

## MEMORANDUM OF UNDERSTANDING

Dark Sky Designation – Wai-iti Recreation Reserve and Tunnicliff Forest

between

Top of the South Dark Sky Committee

and

Tasman District Council

dated

20 May 2019



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## **PARTIES**

**Top of the South Dark Sky Committee (the Committee)**

and

**Tasman District Council (the Council)**

### **1. Purpose and Scope**

This Memorandum of Understanding (MOU) outlines the agreement between the two parties in relation to the proposed International Dark Sky Association (IDA) Dark Sky designation (designation) for Wai-iti Recreation Reserve and Tunnickliff Forest (the reserve and forest).

The Committee is seeking a designation over the reserve and forest to provide opportunities for the public to enjoy quality viewing of stars in an area close to urban centres. The reserve and forest meet the criteria for the establishment of the designation in accordance with the IDA requirements.

The purpose of the reserve is primarily for the provision of community recreation opportunities and the forest is for commercial forestry operations and income for Council.

### **2. Operating Principles**

The Council agrees that we will:

- Recognise the designation over the reserve in the Moutere - Waimea Ward Reserve Management Plan by the inclusion of policies that protect the dark sky status. This will be done during the next management plan review.
- Keep lighting to a minimum and only install lights when and where absolutely necessary for visitor safety, or on a short term basis for night harvesting in the forest. Ensure that any lights installed are fitted with timers and/or curfews imposed.
- Respect the natural night time environment by prohibiting illuminated signs, "Light painting" and the use of searchlights in non-emergency situations.
- Only install lights that comply with the requirements of the designation, in consultation with the Dark Sky Committee. Approved lighting will be fully shielded so as not to emit light above the horizontal plane and be below 3000K correlated colour temperature.
- Only allow the use of non-conforming lighting (i.e. searchlights, etc.) in emergency or temporary situations. Any such installations will to the greatest possible extent possible adhere to these operating principles and their use will be limited to the shortest possible time.
- Manage visitor activities to ensure visitors are aware of the dark sky status and request that any lighting of camping equipment and recreational vehicles is fully shielded and glare is minimized.
- Erect and maintain signs acknowledging the IDA Dark Sky designation at the entrances to the reserve and forest.
- Maintain the MOU for the forest area during Council ownership of the forest. If at any time, Council decides to sell the forest, the MOU will terminate and will not be binding on a future landowner.

The Dark Sky Committee agrees that we will:

- Recognise that lighting of the forest area may occur from time to time including during night harvesting activities and for cyclists riding in the forest at night.
- Apply for the IDA Dark Sky designation.
- Maintain a measurement programme to follow the evolution of light pollution in the area and assert that the night sky quality is not degrading.

- Commit to public education by providing on site interpretation panels where the dark sky is the central theme, plus appropriate media releases and a website.
- Host events at least four times a year that highlight the dark night sky in an appropriate way e.g. cultural or historic value, importance to wildlife, astronomical or stargazing events.
- Book for any significant event using the Council online booking and approval process (1 month notice is required for processing).
- Submit an annual report to the IDA detailing the activities and progress towards fulfilling the IDA goals during the previous year.

### 3. Site Access

The Council envisage that there will generally be no impediment to public access to the reserve and forest except:

- When a community group is given consent to hold an event, which may also include overnight staying.
- For public safety as the result of a natural hazard, e.g. wind storm, fire or flood, etc.
- When reserve maintenance or a forestry operation is being carried out which requires the closure of the reserve or forest for a period of time.

Vehicle access to the main part of the reserve is closed during winter but can be opened on request for events. Vehicle access to the forest is by permit only.

### 4. Location

The reserve and forest, an area of around 135 hectares, is located on the Wakefield-Kohatu Highway at Wai-iti, adjoining the Wai-iti River. The entrance is located on the Wakefield-Kohatu Highway approximately 10m from the Nelson side of the Wai-iti River Bridge.

An aerial photograph showing the extent of the proposed dark sky designation over the reserve and forest is included as Appendix 1.

### 5. Disputes

In the case of a dispute, the parties will in good faith seek to resolve the dispute. This process may include mediation.

### 6. General

This MOU will be considered void and shall terminate should the site not achieve dark sky status from the IDA, within 24 months from the date that this MOU is signed.

This MOU shall terminate:

- Immediately, if it is proven that, the Committee members, staff or contractors have failed to follow, or, are in serious breach of the terms and conditions of this MOU.
- If both parties agree that the designation no longer applies, the Committee will seek to have the designation uplifted from the reserve and forest.
- If the IDA determine that the reserve and forest no longer complies with the designation and the designation is uplifted.

This agreement will be reviewed by the parties in May 2029 to determine whether an agreement is still required or needs to be altered to reflect changing needs.

**SIGNED:**

**Top of the South Dark Sky Committee**

  
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Name: Ralph Bradley

Position: **Chairperson**  
Top of the South Dark Sky Committee

Date: 01/06/2019

  
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Name: Peter Knowles

  
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Name: Brent Nichols

**Tasman District Council**

  
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Name: Susan Edwards

Position: **Community Development Manager**  
in relation to Wai-iti Scenic Reserve

Date: 10/06/2019

  
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Name: Mike Drummond

Position: **Corporate Services Manager**  
in relation to Tunnickliff Forest

Date: 11/6/2019

# Appendix 1 – Designation Area

The content of this map is for general information only and does not constitute an offer of any financial product. This map is prepared on the basis of the information provided to the Council. The Council is not responsible for any errors or omissions in this map. The Council is not responsible for any loss or damage arising from the use of this map. The Council is not responsible for any loss or damage arising from the use of this map.



## Dark Sky Designation Area



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