
**SOUTH WAIRARAPA DISTRICT & CARTERTON DISTRICT COUNCILS
PROPOSED PLAN CHANGE FOR THE WAIRARAPA INTERNATIONAL
DARK SKY RESERVE – OUTDOOR ARTIFICIAL LIGHTING**

MINUTE 1 OF COMMISSIONER

Introduction

1. I have been appointed by the South Wairarapa District Council (“**the Council**”) to hear submissions received on the proposed change to the Wairarapa Combined District Plan amending provisions relating to outdoor lighting for the purposes of managing associated effects on the night sky (“**the plan change**”).
2. The plan change was notified in September of 2020, with 10 submissions received. Two further submissions were received in November of 2020. I have viewed these submissions and further submissions on [the Council website](#).
3. The majority of submitters have indicated they do not wish to be heard, though three have signalled they wish to be heard, and others have indicated they would be open to further discussions with the Council on the substance of their submission.
4. Given the low number of submissions and the relatively narrow scope of issues in the submissions, I propose that the Council initiate informal pre-hearing discussions with submitters before any formal arrangements for a hearing are made. It is possible that such initial dialogue may prevent the need for a hearing to be held at all, and I consider it is worth exploring that pathway for efficiency’s sake.
5. The general function of this Minute is to set out some structure for that pre-hearing dialogue.
6. I will issue additional minutes with further requests and instructions following this initial pre-hearing stage.

Proposed pre-hearing sequence

7. In summary, I propose the following three-step process for this initial pre-hearing exchange between the parties:
 - a. initial discussions between Council and submitters;
 - b. report back on results of the initial discussions; and
 - c. determination as to whether a hearing is needed or if the matter can be determined ‘on the papers’.

Discussions between the parties

8. In the first instance, I propose that the Council's consultant planner, Ms Donaldson, contacts each of the submitters to:
 - a. discuss the scope of their submission and any potential amendments to the plan change that may be agreed as a result;
 - b. confirm whether or not the submitter wishes to be heard following the above discussion of the submission and any agreed amendments.
9. Ms Donaldson is to prepare a brief written summary of each discussion (1-2 pages), including the detail of any matters agreed or remaining in contention as at the close of the discussions.
10. Ms Donaldson is to provide that summary to the relevant submitter to obtain written confirmation from the submitter that the summary is an accurate reflection of the discussions.

Results of discussions reported back to all parties

11. Once all summaries are finalised and collated, Ms Donaldson will facilitate them being uploaded onto the Council website no later than **5pm on Friday 30 April 2021**.
12. My preference is for the summaries to be attached to a cover memo from Ms Donaldson that sets out any potential amendments to the plan change arising from the discussions and the reasons for those proposed amendments. This will enable all parties to be aware of any potential changes arising from the pre-hearing discussions.
13. All parties will be encouraged to read the memo and summary documents at that time.

Hearing process from there

14. I will then review Ms Donaldson's memo and summary documents to determine whether:
 - a. the matter needs to proceed to hearing; or
 - b. if not, whether any process needs to be set down for parties to comment on the results of the pre-hearing discussions and potential amendments arising.
15. I appreciate some parties may wish to reserve their final position on being heard until they have had the opportunity to view Ms Donaldson's memo and summary documents. I am happy for that to occur if necessary, but will expect a final position to be conveyed relatively promptly after the information is available.
16. I will issue a brief minute in early May to confirm the process in any case.

Next Steps

17. Ms Donaldson will start contacting submitters later this week.
18. If any parties have any general questions about the above, please email Mr Russell O'Leary in the first instance at russell.oleary@swdc.govt.nz.

DATED this 6th day of April 2021



J C Jones
Independent RMA Hearings Commissioner