

Wednesday, 28 June 2023

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

District Planning and Bylaws Subcommittee Meeting

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Wednesday, 28 June 2023**

Te Wā:
Time: **1.00pm**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Te Hoapā:
Contact: **Democracy and Governance Services
P: 06 871 5000 | E: democracy@hdc.govt.nz**

Te Āpiha Matua:
Responsible
Officer: **Group Manager: Planning & Regulatory Services - John
O'Shaughnessy and Environmental Policy Manager - Rowan
Wallis**

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District Planning and Bylaws Subcommittee – Terms of Reference

A Subcommittee of Council.

Fields of Activity

The District Plan Subcommittee is responsible for advising the Council by;

- Providing guidance to Council officers with regard to the drafting of the District Plan (or sections thereof) and consultation on discussion documents and drafts.
- Providing guidance to Council officers in respect of the drafting of Council's new or revised bylaws and providing oversight of the Special Consultative Procedures.
- Te Tira Toitū te Whenua – Hastings District Plan Cultural Values - to consider and advise Council how the cultural values of Waahi Taonga and Waahi Tapu are to be integrated within the District Plan.

Membership

- 6 Councillors.
- 3 Heretaunga Takoto Noa Māori Standing Committee Members appointed by Council.
- 1 externally appointed member with relevant qualifications and experience.
- 1 member of the Rural Community Board appointed by Council.
- Chair appointed by Council.
- Deputy Chair appointed by Council.

Quorum – 6 members including 3 Councillors

DELEGATED POWERS

- 1) To review and provide comment on draft new or reviewed District Plan provisions and to recommend to the Council the adoption of drafts for consultation.
- 2) To hear and consider all submissions reviewed in respect of any District Plan proposal and to recommend responses to the Council.
- 3) To recommend to the Council the final wording of any new or reviewed District Plan provisions for adoption.
- 4) To review and provide comment on draft new or reviewed bylaws, and to recommend to the Council the adoption of drafts for consultation.
- 5) To hear and consider all submissions received in respect of any bylaw proposal and to recommend responses to the Council.
- 6) To recommend to Council the final wording of any new or reviewed bylaw for adoption by the Council.

Wednesday, 28 June 2023

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Hastings District Council

District Planning and Bylaws Subcommittee Meeting

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Agenda

Mematanga:

Membership:

Koromatua

Chair: Councillor Alwyn Corban

Ngā KaiKaunihera

Councillors: Marcus Buddo (Deputy Chair), Michael Fowler, Simon Nixon, Ann Redstone and Kevin Watkins

Rural Community Board appointee - Jonathan Stockley (RCB Chair)

Mayor Sandra Hazlehurst

3 Heretaunga Takoto Noa Māori Standing Committee appointees:
Elizabeth Waiwiri-Hunt and Tipene Cottrell (appointments to be confirmed) and one other Vacancy still existing

1 External appointee - Vacancy

Tokamatua:

Quorum:

6 - including 3 Councillors

Apiha Matua

Officer Responsible:

Group Manager: Planning & Regulatory – John O’Shaughnessy

Environmental Policy Manager – Rowan Wallis

*Te Rōpū Manapori me te
Kāwanatanga*

Democracy &

Christine Hilton (Extn 5633)

Governance Services:

Te Rārangi Take

Order of Business

Apologies – Ngā Whakapāhatanga

- 1.0** At the close of the agenda no apologies had been received.
At the close of the agenda no requests for leave of absence had been received.
-

2.0 Conflict of Interest – He Ngākau Kōnatunatu

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Manager: Democracy and Governance (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

Confirmation of Minutes – Te Whakamana i Ngā Miniti

- 3.0** Minutes of the District Planning and Bylaws Subcommittee Meeting held Wednesday 5 April 2023.
(Previously circulated)
-

- 4.0 Environmental Policy Workstream Priorities** **7**
-

- 5.0 Frost Fan Noise Assessment** **11**
-

- 6.0 Update on Dark Sky Standards - consideration of submission from Graham Palmer to 2021 - 2031 LTP on light pollution** **19**
-

- 7.0 Minor Items – Ngā Take Iti**
-

8.0 Urgent Items – *Ngā Take Whakahihi*

Wednesday, 28 June 2023

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: District Planning and Bylaws Subcommittee Meeting

Item 4

Te Rārangi Take

Report to District Planning and Bylaws Subcommittee

Nā:
From: Rowan Wallis, Environmental Policy Manager

Te Take:
Subject: Environmental Policy Workstream Priorities

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The District Plan and Bylaws Subcommittee has provides guidance to the Environmental Policy team in helping them to establish their workstream priorities with these recommendations then being reported to Council for adoption.
- 1.2 The workstream was reviewed a year ago and with the completion of some pieces of work, RMA replacement Act legislation due mid-2023, and the impacts of Cyclone Gabrielle it is appropriate to undertake a further review. The influences on the workstream include;
 - National Policy Statement – Urban Development
 - National Policy Statement – Freshwater
 - National Policy Statement – Highly Productive Land
 - Forthcoming National Policy Statement – Indigenous Biodiversity
 - Natural and Built Environments Act due to be enacted mid 2023
 - Strategic Planning Act due to be enacted mid 2023
 - Forthcoming National Planning Framework
- 1.3 Council’s focus to date has been on responding to the high levels of housing demand and this is evident in our current workstream priorities. This has resulted in making the Heretaunga Tamatea Settlement Trust’s Wairatahi development the number one project for the Policy Team. Policy planners are increasingly providing guidance design input into the large number of Kainga Ora applications that are being received and this is a workstream not previously covered. Similarly with

private developers, considerable effort is being put into ensuring that developers are encouraged to reference the Intensive Residential Design Framework in their developments, so that medium density developments are not viewed negatively by the community. It is worth noting that Plan Change 5 which is currently in progress incorporates the Intensive Residential Design Framework into the assessment criteria for medium density applications.

- 1.4 Post Cyclone the District Plan and Bylaws Sub-committee met on an informal basis and the workstream priorities were discussed. The sub-committee had been pleased with the positive outcomes achieved with Plan Change 4 Te Mata Building Prohibition Area and requested that the remaining outstanding and cultural landscapes be reviewed in the same manner and that this be put forward as a priority in the district plan review workstream.
- 1.5 The following table outlines the projects that are currently being worked on and those that are necessary to meet legislative requirements. The suggested priority listing is based upon statutory requirements and those that the policy team have assessed as having the highest priority to achieve the outcomes sought by Council.

Environmental Policy	Priority	Status	Timeline*
Ensuring ePlan is up to date	1	Impacted by Plan Change 5 and the new Natural and Built Environment and Spatial Planning Acts	Ongoing
Irongate /York Structure Plan/ Plan Change	1=	Approved by the EPA for Covid Fast Track Process. To be lodged July 2023	To be decided by Heretaunga Tamatea Settlement Trust
Plan Change 5 – Right Home, Right Place	1=	To be re notified with submissions closing September 2023	Hearings scheduled early 2024
Outstanding Landscapes Review	2	Scoping of the project and engagement of consultants for the remaining 7 outstanding and cultural landscapes required	Likely to be a 2- 3year project
Implement National Planning Standards – we have until 2024 to implement.	3	We are looking to seek an Order in Council to have the implementation date set back a further two years.	If successful, this would be extended from Aug 2024 to Aug 2026
Wahi Taonga review to include a reviewed nomination process.	3=	A Working group with PSGE's and Te Manaaki Taiao has been established	Estimated to be at least a 2 year project.
Responding to changes in Legislation – e.g., RMA Reforms and new National Policy Statements	4	The Spatial Planning Act and Natural and Built Environment Act will be enacted (come into force) mid 2023.	Next stage of consultation on the RMA reforms will take place later this year with the introduction of the National Planning Framework.
Input into Future Development Strategy and Regional Spatial Strategy	5	The FDS is well underway with first round of public engagement to be undertaken in July 2023.	FDS to be completed November 2024
Structure Planning for Lyndhurst Extension and Kaiapo	6	Lyndhurst extension structure plan assessment	Lyndhurst to be completed last quarter of 2023, with

		work almost completed. Stormwater modelling underway for Kaiapo.	Kaiapo first quarter 2024. LTP funding brought forward to 2024.
NPS-UD Policy 11: Prepare a Comprehensive Parking Management Plan as a result of requirement to remove carparking minimums	7		CPMP by last quarter 2022
Review of Noise Provisions for Frost Fans	8		To DP & Bylaws Meeting June 2023
Commercial Review	9	Review of Commercial Strategy would be the first stage. The Business Capacity Assessment under the NPS-UD will provide useful information.	Need to review the Commercial Strategy as the first step. The issue of providing for residential development within commercial zones and the relationship with the commercial service zones also needs addressing.
206 Queen Street – Site Redevelopment	10	Decisions on Submissions released 9 th May 2023	
117 Heretaunga Street East- Site Redevelopment	11		Working with developer - Ongoing through 2023
Identification of Significant Natural Areas Project	13	Uncertain when the Draft NPS- Indigenous Biodiversity will be enacted.	To meet the requirements of the NPS – Indigenous Biodiversity
CBD Liaison	14		ongoing
Nomination Project for new Heritage Items	15		Underway over the next 3 years.

*The timeline for many of the projects is the date that they will be brought to Council for approval. Where the projects require changes to the district plan the process from there is outlined in the RMA and timeframes can only be approximate as a significant influencing factor is the number of submissions received.

2.0 Recommendations - Ngā Tūhonga

- A) That the District Planning and Bylaws Subcommittee receive the report titled Environmental Policy Workstream Priorities dated 28 June 2023.
- B) That the Subcommittee ratify the Workstream Priorities for the Environmental Policy team and recommend that it be referred to the Heretaunga Takoto Noa Māori Standing Committee for feedback, before it is recommended to be adopted by Council as its environmental and district plan priorities.

Attachments:

There are no attachments for this report.

Wednesday, 28 June 2023

Item 5

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: District Planning and Bylaws Subcommittee Meeting

Te Rārangi Take

Report to District Planning and Bylaws Subcommittee

Nā:
From: **Rowan Wallis, Environmental Policy Manager**

Te Take:
Subject: **Frost Fan Noise Assessment**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 A submission was lodged to the Annual Plan voicing concern over the level of frost fan noise within the Plains Production zone. The issues raised were around the cumulative effects of frost fans and also around the fact there are no rules governing their operating times.
- 1.2 It was agreed that the given the length of time since the provisions were last reviewed that it was appropriate to investigate best practice provisions for frost fan noise.
- 1.3 The review undertaken by acoustic consultants Malcolm Hunt and Associates has identified that the maximum noise limits for frost fans is 10dB higher than the best practice limits. It further recommends that provisions be included to account for special tonal features of frost fan sound and also to include provisions that restrict the operation of frost fans under windy conditions or under temperature conditions where their use is not required.
- 1.4 Adopting the best practice provisions could have some implications for current landowners with older style frost fans. It may make them non-complying but they will be able to rely on existing use rights to operate their machines. It will assist Council and the landowners to meet their obligations under Section 16 of the Resource Management Act to avoid unreasonable noise.

2.0 Recommendations - *Ngā Tūtohunga*

That the District Planning and Bylaws Subcommittee receive the report titled Frost Fan Noise Assessment dated 28 June 2023 and that consultation be undertaken with the appropriate horticultural and viticultural industry representatives and stakeholders. That the outcome of the consultation be reported back to the Subcommittee to enable it to make recommendations on whether a plan change is appropriate.

3.0 Background – *Te Horopaki*

- 3.1 A submission was made to the Annual Plan 2022-2023 stating that the current noise provisions in the district plan as they related to frost fans were insufficient to protect dwellings in the vicinity of the fans and asking Council to review them.
- 3.2 The submitters also asked why the cumulative effects of frost fans were not taken into account within the performance standard and stated that consideration should be given to limits on their operation.
- 3.3 The submitter had previously made numerous complaints regarding the noise from frost fans and these were investigated by the Compliance team and were found not to be exceeding the district plan rules.
- 3.4 The noise provisions relating to frost fans were last considered by the Council through the review of the district plan. An acoustic consultant was engaged to review the provisions in the 2003 Operative District Plan and to recommend where changes needed to be made to reflect best practice. The acoustic consultant said that the level of noise provided for in the plan did not reflect best practice and recommended that the approach taken to the measurement of the noise levels be amended. This would result in the noise rules being based on an outdoor noise limit for frost fans rather than the limits being based on distance from residential zone boundaries or dwellings.
- 3.5 The recommendation was also to lower the noise limits to conform to best practice. The hearings committee agreed to the new measurement approach but not to the lowering of the noise level as they were concerned that this would constrain the growers, particularly those that had existing fans based on the old rules.

4.0 Discussion – *Te Matapakitanga*

- 4.1 It is now nearly 8 years since decisions on submissions to the District Plan were notified. There have been a number of technology improvements to frost fans in that time. It is therefore timely to once again consider the existing noise provisions in the district plan in relation to frost fans.
- 4.2 The District Plan has a “Right to Farm” philosophy which recognises that there are well established 'amenity levels' associated with the principal activities of the area, and that new or emerging activities must acknowledge these amenity standards, as part of the ongoing operation and development of the rural resources of the Hastings District. At the time that the district plan was reviewed the rules associated with Frost Fans were considered by the Council against that philosophy.
- 4.3 The outcome from the Annual Plan submissions was that investigations would be undertaken on current best practice to see how the district plan provisions align.
- 4.4 Malcolm Hunt Associates was engaged to report on current best practice in New Zealand. This consultancy has undertaken similar work in Marlborough, Bay of Plenty and Masterton.
- 4.5 The recognised best practice is that a single frost fan should not exceed LAeq 55dB when measured outdoors:
 - i) At a distance 300 metres from the device; or
 - ii) At the notional boundary of any existing dwelling, visitor accommodation or other habitable building (other than on the property on which the frost fan is situated). *Notional boundary is defined in the district plan as; meaning a line 20 metres from and parallel to any wall of a building used by a noise sensitive activity or the legal boundary, whichever is closer to the building.*

whichever is the least distance.

- 4.6 There are additional requirements for rural frost fans not be located within 500 metres of a Residential Zone.
- 4.7 The key benefits of this approach of limiting frost fans to 55dB at 300m (even when no dwellings are present are;
- i) That it restricts the overall level of noise emission which limits cumulative frost fan noise effects.
 - ii) It limits the noise effects at dwellings and noise sensitive buildings to acceptable levels indoors with the windows closed.
 - iii) It is of benefit to modern frost fans (e.g., 5 bladed models) as they may meet the limit at closer than 300m to an existing dwelling.
- 4.8 The current rules in the District Plan state that a frost fan shall not exceed LAeq 65dB when measured outdoors at a distance which is the lesser of;
- i) 300 metres from the device; or
 - ii) At the notional boundary of any noise sensitive activity (other than on the site that the fan is situated or any other adjoining site in the same ownership) or at any point within a residential zone.
- 4.9 As can be seen the district plan provides for a noise limit that is 10dB more than the current best practice. Decibels increase exponentially and as a result every increase of 10 dB on the decibel scale will result in a doubling of the perceived loudness.
- 4.10 An important factor in the assessment of compliance with the 55dB noise limit is accounting for “Special Audible Characteristics” of frost fan sound which may make the sound additionally annoying (compared to sound at that level that does not possess such characteristics) Appendix B to the New Zealand Standard NZS6802:2008 Acoustics- Environmental Noise, contains suitable methods to account for the presence of special audible characteristics.
- 4.11 Best practice now also commonly includes restrictions on the operation of frost fans under windy conditions or under temperature conditions which do not warrant frost fan operations. These aspects do not currently form part of the frost fan noise provisions in the district plan.
- 4.12 Some Councils (eg Marlborough District Council) also place additional controls on new dwellings or noise sensitive activities that will be located within 300 metres of an existing frost fan. This would require an acoustic installation rule for suitable protection of indoor spaces.
- 4.13 The acoustic noise consultant recommends best practice noise provisions for frost fans as shown in Attachment 1 to this report.
- 4.14 If the new rules were to be adopted, a number of landowners with older frost fans would be unable to meet standards. However, they would be able to continue to use their machines under the existing use right provisions of the Resource Management Act.

5.0 Options – Ngā Kōwhiringa

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 To adopt the best practice noise provision recommendations from Malcolm Hunt and Associates and undertake consultation with the appropriate horticulture and viticulture industry and stakeholder organisations:

Advantages

- To bring the district plan provisions for frost fan noise in line with nationwide best practice.
- It may encourage landowners to upgrade frost fans to the latest technology.

- This option would reflect the duty under Section 16 of the Resource Management Act to avoid unreasonable noise.
- It would assist with dealing with the issue of the cumulative effects of frost fans.

Disadvantages

- It would reduce the amount of noise able to be emitted by frost fans in the Plains Production and Rural Zones.
- It may result in some landowners incurring costs to upgrade their older frost fans if they chose to meet the new standard.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāianeī

5.2 Retain the existing district plan provisions for frost fans.

Advantages

- It reinforces the “Right to Farm” philosophy in the district plan.
- It does not place any additional cost on landowners who rely on frost fans for crop protection.

Disadvantages

- It does not reflect best practice.
- It does not acknowledge the effects being experienced by some landowners in the rural environment.
- It does not meet the Council’s duty under Section 16 of the Resource Management Act to avoid unreasonable noise.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 The sub-committee needs to consider whether there is a need to reduce the maximum noise standard for frost fan noise in the Plains Production and Rural Zones and how this may impact on the ‘Right to Farm’ philosophy that is enshrined in the District Plan.
- 6.2 Consultation with stakeholders is an important step in the process before preparing the plan change documents including the Section 32 Report and recommending it to the Council for Notification and the formal submission process.

Attachments:

[1](#) Draft Frost Fans Provisions Aug 2022 CG-16-13-00066

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

[Link to the Council's Community Outcomes – Ngā Hononga ki Ngā Putanga ā-Hapori](#)

This proposal promotes the environmental wellbeing of communities in the present and for the future by ensuring that we have a healthy environment and the health of our people is protected.

Māori Impact Statement - Te Tauākī Kaupapa Māori

The proposal is unlikely to directly impact the kaitiaki role of Māori or impact on the culture and traditions as provided for under the RMA. It has the potential to impact on Māori as landowners involved in the horticulture and/or viticulture industries. Input into this issue would be achieved through the engagement with industry groups and stakeholders :

Sustainability - Te Toitūtanga

It is important that the issue of frost fan noise be managed in a way that provides for the economic wellbeing of primary producers but in a way that provides for the health and wellbeing of the community. The adoption of best practice provisions provides for sustainable use of the land resource while protecting the community from unreasonable noise :

Financial considerations - Ngā Whakaarohanga Ahumoni

The financial costs associated with the consideration of the provisions and their adoption into the district plan is covered under the District Plan review budget:

Significance and Engagement - Te Hiranga me te Tūhonotanga

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of moderate significance as there will be a number of people affected but it will have low financial implications for Council and remain consistent with Council's polices.

Consultation – internal and/or external - Whakawhiti Whakaaro-ā-roto / ā-waho

Consultation is recommended with the horticulture and viticulture industries and other appropriate stakeholders :

Risks

Opportunity: To align the district plan provisions relating to the frost fan noise with those of national best practice :

REWARD – Te Utu	RISK – Te Tūraru
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<p>The benefit is that it will safeguard the health and wellbeing of the community.</p> <p>It could enhance the reputation of the Council as one that follows best practice principles in relation to noise provisions.</p> <p>It would assist Council and landowners in meeting their legal obligation under Section 16 of the Resource Management Act to avoid unreasonable noise.</p>	<p>The risk is that it could make some landowners frost fans non-complying and place financial burdens on landowners to upgrade the fans.</p>
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Rural Community Board – Te Poari Tuawhenua-ā-Hapori

The Rural Community Board are attending the District Plan and By Laws Sub-Committee Meeting to provide input into the issues associated with frost fan noise. :

Rule 1

Noise from a frost fan shall not exceed 55 dB LAeq (15min):

- a) at a distance of 300 metres from the device; or
- b) at any point within the notional boundary of any existing dwelling, visitor accommodation or other habitable building (other than on the property on which the frost fan is situated);

whichever is the least distance.

Rule 2

a) Sound levels shall be measured in accordance with the provisions of NZS 6801:2008 *Acoustics – Measurement of Environmental Sound* and assessed in accordance with the provisions of NZS 6802: 2008 *Acoustics – Environmental Noise*;

b) As required by NZS6802:2008, frost fan sound which is assessed as possessing special audible characteristics such as tonality or impulsiveness, shall have a 5 dB penalty added to the measured level before compliance with *Rule 1* is assessed except that:

(i) where the Reference Method of NZS6802:2008 is used to determine the penalty, the value of the penalty shall be a value in the range 0.1 dB to 6.0 dB as determined by that method;

(ii) no penalty for special audible characteristics shall apply to frost fans located greater than 1 kilometre from any existing dwellinghouse, visitor accommodation or other habitable building.

Rule 3

3.1 The frost fan shall only be operated for protection of crops from frosts occurring between bud burst and harvest, with the exception that frost fans may also be operated in the following circumstances:

- a) For the purposes of maintenance and testing, limited to operation between 8am to 5pm on any day; or
- b) For compliance monitoring at any time when the monitoring is undertaken by the Council or, where the monitoring is undertaken by a third party, when the Council has been notified.

3.2 When protecting crops from potential frost damage, a frost fan shall only be operated in wind speeds not greater than 8 km/hr (averaged over periods not greater than 5 minutes) and when the local air temperature is less than 1° C. For the purposes of this rule, temperature shall be measured within the property to be protected, for vineyards at the lowest fruiting wire and for other crops at the lowest point of the bud height (above ground level) of the plants being protected.

3.3 The frost fan shall not be located within 500 metres of the boundary to any Residential Zone.

Wednesday, 28 June 2023

Item 6

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: District Planning and Bylaws Subcommittee Meeting

Te Rārangi Take

Report to District Planning and Bylaws Subcommittee

Nā:
From: James Minehan, Senior Environmental Planner, Policy

Te Take: Update on Dark Sky Standards - consideration of submission from
Subject: Graham Palmer to 2021 - 2031 LTP on light pollution

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This report seeks a decision from the Committee on how to respond to the submission from Graham Palmer to the Long Term Plan (LTP 2021-2031) concerning light pollution and the option to set standards to combat its impact (Dark Sky Standards)
- 1.2 An initial report on this topic was considered by via the pre-agenda of the District Planning and Bylaws Subcommittee in March 2022 and was put on hold. This was because it was considered that a dark sky project would add too much pressure to the post-covid pandemic workload.
- 1.3 Recently, after consultation with the Chair and Deputy Chair, a dark skies project was seen as having merit but still not considered feasible. This view recognised that Council (and its community) are even more over-stretched in time and resources in the wake of the Cyclone Gabriel event.

2.0 Background Information and timeline

- 2.1 A report was written summarising Graham Palmer's submission. This report highlighted his concern about light pollution and covered the options for setting of standards to avoid this problem (Dark Sky Standards). The report went to the pre-agenda of the District Planning and Bylaws Subcommittee in March 2022.
- 2.2 It was decided to move the report to a holding date in InfoCouncil (i.e., "report pending and not ready to be assigned to any particular meeting"). This was because it was considered that any dark sky project would be too much of a challenge for Council and the community. This decision took into account the existing workloads and recognised that existing work schedules had been severely delayed by the impact of the Covid-19 pandemic.

- 2.3 Graham Palmer was subsequently informed that the report had not progressed any further.
- 2.4 Recently the views of the Chair and Deputy Chair were canvassed on whether to proceed with the Dark Skies Project. The feedback was that the project had merit but now was not the time to implement it. This was because the implementation of any dark sky planning requirements would create another imposition on the Council and its community seeking to recover from the wake of Cyclone Gabriel.
- 2.5 It is possible for Council to reappraise the situation at a later date and reconsider the project for another LTP round. The LTP has a ten year planning horizon but is reviewed every 3 years. It is likely that the Council will be undertaking the review in 2024 under the special Cyclone Gabrielle provisions. In any case another review will be in 2027.
- 2.6 It is also possible for Graham Parker to resubmit the project for consideration.
- 2.7 In summary the timeline for consideration of this issue was as follows:

23 April 2021 Graham Palmer submitted to the 2021-2031 Long Term Plan.

5 July 2021 Graham Palmer received feedback from Lex Verhoeven (Strategy Manager) that his submission would need to be considered in more depth by Council officers.

1 September 2021 Background investigation of the details of the submission and follow-up with the submitter (Graham Palmer).

2 November 2021 Site meeting and discussions at 925 Aorangi Road at Maraekakaho with Graham Palmer.

Early March 2022 Draft Dark Sky Report considered at a pre-agenda meeting.

14th March 2022 Report put on hold in InfoCouncil and not assigned to a specific meeting.

3.0 Recommendations - Ngā Tūtohunga

- A) That the District Planning and Bylaws Subcommittee Meeting receive the report titled "Update on Dark Sky Standards - consideration of submission from Graham Palmer to 2021 - 2031 LTP on light pollution"
- B) That the Subcommittee approve the decision not to proceed with the Dark Skies Project at this time because Council's focus is significantly on post cyclone recovery issues.
- C) That the Council reconsider the Dark Skies Project in the LTP review in 2027 (not the LTP review in 2024 that will likely to be under the special Cyclone Gabrielle provisions).
- D) That Graeme Palmer be informed of Council's decision on this issue.

Attachments:

- | | | |
|----|--|----------------|
| 1↓ | Original Draft report on Submission by Graham Palmer Dark Sky Standards | CG-17-13-00002 |
| 2↓ | Submission 22 - Graham Palmer to LTP | CP-11-2-21-22 |
| 3↓ | PDF version of Dark Sky PowerPoint Presentation - relating to Sub 22 Graham Palmer | CG-17-13-00001 |

