

## Section 42A Report

# Signs

Prepared for the

Proposed Kaipara District Plan

Report prepared by: [Katherine Overwater](#)

**2 February 2026**

Please note all clause numbering and Formatting tbc once content is finalised.

**List of submitters and further submitters addressed in this report:**

<b>Submission Number</b>	<b>Submitter</b>
67	Adam Booth
136	Federated Farmers of New Zealand (Inc) - Northland Province <b>(Federated Farmers)</b>
140	Horticulture New Zealand
222	Kaipara District Council ( <b>KDC</b> )
247	Foodstuffs North Island Limited ( <b>Foodstuffs</b> )
267	Northland Fish and Game Council ( <b>Fish and Game</b> )
269	Health New Zealand – Te Whatu Ora ( <b>Health NZ</b> )
330	New Zealand Transport Agency ( <b>NZTA</b> )
FS49	Foodstuffs North Island Ltd ( <b>Foodstuffs</b> )

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**APPENDIX A: RECOMMENDATIONS FOR EACH SUBMISSION POINT ON SIGNS**

**APPENDIX B: RECOMMENDED AMENDMENTS TO SIGNS CHAPTER**

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**APPENDIX D: SECTION 32AA EVALUATION**

**List of abbreviations used in this report**

<b>Abbreviation</b>	<b>Term</b>
KDC	Kaipara District Council
PDP	Proposed District Plan
RMA	Resource Management Act 1991

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## Executive Summary

- i. The Proposed Kaipara District Plan (**PDP**) was publicly notified in April 2025. The Signs chapter is located in Part 2 – District Wide Matters and contains provisions that provide controls for permanent and temporary signs sited on private property in the District and manage the potential impacts that signs can have on public health, safety and visual amenity.
- ii. Eight original submitters (with 28 individual submission points) and one further submitter (with one individual further submission point) made submissions on the Signs topic. Generally, the submissions are in support of the proposed signs provisions from a variety of submitters, including: Horticulture New Zealand (primary agricultural industry), Fish and Game (recreational hunting and fishing), Te Whatu Ora (health sector), FoodStuffs (retail) and New Zealand Transport Agency (State Highways).
- iii. The submitters who are requesting amendments to the signs provisions are largely concerned with:
  - a. Rule SIGN-R4.1.b requesting to enable signs that relate to health and safety on site to the rule and clarification of the connection between the sign and the business / property it relates to by requesting to add where the business is operating to the rule;
  - b. Rule SIGN-R4, requesting that signs attached to a building or window which are directly related to the use of the building should be exempt from sign size (SIGN-S2) and number of signs (SIGN-S4) standards;
  - c. Requesting an additional definition for 'Official Sign';
  - d. Amending the definition for 'Information Sign'; and
  - e. Inclusion of an advisory note in SIGN-S1 that New Zealand Transport Agency shall be notified of all signage directed at State Highway traffic.
- iv. My recommendations for the Signs chapter are summarised as follows:
  - a. Remove the term 'official sign' and its attendant definition, and include wording from the Signs Bylaw to the definition for 'information sign';
  - b. Include 'hunter or angler access' to the definition for 'information signs';
  - c. Reject the request to remove the requirement for signs on or attached to a structure, fence or wall to be addressed in a separate rule from SIGN-R4; and for signs attached to a building to be exempt from SIGN-S2 – Sign Size and SIGN-S4 – Number of signs;

- d. Additional wording to the rule SIGN-R4.1.b. for clarity as follows: 'where the business is operating'; and
- e. Include advice note in SIGN-S1 to ensure New Zealand Transport Agency are notified of all signage directed at State Highway traffic.

## 1. Introduction

### 1.1 Qualifications and Experience

1. My name is Katherine Elizabeth Overwater. I am the Manager Policy and Planning at Kaipara District Council. I am employed by Kaipara District Council (**KDC**) and manage the Proposed Kaipara District Plan (**PDP**) process.
2. I hold a conjoint degree in Law and Resources and Environmental Planning (LLB/BSocSc(REP)) and while I have not practiced law, I have been admitted to the High Court of New Zealand as a barrister/solicitor of New Zealand.
3. I am full member of the New Zealand Planning Institute and a member of the Resource Management Law Association.
4. I have over 20 years of experience in Local Government as a professional planner, having worked in resource consents, post-approval subdivision and Resource Management Act (**RMA**) policy, including assisting and leading Environment Court appeals for Council. My recent relevant experience was working on the Waikato District Plan Review, which was notified in 2018. As part of this process, I drafted and assisted drafting several chapters of the Proposed Waikato District Plan; drafted the Council's submission and was the S42A report writer for the Hazardous Substances and Contaminated Land and Rural Subdivision and completed hearings for these topics.
5. In 2021, I started my role as a Senior RMA Policy Planner working on Kaipara's District Plan Review. I have been involved in the PDP process since January 2021. This has included Schedule 1 tasks, preparing presentations and material for elected members and the Working Party up until approval to publicly notify the PDP. I was also in charge of all communications to submitters and mandatory consultation undertaken, especially with iwi. I was partially involved in the preparation of the Signs chapter prior to notification and reviewed it prior to its public release. I have been involved in drafting issues and options papers in 2021, drafting the Draft District Plan, which was released in 2022 and then working on the Proposed Plan with elected Members and the Working Party. In 2024, I moved into my role as Manager Policy and Planning, which oversees the whole PDP project. I was responsible for overseeing KDC's submission on the PDP.

### 1.2 Preparation of the report

6. I am authorised by KDC to prepare this report under section 42A of the RMA to assist the PDP Hearings Panel. The purpose of this report is to both assist the Hearings Panel in hearing and deciding on submissions made on to the PDP, and to assist submitters in understanding how

their submission is being considered as part of the PDP process. This report includes my recommendations on matters raised in submissions, and any changes to the PDP that I consider to be appropriate having considered the statutory requirements.

7. I am the author of this report. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
8. For the avoidance of doubt, it should be emphasised that any conclusions reached or recommendations that I have made in this report are not binding on the Hearings Panel. It should not therefore be assumed that the Hearings Panel will reach the same conclusions or decisions having considered all the submissions and evidence from submitters. The decision ultimately lies with the Hearings Panel.

### **1.3 Code of Conduct**

9. While this is not a hearing held by the Environment Court, I confirm that I have read the Code of Conduct for Expert Witness in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### **1.4 Conflict of Interest**

10. I confirm that I have no real or perceived conflict of interest.

## **2. Scope of Report**

### **2.1 Matters addressed by this report**

11. The scope of this report is to consider the submissions and further submissions made in respect of the provisions in the Signs chapter of the PDP and make recommendations.
12. This section 42A report also addresses the definitions which are specific to Signs chapter including 'Information Sign' and 'Official sign' and their interplay with the KDC Signs Bylaw [Signs Bylaw](#).

### **2.2 Overview of the topic / chapter**

13. As notified, the Signs chapter contains the objectives, policies and rules that manage Signs within the Kaipara District that are temporary or permanent and sited on private property. Signs located

in public places that is owned, managed, maintained, controlled or administered by Council are managed through the Council's Signs bylaw made under the Local Government Act 2002. The focus of the chapter as notified is to support public safety, maintain or enhance the amenity values of their location and contribute to the social, economic and cultural wellbeing of the community. The support of signs for economic activity, wayfinding and events needs to be balanced against the potential impact they can have on public health and safety and visual amenity.

## 2.3 Statutory Context

14. On the 9 December 2025, the Government introduced two new pieces of legislation to Parliament to replace the RMA as follows:
  - a. The Planning Bill – focused on planning to enable development and infrastructure.
  - b. The Natural Environment Bill – focused on managing the natural environment
15. The Government has announced their intention to proceed with the Select Committee process at pace through the first half of 2026, with both bills intended to be passed into law before the 2026 general election. Although the signalled intent is for a quick transition to the new resource management system by the end of 2029, the RMA continues to be in effect until this new replacement legislation is passed, with planning documents prepared under the RMA remaining in effect until new national direction instruments are prepared, standardised plan content developed and new plans prepared (including Regional Spatial Plans, Natural Environment Plans and Land Use Plans).
16. The Operative Kaipara District Plan (ODP) is thirteen years old and drafted in a matter that is misaligned with both the National Planning Standards and other district plans in the Northland region (being Whangarei and Far North district plans). Substantive work is required to better align it with other planning provisions in the region, as well as with the style, content and format of plans that are likely to be required under the new planning system. The Schedule 1 hearing process for the PDP is an important part of modernising the district plan and achieving clear and consistent provisions that will better integrate into the new planning system.
17. Once the new legislation is passed, the direction of the new legislation will be considered when making recommendations and alignment will be sought with this direction where it is within the scope of submissions to do so. As the new legislation is not yet in force and the content is not finalised, this section 42A report does not consider the direction contained in the new bills. This approach is consistent with a recent decision from the *High Court in Box Property Investments Limited v The Expert Consenting Panel [2025] NZH 1773* which held that decisions must be made based on the law as it currently stands, not on future legislative changes [at 35].

## 2.4 Procedural matters

18. No submitter, prehearing or Clause 8AA meetings have been undertaken on the Signs chapter. There has been no further consultation undertaken since notification.

## 2.5 Organisation of the report

19. The key issues identified in this report are set out below (arranged by provision):

Topic 1 - Signs chapter general submissions;

Topic 2 - Signs chapter overview;

Topic 3 - Signs chapter definitions;

Topic 4 - Signs objectives;

Topic 5 - Signs policies;

Topic 6 - Signs rules; and

Topic 7 - Signs Standards

## 2.6 Submissions and further submissions

20. Eight (8) submissions containing 26 submission points and one further submission was received containing one further submission point. The summary of submissions and further submissions pertaining to this section 42A report, and my recommendation for each are attached as Appendix A. The original submission and further submission documents can be found on KDC's website.
21. While all submissions have been read and considered in the summary of submissions (Appendix A), responses have not necessarily been written for each individual submission point. To assist the Hearings Panel in achieving clause 10(2) of the First Schedule of the RMA, I have provided reasons for my recommendations to accept or reject submissions and further submissions generally by themes. Responses have been written for individual submissions that raise matters that differ from other submissions within the same thematic group or that request specific amendments to the provisions.

## 2.7 Recommended changes

22. Where I have recommended amending provisions as a result of considering the submissions and further submissions, these are contained as tracked changes in Appendices B and C. Text that is recommended to be amended is shown as red text, with deletions being struck through, and additional text underlined. Any recommended changes are coloured red for ease of locating.

23. No PDP maps require amending in response to submissions on the Signs topic.

## **2.8 Section 32AA evaluation report**

24. A section 32AA evaluation is only required for changes recommended since notification; if there is no change to the notified version, a section 32AA evaluation is not required. The level of detail in the section 32AA evaluation reports needs to be at a level of detail that corresponds to the scale and significance of the changes recommended. To streamline this report, where a change has been recommended, the corresponding section 32AA evaluation is attached in Appendix D.

## **3. Topic 1: Signs Chapter General Submissions**

### **3.1 Introduction**

25. This section addresses general submissions, submissions on the Overview and those submissions requesting amendments to the definitions of the Signs chapter.

### **3.2 Analysis**

#### General Submissions:

26. One general submission has been made by Health New Zealand – Te Whatu Ora [269.37], which does not request a specific decision to the signs chapter, however the submitter wishes to reserve its position in relation to the signs provisions at this stage to ensure that any potential recommended changes to the Signs chapter provisions do not undermine the operation of the Hospital zone provisions and/or unreasonably control or constrain hospital and hospital related activities in the Hospital zone.
27. As the submitter does not seek any specific relief, I do not recommend any changes in response to this submission. I also do not consider that any of the changes I have recommended in this report in response to other submissions will undermine the Hospital Zone provisions or unreasonably control or constrain hospital operations or activities. I therefore accept this submission in part.

### **3.3 Recommendations:**

28. I recommend that no amendments are made to the Signs chapter in response to the submission by Health NZ. However as requested by the submitter, I recommend that Health NZ advises if any potential recommended changes to the Signs chapter provisions undermine the operation of the Hospital zone provisions and/or unreasonably control or constrain Hospital and Hospital Related Activity in the Hospital zone. I suggest that this is cross checked alongside other PDP chapters including the zoning chapters.

## **4. Topic 2: Overview of the Signs chapter**

### **4.1 Introduction**

29. The Overview section of the Signs chapter provides direction to Plan users about the role and function of signage in the District, as well as providing an overview of potential effects of signage. The Overview also clearly signals that the provisions relate to private property and that the signs bylaw controls signage on public land and Council owned or controlled land and property.
30. There was one submission on the Overview text of the Signs chapter. New Zealand Transport Agency (**NZTA**) [330.96] supports the Overview text and requests that the Overview text of the Signs chapter is retained as notified. The paragraph referencing signage and the State highway network in particular is supported. Additionally the submission seeks that any sign directed at or visible from a State Highway with a 70km/h or faster speed zone may require affected party approval from NZTA.

### **4.2 Analysis**

31. The Overview section of the Signs chapter refers to The Council Signs Bylaw which manages signs located on Council owned or controlled land and property (clause 3.1). This includes Council roads and road reserves as well as State Highway road reserves with 70km/h or less speed zones. The bylaw is clear that any sign directed at or visible from a State Highway with a 70km/h or faster speed zone may require affected party approval from the NZ Transport Agency.
32. I consider that the Overview text clearly describes the relationship of the PDP provisions with Council's bylaw, as well as alerting people to the potential need for approval by NZTA. In my view, the Overview is helpful to Plan users.

### **4.3 Recommendation**

33. I agree with the submission and recommend that the Overview section text of the Signs chapter of the PDP be retained as notified.

## **5. Topic 3: Definitions**

### **5.1 Introduction**

34. The key definitions used in the signs chapter are: 'information sign', 'official sign' and 'sign'. It is noted that the terms 'official sign' and 'sign' are National Planning Standard definitions.

## 5.2 Analysis

### Definition for 'Official sign'

35. Fish and Game [267.3] request adding a definition for 'Official Sign' for the purpose of avoiding any confusion, using the following proposed wording:

*means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.*

36. The submitter states that it is not clear in the PDP as to which signage category Fish and Game related signage will fall under (i.e. 'Official sign' or 'Information sign') as there are differing conditions for each definition, therefore the submitter seeks clarity by way of adding a definition for 'Official sign'.

37. While I understand Fish and Game's concerns regarding the ambiguity between the two definitions, there is already a definition for 'official sign' in the PDP definitions, which includes the wording it has proposed in its submission. This matches the definition in the National Planning Standards. However interestingly in the KDC Signs Bylaw 2024 part 5.1.i-v on page 2, there is a definition for 'Official sign' as stated below:

*Means all signs provided by or on behalf of Council that gives information or direction to the public for:*

- i. education, public awareness, and safety;*
- ii. signs relating to a place of historic or environmental significance;*
- iii. public transport signs;*
- iv. signs required by legislation; or*
- v. signs that provide safety or security information.*

38. This above definition from the bylaw matches some of the definition for 'Information Sign' included in the definitions chapter of the PDP, which I discuss next in this report. For the purposes of addressing this submission, I am recommending the point is rejected on the basis that the Plan already includes the definition of 'official sign' and I am of the mind to recommend that the term 'official sign' be deleted from the Plan, despite being defined in the National Planning Standards. I recommend that the Plan relies only on the term 'information sign', and its definition which includes signs provided for under statute or regulation, or relate to public safety. This in my view, would resolve the issues raised by Fish and Game given that the National Planning Standard definition is vague and somewhat unhelpful.

### Definition of 'Information Sign'

39. Fish and Game [267.4] also requests to amend the definition for 'Information Signs' as follows:

*means a sign that provides information or direction to public, including:*

- a. education, safety and public awareness;*
- b. relating to a place of historic or environmental significance*
- c. regulatory signs erected by, or on behalf of the relevant authority*
- d. signs erected by the Crown, the Council or any other statutory administering body, for the purposes of marking the boundaries of or conveying the name of, or information about:*
  - i. marine reserves;*
  - ii. coastal protection areas;*
  - iii. cultural heritage sites;*
  - iv. a scheduled heritage building or item;*
  - v. reserves, parks and public places;*
  - vi. hunter or angler access.*

*or to advise of activities which may or may not be undertaken in such areas.*

40. The submission seeks inclusion of 'hunter or angler access' to the definition to cover the activities carried out by Fish and Game. I have no concerns with the inclusion of these changes within the definition of 'Information Signs' but also suggest that this term and definition be retained as the primary definition used in the PDP instead of having two definitions which overlap.
41. For this reason, I recommend accepting submission point 267.4. My recommendation also provides some consistency between the terms used in the bylaw, albeit differing terms and definitions. In my view it is more important to get the PDP definition correct for plan users than to use a National Planning Standards term.

### Definition of 'Sign'

42. A submission from NZTA [330.6] supports the definition of 'sign'. Given that the definition is a National Planning Standard definition, I agree that it should also be retained as notified.

## **5.3 Recommendations**

43. Based on the above points, I recommend the term 'Official Sign' be deleted from the PDP and that the definition of 'Information Sign' be amended as follows:

### **INFORMATION SIGN**

*means a sign that provides information or direction to public, including:*

- a. *education, safety and public awareness;*
- b. *relating to a place of historic or environmental significance*
- c. *regulatory signs erected by, or on behalf of the relevant authority*
- d. *signs erected by the Crown, the Council or any other statutory administering body, for the purposes of marking the boundaries of or conveying the name of, or information about:*
  - i. *marine reserves;*
  - ii. *coastal protection areas;*
  - iii. *cultural heritage sites;*
  - iv. *a scheduled heritage building or item;*
  - v. *reserves, parks and public places;*
  - vi. *hunter or angler access.*

*or to advise of activities which may or may not be undertaken in such areas.*

44. This will require consequential amendments to the Signs chapter including deletion of SIGN-R1, and deletion of the words 'official sign' from SIGN-P1, SIGN-S2.5, SIGN-S2.9, SIGN-S2.12, SIGN-S2.15 and SIGN-S4.1. The Signs chapter tends to use these terms together / interchangeably.
45. As SIGN-R3 relates to information signs, this rule will prevail for signs required for the likes of health and safety and where signs are required by legislation.

## **6. Topic 4: Signs Objectives**

### **6.1 Introduction**

46. The one objective in the Signs chapter sets out the outcomes expected for signs in the Kaipara District. SIGN-O1 recognises that signs support the needs of the community, by contributing to

the social, economic and cultural wellbeing of the community, supporting public safety, and maintaining or enhancing the amenity and character values of the zone they are located in.

## 6.2 Analysis

47. There was one submission received on the Objective. NZTA [330.97] supports the objective and seeks to retain SIGN-O1 as notified, particularly the reference to supporting public safety. I concur with the position of NZTA supporting and requesting to retain the Sign Objectives SIGN-O1.

## 6.3 Recommendation

48. The objective clearly outlines the needs of the community provided by signs. I therefore recommend that SIGN-O1 be retained as notified.

# 7. Topic 5: Signs Policies

## 7.1 Introduction

49. The four policies in the Signs chapter provide more specificity as to how the objective will be met:
- SIGN-P1 enables compatible signs and sets out five types of signs as commercial, official, information, real estate and temporary signs.
- SIGN-P2 sets out how to manage the adverse effects of signs by ensuring signs do not detract from amenity, compromise heritage values and generating significant visual impacts.
- SIGN-P3 sets out how to manage cumulative effects of signs.
- SIGN-P4 addresses how signs can contribute to road safety.

## 7.2 Analysis

50. There were four submissions made on the Signs policies.
- SIGN-P1
51. Horticulture New Zealand [140.82], Fish and Game [267.27] and NZTA [330.98] all support and seek to retain SIGN-P1 as notified.
52. In terms of Horticulture New Zealand's submission [140.82], Policy SIGN-P1 provides for the required Health and Safety signs to be displayed by growers when they are spraying agricultural chemicals. The submission states that the policy is relevant and necessary to Horticulture NZ

and the horticultural industry, particularly when they are spraying agrichemicals within their properties displaying health and safety signage is a requirement.

53. Whilst Fish and Game [267.27] support the retention of SIGN-P1, it makes similar points as discussed above to ensure the organisation can operate under a single, clear rule.
54. NZTA [330.98] supports and requests to retain SIGN-P1 as notified, especially the explicit reference to 'Official signs' throughout the District.
55. I agree with all submitters in support of retaining SIGN-P1 as notified, but note that my recommended change to remove the term 'official sign' will consequently require deleting SIGN-P1.2.

#### SIGN-P4

56. NZTA [330.99] supports and seeks to retain SIGN-P4 as notified, as it enables signs that are designed and located so they do not compromise the safe use of any road by road-users. I accept this submission and recommend that it be retained as notified.

### **7.3 Recommendations**

57. As stated above, I am recommending no changes to SIGN-P4 from the notified version and a change to SIGN-P1 in respect to the removal of the definition of 'official signs'. I therefore propose the following amendments to the policy:

#### ***SIGNS – P1 Enable compatible signs***

*Allow signs that are generally compatible with the role, function, and character of the zone they are located, including:*

1. *Commercial advertising signs;*
2. ~~*Official signs;*~~
3. *Information signs;*
4. *Real estate sign; and*
5. *Temporary signs.*

## **8. Topic 6: Signs Rules**

### **8.1 Introduction**

58. The Signs chapter contains nine rules. They set out rules for a wide variety of signs, describing them either by purpose e.g. official signs, temporary signs, information signs, or by their form e.g.

signs on or attached to a building, structure, window, fence or wall, veranda signs, freestanding and double-sided signs, billboards, digital signs. SIGN-R9 applies to any signs not otherwise listed.

59. There are also three notes listed prior to the rules, which provide additional information to plan users, including direction on temporary signs located on Council owned or controlled land and property, including Council road reserves and state highways road reserves; signs direct at or visible from a State Highway requiring approval from NZ Transport Agency' and signs also subject to KDC's bylaws, a Reserve Management Plan or a Conservation Management Strategy.
60. 16 submissions were received on the rules, largely in support of what was notified in the PDP. Three submissions seek changes to SIGN-R4. One submission was received on the notes, which have no legal effect.

#### NOTES

61. NZTA [330.100] supports and requests to retain the notes in the Signs chapter as notified. The notes are supported by the submitter as they clearly state that signage within the State Highway corridors may require a separate approval process with NZTA. This reasoning is clear and concise enough to recommend accepting the submitters request.

#### SIGN-R1

62. Both NZTA [330.101] and Adam Booth [67.7] support and seek to retain SIGN-R1 as notified. NZTA supports the provision as it provides clarity for plan users and makes the necessary link to the relevant standard SIGN-S1. No reason was provided by Adam Booth. As discussed previously in respect to the submission points raised by Fish & Game [267.3] and [267.4], the recommended deletion of the term 'official signs' and the term 'information sign' relied on instead. The consequential change of removing this term is a duplication of SIGN-R1 and SIGN-R3. I therefore recommend SIGN-R1 be deleted from the provisions, as SIGN-R3 will replace this provision. As such I recommend rejecting both submission points seeking the retention of this provision as notified.

#### SIGN-R2

63. Federated Farmers [136.158] supports and requests retaining SIGN-R2 as notified or any alternative wording that achieves a similar intent. Given the absence of opposing submissions, I am satisfied with the submitters support to recommend retaining SIGN-R2.

#### SIGN-R3

64. Federated Farmers [136.159], Horticulture NZ [140.83], Fish and Game [267.28] and NZTA [330.102] all support and seek to retain SIGN-R3 as notified. As there were no submissions opposing the rule, I recommend retaining SIGN-R3.

SIGN-R4

65. Federated Farmers [136.160] support and seek to retain SIGN-R4 as notified or wording that achieves a similar intent.
66. Foodstuffs [247.35] requests to amend SIGN-R4 as follows:

**SIGN-R4**

*Signs on or attached to a building ~~or, structure, window, fence or wall~~*

*1. Activity status: Permitted*

*Where:*

*a. The sign does not protrude above the highest point of the building or structure;*

*b. The sign relates to goods and services available on the site; and*

*c. The sign complies with:*

*i. SIGN-S1 Traffic safety for signs;*

*ii. ~~SIGN-S2 Sign Size; and~~*

*iii. ~~SIGN-S4 Number of signs~~*

67. The reason provided by Foodstuff is that signage attached to a building or window and is directly related to the use of that building comprises branding should be exempt from the signs (SIGN-S4) standards. The submitter suggests that a separate rule be included to address signage on or attached to a structure, fence or wall.
68. In respect to SIGNS-R4, while Foodstuffs seek changes to exempt signs attached to buildings from SIGNS-S2 and S4 and to provide a separate rule for signs located on structures, fences and walls, it is my view that this rule has been intentionally drafted with a view of the whole district and creating a separate rule requires more detail.
69. While I understand the submitter's perspective, I do not see how having a separate rule to address signage attached to structures, walls and fences will make a difference. The submitter has not provided any practical examples or evidence of where this rule may pose an issue. As the submitter did not proffer a substitute rule, I am unsure whether it will permit the same number of signs or restrict the size of the signs on structures, walls and fences. I therefore am unsure what the effects of such a rule would be. Given that SIGN-R4 provides for activities District wide, I am not of a mind to recommend accepting this submission point.

SIGN-R4.1.b.

70. Horticulture NZ [140.84] supports SIGN-R4.1.b in part and seeks to amend SIGN-R4.1.b. to include health and safety signage as follows:

***SIGN-R4.1***

*b. The sign relates to goods and services available on the site and health and safety requirements on site; and*

71. No specific reasons were given in the submission other than health and safety requirements on signs are added to the rule. In my view, health and safety signage can be attached to buildings, structures, windows, fences or walls as a permitted activity in SIGN-R3 given that this signage is required to meet legislative requirements. The definition of 'information sign' includes safety and therefore signs associated with health and safety would fall under this activity and rule, rather than SIGNS-R4. I recommend this submission point be accepted in part on this basis that this submission is already appropriately addressed by the Plan.

72. KDC [222.55] supports provision SIGN-R4.1.b. in part and seeks to amend it as follows:

*b. The sign relates to goods and services available on the site where the business is operating; and ...*

73. KDC suggest that wording of the rule is ambiguous and has been open to debate with owners of signs who have stated that their sign placed kilometres away from their business 'site' complies with the rule. I agree with this position as it assists in interpreting the rule.

74. The KDC submission point [222.55] has a further submission from Foodstuffs North Island Ltd [FS49.13], which supports this point in part.

75. I agree that the additional wording sought will be clearer. I therefore recommend the following wording:

***SIGN-R4.1***

*b. The sign relates to goods and services available on the site, where the business is operating; and*

SIGN-R6

76. Federated Farmers [136.161] seek to retain SIGN-R6 as notified as it provides for signs relating to goods and services available on the site.

77. I agree with this point and recommend SIGN-R6 be retained as notified.

SIGN-R7, SIGN-R8 and SIGN-R9

78. NZTA [330.103, 330.104, 330.105] supports and seeks to retain SIGN-R7 – SIGN-R9 as notified. The submitter supports the discretionary activity status for 'billboards', 'digital signs' and 'any signs not otherwise listed in this table' as it enables consideration of effects, including signage and digital signage with displays visible from a State Highway. Digital signage and billboards directed towards roads are, in their nature, designed to capture vehicle occupant attention and may distract drivers causing negative safety effects.
79. I agree with this point and recommend that provisions SIGN-R7, SIGN-R8 and SIGN-R9 be retained as notified.

## 8.2 Recommendations

80. Given that most submissions supported the rules in the Signs chapter, these provisions are recommended to be retained as notified. Additionally, I have also recommended the notes located above the rules be retained as notified.
81. The only change that I am recommending to SIGNS-R4 is in relation to KDC's submission point to include reference to "where the business is operating" to avoid ambiguity with this rule. The recommended wording is therefore proposed as follows:

**SIGN-R4 - Signs on or attached to a building or, structure, window, fence or wall**

*1. Activity status: Permitted*

*Where:*

- a. The sign does not protrude above the highest point of the building or structure;*
- b. The sign relates to goods and services available on the site where the business is operating; and*
- c. The sign complies with:*
  - i. SIGN-S1 Traffic safety for signs;*
  - ii. SIGN-S2 Sign Size; and*
  - iii. SIGN-S4 Number of signs.*

## 9. Topic 7: Signs Standards

### 9.1 Introduction

82. There are four standards related to the Signs provisions. They are SIGN-S1, SIGN-S2, SIGN-S3 and SIGN-S4. There is one submission which supports the Signs standards.

## 9.2 Analysis

### SIGN-S1

83. NZTA [330.106] supports and seeks to retain SIGN-S1, as well as adding an advisory note to SIGN-S1 as follows:

*Advisory Note: NZTA shall be notified of all signage directed at State highway traffic to enable NZTA to apply relevant State highway signage standards.*

84. The submitter supports the standard, as it includes signage 'located along, within or that can be seen from a State Highway' and requires compliance with NZTA sign regulations outside of the Proposed District Plan. NZTA supports the matters of discretion provided in 3 a., b. and c. as the focus on traffic safety, driver distraction, and potential effects on vehicle manoeuvring and access.
85. An advice note is sought to ensure NZTA are involved in resource consenting processes for signage covered by this standard, as this enables NZTA to apply relevant State Highway signage standards.
86. I have no concerns with the inclusion of an additional advisory note in the standards of the plan, because while it does not have any legal effect in terms of the plan provisions, it is helpful to direct plan users to NZTA should signage be directed at State Highway traffic. For this reason I recommend accepting submission point 330.106.

## 9.3 Recommendations

87. I support NZTA's submission [330.106] to include an advisory note as follows:

*Advisory Note: NZTA shall be notified of all signage directed at State highway traffic to enable NZTA to apply relevant State highway signage standards.*