential amendments required to give effect to the relief sought above.</p>	The further submitter supports the intent behind the submission made but seeks amendments to what has been sought. It made its own submission to this rule which sought that clause 3.c should be amended to be consistent with LIGHT-P1	Accept in part	Topic 4: Light rules
FS3.7	Director General of Conservation	LIGHT-R1	Support	<p>AMEND LIGHT-R1 as requested by Forest & Bird.</p>	The further submitter supports the suggested amendments to LIGHT-R1 for the reasons set out by Forest & Bird in their submission.	Accept in part	Topic 4: Light rules

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Submission Point No.	Submitter	Provision	Position	Summary of Decision Requested	Reasons	Officer Recommendation	Relevant section of S42A Report
FS4.1	Mangawhai Hills Limited	LIGHT-R1	Support in part	To accept the relief requested by Forest & Bird in part [unclear which aspects of the relief are supported]	<p>The further submitter generally supports the consideration of potential lighting effects on indigenous biodiversity.</p> <p>The negative effect to wildlife is to be considered given the submitter is investing significant money into rewilding and planting of native vegetation to encourage the return of birdlife etc to their property.</p>	Accept in part	Topic 4: Light rules
269.35	Health New Zealand – Te Whatu Ora	Light	Oppose	No specific decision sought. However, the submitter reserves its position in relation to the remaining lighting provisions – to the extent that they do not undermine the operation of the Hospital zone provisions and/or they seek to unreasonably control or constrain Hospital and Hospital Related Activity in the Hospital zone.	The submitter reserves its position in relation to the remaining lighting provisions – to the extent that they do not undermine the operation of the Hospital zone provisions and/or they seek to unreasonably control or constrain Hospital and Hospital Related Activity in the Hospital zone.	Accept in part	Topic 1: Light chapter overview, definitions and general submissions

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Submission Point No.	Submitter	Provision	Position	Summary of Decision Requested	Reasons	Officer Recommendation	Relevant section of S42A Report
304.115	Director General of Conservation	Light – new objective	Amend	<p>ADD a new Light objective as follows: <u>An environment free from adverse effects of intrusive lighting.</u> AND Any further or alternative relief to like effect to that sought.</p>	<p>The submitter considers that intrusive lighting can result in adverse effects on the environment, including ecosystems and constituent parts, people and communities, all natural and physical resources, and amenity values.</p> <p>The Light Chapter does not provide for protection from intrusive lighting effects as outlined in LIGHT-P1. As such, the provision sought will provide LIGHT-P1 with a clear objective.</p>	Reject	Topic 2: Light objectives
FS2.5	Federated Farmers of New Zealand (Inc) - Northland Province	Light – new objective	Oppose	<p>REJECT the relief requested by the submitter</p>	<p>The further submitter considers that the new objective as written is too absolute and has the potential to adversely impact on everyday farming operations in the rural environment.</p> <p>It is not known what the submitters consider to be intrusive lighting and their submission does not acknowledge the need for lighting to be in places for health, safety and security purposes.</p>	Accept	Topic 2: Light objectives

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FS4.2	Mangawhai Hills Limited	Light – new objective	Support	ADD new light objective as requested by DOC.	Feedback received on PPPC84 indicated that neighbours were concerned about street lighting affecting the night sky. Low bollard type street lighting was proposed to help reduce light pollution, but high street lighting poles were required at resource consent stage. The negative effect on wildlife should be considered where significant money is invested into rewilding and planting of native vegetation to encourage the return of birdlife etc. The further submitter considers that the requirement for street lighting poles should be reconsidered.	Reject	Topic 2: Light objectives
FS1.1	Matariki Forests	Light - Overview	Support	RETAIN Overview as notified.	The further submitter supports NZTA for the reasons given by the submitter and that the rules adequately protect the environment	Accept in part	Topic 1: Light chapter overview, definitions and general submissions
FS3.12	Director General of Conservation	Light - Overview	Oppose	No specific relief requested, although it is noted that DOC supports adding additional text to the Overview as requested by Forest & Bird.	The further submitter does not support the Overview being retained as notified as it does not include the need to manage adverse effects of lighting on indigenous fauna and their habitat.	Accept in part	Topic 1: Light chapter overview, definitions and general submissions

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304.116	Director General of Conservation	LIGHT-R1	Oppose	AMEND LIGHT-R1 matters of discretion to include the assessment of ecological effects. AND Any further or alternative relief to like effect to that sought.	<ul style="list-style-type: none"> The Light Chapter does not control adverse lighting effects on the environment, including ecosystems and wildlife. The submitter notes that projects such as solar farms introduce another source of light and glare from the reflection of solar panels. 	Accept in part	Topic 4: Light rules
FS2.6	Federated Farmers of New Zealand (Inc) - Northland Province	LIGHT-R1	Oppose	REJECT the relief requested by the submitter	The relief sought by the submitter is outside the scope of the LIGHT chapter and has the potential to add unwarranted delays and costs into a permitted activity process. What the submitter has asked for is included in the matters of discretion for restricted discretionary activities under the rule.	Accept in part	Topic 4: Light rules
FS4.3	Mangawhai Hills Limited	LIGHT-R1	Support in part	AMEND LIGHT-R1 as requested by DOC.	No reasons provided	Accept in part	Topic 4: Light rules
323.68	KiwiRail Holdings Limited	LIGHT-O3	Support	RETAIN LIGHT-O3 as notified. AND Any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	The submitter supports LIGHT-O3 and requests it is retained as notified.	Accept	Topic 2: Light objectives

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FS3.8	Director General of Conservation	LIGHT-O3	Oppose	DELETE the word ‘enable’ from LIGHT-O3.	<p>The further submitter is concerned with the use of the word ‘Enable’ as it authorises artificial outdoor lighting in areas that could generate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>Council should consider disallowing this relief, unless provisions are implemented to recognise and provide for the matters in s6(c) of the Act.</p>	Reject	Topic 2: Light objectives
323.69	KiwiRail Holdings Limited	LIGHT-P1	Support	<p>RETAIN LIGHT-P1 as notified.</p> <p>AND</p> <p>Any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.</p>	The submitter supports LIGHT-P1 and requests it is retained as notified.	Accept	Topic 3: Light policies

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FS3.9	Director General of Conservation	LIGHT-P1	Oppose	No specific relief sought other than general comments that the policy should be more balanced and better provide for s6(c) matters and higher order planning documents.	<p>The further submitter is concerned with how enabling the policy is in relation to providing for artificial outdoor lighting across all zones in the district. As notified, the policy contains strong enabling clauses with only one clause in relation to managing adverse effects.</p> <p>This policy should become more balanced between enabling artificial outdoor lighting where appropriate and providing and recognising for s6(c) matters, as well as to give effect to other higher order planning documents, such as the RPS and NPSIB.</p>	Reject	Topic 3: Light policies
323.70	KiwiRail Holdings Limited	LIGHT-P2	Support	<p>RETAIN LIGHT-P2 as notified.</p> <p>AND</p> <p>Any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.</p>	The submitter supports LIGHT-P2 and requests it is retained as notified.	Accept in part	Topic 3: Light policies
FS3.10	Director General of Conservation	LIGHT-P2	Oppose	No specific relief requested, however it is noted that DOC support an additional clause for LIGHT-P2 as requested by Forest & Bird.	The further submitter does not support the retention of this policy as drafted as it would not enable the management of effects from light on areas of indigenous vegetation, habitat, and indigenous ecosystems, or recognise and provide for s6(c) matters.	Accept in part	Topic 3: Light policies

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323.71	KiwiRail Holdings Limited	LIGHT-R1	Support	RETAIN LIGHT-R1 as proposed. AND Any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	The submitter supports LIGHT-R1 and requests it is retained as notified. In particular, the submitter supports the inclusion of adverse effects on the land transport network as a matter of discretion.	Accept in part	Topic 4: Light rules
FS3.11	Director General of Conservation	LIGHT-R1	Support in part	No specific relief sought, although it is noted that the original submission from DOC requested that the matters of discretion in LIGHT-R1 be amended to include the assessment of ecological effects.	The further submitter is not opposed to matters of discretion that are restricted to managing adverse effects on the transport network. However, they consider that effects on s6(c) matters are not recognised and provided for.	Accept in part	Topic 4: Light rules
FS4.4	Mangawhai Hills Limited	LIGHT-R1	Support in part	AMEND LIGHT-R1 as requested by DOC as opposed to retaining LIGHT-R1 as notified	The further submitter prefers the amendments to LIGHT-R1 requested by DOC as opposed to it being retained as notified. Low bollard type street lighting was proposed to help reduce light pollution, but high street lighting poles were required at resource consent stage. The negative effect on wildlife should be considered where significant money is invested into rewilding and planting of native vegetation to encourage the return of birdlife etc. The further submitter considers that the requirement for street lighting poles should be reconsidered.	Accept in part	Topic 4: Light rules

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330.77	New Zealand Transport Agency	Light - Overview	Support	RETAIN Overview as notified.	Overview is supported.	Accept in part	Topic 1: Light chapter overview, definitions and general submissions
330.78	New Zealand Transport Agency	LIGHT-O1	Support	RETAIN LIGHT-O1 as notified.	Objective is supported.	Accept	Topic 2: Light objectives
FS1.2	Matariki Forests	LIGHT-O1	Support	RETAIN LIGHT-O1 as notified.	The further submitter supports NZTA for the reasons given by the submitter and that the rules adequately protect the environment	Accept	Topic 2: Light objectives
330.79	New Zealand Transport Agency	LIGHT-O3	Support	RETAIN LIGHT-O3 as notified.	Objective is supported.	Accept	Topic 2: Light objectives
FS1.3	Matariki Forests	LIGHT-O3	Support	RETAIN LIGHT-O3 as notified.	The further submitter supports NZTA for the reasons given by the submitter and that the rules adequately protect the environment	Accept	Topic 2: Light objectives

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FS3.13	Director General of Conservation	LIGHT-O3	Oppose	No specific relief requested, although it is noted that the original submission from DOC requested a new objective to address this concern.	The further submitter does not support the retention of this objective as notified. The objective provides a highly enabling basis for LIGHT-P2 but fails to acknowledge or recognise the matters outlined in section 6(c) of the RMA, particularly in relation to the light effects arising from the activities enabled by the objective.	Reject	Topic 2: Light objectives
330.80	New Zealand Transport Agency	LIGHT-P1	Support	RETAIN LIGHT-P1 as notified.	Policy is supported.	Accept	Topic 3: Light policies
FS1.4	Matariki Forests	LIGHT-P1	Support	RETAIN LIGHT-P1 as notified.	The further submitter supports NZTA for the reasons given by the submitter and that the rules adequately protect the environment	Accept	Topic 3: Light policies

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FS3.14	Director General of Conservation	LIGHT-P1	Oppose	No specific relief sought other than general comments that the policy should be more balanced and better provide for s6(c) matters.	The further submitter is concerned with how enabling the policy is in relation to providing artificial outdoor lighting across all zones in the district. As notified the policy contains strong enabling clauses with only one clause in relation to managing adverse effects. This policy should become more balanced between enabling artificial outdoor lighting where appropriate and providing and recognising for s6(c) matters.	Reject	Topic 3: Light policies
330.81	New Zealand Transport Agency	LIGHT-P2	Support	RETAIN LIGHT-P2 as notified.	Policy is supported.	Accept in part	Topic 3: Light policies
FS1.5	Matariki Forests	LIGHT-P2	Support	RETAIN LIGHT-P2 as notified.	The further submitter supports NZTA for the reasons given by the submitter and that the rules adequately protect the environment	Accept in part	Topic 3: Light policies
FS3.15	Director General of Conservation	LIGHT-P2	Oppose	No specific relief requested, however it is noted that DOC support an additional clause for LIGHT-P2 as requested by Forest & Bird.	The further submitter does not support the retention of this policy as it does not provide the management of effects associated with lighting, specifically in relation to s6(c) matters.	Accept in part	Topic 3: Light policies

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330.82	New Zealand Transport Agency	LIGHT-R1	Support	RETAIN LIGHT-R1 as notified.	Rule is supported.	Accept in part	Topic 4: Light rules
FS1.6	Matariki Forests	LIGHT-R1	Support	RETAIN LIGHT-R1 as notified.	The further submitter supports NZTA for the reasons given by the submitter and that the rules adequately protect the environment	Accept in part	Topic 4: Light rules
FS3.16	Director General of Conservation	LIGHT-R1	Oppose	No specific relief requested, although it is noted that DOC support amending LIGHT-R1 as requested by Forest & Bird.	The further submitter does not support the retention of this rule as notified; this is because the matters of restricted discretion do not provide for the management of effects in relation to s6(c).	Accept in part	Topic 4: Light rules
FS4.5	Mangawhai Hills Limited	LIGHT-R1	Support in part	AMEND LIGHT-R1 as requested by DOC as opposed to retaining LIGHT-R1 as notified.	<p>The further submitter prefers the amendments to LIGHT-R1 requested by DOC as opposed to it being retained as notified.</p> <p>Low bollard type street lighting was proposed to help reduce light pollution, but high street lighting poles were required at resource consent stage. The negative effect on wildlife should be considered where significant money is invested into rewilding and planting of native vegetation to encourage the return of birdlife etc.</p> <p>The further submitter considers that the requirement for street lighting poles should be reconsidered.</p>	Accept in part	Topic 4: Light rules

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333.1	NZ Fairy Tern Trust	LIGHT-P2	Amend	ADD a new clause to LIGHT-P2 as follows: <u>To minimise the adverse effects, including cumulative effects, to protect night flying avian fauna from lighting and glare effects, with reference to intensity, location and direction of artificial outdoor lighting.</u>	The submitter has requested the above relief to provide protection for night flying avian fauna from adverse effects (such as disorientation and endangerment).	Accept in part	Topic 3: Light policies
FS3.17	Director General of Conservation	LIGHT-P2	Support	ADD a new clause to LIGHT-P2 as requested by NZ Fairy Tern Trust.	The further submitter supports the intent of this inclusion as it provides for minimisation of effects, including cumulative effects to protect night flying avian fauna from lighting and glare effects. Additionally, this aligns with clause 3.20 of the NPSIB.	Accept in part	Topic 3: Light policies