

Memorandum

To: Mark Farnsworth – Hearing Panel Chair
From: Melissa Pearson – section 42A officer for the Light topic
Date: 9 December 2025
Subject: Response to evidence received on the Light topic

This memorandum has been prepared to summarise the evidence and hearing statements received from submitters on the Light topic, scheduled to be heard at Hearing 2 for the Proposed Kaipara District Plan (PDP) on Wednesday 17 December 2025.

This memorandum has been prepared in lieu of a formal addendum to my section 42A report, as the material received from submitters has not altered my position with respect to my recommendations on the Light provisions. The purpose of this memorandum is to assist the Hearing Panel understand the information that has been received and locate where I have responded to the relevant matters in my section 42A report in advance of the hearing.

Evidence/hearing statements received

Three submitters have prepared either evidence or hearing statements in response to the Light section 42A report as follows:

- a. Evidence – New Zealand Fairy Tern Charitable Trust (**NZ Fairy Tern Trust**)
- b. Hearing statement – New Zealand Transport Agency (**NZTA**)
- c. Hearing statement – Director General of Conservation (**DOC**)

NZ Fairy Tern Trust

The NZ Fairy Tern Trust is generally supportive of my recommendations in the section 42A report but considers that they do not go far enough with respect to highlighting the adverse effects that lighting and glare can have on night flying avifauna. I maintain my position that my recommended wording strikes an appropriate balance between recognising the potential adverse effects of artificial outdoor lighting on indigenous biodiversity more generally but without highlighting any specific species or habitats that require protection, particularly as no significant natural areas or similar have been mapped in the PDP. My response to the NZ Fairy Tern Trust submission point can be found in Topic 3: Light policies (paragraphs 48-49). I also note that the evidence from NZ Fairy Tern Trust comments on two provisions for which it does not have scope to be involved either through primary or further submissions, being LIGHT-R1 and a requested definition of 'intrusive lighting'. As such, I have not responded to this out-of-scope evidence.

NZTA

The hearing statement tabled by NZTA confirms that NZTA supports the Light provisions as notified but also notes that the Light chapter provisions do not apply within NZTA's existing state highway designations. The statement does not include any specific commentary on my recommended amendments to the Light chapter.

As such, I maintain my analysis and recommendations in response to NZTA's submission points as set out in:

- a. Topic 1: Light chapter overview, definitions and general submissions (paragraphs 29-33)
- b. Topic 2: Light objectives (paragraphs 39 and 42)
- c. Topic 3: Light policies (paragraphs 45-50)
- d. Topic 4: Light rules (paragraphs 53-59)

DOC

The hearing statement tabled by DOC confirms that the Director-General of Conservation supports all my recommended amendments to the Light provisions in the section 42A report, with no issues remaining in contention. As such, I maintain my analysis and recommendations in response to the DOC primary and further submission points as set out in:

- a. Topic 1: Light chapter overview, definitions and general submissions (paragraph 28)
- b. Topic 2: Light objectives (paragraphs 39-42)
- c. Topic 4: Light rules (paragraphs 53-54 and 58-59)