**IN THE MATTER AND IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of Hearing of Submissions and Further Submissions on the Proposed Gore District Plan

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# Gore District Plan - Decisions on Submissions

# Topic 28: Signs

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**Hearings Panel Members**

Cliff Bolger

Glenys Dickson

**Date of Hearing**
17 September 2024

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## Appendix A. Submissions (attached as a separate document)

## Appendix B. Plan Chapter (attached as a separate document)

# 1 Introduction

## 1.1 Scope of this Decision

1.1.1 This document details the evaluation and decisions of the Hearings Panel on the submissions and evidence considered in relation to Signs. The Hearings Commissioners comprising the panel for this hearing were Commissioners Cliff Bolger and Glenys Dickson.

1.1.2 This Decision focuses on the key issues in contention. Where there is no contention, such as submitter support for certain provisions, or minor matters where proposed changes are recommended in response to submissions, , the Panel has adopted the recommendations and the underlying evaluation contained in the s42A Report prepared by Joanne Skuse and Victoria Woodbridge. That report jointly considered submissions to the CCZ and Field Days Zone, with specific commentary on submissions relating to the CCZ from Victoria Woodbridge. Where submissions were common to both zones a joint response and assessment was provided.

1.1.3 Attached is the updated provisions for the Signs chapter, referencing changes authorised by this and other Decisions of the Panel. Changes made in response to submissions are shown in normal black font, with text either underlined for additions or as ~~strikethrough~~ for deletions. A reference is also provided of the decision and paragraph number giving rise to the changes in response to submissions. Amendments made to the PDP pursuant to clause 16(2) are shown in the updated District Plan chapters in a green font. Shown in a red font are consequential numbering changes arising from provisions being added or deleted.

1.1.4 Appendix A lists the submissions considered in this decision and their outcome, described as accepted, accepted in part or rejected. For convenience, the Panel has chosen to make decisions on original submissions only. By implication, but not explicitly, it has also made decisions in relation to further submissions.

1.1.5 Attention is also drawn to Decision 2, Whole of Plan and Repeated Submissions that responds to submissions lodged to the District Plan as a whole, together with those lodged to multiple zones and/or chapters in the PDP. In some cases, these submissions may result in amendments to this chapter as well. Any such changes are annotated as a footnote in the updated provisions.

## 1.2 Abbreviations

1.2.1 In preparing this decision the Panel has used the following abbreviations:

| Full Text | Abbreviation |
|---|---|
| Clause 16(2) of the First Schedule of the RMA | cl 16(2) |
| Fire and Emergency NZ | FENZ |
| Gore District Plan | Plan |
| Hearings Panel | Panel |
| Hokonui Rūnanga Incorporated | Hokonui Rūnanga |
| KiwiRail Holdings Ltd | KiwiRail |
| NZ Transport Agency Waka Kotahi | NZTA |
| Proposed Gore District Plan | Proposed Plan or PDP |
| Report prepared under section 42A of the RMA | s42A Report |
| Resource Management Act 1991 | RMA |
| RMA section | s |
| Southland Federated Farmers of NZ | Federated Farmers |

### 1.3 Statutory Considerations

1.3.1 The Panel's Decision1 Preliminary Matters and Statutory Requirements Relevant to Decisions sets out the legal framework and requirements for preparing a District Plan, as well as case law referred to in legal submissions and evidence provided to the Panel. This framework is not repeated in this Decision. Rather, this Decision should be read in conjunction with Decision1.

1.3.2 In s42A reports to the Panel, the authors are required to consider any alternative provisions put forward in the context of s32, and when changes are recommended, a further assessment under s32AA is provided if the change is a material departure from what was notified. That same obligation to make a further assessment under s32AA also applies to the Panel if it decides to make changes to the Plan in response to submissions which materially depart from the notified version.

1.3.3 Through Minute 5, the Panel requested submitters seeking changes to District Plan provisions to have regard to the s32 provisions and provide material to the Panel that would facilitate any additional s32AA assessment required if it was of a mind to accept the changes they sought.

1.3.4 Where the Panel has made amendments to the Proposed Plan that are consistent with the recommendations contained within the s42A Reports and associated evidence the Panel has adopted the s32AA analysis contained within those reports and evidence, unless expressly stated otherwise. Those reports are part of the public record and are available on the Council's website.

1.3.5 Where the Panel has made amendments to the Proposed Plan that are not contained within the s42A Report, or which were not subject to a s32AA assessment provided by submitters, the Panel has undertaken the required s32AA analysis and has incorporated it into the body of the decision, with the required assessment forming part of the evaluation. The Panel is satisfied that the required substantive assessment has been undertaken where required.

### 1.4 Procedural matters

1.4.1 There were no pre-hearing meetings or meetings undertaken in accordance with clause 8AA of Schedule 1, on the submissions relating to this Decision.

1.4.2 No member of the Panel identified any conflicts of interest.

1.4.3 No procedural matters were raised at the hearings with regard to the Signs chapter.

1.4.4 No matters of trade competition were raised.

## 2 The Hearings and Minute 22

### 2.1 The Hearing

2.1.1 The hearing in relation to this topic was held on 17 September 2024 at the Gore District Council administration building, in Gore. Submissions with regard to the Signs chapter were heard together with the Light, Temporary Activities and Transport chapters and Designations.

2.1.2 Prior to the hearing, the Panel received a s42A Report from Victoria Woodbridge that considered all submissions lodged to the Signs chapter and relevant definitions.

2.1.3 At the commencement of the hearing, the Panel received supplementary evidence from Victoria Woodbridge responding to matters raised in the evidence and additional information received by the Panel. The Panel sought clarification from her regarding

matters contained in her s42A Report and supplementary evidence at various times during the hearing.

2.1.4 Submitters who appeared at the hearing are shown in Table 1.

| Table 1: Hearing Stream 5 Signs – Submitters Attending the Hearing | | | |
|---|---|---|---|
| **No.** | **Submitter** | **Attendees** | **Nature of Evidence** |
| S126 | Southland Federated Farmers of NZ | Rachel Thomas | Video Link |
| S112 | NZ Transport Agency | Helen Dempster<br>Glen Connelly | Video Link |

### 2.2 Minute 22

2.2.1 Following the hearing, the Panel issued Minute 22 on 3 October 2024 seeking further clarification on several issues that arose during the hearing as well as directing Victoria Woodbridge to liaise with Helen Dempster with a view of drafting a provision applying to digital signs. A joint statement from Victoria Woodbridge, Helen Dempster and Glenn Connelly of NZTA dated 31 October 2024 was subsequently submitted to the Panel.

### 2.3 Other Hearings

2.2.1 Decision 2 lists the submissions lodged to the Whole of the Plan. Submission S139.040 Hokonui Rūnanga Inc raises issues relevant to this decision and in that regard, relevant evidence was received by the Panel during the hearings to consider submissions to the Mana Whenua and Sites of Significance to Māori chapters from:

- Courtney Bennett for the Gore District Council
- Amy Beran for Hokonui Rūnanga

2.2.2 The Panel received evidence in HS3 on 22 July 2024, HS8 on 5 December 2024 and HS9A on 19 February 2025 from Courtney Bennett and Amy Beran, which included recommendations on provisions in the CCZ that manage effects on Ngāi Tahu cultural values. For provisions where there were no matters in contention or further recommendations arising from evidence received in HS8 or HS9A, these are not discussed further in this decision. Otherwise, discussion the evidence is included in this decision in relation to particular provisions of the chapter.

2.4 All written material received by the Panel is available on the Council's web site.

## 3 General

### 3.1 Standalone Submissions in Support

| Submitter (S) | Decision Requested |
|---|---|
| S126.046 Southland Federated Farmers of NZ<br>S115.047 Kevin Robertson<br>S143.058 Rural Ratepayers Group<br>S148.059 Alistair & Bernadette Hunt<br>S60.049 Ronald Crispin<br>S68.167 John Baynes | Retain Sign definition as notified |
| S146.069 Southland District Council | The submitter supports Signs section. |
| S112.115 Waka Kotahi NZ Transport Agency | Retain SIGN-P1 as notified |
| S101.074 Transpower NZ Limited | Retain Rule SIGN-R1 as notified. |
| S112.120 Waka Kotahi NZ Transport Agency | Retain SIGN-R1 as proposed. |
| S132.105 KiwiRail Holdings Ltd | Retain SIGN-R1 as proposed. |
| S108.002 HWR Property Limited | Retain SIGN-R3 as notified |
| S112.122 Waka Kotahi NZ Transport Agency | Retain SIGN-R3 as notified |

3.1.1 These submissions supported the listed provisions in the PDP, seeking their retention, and were the only submissions to these provisions. The Panel acknowledges and accepts these submissions.

# 4 Signs Overview, Objectives and Policies

## 4.1 Overview

| Submitter (S) | Decision Requested |
|---|---|
| S126.137 Southland Federated Farmers of NZ<br>S115.138 Kevin Robertson<br>S143.149 Rural Ratepayers Group<br>S148.150 Alistair & Bernadette Hunt<br>S60.140 Ronald Crispin<br>S68.258 John Baynes | Amend overview: Signs contribute to the social, cultural, and economic well-being of the District by providing community, consumer, and destination information, safety messages, traffic controls, and the opportunity to advertise and identify businesses, products and services. Signage is an accepted part of the urban environment used to identify farms in rural areas but does not necessarily advertise these businesses |

4.1.1 The Panel agrees with the recommendation of Victoria Woodbridge to accept the change sought in these submissions.

4.1.2 Submissions S126.137 Southland Federated Farmers of NZ and others are accepted by amending the Overview as follows:

Signs contribute to the social, cultural, and economic well-being of the District by providing community, consumer, and destination information, safety messages, traffic controls, and the opportunity to advertise and identify businesses, products and services. Signage is an accepted part of the urban environment used to identify farms in rural areas but does not necessarily advertise these businesses

## 4.2 Objective SIGN-O2

| Submitter (S)<br>Further Submitter (FS) | Decision Requested |
|---|---|
| S112.114 Waka Kotahi NZ Transport Agency | Amend SIGN - O2 as follows: Signage does not affect the safety, efficiency and effectiveness of users of the transportation network, including pedestrians and cyclists. |
| S132.103 KiwiRail Holdings Ltd | Retain SIGN-O2 as proposed. |

4.2.1 At paragraph 58 of her s42A Report Victoria Woodbridge agreed that it was appropriate to make the requested change. In addition, she considered further changes were required recognising that the intent of the objective was to apply to roads, not the "transport network" which included rail. The additional recommended changes were supported by NZ Transport Agency.

4.2.2 The Panel in assessing this and other submissions and provisions in this chapter concludes that, given the circumstances applying in the Gore District, reference should also be made to "horse-riders".

4.2.3 Submission S112.114 Waka Kotahi NZ Transport Agency is accepted by amending Objective SIGN-O2 to read:

Signage does not affect the safe, effective and efficient operation of the transport network or the safety of road users ~~of the transportation network~~, including pedestrians, ~~and~~ cyclists and horse-riders.

## 4.3 Policy SIGN-P2

| Submitter (S) | Decision Requested |
|---|---|
| S112.116 Waka Kotahi NZ Transport Agency | Retain SIGN-P2 as notified |
| S132.104 KiwiRail Holdings Ltd | Amend as follows: Avoid the location of signage within legal roadways, rail corridors, except for official signage. |

4.3.1 Submission S112.116 Waka Kotahi NZ Transport Agency in support is acknowledged. As a change has been made to the provision, this submission is accepted in part.

4.3.2 The Panel agrees with the recommendation of Victoria Woodbridge to accept the change sought in submission S132.104 KiwiRail Holdings Ltd

4.3.3 Submission S132.104 KiwiRail Holdings Ltd is accepted by amending Policy SIGN-P2 to read:

Avoid the location of signage within legal roadways and rail corridors, except for *official signage.*

## 4.4 Policy SIGN-P3

| Submitter (S) | Decision Requested |
|---|---|
| S112.117 Waka Kotahi NZ Transport Agency | Amend SIGN - P3 as follows: Ensure signs are of a type, scale and design which is appropriate for the location by having regard to the following 1. the safety of road users including pedestrians and cyclists**.** |
| S123.017 Heritage NZ Pouhere Taonga | Amend SIGN - P3: Ensure signs are of a type, scale and design which is appropriate for the location by having regard to the following: ... 2. the amenity and heritage values, local character, cultural relationships and streetscape. |

4.4.1 The Panel agrees with the recommendation of Victoria Woodbridge to accept the changes sought in these submissions. Consistent with the addition to Objective SIGN-O2 a further change is also included in this policy.

4.4.2 Submissions S112.117 Waka Kotahi NZ Transport Agency and S123.017 Heritage NZ Pouhere Taonga are accepted by amending Policy SIGN-P3 to read:

Ensure *signs* are of a type, scale and design which is appropriate for the location by having regard to the following:

1. the safety of *road* users including *pedestrians*, cyclists and horse-riders.
2. the *amenity* and heritage values, local character, cultural relationships and streetscape.
3. the *effects* of signage on the character and *amenity values* of the Town Centre and Local Centre Core Precincts in Gore and Mataura.
4. whether the *sign* is in proportion to the scale of the *building* and any architectural features on the *building*.

## 4.5 Policy SIGN-P5

| Submitter (S) | Decision Requested |
|---|---|
| S112.118 Waka Kotahi NZ Transport Agency | Amend SIGN - P5 as follows or using words of similar intent: Provide for temporary signs, including off-site temporary signs where their duration, size and number are limited to maintain the character and visual amenity of the surrounding area and to ensure the safe, efficient and effective function and operation of the transport network. |

4.5.1 At paragraphs 67 – 68 of her s42A Report, Victoria Woodbridge agreed that it was appropriate to make the requested change. In addition, she considered further changes were required to align with the drafting style and terminology used throughout the chapter and also to ensure the policy reads clearly. The additional changes were supported by NZTA.

4.5.2 Submission S112.118 Waka Kotahi NZ Transport Agency is accepted by amending Policy SIGN-P5 to read:

Provide for temporary *signs*, including off-*site* temporary *signs* where their duration, size and number are limited to:

1. maintain the character and visual amenity of the surrounding area; and
2. ensure the safe, efficient and effective function and operation of the transport network.

### 4.6 Notes

| Submitter (S) | Decision Requested |
|---|---|
| S112.119 Waka Kotahi NZ Transport Agency | Amend to include Note 2: Signs located within or partly within a State highway are managed and assessed by Waka Kotahi NZ Transport Agency in accordance with the NZ Transport Agency's 'State Highways Bylaw 2010' and 'Traffic Control Devices Manual 2011 - Part 3 Advertising Signs'. Except that this does not apply to any sign constructed, maintained and displayed behind the kerbline of any State highway in an area where a 50 kilometre per hour, or lesser, speed limit applies, which are regulated by the territorial authority. |

4.6.1 At paragraphs 98 - 99 of her s42A Report Victoria Woodbridge agreed that it was appropriate to add the text sought by NZ Transport Agency, but rather than include it in a Note format, considered it appropriate to add to the chapter Overview. This was supported by NZ Transport Agency.

4.6.2 Following the hearing, and in response to Minute 22, the Panel was advised that NZTA had not delegated roading functions to the Gore District Council in respect of the road reserve for State Highways with a speed limit of 50 kph. As a consequence, the Panel was advised the second sentence sought in the submission should not be included in the Plan.

4.6.3 The Panel agrees with the intent of the addition recommended. However, it considers it should also refer to the Council as the road controlling authority of local roads.

4.5.2 Submission S112.119 Waka Kotahi NZ Transport Agency is accepted in part by adding to the Signs chapter Overview:

Signs located within, or partly within, legal roads will require the permission of the road controlling authority regardless of the provisions in this District Plan. For State highways the road controlling authority is New Zealand Transport Agency, and for local roads the Gore District Council.

## 5 Signs Rules

### 5.1 Rule SIGN-R2

| Submitter (S) | Decision Requested |
|---|---|
| S112.121 Waka Kotahi NZ Transport Agency | Amend SIGN - R2 Matters of discretion as follows, or using words of similar intent: 4. ~~Effects on road safety.~~ The extent to which the temporary sign will impact on the safety, efficiency and effectiveness of the transport network.<br>This includes the outcome of any consultation with Waka Kotahi NZ Transport Agency where the sign is visible from any State Highway. |

5.1.1 The Panel agrees with the assessment of Victoria Woodbridge at paragraphs 85 - 86 of her s42A Report where she recommended accepting replacement of the clause “effects on road safety” but recommended rejecting an addition to the outcome of consultation with NZ Transport Agency. The Panel agrees that such an addition would raise expectations as obtaining written approval from NZTA in all cases where a resource consent is sought. The Panel also notes NZ Transport did not comment on this issue in evidence or at the hearing.

5.1.2 Submission S112.121 Waka Kotahi NZ Transport Agency is accepted in part by amending paragraph 4 in the Matters of Discretion for Rule SIGNS-R2 to read:

~~*Effects* on *road* safety~~ The effects on the safety, efficiency and effectiveness of the transport network.

## 5.2 Rule SIGN-R4

| Submitter (S) | Decision Requested |
|---|---|
| S108.003 HWR Property Limited | Retain SIGN-R4 as notified |
| S112.123 Waka Kotahi NZ Transport Agency | Retain SIGN-R4 as notified |
| S112.124 Waka Kotahi NZ Transport Agency | Amend SIGN - R4 Matters of discretion as follows: 10. Effects on road user and footpath user safety, including motorists, cyclists and pedestrians. This includes the outcome of any consultation with Waka Kotahi NZ Transport Agency where the sign is visible from any State Highway |

5.2.1 The Panel agrees with the assessment of Victoria Woodbridge at paragraph 86 of her s42A Report where she states:

> … to include a matter of discretion relating to the outcome of consultation with NZTA, this is not recommended as it could be misconstrued as a requirement to consult or obtain approval from NZTA. Any approval should only be required where NZTA is identified as an affected party through the processing of a resource consent in accordance with the requirements of the RMA.

5.2.2 The Panel notes NZTA did not comment on this issue in evidence or at the hearing. Accordingly, submission S112.124 Waka Kotahi NZ Transport Agency is rejected.

5.2.3 Submissions S108.003 HWR Property Limited and S112.123 Waka Kotahi NZ Transport Agency in support are acknowledged and as no change is made to the provision, are accepted.

## 5.3 Rule SIGN-R5

| Submitter (S)<br>Further Submitter (FS) | Decision Requested |
|---|---|
| S112.125 Waka Kotahi NZ Transport Agency | Retain SIGN-R5 as notified |
| S112.126 Waka Kotahi NZ Transport Agency | Retain but amend the SIGN - R5 Matters of discretion to insert the following: 4. Effects on road user and footpath user safety including motorists, cyclists and pedestrians. This includes the outcome of any consultation with Waka Kotahi NZ Transport Agency where the sign is visible from any State Highway |
| S124.035 Fire and Emergency NZ | Amend as follows: Except that: This rule does not apply to signage associated with emergency services facilities, such as fire stations. |
| FS14.021 NZ Transport Agency Waka Kotahi | Disallow S124.035 |

5.3.1 Submission S112.126 Waka Kotahi NZ Transport Agency is rejected for the same reasons as set out in section 5.2.

5.3.2 With regard to submission S124.035 Fire and Emergency NZ, the Panel agrees with the assessment of Victoria Woodbridge at paragraph 77 of her s42A Report where she advises that Rule SIGN-R1 provides for 'official signs', such as those associated with emergency services facilities, as a permitted activity, and as a consequence an addition to SIGNS-R5 of the type sought is not required. Accordingly, submission S124.035 Fire and Emergency NZ is rejected.

5.3.3 Submission S112.125 Waka Kotahi NZ Transport Agency in support is acknowledged and as no change is made to the provision is accepted.

## 5.4 Rule SIGN-R6

| Submitter (S) | Decision Requested |
|---|---|
| S112.127 Waka Kotahi NZ Transport Agency | Retain SIGN-R6 as notified |
| S112.128 Waka Kotahi NZ Transport Agency | Amend the SIGN - R6 Matters of discretion to insert the following: 6. This outcome of any consultation with Waka Kotahi NZ |

| | |
|---|---|
| | Transport Agency where the cultural marker is visible from any State Highway. |

5.4.1 Submission S112.128 Waka Kotahi NZ Transport Agency is rejected for the same reasons as set out in section 5.2, while Submission S112.127 Waka Kotahi NZ Transport Agency in support is acknowledged and as no change is made to the provision is accepted.

## 5.5 Rule SIGN-R7

| Submitter (S) | Decision Requested |
|---|---|
| S112.129 Waka Kotahi NZ Transport Agency | Amend SIGN - R7 Digital Signs Where 3. The sign is not visible from a State highway. Activity status where compliance is not achieved with: SIGN-R7(1) and (3)**:** Restricted Discretionary |
| S112.130 Waka Kotahi NZ Transport Agency | Amend SIGN - R7(3), Matters of Discretion, as follows: 2. The extent to which the digital sign will impact on the safety, efficiency and effectiveness of the transport network. This includes the outcome of any consultation with Waka Kotahi NZ Transport Agency where the sign is visible from any State Highway. |

5.5.1 Issues associated with digital signs was a key issue dealt with in reports and evidence submitted to the Panel. The initial s42A Report from Victoria Woodbridge at paragraph 87 stated:

> I agree that in principle some digital signs could have an adverse effect on road safety, particularly the state highway where there may be higher speeds or intersections with higher traffic levels. However, I do not agree with a blanket limit requiring any digital sign visible from the state highway to require resource consent, smaller signs may have less of an effect, particularly if they are only partially visible. Larger signs such as billboards, however, may have a greater adverse effect and so it may be more appropriate to control larger signs. I would recommend that the submitter provide some further evidence on the potential adverse effects from digital signs and consider whether the restriction should apply to all digital signs or only those over a certain size.

5.5.2 Helen Dempster on behalf of NZTA at paragraph 13 in her written evidence considered that the safety effects of digital signs on users of the transport network are more appropriately managed through a case-by-case site-specific assessment as part of a resource consent process. Her view was informed by a statement of evidence from Glenn Connelly, a Senior Safety Engineer at NZTA who in his executive summary advised the Panel as follows:

> Research indicates that digital advertising signs can compete for attention and adversely affect driver performance. Whilst the chance of a crash occurring may be low, guidance and good practice suggests a prudently cautious approach should be taken given the risk of serious harm to road users should a crash occur.
>
> Assessing the impact of digital signs requires an understanding of the design and operation of the digital sign in context of the environment. The assessment of the road environment can be complex with matters such as: existing roadside activities and demands on drivers, speed limit, traffic volumes, proximity to intersections, the presence of vulnerable road users and traffic control devices.
>
> The impact of signs is not readily addressed, for example by reducing its size. Additionally, attempting to control the adverse effects of digital signs with standards would preclude their presence along most of the state highway.
>
> It is thus my opinion that understanding the environment, risks and effects of digital advertising signs are best considered in a detailed and site specific assessment.

5.5.3 By way of questions to Victoria Woodbridge, Helen Dempster and Glenn Connelly, the Panel expressed concern at the impact a blanket control would have within the Town Centre Zone, particularly where digital signs were located within buildings, and views of such signage would at times be blocked by parked vehicles and passing

pedestrians. The Panel therefore issued Minute 22, requesting further consideration of this issue.

5.5.4 In a joint statement replying to Minute 22, an agreed revision of the rule was recommended. The Panel accepts that recommendation as meeting its concerns and duly adopts it.

5.5.5 The second part of submission S112.130 Waka Kotahi NZ Transport Agency referring to consultation is rejected for the same reasons as set out in section 5.2, while the first part is accepted in part as recommended in the initial s42A Report.

5.5.6 Submission S112.129 Waka Kotahi NZ Transport Agency is accepted in part by amending Rule SIGN-R7(3) to read:

The digital sign is not visible from a state highway except where:

a. The sign is located within a building; and

b. The sign relates to the activity undertaken on the site; and

c. The sign has a static image which does not change more than twice per day.

d. All Signs standards are complied with.

5.5.7 Submission S112.130 Waka Kotahi NZ Transport Agency is accepted in part by adding to Rule SIGN-R7(3) "Activity status where compliance is not achieved with":

**SIGN-R7(3):** Restricted Discretionary

**Matters of discretion:**

1. The extent to which the digital sign will impact on the safety, efficiency and effectiveness of the transport network.

# 6 Signs Standards

## 6.1 General

| Submitter (S) | Decision Requested |
|---|---|
| S112.132 Waka Kotahi NZ Transport Agency | Amend SIGN - S1 to S7, Matters of Discretion, as follows: The extent to which the sign will impact on the safety, efficiency and effectiveness of the transport network. This includes the outcome of any consultation with Waka Kotahi NZ Transport Agency where the sign is visible from any State Highway. |

6.1.1 The Panel agrees with the assessment of Victoria Woodbridge at paragraph 115 of her s42A Report where she states the outcomes achieved by the PDP wording and that proposed by the submitter in the first part of the submission are the same. Further, the second part of the submission referring to consultation is rejected for the same reasons as set out in section 5.2. Accordingly, S112.132 Waka Kotahi NZ Transport Agency is rejected.

## 6.2 Standard SIGN-S1

| Submitter (S) | Decision Requested |
|---|---|
| S132.106 KiwiRail Holdings Ltd | Retain SIGN-S1 as proposed. |
| S112.133 Waka Kotahi NZ Transport Agency | Clarify the area intended to be encapsulated by a 'transport corridor' within this provision and/or provide a definition for 'transport corridor' in the Interpretation chapter of the Plan, to provide clarity around the interpretation and implementation of this Standard. |

6.2.1 Submission S132.106 KiwiRail Holdings Ltd in support is acknowledged. As the provision has been altered, this submission is accepted in part.

6.2.2 The Panel agrees with the assessment of Victoria Woodbridge at paragraph 100 of her s42A Report that the provision is not clear and requires rewording, albeit with slightly different wording to that sought by NZTA.

6.2.3 Submission S112.133 Waka Kotahi NZ Transport Agency is accepted in part by amending Standard SIGN-S1(1) to read:

Project over or be located within the *road* or rail corridor ~~or be located within a transport corridor~~

## 6.3 Standard SIGN-S3

| Submitter (S) | Decision Requested |
|---|---|
| S112.134 Waka Kotahi NZ Transport Agency | Amend SIGN - S3 as follows or words of similar intent: 1. Digital signs must not: .. b) display still images for a duration of ~~no~~ less than 10 seconds. ... (f) take less time than 0.5 seconds to dissolve transition between still images ~~apart from cross-dissolve of a maximum of 0.5 seconds.~~ |
| S123.018 Heritage NZ Pouhere Taonga | Amend :SIGN-S3 Requirements for digital signs Note: The relevant standards for freestanding signs and signs attached to buildings also apply to digital signs. |

6.3.1 The Panel agrees with NZTA that the double negative in clause 1 and the wording of clause (f) are confusing and accepts the recommendation of Victoria Woodbridge at paragraph 101 of her s42A Report to amend the wording.

6.3.2 Submission S112.134 Waka Kotahi NZ Transport Agency is accepted in part by amending Standard SIGN-S3(1) as follows:

Digital *signs* must not:

(b) display still images for a duration of ~~no~~ less than 10 seconds.

(f) transition between still images apart from cross-dissolve of a ~~maximum~~ minimum of 0.5 seconds.

6.3.3 The Panel agrees with the assessment of Victoria Woodbridge at paragraph 122 of her s42A Report where she states SIGN-R7 requires compliance with all sign standards and as such Plan users and decision makers are directed to consider all relevant standards as part of their consideration of digital signs. Accordingly, submission S123.018 Heritage NZ Pouhere Taonga is rejected.

## 6.4 Standard SIGN-S4

| Submitter (S) | Decision Requested |
|---|---|
| S108.004 HWR Property Limited | Amend rule to remove 0.5m setback and requirement to have 2.6m height above ground level. |
| S65.001 Gore District Council | Delete SIGN-S4 1(b) The rule pertains to veranda signs rather than free-standing signs. |

6.4.1 The Panel agrees with the assessment of Victoria Woodbridge at paragraph 127 of her s42A Report where she acknowledges an error in drafting the Plan, as the 2.6m reference is only relevant to under verandah signs.

6.4.2 Submissions S108.004 HWR Property Limited and S65.001 Gore District Council are accepted by amending Standard S4(1) for each relevant zone to read:

1 Any *sign* must~~:~~

(a) be *setback* at least 0.5m from the *road boundary*~~; and~~

~~(b) be at least 2.6 metres above the level of ground beneath the *sign*~~.

| Submitter (S) | Decision Requested |
|---|---|
| S126.138 Southland Federated Farmers of NZ<br>S115.139 Kevin Robertson<br>S143.150 Rural Ratepayers Group | Amend SIGN-S4: General Rural Zone 3. Maximum number of signs per site: five ~~one;~~ (...) |

| | |
|---|---|
| S148.151 Alistair & Bernadette Hunt<br>S60.141 Ronald Crispin<br>S68.259 John Baynes | |

6.4.3 These submissions were subject to assessment by Victoria Woodbridge at paragraphs 140 – 146 of her s42A Report, where she acknowledged larger farms may require more than one sign and the purpose of the rule framework is primarily to manage the effects of signs which are visible from public places and as such may have an adverse effect on amenity values or health and safety. She also noted official signs, such as those required for health and safety purposes, were exempt from the rules.

6.4.4 Victoria Woodbridge recommended that a maximum of five signs be allowed on a site provided that they were not visible from a public place and the maximum size of any sign was 0.25m$^2$.

6.4.5 Rachel Thomas in her statement of evidence on behalf of Federated Farmers provided an extensive list of the types of signs that can reasonably be expected to be required on a farm, including those relevant to chemical storage, diesel/petrol storage, restricted access, security camera advice, dairy supply number, contact information, property name/information and biosecurity/pest management details. She stated many of these are likely to be in a location visible from adjoining roads.

6.4.6 Rachel Thomas requested amendment to the s42A recommendation referring to the purpose of signage being to support primary production and where multiple businesses exist on one site the maximum number of signs is eight.

6.4.7 Victoria Woodbridge in a statement of evidence responded to Federated Farmers as follows:

> I agree with Ms Hunt and Ms Thomas that larger rural properties such as farms may need a wide range of signs for purposes such as health and safety, chemical storage, fire safety, biosecurity management etc. However, many of these signs would be considered 'official signs' based on the definition within the PDP "*means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety*."
>
> Official signs are permitted under SIGN-R1 without any restrictions and therefore a rural landowner could have as many official signs as needed to ensure requirements are met in relation to public health or other legislation such as Hazardous Substances and New Organism Act or Health and Safety at Work Act.

6.4.8 The Panel disagrees with Victoria Woodbridge that many of the signs referred to by Rachel Thomas would be classed as official signs, for example, directional signs and information signs indicating the name or identification number of a property. The Panel, from a practical viewpoint does not consider these signs should be restricted in number. In addition, the Panel notes the rules do not apply to signs not visible from a public place and considers reference to that in the rule to be unnecessary.

6.4.9 The Panel also accepts that for large properties in the General Rural Zone with a road frontage exceeding 400 metres more than one sign is appropriate. Having regard to the additional standard added in paragraph 6.6.6 below, requiring separation of signage fronting a State Highway, the Panel considers two signs to be appropriate. Further, noting that within Light and General Industrial Zones additional signage is allowed where there is more than one road frontage.

6.4.10 The Panel has not adopted the request of Rachel Thomas to allow additional signage where multiple businesses exist on one site. The Panel considers this request goes beyond the scope of the original submission lodged and is unrelated to the effects of the signage.

6.4.11 Submissions S126.138 Southland Federated Farmers of NZ and others are accepted in part by amending Standard SIGN-S4(3) as it applies to the General Rural Zone as follows:

The maximum number of signs:

(a) where the length of the road frontage is 400 metres or less: one

(b) where the length of the road frontage is greater than 400 metres: two

(c) Where there is more than one road frontage: three, provided that a maximum of two signs are visible from a single road frontage

Except where *signs* are for the purpose of providing direction or identification and the maximum *sign face* is no greater than 0.25m²

| Submitter (S)<br>Further Submitter (FS) | Decision Requested |
|---|---|
| S124.036 Fire and Emergency NZ | Amend as follows: Except that: This standard does not apply to signage associated with emergency services facilities, such as fire stations. |
| FS14.022 NZ Transport Agency Waka Kotahi | Disallow S124.036 |

6.4.12 Submission S124.036 Fire and Emergency NZ raises the same matter dealt with at paragraph 5.3.2. Accordingly, this submission is rejected.

## 6.5 Standard SIGN-S5

| Submitter (S)<br>Further Submitter (FS) | Decision Requested |
|---|---|
| S108.005 HWR Property Limited | General and Light Industrial Zones point 6. Remove 7m2 from the rule and allow signs as of right which are 10% of the area of the building façade. |
| S124.037 Fire and Emergency NZ | Amend as follows: Except that: This standard does not apply to signage associated with emergency services facilities, such as fire stations. |
| FS14.023 NZ Transport Agency Waka Kotahi | Disallow S124.037 |

6.5.1 The Panel accepts the advice of Victoria Woodbridge at paragraphs 129 - 135 of her s42A Report where, following assessment of other District Plans, she recommends with some qualification amending the Standard as sought by HWR Property Limited.

6.5.2 Submission S108.005 HWR Property Limited is accepted in part by amending Standard SIGN-S5(6) for the General and Light Industrial Zones as follows:

The maximum area of the *sign* is ~~7m² or~~ 10% of the area of the *building* façade to which it is attached ~~whichever is the lesser~~.

6.5.3 With regard to submission S124.037 Fire and Emergency NZ, that is the same matter dealt with at paragraph 5.3.2. Accordingly, this submission is rejected.

## 6.6 Additional Standard Sought

| Submitter (S) | Decision Requested |
|---|---|
| S112.131 Waka Kotahi NZ Transport Agency | Seeks amendments to standards to align or partly align with the best practical design principles in Waka Kotahi NZ Transport Agency's 'Third Party Signs on and visible from the State Highway Corridor' Planning & Policy Manual (30th June 2023) Version 1.1 document. See paragraph 95 on pages 19-20 of s42A Report on requested changes to SIGN standards including tables |

6.6.1 This submission sought a number of changes and additions to the rules and standards of the Signs chapter. Notwithstanding some errors in the s42A Report in listing the outcomes sought, corrected in evidence from NZTA, there was general acceptance

between NZTA and Victoria Woodbridge as to the appropriateness of the recommended changes.

6.6.2 The Panel however doubted the practicality of the recommended separation distances between signs and distances between signs and intersections, particularly on State highways where the effect of the rules would be to exclude signs being erected throughout much of the land zoned Town Centre and Local Centre. In the recommended additions to Standard SIGN-S1 the Panel considers the key differentiation between recommended conditions 6 and 7 was related to the speed environments in the zones listed and that in addition to the zones listed, it may be appropriate to include other zones.

6.6.3 The Panel notes the location and content of signs as recommended in the Standards seeks to:

(a) Avoid interference of passage and avoid obstruction of views to official signs, visibility at crossings, bend etc as well as setbacks from intersections and signs (SIGN-S1).

(b) Limit the maximum number of letters and symbols on signs fronting state highways (SIGN-S6).

(c) Specify the minimum size of letters on all signs (SIGN-S7)

(d) Set minimum distances between signs on sites adjoining state highways (SIGN-S8).

6.6.4 Having regard to the overall structure of the rules, the Panel is satisfied that within areas where the posted speed limit is less than 70kph it was not necessary for conditions 6 or 7 of SIGN-S1 to apply, and that a speed differential could be applied to the paragraphs, avoiding listing of individual zones. Having regard to s32AA of the RMA, the Panel is satisfied that the amendments made to Standard SIGN-S1 are the most effective and efficient means of achieving the purpose of the Act and objectives of the Signs chapter.

6.6.5 The Panel also notes Rule SIGN-R1 permits official signs and exempts them from the Standards. As such, the note at the end of Standard SIGN-S1 is a duplication and not required.

6.6.6 Submission S112.131 Waka Kotahi NZ Transport Agency is accepted in part by amending the Standards of the Signs chapter as follows:

(1) SIGN-S1 Requirements for signs (including cultural markers) erected on or adjacent to a road or railway – All Zones

Any *signs* erected on or adjacent to a *road* or railway must not:

1. Project over or be located within the *road* or rail corridor ~~or be located within a transport corridor~~;
2. Obstruct the line of sight and visibility of any pedestrian facility, corner, bend, intersection or vehicle or rail crossing;
3. Obstruct, obscure or impair the view of any *official sign*, traffic or railway sign or signal;
4. Physically obstruct or impede traffic, trains or *pedestrians*; ~~and~~
5. Resemble or be likely to be confused with any traffic *sign* or signal or *official sign*.
6. Where the posted speed limit is 70kph and above but less than 100kph, any signs erected on or adjacent to a road or railway must not be located within 100m

of any intersection, official sign, the start of a curve with chevron signing or a pedestrian crossing.

7. Where the posted speed limit is 100kph or more, any signs erected on or adjacent to a road or railway must not be located within 200m of any intersection, official sign, the start of a curve with chevron signing or a pedestrian crossing.

~~Except that this standard does not apply to Official signs.~~

(2) SIGN-S3 Requirements for digital signs –Zones as listed

3. Digital *signs* which are visible from and/or located on a site adjacent to a state highway must comply with the maximum luminance levels in SIGN-Table 1.

| **SIGN–Table 1 Maximum luminance (cd/m2) levels for digital signs** | |
|---|---|
| **Zones** | **Luminance (cd/m²)** |
| Residential zones | 250 |
| Rural zones | 0.1 |
| Commercial and Mixed Use zones | 350 |
| Industrial zones | 350 |
| Open Space & Recreation zones | 0.1 |
| Special Purpose zones | 0.1 |

(3) SIGN-S7 Requirements for lettering on signs

1. The lettering on *signs* must comply with the minimum lettering sizes in SIGN-Table 2.

| **SIGN-Table 2 Minimum Lettering Sizes on *Signs* ~~Intended to be Read~~ visible from a Public *Road*** | | | |
|---|---|---|---|
| **~~Regulatory Speed Limit of Adjoining *Road*~~ Posted Speed Limit (km/hr)** | **Main Message** | **~~Main Message~~** | **Secondary Message** |
| **Km/hour** | **Minimum Lettering *Height* (mm)** | **~~Maximum Lettering *Height* (mm)~~** | **Maximum Lettering *Height* (mm)** |
| 0 – 50 | 100 | ~~150~~ | 75 |
| 60 | 175 | | 90 |
| ~~51 –~~ 70 | ~~150~~ 200 | ~~200~~ | 100 |
| ~~71 –~~ 80 | ~~175~~ 250 | ~~250~~ | 125 |
| 81 + | ~~200~~ 300 | ~~300~~ | 150 |

(4) SIGN-S8 Minimum distances between signs on a site adjoining the State Highway

1. The distance between *signs* on sites adjoining the state highway must comply with the distances in SIGN-Table 3.

Activity status where compliance is not achieved: Restricted Discretionary

Matters of discretion:

The adverse *effects* on the safe and efficient use of the state highway and the safety of road users.

| **SIGN-Table 3 Minimum distances between signs on sites adjoining the state highway** | |
|---|---|
| **Posted Speed Limit (km/hr)** | **Minimum Spacing (m)** |
| 50 | 50 |
| 60 | 55 |
| 70 | 60 |
| 80 | 70 |
| 100 | 80 |