# Form 6: Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation

*Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991*

**To:** Kaipara District Council (**the Council**)

**Name of submitter:** Director-General of Conservation (the **Director-General** or the **DG**)

1. This is a further submission in support of (or in opposition to) a submission on the following proposed plan (the **Proposal**):

**Proposed Kaipara District Plan - Part 2 – District-wide matters/General District-wide Matters/LIGHT**

2. I could not gain an advantage in trade competition through this submission.

3. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions[1]. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage[2]. Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations*'.

4. My views on specific submissions are set out in **Attachment 1** to this submission.

5. I wish to be heard in support of my further submission.

[1] Refer section 53 Conservation Act 1987.
[2] Conservation Act 1987, section 6.

6. If others make a similar submission, I will consider presenting a joint case with them at the hearing.

7. A copy of this submission has been served on the original submitters.

Stephen Soole
Operations Manager
Kauri Coast
Department of Conservation
Acting pursuant to delegated authority on behalf the Director-General of Conservation

Date: 4 November 2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

**Address for service:**
Attn: Ronan Whitelock, Resource Management Planner
rwhitelock@doc.govt.nz and cc to: RMA@doc.govt.nz
Department of Conservation
Private Bag 3072, Hamilton, 3240

**ATTACHMENT 1:**

**Proposed Kaipara District Plan**
**FURTHER SUBMISSIONS BY THE DIRECTOR-GENERAL OF CONSERVATION**
**For Part 2 – District-wide matters/General District-wide Matters/LIGHT**

| | Name of original submitter | Original submitter number | Original submission point number | Support or oppose | Provision | Reasons for support or opposition) | I seek that the submission be: |
|---|---|---|---|---|---|---|---|
| FS3.1 | G Moore | 117 | 117.2 | Support in part | Definitions | Support 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.<br><br>However, it would be appropriate to introduce a new definition that specifically addresses reflective surfaces such as solar panels.<br><br>A definition such as *intrusive lighting* would be more suitable – as set out below:<br><br>Intrusive Lighting:<br>*"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."*<br><br>Or alternative relief to like effect. | Allowed in part |

| | Name of original submitter | Original submitter number | Original submission point number | Support or oppose | Provision | Reasons for support or opposition) | I seek that the submission be: |
|---|---|---|---|---|---|---|---|
| FS3.2 | G Moore | 117 | 117.11 | Support | LIGHT-R1 | Support the relief to the extent that is consistent with her primary submission. | Allowed |
| FS3.3 | Federated Farmers of New Zealand (Inc) – Northland Province | 136 | 136.146 | Oppose | Light-P2 | Do 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. | Disallowed |
| FS3.4 | Royal Forest and Bird Protection Society of New Zealand Incorporated | 149 | 149.96 | Support | Introduction | Support 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. | Allowed |
| FS3.5 | Royal Forest and Bird Protection Society of New Zealand Incorporated | 149 | 149.97 | Support in part | New Objective | Support 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. | Allowed, subject to the implementation of policies which achieve the intent set out in the proposed objective. |
| FS3.6 | Royal Forest and Bird Protection Society of New Zealand Incorporated | 149 | 149.98 | Support | Light-P2 | Support the amendments sought to this policy as it would enable the management of effects from light in regard to s6(c) matters. | Allowed |

| | Name of original submitter | Original submitter number | Original submission point number | Support or oppose | Provision | Reasons for support or opposition) | I seek that the submission be: |
|---|---|---|---|---|---|---|---|
| FS3.7 | Royal Forest and Bird Protection Society of New Zealand Incorporated | 149 | 149.99 | Support | Light – R1 | Support the addition of a standard and matters of discretion to LIGHT-R1 for the reasons outlined by the submitter. | Allowed |
| FS3.8 | KiwiRail Holdings – Limited | 323 | 323.68 | Oppose | Light – O3 | 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.<br><br>Council should consider disallowing this relief, unless provisions are implemented to recognise and provide for the matters in s6(c) of the Act. | Disallowed |
| FS3.9 | KiwiRail Holdings – Limited | 323 | 323.69 | Oppose | Light – P1 | 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. 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. | Disallowed |

| | Name of original submitter | Original submitter number | Original submission point number | Support or oppose | Provision | Reasons for support or opposition) | I seek that the submission be: |
|---|---|---|---|---|---|---|---|
| FS3.10 | KiwiRail Holdings Limited | 323 | 323.70 | Oppose | Light – P2 | Do 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. | Disallowed |
| FS3.11 | KiwiRail Holdings Limited | 323 | 323.71 | Oppose in part | Light – R1 | Not opposed to matters of which discretion is restricted in relation to managing adverse effects on the transport network. However, considers that effects on s6(c) matters are not recognised and provided for. | Disallowed in part |
| FS3.12 | New Zealand Transport Agency | 330 | 330.77 | Oppose | Overview | Do not support this as the introduction does not include the need to manage adverse effects of lighting on indigenous fauna and their habitat. | Disallowed |
| FS3.13 | New Zealand Transport Agency | 330 | 330.79 | Oppose | Light – O3 | Do 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. | Disallowed |

| | Name of original submitter | Original submitter number | Original submission point number | Support or oppose | Provision | Reasons for support or opposition) | I seek that the submission be: |
|---|---|---|---|---|---|---|---|
| FS3.14 | New Zealand Transport Agency | 330 | 330.80 | Oppose | Light – P1 | 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. | Disallowed |
| FS3.15 | New Zealand Transport Agency | 330 | 330.81 | Oppose | Light – P2 | Do 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. | Disallowed |
| FS3.16 | New Zealand Transport Agency | 330 | 330.82 | Oppose | Light – R1 | Do 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). | Disallowed |
| FS3.17 | NZ Fairy Tern Trust | 333 | 333.1 | Support | Light – P2 | Support 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. | Allowed |