

Memorandum

To: Mark Farnsworth – Hearing Panel Chair
From: Katherine Overwater – section 42A officer for the SIGNS topic
Date: 3 March 2026
Subject: Response to evidence received on the Signs topic

This memorandum has been prepared to summarise the evidence and hearing statements received from submitters on the Signs topic, scheduled to be heard at Hearing 8 for the Proposed Kaipara District Plan (PDP) on Wednesday 11 March 2026.

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

Evidence/hearing statements received

One submitter – #136 Federated Farmers (**Fed Farmers**) have indicated that it will not be attending this hearing and will not be lodging evidence. It has reviewed the Council's documents for this topic and accepts the recommendations put forward.

One submitter – #330 New Zealand Transport Agency (**NZTA**) has tabled a letter indicating that it has reviewed the hearing 8 topic report, including the recommended amendments to the provisions. NZTA supports the recommendations set out in the Section 42A report, which includes the addition of an advisory note. NZTA does not wish to be heard at this hearing.

Mr David Badham filed planning evidence on behalf of further submitter FS49 Foodstuffs North Island Limited (**Foodstuffs**) in response to the Signs section 42A report which I address below.

Foodstuffs North Island Limited

Mr Badham continues to seek amendments to SIGN-R4 so that signs located on, or attached to, buildings or windows are exempt from the 'sign size' and 'number of signs' standards (SIGNS-S2 and SIGN-S4). He supports the introduction of a separate rule to address signs located on structures, fences and walls. I have addressed this matter in my S42A report at paragraphs 66 – 69.

In response to my original assessment of their submission, Mr Badham has now provided practical examples of existing signage for Foodstuffs' existing four supermarkets located in Mangawhai, Kaiwaka and Ruawai. In each case, the examples appear to comply with the proposed signage rules. However, Mr Badham is concerned that any new signage would require a Restricted Discretionary consent.

Upon my further reflection of Foodstuffs' position, I note that the proposed rule SIGN-R4 is intended to be a

District-Wide provision, which could apply to any business or activity, irrespective of the zone. The purpose of the rule is to control adverse effects on the character and amenity of the surrounding area and any cumulative effects, where signage triggers resource consent as a Restricted Discretionary Activity. This is no different from the current Operative District Plan, where compliance with the signage rules is not achieved.

In my view, there is no issue with SIGN-R4, despite Mr Badham suggesting that a new rule is required specifically for Signs attached to a structure, fence or wall. I disagree on the basis of the signs chapter needing to provide streamlined provisions for all zones and activities to rely on.

This therefore leaves SIGNS-S2 and S4 to deal with. Mr Badham seeks that both standards be deleted from SIGNS-R4, yet retained with their proposed new rule for structures, fences or walls. In my view this is a step too far for this District-wide provision. In my opinion, only clause 9 of SIGNS-S2 (sign size) is of relevance to Foodstuffs, if its supermarkets are located within the commercial zones.

In my view, from the examples shown in the evidence, in all situations, the balance of signage has been well-struck from an amenity and character perspective within the commercial zones they are located. I consider that the rules demonstrate sufficient flexibility that can be applied to all commercial activities.

While I understand reluctance from the submitter to obtain a resource consent for additional signage, when weighing up the potential impacts from the visual effects of signage from not only supermarkets, but other similar commercial activities, I do not agree that the standard SIGN-S2 (sign size) should be exempt from SIGNS-R4.

In respect to SIGNS-S4 (number of signs), four signs can be provided for in the commercial zone (Clause 1). This rule could be perceived to read in conflict with Clause 3 which provides for: *“no more than two permanent signs per site, except where a site has more than one road frontage, in which case signs are limited to a maximum of four permanent signs per site.”* This matter was not raised specifically in any submissions.

Unless the Panel considers SIGNS-S4 to need further modification to make the standard clearer for Plan users, and that there is scope to make the standards clearer, the point of disagreement still remains with Foodstuffs that SIGNS-R4 should not be exempt from the standard SIGNS-S4 (number of signs).

Mr Badham's evidence has not caused me to revisit my initial recommendation.