

Part 10 – Signs and Lighting

Proposed Plan Changes 82A and 82B

Section 42A Hearing Report

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List of Abbreviations

Commercial Zone	COM
Light Industrial Zone	LI
Lighting Chapter	NL
Minerals Chapter	MIN
National Planning Standards	Standards
New Zealand Transport Agency	NZTA
Northland Regional Policy Statement	NRPS
Open Space Zone	OSZ
Plan Change 82A Signs	82A
Plan Change 82B Lighting	82B
Quarrying Resource Area	QRA
Resource Management Act 1991	RMA
Section 42A of the RMA	s42A
Section 32 of the RMA	s32
Shopping Centre Zone	SCZ
Signs Chapter	SI
Whangarei District Council	WDC
Whangarei District Council, Operative Whangarei District Plan	WDP

1. Introduction

1. This is **Part 10** of the section 42A (**s42A**) evaluation report. This part should be read in conjunction with the other **Parts 1 – 12**. The evaluation of general topics is contained within **Part 1**.
2. This report has been prepared in accordance with s42A of the Resource Management Act 1991 (**RMA**) and forms the Hearing Report for the Whangarei District Council's (**WDC**) Proposed Plan Changes 82A Signs (**PC82A**) and PC82B Lighting (**PC82B**). This report provides consideration of the proposed provisions, recommendations in relation to submissions and, where appropriate, the report cross-references the section 32 Evaluation (**s32**), analysis of any background material and legislative discussions.
3. A description of the background to PC82A and PC82B, a chronology of events relevant to the proceedings of PC88 and overview of the Rolling Review process and statutory considerations is included within the s32 Report for each plan change.
4. The authors of this **Part 10** s42A Report are as follows:
5. PC82A – Signs: this s42A report has been prepared by Briar Alayne Belgrave. Ms Belgrave is a qualified planner. She holds a Masters in Resource and Environmental Planning with Honours from Massey University and is currently an Intermediate Member of the New Zealand Planning Institute. Ms Belgrave is currently an Associate at Barker & Associates in Auckland.
6. Ms Belgrave has over seven years' experience as an environmental planner. During this time, she has been employed in various resource management positions in central government, local government and private companies. Her predominant experience has been in statutory policy and resource consent planning across New Zealand including, Wellington, Auckland, Whangarei, Far North, Gisborne and in Australia. This experience includes preparing assessments of environmental effects, processing and reporting on resource consent applications, Resource Management Act reforms, preparation of national policy (National Environmental Standards and National Policy Statements), district plan formulation and policy advice for councils and the consideration of submissions.
7. PC82B – Lighting: this s42A report is co-authored by Alice Louise Doris Hosted and David Eric Badham.
8. Ms Hosted is a qualified planner and holds a Bachelor of Environmental Management and Planning from Lincoln University and is an Intermediate Member of the New Zealand Planning Institute.
9. Ms Hosted has been employed in various resource management positions in central and local government, and most recently Barker & Associates. Her predominant experience has been in statutory policy and resource consent planning in the Northland Region, more specifically, Far North and Whangarei Districts. Ms Hosted's experience includes preparing, processing and reporting on resource consent applications, district plan formulation for the Far North District Council, providing policy and resource management advice to the Northland Department of Conservation offices, preparation of assessment of environmental effects and monitoring and compliance of consent conditions.

10. Mr Badham is a qualified planner and holds a Bachelor of Planning with Honours (1st Class) from the University of Auckland. He has been a Full Member of the New Zealand Planning Institute since April 2015. He is currently an Associate and Whangarei Office Manager at Barker & Associates.
11. Mr Badham has over eight years' experience as an environmental planner. During this time, he has been employed in various resource management positions in local government and private companies including experience with:
 - Statutory resource consent planning in the Northland and Auckland regions.
 - Consideration of submissions and formulation of policy and policy advice for Whangarei District Council.
 - Providing planning advice, preparing Cultural Impact Assessments and engaging in consultation on behalf of iwi organisations.
 - Monitoring and compliance of consent conditions in operational mining environments in Queensland Australia.
12. Ms Belgrave, Ms Hosted and Mr Badham confirm that the evidence on planning matters that they present in this report is within their areas of expertise and they are not aware of any material facts which might alter or detract from the opinions they express. All authors have read and agreed to comply with the Code of Conduct for expert witnesses as set out in the Environment Court Consolidated Practice Note 2014. They have also read and are familiar with the Resource Management Law Association / New Zealand Planning Institute "Role of Expert Planning Witness" paper. The opinions expressed in this evidence are based on their qualifications and experience, and are within their area of expertise. If the authors rely on the evidence or opinions of another, their evidence will acknowledge that position.

2. Description of the Plan Changes as Notified

13. PC82A seeks to review and update the signage provisions of the Whangarei District Plan (**WDP**), which are currently located within the zone chapters and Appendix 12, which relates to signage in the business zones. PC82A proposes the deletion and replacement of the operative provisions to consolidate all signage controls within a single chapter, to be referred to as the '**SI**' chapter. Providing for signage within a single SI chapter is proposed in accordance with the requirements of the National Planning Standards (**Standards**).
14. As notified, PC82A includes:
 - A new District wide 'Signs' Chapter – with objectives, policies and land use rules.
 - Consequential changes to the WDP.
15. PC82A includes a description of the proposed SI chapter to identify the environmental expectations and outcomes sought through the proposed objectives, policies and rules.
16. A comprehensive description of PC82A is included in the s32 report [see **Appendix A of Part 1** of the s42A Report]. The notified text of PC82A is provided as **Appendix B of Part 1** of the s42A Report.

17. PC82B seeks to review and update the existing lighting provisions in the WDP which are currently located within multiple chapters, and includes a review of Appendix 15. It proposes the deletion and replacement of the various WDP provisions relating to lighting with one plan chapter for Artificial Lighting referred to as the 'NL' chapter. Providing for lighting within a single lighting chapter is proposed in accordance with the requirements of the Standards.
18. PC82B will include:
 - A new District wide 'Lighting' Chapter – with objectives, policies and rules.
 - Consequential changes to the WDP.
19. PC82B includes a description of the proposed NL to identify the environmental expectations and outcomes sought through the proposed objectives, policies and rules.
20. A comprehensive description of PC82B is included in the s32 report [see **Appendix A of Part 1** of the s42A Report]. The notified text of PC82B is provided as **Appendix B of Part 1** of the s42A Report.

3. Purpose of Report

21. This report considers submissions received in relation to PC82A and PC82B. It has been prepared in accordance with s42A of the RMA to assist the Commissioners with deliberations on submissions and further submissions.
22. The report includes recommendations to the Commissioners to accept, accept in part or reject individual submissions. Where appropriate, it also includes recommended changes to the plan change provisions. In response to submissions, we have in every instance considered efficiency, effectiveness and appropriateness and our recommendations represent in our opinion the most appropriate response in accordance with s32AA. In accordance with section 32AA(1)(c), the assessment of each change has been undertaken at a level of detail that corresponds to the scale and significance of the proposed changes. Depending on the complexity of the change proposed, a s32AA assessment has been provided as **Attachment 1**.
23. When making its decision, WDC is required under clause 10 of the First Schedule of the RMA to give reasons for allowing or not allowing any submissions (grouped by subject matter or individually). The decisions of the council may also include consequential alterations arising out of submissions and any other relevant matters it considered relating to matters raised in submissions.

4. Structure of the Report

24. The report has been structured to provide an assessment of the submissions and further submissions received by WDC, arriving at a recommendation to the Commissioners.

25. All submissions received have been categorised based on which plan change they are most applicable to. Several submissions have been assessed in **Part 1** of the s42A report as they either address broad topics or relate to multiple plan changes.
26. Once allocated to a plan change, each submission point has then been grouped thematically based on topic. As some submissions relate to multiple topics, cross references to the discussion and recommendation sections of other topics have been included.
27. This report is split into the following sections
 - A. PC82A – Signs
 - B. PC82B – Lighting
28. While all submitters have been acknowledged in the summary of submissions [**Appendix D of Part 1** of the s42A Report], due to the similarity of relief sought and reasons given along with the volume of submissions, responses have not necessarily been written for each individual submission point. 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 plan change provisions.
29. Responses have not been written for all further submission because the further submissions generally:
 - Sought to emphasise the content of the corresponding original submission.
 - Did not present new or additional evidence.
 - Stated either support or opposition to the original submissions of other submitters.
30. Where further submissions present additional evidence these have been dealt with within the report where the primary submission point has been addressed.
31. The assessment of submissions generally follows the following format:
 - Submission information – summarises matters raised in the submissions with a brief outline of relief sought.
 - Discussion – discusses responses to the relief sought.
 - Recommendation – outlines a recommendation to the Commissioners in response to the relief sought.
32. Any recommended changes to the notified text as a result of submissions are attached to this report [for PC82A Signs see **Attachment 2**, for PC82B Lighting see **Attachment 3**]. Any recommended additions to the notified text are shown as underlined and deletions as strike-through. Not all changes shown in **Attachments 2 – 3** are discussed in this s42A Report. Some changes are the result of general submission points which have been discussed in **Part 1** of the s42A Report. In addition, not all changes discussed in this s42A Report are shown in **Attachments 2 – 3**. Changes such as amendments to definitions are shown in **Part 1** of the s42A Report.

5. Consideration of Submissions

A. PC82A Signs (Author: Ms Belgrave)

33. Section A addresses submissions on PC143. Topic headings for the submissions assessed under PC82A are as follows:

- a. Whole Plan Change;
- b. Overview;
- c. SI Objectives;
- d. SI Policies;
- e. Hospital;
- f. Safety;
- g. Technical Standards;
- h. Activity Status;
- i. Matters of Discretion;
- j. New Illuminated Signage Rule;
- k. SI R1 - Any Activity Not Otherwise Listed in this Chapter;
- l. SI R2 – Any Sign Visible from Beyond the Site on which it is Located;
- m. SI R3 – Any Sign in Living, Neighbourhood Commercial, Marsden Primary Centre – Town Centre South, Rural Village Residential and Rural (Urban-Expansion) Zones;
- n. SI R6 – Any Sign in the Waterfront Zone and Rural Village Centre Zone
- o. SI R9 – Any Sign within the City Centre, Commercial, Shopping Centre, Light Industry and Active Sport and Recreation, Rural Village Industry Zone, Mixed Use, Local Commercial Zones;
- p. SI R10 – Any Sign within the Heavy Industry, Marsden Primary Centre Industry Zones, Port and Strategic Rural Industry Zones;
- q. SI R12 – Any sign of a Verandah;
- r. SI R13 – Any Official Sign;
- s. SI R15 – Any Community Sign; and
- t. SI-R17 and SI -R18 - Illuminated Signage;
- u. SI R19 – Consolidated Sign Installations.

a. Whole Plan Change

Submission Information

34. North Sawn Lumber Limited (**North Sawn**) and Volume Two Limited (**Volume Two**) generally support the provisions in PC82A, and the consequential amendments to the WDP.

Discussion

35. I support these submission points and agree the SI provisions should be retained as notified, subject to the recommended amendments discussed in this report.

Recommendation

36. I recommend that the Commissioners accept the submission points as outlined below and:
- a. Retain the SI chapter as notified, noting that consequential amendments have been recommended in response to submissions as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
North Sawn	249.7	Accept	a.
Volume Two	250.7	Accept	a.

b. Overview

Submission Information

37. 124 Tauroa Street Limited (**Tauroa**) seek to retain the Overview as notified.
38. Fonterra Limited (**Fonterra**) seek to amend the Overview as follows:

...It is appropriate that some signs be allowed in order to support the communication of important information and enable the identification of facilities, directions and goods and services. However, controls on the number, size and location of signage are also required to avoid detracting from ~~in order to ensure that~~ the amenity values of the various zones within the District ~~are maintained~~ and so that signs do not compromise traffic safety and/or the legibility of certain areas.

Illumination of signage is increasingly used within the Whangarei District and may be associated with businesses, ~~or advertising~~ or the conveyance of safety information (including traffic safety). Illuminated signage is generally considered an effective method of ~~advertising and attracting business~~ conveying information due to its predominance against a dark background. Illuminated signage has the potential to impact on the amenity of the surrounding environment due to the 'brightness' of the signage in contrast to the environment in which it is located. Illuminated signage may also conflict with traffic safety by distracting the motorist's attention from the road. ...

39. The New Zealand Transport Agency (**NZTA**) seek to amend the Overview as follows:

...The importance of the role of signs needs to be balanced against the impact that excessive, poorly designed or inappropriately located signs can have, particularly on the safety of the transport network ~~traffic~~ and the amenity values of an area.

It is appropriate that some signs be allowed in order to support the communication of important information and enable the identification of facilities, directions and goods and services. However, controls on the design, number, ...maintained and so that signs do not compromise the safe and efficient operation of the transport network ~~traffic safety~~ and/or the legibility of certain areas.

~~Illumination~~ Illuminated and digital signage ~~of signage~~ is becoming increasingly used within the Whangarei District and may be associated with businesses or advertising. Illuminated signage is generally considered an effective method of advertising and attracting business due to its predominance against a dark background. However careful consideration needs to be applied to the design and location of illuminated and digital signage. This is because poorly designed and located illuminated and/or digital signage can have

a detrimental impact on the surrounding environment including amenity and the safe and efficient operation of the region's transport network.

The District Plan controls apply to permanent signage where it is located on private land, public spaces such as parks and reserves and other civic spaces, and within the road, including footpaths and verandahs of buildings. Temporary signage which can be seen from public areas and the road, such as electoral signage, real estate signage and temporary event signage, is controlled through Council Bylaws. It is important to note that permanent signs located on or over roads, footpaths and public places are also subject to standard construction requirements for public safety purposes as specified in the Council Bylaw. Signs may also be subject to landowner approval and requirements imposed by the road controlling authority under the Land Transport Act 1998. All signs located on or over a State highway are subject to the NZ Transport Agency Signs on State Highways Bylaw 2010.

Discussion

40. I acknowledge Tauroa's support for the Overview, noting that recommended amendments have been made to the Overview in response to other submissions discussed below. While I generally support the Overview as notified, I agree that some of the changes requested by Fonterra and NZTA provide greater clarity. My position is summarised as follows:

- I agree with some but not all changes to the third paragraph requested by Fonterra. The changes I do not agree with are in my opinion unnecessary and do not add value to the Overview.
- I agree with all changes to the fourth paragraph as requested by Fonterra.
- I agree with the addition of "transport network" to replace traffic in the second paragraph as requested by NZTA.
- I agree with all the changes to the third paragraph requested by NZTA.
- I agree with some, but not all changes in the fourth paragraph requested by NZTA, for the reasons given in Topic t with respect to "digital signage".
- I agree with the additions requested by NZTA to the last paragraph.

Recommendation

41. I recommend that the Commissioners accept in part the submission points as outlined below and:

- a. Amend the overview as detailed in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Tauroa	160.36	Accept	a.
Fonterra	202.29	Accept in part	a.
NZTA	240.51	Accept in part	a.

c. SI Objectives

Submission Information

42. Z Energy, Mobil Oil and BP Oil New Zealand Limited (**The Oil Companies**) seek to retain the intent of SI-O1 and SI-O2.

43. Tauroa seeks to retain SI-O1 and SI-O2 as notified.

44. Fonterra seeks to amend SI-O1 as follows:

Signage is provided for across a range of zones where:

1. ~~It maintains, or where appropriate enhances,~~ does not detract from the character and amenity of the surrounding zone.
2.

45. NZTA seeks to amend SI-O1 as follows:

Signage is provided for across a range of zones where:

1.
2. *It does not adversely impact heritage values, traffic, ~~and pedestrian,~~ and cyclist safety, or impede the efficient use of infrastructure.*

46. NZTA seeks to amend SI-O2 as follows:

SI-O2– Illuminated and Digital Signs

Avoids or mitigates adverse effects on the safe and efficient operation of the transport network ~~traffic safety,~~ heritage values, amenity, and the health and safety of people.

47. Fonterra seeks to amend SI-O2 as follows:

Illuminated signage is provided for where it contributes to the social, cultural and economic wellbeing of the District in a manner which:

1.
2. ~~Maintains or enhances~~ Does not detract from the amenity and character of the surrounding environment.

Discussion

48. I acknowledge The Oil Companies' and Tauroa's support for SI-O1 and SI-O2 as notified.

49. I do not support the proposed amendments sought in Fonterra's submission. In my opinion, the careful use and placement of signage has the ability to not only maintain but to enhance the amenity values of an area, particularly with regard to contributing to wayfinding and creating a sense of place. As such, I consider that it is appropriate for the policy framework of the SI chapter to recognise the potential for signage to have a positive impact on the receiving environment.

50. I support the amendments sought by NZTA relating to the inclusion of cyclist safety within SI-O1 and the safe and efficient operation of the transport network within SI-O2. I agree that the amendments will ensure the policy framework of the SI chapter aligns with NZTA's statutory objectives requiring a holistic

consideration of users of the transport network. I note that a consequential amendment should be made to SI-O1 to replace ‘traffic safety’ with ‘transport network’ to ensure consistency across the objectives and policies. However, for the reasons stated in Topic t, I do not consider it appropriate to make reference to “digital signage”.

Recommendation

51. I recommend that the Commissioners accept and reject the submission points outlined below and:

- a. Amend SI-O1 as set out in **Attachment 2**.
- b. Amend SI-O2 as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
The Oil Companies	101.2	Accept	a, b.
Tauroa	160.37	Accept	a, b.
Fonterra	202.30	Reject	a.
Fonterra	202.31	Reject	b.
NZTA	240.52	Accept	a.
NZTA	240.53	Accept in part	b.

d. SI Policies

Submission Information

52. Fonterra seek to amend SI-P1 as follows:

To provide for signage across a range of zones at a scale and intensity which ensures that the signage does not detract from ~~maintains~~ the character and amenity of these zones and traffic safety within these zones by:

- 1.
- 2.
- 3. *Requiring the consideration of cumulative effects of signage (on amenity or traffic safety), ~~taking into account whether the signage in conjunction with existing signs will create visual clutter or other adverse cumulative effects on amenity values or traffic safety.~~*

53. Tauroa seek to retain policies SI-P1 to P8 as notified.

54. The Oil Companies seek to retain the intent of SI-P1, P3, P4 and P8.

55. NZTA seeks to retain SI-P1, P3, P4 and P5 as notified.

56. Fonterra supports SI-P3.

57. Fonterra seeks to amend SI-P4 as follows:

Traffic Safety ~~Signs~~: To manage signs visible from roads, including the State Highway, to maintain traffic safety by:

1. *Providing for road signs associated with road safety where they are designed and erected ~~by the relevant authorities~~ for the purpose of traffic control or public safety*
2.

58. The Oil Companies seek to amend SI-P7 to replace the term “limiting” in clause 1 with the term “controlling”.

59. Fonterra seek to amend SI-P7 as follows:

To require ~~that~~ illuminated signage do not detract from ~~to maintain~~ the amenity and character of the zone and Resource Areas in which it is located by:...

60. NZTA seeks to amend SI-P7 as follows:

SI-P7 – Illuminated and Digital Signage (Amenity and Character)

To require illuminated and digital signage to maintain the amenity and character of the zone and Resource Areas in which it is located by:

1. *Limiting the use of Illuminated and digital signage (Amenity and Character).*
2. *Controlling the design and location and operation and brightness of illuminated and digital signage in the City Centre, Mixed Use, Commercial, Shopping Centre, Light Industry, Heavy Industry, Local Commercial and Sport and Active Recreation Zones.*

61. NZTA seeks to amend SI-P8 as follows:

SI-P8 – Illuminated and Digital Signage (Transport ~~Traffic~~ Safety)

To require illuminated and digital signage to be located and designed to minimise ~~manage~~ the potential for adverse effects on traffic safety.

Discussion

62. I acknowledge the support for the SI policies identified above, noting that recommended amendments have been made to some of the policies in response to other submission points discussed below.

63. With regards to Fonterra and NZTA’s submission points on SI-P4, I do not consider it necessary to amend the title of the policy. The title is consistent with the titles of SI-P3 and SI-P5 and encapsulates signs relating to traffic safety as a collective theme, as opposed to introducing a new type of sign, “traffic signs”. In my opinion the wording of the policy itself is clear in its intent to manage all signs visible from roads to maintain traffic safety and therefore, I do not consider there to be any benefit in amending the title as requested.

64. I do not agree with the amendment sought by Fonterra with regard to removing the reference to the “relevant authorities” within SI-P4. As notified, SI-R14 provides for “road signs¹” as a permitted activity where they are designed and erected by the relevant authorities. All other road signs require resource

¹ As notified, Road Signs are defined as any signs which are erected for the purpose of traffic control or public road safety, including illuminated and reflective signs.

consent as a restricted discretionary activity. In my view, SI-P4 provides policy support to enable road control authorities to carry out their roles and responsibilities without undue restriction, and creates a clear consenting pathway for all other organisations seeking to install traffic signage visible from the road.

65. I support the changes sought to SI-P7 within the Oil Companies' submission point relating to "controlling" (as opposed to "limiting") the use of illuminated signage. The SI chapter does not impose quantity or size restrictions on illuminated signage, and I consider that the reference to "controlling" illuminated signage is a more accurate representation of the proposed management method. I agree in part that "controlling" is the better term to use in SI-P7, however I consider that the policy could be better drafted to incorporate "controlling" in the lead in sentence in order to improve clarity and the readability of SI-P7.
66. For the reasons stated previously, I do not support Fonterra's submission seeking amendments to SI-P7 relating to signage detracting from the amenity and character values of an area. I support the part of NZTA's submission seeking to amend SI-P7 to include the word "design" into the objective, as in my opinion this is a useful clarification and addition to the policy. However, I do not support the relief requested by NZTA to delete "brightness" from the policy given that this term is consistently used throughout the SI chapter. I do not support the insertion of "digital" for the reasons stated in Topic t.
67. I support NZTA's submission to amend SI-P8 to require illuminated signage to be located and designed to "minimise" (as opposed to "manage") potential adverse effects on traffic safety. I consider that a stronger management approach is warranted in this instance given that the SI objectives require the adverse effects of illuminated signage on traffic safety to be avoided or mitigated. However, for the reasons stated in Topic t, I do not consider it appropriate to reference "digital signage".

Recommendation

68. I recommend that the Commissioners accept or reject the submission points as outlined below and:
- a. Retain SI-P1 – P6 as notified.
 - b. Amend SI-P7 as set out in **Attachment 2**.
 - c. Amend SI-P8 as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.32	Reject	a.
Tauroa	160.38	Accept	a, b, c.
The Oil Companies	101.3	Accept	a, c.
NZTA	240.54	Accept	a.
Fonterra	202.33	Accept	a.
Fonterra	202.34	Reject	a.
The Oil Companies	101.4	Accept in part.	b.
Fonterra	202.35	Reject	b.
NZTA	240.55	Accept in part	b.
NZTA	240.56	Accept in part	c.

e. Hospital

Submission Information

69. Northland District Health Board (**NDHB**) seek amendments to the SI rules and associated definitions that apply in the SPH to enable backlit signage (similar to that contained in Attachment 1 of the submission) to be located within the SPH as a permitted activity, with multiple signs enabled to be located on any road frontage of the SPH to an adjoining road.

Discussion

70. I agree with the matters raised in NDHB submission with regards to the hospital being an important community resource, with the use of illuminated signage being an important tool to facilitate wayfinding both to and within the facility. I support illuminated signage being permitted for the hospital and concur that a restricted discretionary activity status as notified is too onerous and restrictive for the needs and requirements of the hospital, particularly given that it is identified as a regionally significant resource. In my opinion, a permitted activity status for illuminated signs at the hospital is appropriate provided that the illuminance and brightness limits set out in SI-R17 are complied with.
71. In Topic j of this report in response to another submission point, I have recommended that illuminated signage is incorporated into SI-R13–R15 as a permitted activity where the illuminated signage satisfies the brightness limits specified in SI-R17 and are an official sign, road sign, community sign. In addition, I have also recommended that a new permitted activity rule be included in the SI chapter which would permit illuminated signs where they are not visible from beyond the site boundary. In my opinion, hospital signs (including those attached to the NDHB submission) fall within the scope of the definition of “community signs”, being for the purpose of displaying information relating to the location of public facilities. I consider that the amendment to SI-R15 for community signs, the new rule being recommended in Topic j for illuminated signs not visible from beyond the site boundary together with the notified definition of “community signs” will deliver the relief being requested by NDHB. Accordingly, I do not consider it necessary for any changes to be made to the definitions as requested by NDHB.

Recommendation

72. I recommend that the Commissioners accept in part the submission point detailed below and:
- a. Amend the SI chapter to include a new permitted activity illuminated signage rule for signs not visible from beyond the site boundary as outlined in **Attachment 2** (as discussed in Topic j).
 - b. Amend SI-R15 to permit illuminated signs where they are community signs as outlined in **Attachment 2** (as discussed in Topic j).
 - c. Retain the definition of “community sign” as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
NDHB	206.27	Accept in part	a, b, c.

f. **Safety**

Submission Information

73. E Pennington requests a speed restriction from Waipu fire station along and over McLean Bridge to reduce speed to 65 kph, and a turning safe sign to be installed into boat club parking.

Discussion

74. I do not support the relief requested by this submitter. While official signs and road signs will be subject to the controls of the SI chapter, the request to amend speed limits and physically erect traffic signage falls outside the scope of the plan change process and the SI chapter. Any such decision is the responsibility of the relevant road control authority and will be managed via other statutes and processes outside of the District Plan and SI chapter.

Recommendation

75. I recommend that the Commissioners reject the submission point as outlined below and:
- a. Retain the SI chapter as notified, noting that amendments have been recommended in response to other submissions as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
E Pennington	15.2	Reject	a.

g. **Technical Standards**

Submission Information

76. Fonterra note that the technical report appended to the s32 does not specify the limitations listed in SI-R17, which in Fonterra's view need to be supported by a technical report to confirm that they are appropriate.

Discussion

77. Given the technical nature of the Fonterra's submission, advice was sought from Mr Gibson (see **Attachment 4**). Mr Gibson's advice confirms that the limitations listed in the table in SI-R17 had been taken from TR 5 Brightness of Illuminated Advertisements 1999 (Technical Report No. 5) published by the Institution of Lighting Engineers (United Kingdom), and was taken (at that time) as sensible guidance on best practice when evaluated against the background darkness of a sign relative to location, in lieu of any other relevant document being available. As such, it was used in New Zealand (and the United Kingdom) as a guide to evaluating the nuisance value of glare for illuminated signs.
78. Mr Gibson highlights that for illuminated signs, the evaluation needs to cover the brightness of the sign against the environmental background darkness level as well as factors such as size, colour, movement and cyclic operation. The guidance published in Technical Report No.5 has been used by other councils in New Zealand as a method of limitation of the brightness of illuminated signs. The table limits the luminance of the sign depending on the size of the sign. I rely on the expertise of Mr Gibson, and on this

basis, it is my opinion that the limitations listed in SI-R17 are supported by Technical Report No.5 and the limits applied are appropriate.

Recommendation

79. I recommend that the Commissioners reject the submission point as outlined below and:
- a. Retain SI-R17 as notified, noting that amendments have been recommended to this rule in response to submissions as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.39	Reject	a.

h. Activity Status

Submission Information

80. Mitre 10 Holdings Limited (**Mitre 10**) and Woolworths New Zealand (**Woolworths**) seek to retain the restricted discretionary activity status of SI-R9.

Discussion

81. I agree that the restricted discretionary activity status for SI-R9 should be retained as notified.

Recommendation

82. I recommend that the Commissioners accept the submission points as outlined below and:
- a. Retain SI-R9 restricted discretionary activity status as notified, noting that amendments are recommended in response to other submissions as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Mitre 10	36.13	Accept	a.
Woolworths	51.9	Accept	a.

i. Matters of Discretion

Submission Information

83. NZTA request the retention of the matters of discretion as notified in SI-R2 – SI-R12 and SI-R15.

Discussion

84. I agree that the matters of discretion for rules SI-R2 – R15 should be retained as notified.

Recommendation

85. I recommend that the Commissioners accept the submission point as outlined below and:
- a. Retain SI-R2 – SI-R12 and SIR-15 as notified, noting that amendments are recommended in response to other submissions as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
NZTA	240.58	Accept	a.

j. **New Illuminated Signage Rule**

Submission Information

86. Fonterra seek to insert a new rule into the SI chapter as follows:

SI-RXX – Illuminated Signage

Activity status: P (Permitted)

Where:

An illuminated sign satisfies the brightness limits specified in Rule SI – R17 and is:

1. An official sign
2. A road sign permitted by Rule SI – R14
3. A community sign permitted by Rule SI – R15
4. Any other sign not visible beyond the site boundary.

Discussion

87. I agree that the notified illuminated signage rules (SI-R17 and SI-R18) are unduly restrictive for signs such as “official signs” which may be illuminated and are needed for various matters including public safety. I agree that it is appropriate for certain illuminated signs (i.e. official signs, road signs and community signs) to be permitted provided that they meet clearly specified permitted activity parameters around brightness limits. As such, I support the relief requested insofar as permitting the types of signs identified in the submission above, noting that I have recommended that illuminated signage be added to existing rules SI-R13 – 15 relating to community, road and official signs and the addition of a new rule (SI-RNew2) to permit any illuminated signs not visible from beyond a site boundary.

Recommendation

88. I recommend that the Commissioners accept in part the submission point as outlined below and:

- a. Amend the SI chapter to include a new permitted illuminated signage rule as outlined in **Attachment 2**.
- b. Amend SI-R13 – R15 to permit illuminated signage as outlined in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.38	Accept in part	a, b.

k. **SI R1 – Any Activity Not Otherwise Listed in this Chapter**

Submission Information

89. NZTA seeks to amend the notes in SI-R1 as follows:

Note: All temporary signs located on vehicles, within the legal road boundary, on road verges, road reserves, or on private land where they are visible from an adjoining or adjacent property and roads, are regulated by Council Bylaws and the New Zealand Transport Agency (in relation to State highways).

Note: Signage content (such as offensive messages), whether temporary or permanent, located on vehicles within the legal road boundary, on road verges, road reserves, or on private land where they are visible from an adjoining or adjacent property(s) and roads are regulated by Council Bylaws, the New Zealand Transport Agency (in relation to State highways) and may also be subject to the provisions of SI.

- 90. NZTA also request that the Notes are numbered (1) and (2) for ease of referencing.
- 91. Tauroa seeks to retain SI-R1 as notified.

Discussion

- 92. I generally support SI-R1 as notified and acknowledge Tauroa’s support for the rule, noting that I have recommended amendments to the notes accompanying the rule in response to NZTA’s submission point discussed below.
- 93. I support the changes requested by NZTA to the notes for SI-R1. I agree that numbering the notes and clarifying NZTA’s role as a road controlling authority for the state highway network is a useful clarification that will help with the interpretation and administration of the rule.

Recommendation

- 94. I recommend that the Commissioners accept the submission points as outlined below and:
 - a. Amend SI-R1 as outlined in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
NZTA	240.57	Accept	a.
Tauroa	160.39	Accept	a.

I. SI R2 - Any Sign Visible from Beyond the Site on which it is Located

Submission Information

- 95. Tauroa seeks to retain SI-R2 as notified.
- 96. Fonterra request the amendment of SI-R2 as follows:

Where:

- 1. *The sign:*

Is visible from a road which has a speed limit of 70kph or greater, ~~and is~~ it must be located so as to provide an unrestricted view to the motorist for a minimum distance of 250m.

- 97. NZTA request the amendment of SI-R2 as follows:

SI-R2 Any Sign Visible from Beyond the Site on which it is Located (All zones).

Where:

.... 1(b) Is visible from a road which has a speed limit of < 70kph ~~or greater~~, and is located so as to provide an unrestricted view to the motorist for a minimum distance of 100m.

98. NZTA request that new (or similar) subparts are added to SI-R2 as follows:

1(e) No sign shall resemble any Official Sign, Road Sign or traffic signal.

1(f) Signs shall not:

(i) Contain any reflective material

(ii) Contain any flashing and/or revolving lights

(iii) Contain any moving parts, images, text, animation or a dynamic display.

1(g) Within legal road corridors with a posted speed limit of < 70 km/h, no signs shall be located 100m from an intersection and/or a Road Sign and/or an Official Sign and/or pedestrian crossing and/or a traffic signal.

Within legal road corridors with a posted speed limit of ≥ 70 km/h, no signs shall be located 200m from an intersection and/or a Road Sign and/or an Official Sign and/or pedestrian crossing and/or a traffic signal.

99. WDC Infrastructure Group (**WDC Infrastructure**) request the wording is reconsidered in SI-R2.1(d) to make a clearer height in relation to boundary for signs adjacent to an Open Space Zone (**OSZ**).

100. WDC Infrastructure request the insertion of the same rule exemption that is included in rules S1-R3 – S1-R13.

Discussion

101. I generally support SI-R2 as notified and acknowledge and accept Tauroa's support for the rule, noting that recommended amendments have been made to the rule in response to other submissions on SI-R2 discussed below.

102. I support in part the relief requested by Fonterra insofar as agreeing that an amendment is required to SI-R2.1(b). In my opinion the amendment requested would provide clarification for the application of the rule, however, in my opinion the rule should be re-drafted to achieve the intent of Fonterra's submission while improving the overall clarity and readability of the rule. I also note that the numbering of the rule as notified is incorrect and needs to be amended for clarity and consistency.

103. I support in part the relief sought by NZTA relating to SI-R2, with my position summarised as follows:

- I agree with the suggested addition of "all zones" within the title of SI-R2 and consider that this will improve clarity on the application of the rule.
- I do not consider there to be any added benefit in replacing "70kph or greater" with "<70kph" within the rule. In my opinion, the wording of the rule as notified provides greater clarity with regard to when these controls are to be applied than introducing symbols which can be easily misinterpreted.
- While there may be merit in adopting the reduced minimum sight distances for drivers from 250m to 100m, NZTA have provided no technical evidence to support the change requested. In the

absence of any technical evidence to support NZTA's requested amendments I do not consider there to be sufficient information or justification to support these changes at this time.

- I do not support the requested addition of SI-R2.1(e) relating to ensuring that signs visible from beyond the site in which they are located do not "resemble an official sign, road sign, or traffic signal." In my opinion the wording suggested by NZTA lacks clarity, and it is unclear what is trying to be achieved or what the value of this addition would be for SI-R2.
- I do not consider it necessary to amend SI-R2 to include additional standards under a new clause 1(f) relating to reflective and illuminated signs. Any signs that comprise reflective material, flashing lights, or are illuminated in any way will be captured by the definition of "illuminated signs" and accordingly rules SI-R17 and SI-R18. I do not consider it necessary to duplicate these controls within SI-R2.
- With regard to the new standard requested for SI-R2 in a new clause 1(g) I agree that there may be merit in implementing a number of these additional traffic standards. However, until technical evidence can be provided to support the inclusion of these controls and the specific numbers and distances requested by NZTA, I do not consider that it is appropriate to amend the rule at this time.

104. I do not support the relief requested by WDC Infrastructure in regard to SI-R2.1(d) seeking a clearer height in relation to boundary for signs adjacent to an OSZ. WDC Infrastructure have provided no specific rule, alternative approach or a marked-up version of SI-R2 to make it clear what specific change is requested. As such, at this time, I recommend that this submission be rejected based on insufficient clarification or justification as to the relief sought to address the concerns raised in the submission point.

105. With regard to the exemption sought by WDC Infrastructure, I agree that the current wording of SI-R2 and in particular SI-R2.1(c) is overly onerous in so far as it relates to official signs, road signs, and community signs. In my opinion, SI-R2.1(c) would likely capture many of community signs, road signs or official signs, as it is unlikely that these signs will be located on the site that the good or service being advertised relates to and therefore these types of signs would be unlikely to ever meet the permitted activity rule requirements. This would result in community signs, road signs and official signs often requiring a restricted discretionary activity consent which is not the intention of this rule. However, I do not agree with WDC Infrastructure's submission that it is appropriate to impose the same exclusion utilised within SI-R3 – R12 to this rule. I acknowledge that an exclusion from the requirements of SI-R2.1(c) would be appropriate, however in my opinion there are a number of unintended consequences that would result from accepting the relief sought within the submission, including:

- Effectively no traffic safety controls would apply to community signs, official signs, or road signs erected by organisations other than roading authorities. Under the requested exclusion, these signs would be permitted to obscure any official sign, traffic sign, or traffic signal, and would be exempt from maintaining traffic sight distances in high speed environments. In my opinion this would be a negative outcome.

- No road, official, or community sign would be required to comply with the relevant height in relation to boundary setbacks.

106. Based on the above, I consider that it is appropriate to amend SI-R2.1(c) to exclude community signs, road signs and official signs from this requirement to ensure that those signs are able to utilise this permitted activity rule as intended. I also acknowledge based on WDC Infrastructure’s submission that there is a lack of clarity and issue with the rule exemptions applying to SI-R3 – R12 which currently do not capture SI-R2 from also being exempt which is an unintended consequence from the drafting. I consider that a consequential amendment is required to the rule exemptions for SI-R3 – R12 to clarify that this includes SI-R2.

Recommendation

107. I recommend that the Commissioners accept and reject the submission points detailed below and:

- a. Amend SI-R2 as set out in **Attachment 2**.
- b. Amend rule exemption in SI-R3 – R12 as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Tauroa	160.39	Accept	a.
Fonterra	202.36	Accept	a.
NZTA	240.59	Accept in part	a.
NZTA	240.60	Reject	a.
WDC Infrastructure	242.12	Reject	a.
WDC Infrastructure	242.13	Accept in part	a.

m. **SI R3 – Any Sign in Living, Neighbourhood Commercial, Marsden Primary Centre – Town Centre South, Rural Village Residential and Rural (Urban-Expansion) Zones**

Submission Information

108. Summerset Villages (Whangarei) Limited (**Summerset**) requests the amendment of the matter of discretion 1 in SI-R3 as follows (or to the same effect):

Activity Status when compliance not achieved: RD

Matters of discretion are restricted to:

1. *Visual amenity and character effects including:*
 - a. *Within the zone it is located;*
 - ~~b. *On adjacent or adjoining zones;*~~
 - c. *On public spaces.*
2.

Discussion

109. I do not support the relief requested by Summerset. It is unclear from the submission why matter of discretion 1(b) is considered too broad. It is my opinion that the matters of discretion, including 1(b)

visual amenity and character effects “on adjoining or adjacent zones”, are appropriate because it is important to consider the potential effects and implications of signage on adjacent and adjoining zones, particularly where those signs are located close to differing zone boundaries and are clearly visible from adjoining or adjacent land.

Recommendation

110. I recommend that the Commissioners reject the submission point as outlined below and:

- a. Retain SI-R3 as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Summerset	205.22	Reject	a.

n. SI R6 – Any Sign in the Waterfront Zone and Rural Village Centre Zone

Submission Information

- 111. Northland Development Corporation (**NDC**) request the amendment of SI-R6 to refer to 'tenancies' rather than 'site'.
- 112. WDC Infrastructure request the use of a different descriptor for the number of signs e.g. per activity, or per area, whichever is the lesser in SI-R6.1.
- 113. WDC Infrastructure request use a different method in SI-R6.3 to restrict the proliferation of signs and their area that is suited to this particular zone and clarify a descriptor for the total area of signs e.g. per activity, or per area, whichever is the lesser.

Discussion

- 114. I do not support the relief requested by NDC. It is my view that NDC have provided insufficient information to justify the relief, beyond saying it isn't the most efficient or effective method to refer to “sites” instead of “tenancies.” No clear justification has been provided to support this position. In my opinion it is appropriate for SI-R6 to refer to “sites” as notified which is consistent with the terminology used in the Standards and throughout the operative WDP and plan changes. Furthermore, no suggested definition of “tenancies” has been provided and it is not a term defined under the Standards nor the WDP and therefore I do not consider it appropriate to amend the rule.
- 115. Similarly, I do not support the relief requested by WDC Infrastructure which seeks the use of a different descriptor for the number of signs than “site”. For the reasons stated above, I consider the use of the term “site” to be an appropriate descriptor. In my opinion, it is an appropriate determinant when applying the rules as the term is clearly defined in the WDP. The relief suggested of applying alternative descriptors such as “per activity” are not defined and in my opinion are more open to interpretation and implementation issues. For clarity and consistency reasons, the term “site” in my opinion should be retained.
- 116. I do not support the request to use a different method in SI-R6.3 to restrict the proliferation of signs. The submission from WDC Infrastructure provides no specific relief or alternatives to how the rule should be

drafted or could be managing signs and as such the outcome sought is unclear. The 3m² maximum total area for all signs on a site has been applied to avoid clutter and the proliferation of signs within sites. In my opinion it is important that a maximum area is applied to control the potential visual amenity effects from any signs installed within the Waterfront and Rural Village Centre Zones.

Recommendation

117. I recommend that the Commissioners reject the submission points as outlined below and:

- a. Retain SI-R6 as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
NDC	147.5	Reject	a.
WDC Infrastructure	242.14	Reject	a.
WDC Infrastructure	242.15	Reject	a.

- o. **SI R9 – Any Sign within the City Centre, Commercial, Shopping Centre, Light Industry and Active Sport and Recreation, Rural Village Industry Zone, Mixed Use, Local Commercial Zones**

Submission Information

- 118. Mitre 10 request that SI-R9 is reworded to set out more zone-specific standards for signage, to reflect the dominant character and scale of the individual zones.
- 119. Mitre 10 request that SI-R9 is reworded so that permitted signage is proportionate to the scale of development to allow for larger signs for warehouses and large format retail developments, with a permitted area of 30m² per sign.
- 120. Mitre 10 request the amendment of SI-R9.8 as follows:

Directional signs with signage content for directional purposes only shall not exceed ~~10.5~~10.5m² in area and 1.50-0.9m in height and do not contribute to the five-sign maximum.
- 121. Kneehy limited (**Kneehy**) request that SI-R9 be amended to refer to “tenancies” rather than “sites” and to increase the total area of signage.
- 122. Tauroa request the amendment of SI-R9 to provide for an appropriate range of signs within the Light Industry Zone (**LI**) and Commercial Zone (**COM**) that is appropriate for the intended purpose and amenity outcomes that are envisaged.
- 123. WDC Infrastructure request the amendment of SI-R9 to provide for an appropriate range of signs within the LI and COM that is appropriate for the intended purpose and amenity outcomes that are envisaged.
- 124. WDC Infrastructure request the use of a different descriptor for the number of signs e.g. per activity, or per area, whichever is the lesser in SI-R9.1.
- 125. WDC Infrastructure request the use of an alternative method to restrict height of signs in SI-R9.

Discussion

126. Mitre 10, Kneehy and Tauroa all raised concerns with the signage limits for the applicable zones in SI-R9 and seek more appropriate and/or higher limits for specific zones. I agree that the notified maximum permitted signage areas in SI-R9 are overly restrictive and onerous for certain zones e.g. LI and COM where a higher area limit providing more flexibility for signs could be provided. I acknowledge that the zones in which SI-R9 currently apply differentiate in amenity values and the types of amenity anticipated, for example between the City Centre Zone and a LI Zone. On balance after reviewing the permitted signage areas for the zones which are set by other Councils, I accept the SI-R9 is in some cases too restrictive and not practical and note that the approach taken when preparing the notified chapter was to roll over the current limits set in the WDP.
127. I agree with the submissions that the Shopping Centre, Commercial and Light Industrial Zones are more business focussed and by their nature have a lower level of amenity, and that it would be appropriate to allow greater sign areas where industrial development and large format retail are prevalent. I do not agree that the 30m² per sign requested by Mitre 10 is appropriate, and in my opinion there is not enough evidence or justification to support such a large change. However, I acknowledge that a greater sign area threshold for these zones is appropriate. I recommend that a new rule SI-RNew1 is incorporated into the SI chapter for the Shopping Centre (**SCZ**), COM and LI with new maximum permitted sign area limits which are double the notified limits in SI-R9. It is my view that doubling the limits is an appropriate outcome which strikes a balance between providing greater flexibility in these zones while ensuring as per SI-P1 that character, amenity and traffic safety is maintained.
128. I do not support amending the maximum signage area for the City Centre, Sport and Active Recreation, Rural Village Industry, Mixed Use or Local Centre Zones. It is my opinion that the sign area standards for these zones is appropriate given the intended purpose, expectations and amenity levels within these zones.
129. I agree with the relief requested by Mitre 10 to amend SI-R9 - R8 to increase the area and height thresholds for directional signage. I agree that the notified area and height limits of 0.5m² and 0.9m respectively are overly onerous for directional signage and could result in signage that is not clearly visible to motorists, thereby increasing the potential likelihood of last-minute turns and erratic vehicles movements which is an undesirable consequence. In my opinion the amendments requested are reasonable and I recommend that they be accepted.
130. With regard to the submission points from Kneehy and WDC Infrastructure requesting to use a different descriptor for the number of signs on "sites" and for 'sites' to be changed to 'tenancies', I do not support the relief requested for the same reasons that I have already outlined in Topic n above.
131. I do not support WDC Infrastructure's request to use an alternative method to restrict the height of signs in SI-R9. The submission did not propose any alternative method. In my opinion, the method to restrict height as applied in SI-R9 is appropriate and consistent with the method used in the WDP and by other councils throughout the country.

Recommendation

132. I recommend that the Commissioners accept or reject the submission points as outlined below and:

- a. Amend SI-R9 as outlined in **Attachment 2**.
- b. Amend the SI chapter to incorporate a new rule for the Shopping Centre, Commercial and Light Industry Zones as outlined in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Mitre 10	36.10	Accept in part	a, b.
Mitre 10	36.11	Accept in part	a, b.
Mitre 10	36.12	Accept	a.
Kneehy	144.2	Accept in part	a, b.
Tauroa	160.40	Accept	b.
WDC Infrastructure	242.16	Reject	a.
WDC Infrastructure	242.17	Reject	a.

p. **SI R10 – Any Sign within the Heavy Industry, Marsden Primary Centre Industry Zones, Port and Strategic Rural Industry Zones**

Submission Information

133. Fonterra support SI-R10.

134. NZTA request the amendment of SI-R10 as follows:

1.

3. No more than one freestanding sign is permitted per road frontage where a single establishment occupies a site. If a site has two frontages the signs shall have a separation distance of 25m

4. On a site with a frontage of less than 25m, the total signage area does not exceed 3m².

5. On a site with a frontage greater than 25m:

a. The total signage area does not exceed 0.12m² per metre of frontage up to a maximum area of 6m².

b. No sign has an area greater than 3m².

Discussion

135. I acknowledge Fonterra's support for SI-R10 as notified.

136. While there may be merit in adopting additional signage controls within these zones, I do not consider that there is sufficient information or justification to adopt these changes at this time. In my opinion the relief requested is too onerous and restrictive in the applicable zones where greater signage requirements are likely to be needed and there is a much lower level of amenity needing to be managed.

Recommendation

137. I recommend that the Commissioners accept or reject the submission points as outlined below and:

- a. Retain SI-R10 as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.37	Accept	a.
NZTA	240.61	Reject	a.

q. **SI R12 – Any Sign on a Verandah**

Submission Information

138. WDC Infrastructure seeks the removal of a loophole from SI-R12.1.

Discussion

139. I do not support the relief requested in the WDC Infrastructure submission. It is unclear from the submission what the “loophole” is and the specific relief sought to address it: the removal of the entire rule exemption from SI-R12, or that the exemption be reworded to improve clarity and understanding on its application. Until clarification can be provided on this matter, I do not support any changes being made.

Recommendation

140. I recommend that the Commissioners reject the submission point detailed below and:

- a. Retain SI-R12 as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
WDC Infrastructure	242.18	Reject	a.

r. **SI R13 – Any Official Sign**

Submission Information

141. The Oil Companies, NZTA, Transpower NZ Ltd (**Transpower**) and KiwiRail request the retention of SI-R13 as notified.

Discussion

142. I agree that SI-R13 should be retained as notified.

Recommendation

143. I recommend that the Commissioners accept the submission points as outlined below and:

- a. Retain SI-R13 as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
The Oil Companies	101.5	Accept	a.
NZTA	240.62	Accept	a.
Transpower	247.2	Accept	a.
KiwiRail	265.18	Accept	a.

s. SI R15 – Any Community Sign

Submission Information

144. NZTA request the amendment of SI-R15 as follows:

Activity Status: P (Permitted)

Where:

4. *The sign is located within the road or any public place, the following controls are met:*

a. No more than one community sign is permitted per site frontage to the road.

b. The total display area shall comply with the permitted activity sign rules for the adjoining zone.

c. The sign is not within a vehicular carriageway, shared path, cycleway or footpath.

d. The speed limit is less than 70km/hour.

Note: Signs located on or over roads, footpaths and public places are also subject to standard construction requirements for public safety purposes as specified in the Council Bylaw. Signs may also be subject to landowner approval and subject to requirements imposed by the road controlling authority under the Land Transport Act 1998.

145. WDC Infrastructure request the removal of a loophole from SI-R15.1.

146. WDC Infrastructure request clarity around the meaning of “variable content” in SI-R15.1.

147. WDC Infrastructure request that “adjoining zoning” be changed to “relevant zoning” in SI-R15.1.

Discussion

148. I support NZTA’s submission point in so far as it relates to imposing additional controls on community signs located within the reserve area of State Highways. Technical evidence² has been provided to support the inclusion of these standards as they relate to State Highways. However given the differences in legal and physical formation between State Highways and the wide range of district roads captured by the definition of “road” under the WDP, in my opinion further information is required to confirm the appropriateness of imposing these standards on all roads.

149. As previously discussed above in Topic q, I do not support the relief requested by WDC Infrastructure. It is unclear from WDC Infrastructure as to what the ‘loophole’ is and the specific relief sought. Until clarification can be provided on this matter, I do not support any changes being made.

150. With regard to the request to clarify the context surrounding “variable content”, I acknowledge that the current structure of SI-R15 does not provide sufficient clarity and context on the restrictions surrounding signs that have variable message displays. As notified, I consider that the reference to “variable content” is not located within the appropriate section of SI-R15. As such, I recommend that “variable content” be relocated to SI-R15.2, where I consider it sits more appropriately alongside similar design controls such as illumination, flashing and animated signs. For consistency with NZTA resources³, I also recommend that the reference to “variable content” be replaced by “variable message displays” within SI-R15.2. As

² <https://www.nzta.govt.nz/assets/resources/advertising-sign-alongside-sh/ad-signs-brochure.pdf>

³ <https://www.nzta.govt.nz/assets/resources/intelligent-transport-systems-06-02/docs/its-06-02.pdf>;

outlined within Topic t below, I recommend that a consequential amendment is made to the definition of “illuminated sign” to incorporate variable message displays.

151. I support the amendments sought by WDC Infrastructure in relation to referencing the underlying zoning as opposed to the zoning of the adjoining land when considering signage within any road or public place. I agree that signage located within these areas should be subject to the signage controls of the underlying zone as opposed to those of the adjoining zone.

Recommendation

152. I recommend that the Commissioners accept or reject the submission points detailed below and:
- a. Amend SI-R15 as set out in **Attachment 2**.
 - b. Amend definition of “Illuminated Sign” as set out in **Attachment 1 of Part 1** of the s42A Report.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
NZTA	240.63	Accept in part	a.
WDC Infrastructure	242.19	Reject	a.
WDC Infrastructure	242.20	Accept	a.
WDC Infrastructure	242.21	Accept	a.

t. SI-R17 and SI-R18 - Illuminated Signage

Submission Information

153. Mitre 10 seeks to amend SI-R17 to provide a permitted activity status where the relevant standards are met. Further, they request that the activity status of illuminated signs that do not comply with the standards be changed from discretionary to restricted discretionary.
154. The Oil Companies seek to amend SI-R17 from the notified activity status of restricted discretionary cascading to discretionary, to permitted cascading to restricted discretionary, with matters of discretion restricted to safety and amenity matters; and to delete “duration of consent” from the matters of discretion or alternatively specifically link it to applications for temporary activities. The changes to SI-R17 could be achieved by making amendments as follows:

SIGN-R17 - Any Illuminated Sign

Activity Status: ~~RD (Restricted Discretionary)~~ P (Permitted)

Where:

1. *The illuminated sign is located within the following zones:*
 - b. *City Centre*
 - c. *Mixed Use*
 - d. *Commercial*
 - e. *Shopping Centre*
 - f. *Local Commercial*
 - g. *Light Industry*

- h. Heavy Industry
 - i. Sport and Active Recreation
 - j. Port
 - k. Marsden Primary Centre – Town Centre South or Industry
 - l. Strategic Rural Industry
 - m. Hospital
2. The illuminated sign:
- a. Complies with the signage controls for the zone in which the sign is located.
 - b. Is not animated, moving or flashing and does not contain any moving image or wording.
 - c. Is not located within 20m of any road intersection.
 - d. Complies with the brightness standards in the table below...

Activity Status when compliance not achieved: RD (Restricted Discretionary)

Matters of Discretion:

- 1. The effects of the illuminated sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).
- 2. Scale, location, and hours of operation/duration of illumination.
- 3. The effects of illumination/animation on traffic safety and the efficient and safe function of the roading network.
- 4. Cumulative effects.
- ~~5. Duration of consent.~~

155. Summerset seek to amend SI-R18 as follows (or to the same effect):

Activity Status: RD (Restricted Discretionary)

Matters of discretion are restricted to:

- 1. The effects of the illuminated sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).
- 2. Scale, location, and hours of operation/duration of illumination.
- 3. The effects of illumination/animation on traffic safety and the efficient and safe function of the roading network.
- 4. Cumulative effects.
- 5. Duration of consent.

156. NZTA seek to amend SI-R17 as follows:

SI-R17 Any Illuminated or Digital Sign

- 1. The illuminated or digital sign is located within the following zones:
- 2. The illuminated or digital sign:

157. NZTA seek to amend SI-R17-1 as follows:

- 1. The illuminated or digital sign:
 - b.
 - c.

- d. Is not located within 100m ~~20m~~ of any road intersection with a posted speed limit of <70km/h or within 200m of any road intersection with a posted speed limit of >70km/h.
- e.
- f. For any digital signs, the maximum transition time between images shall be 0.5 seconds.
- g. For any digital sign facing a State highway, the minimum dwell time between images shall be 10 seconds.
- h. Any digital sign facing a State highway must display a maximum of 8 words symbols or graphics and no more than 40 characters at any one time.
- i. For any digital sign facing a State highway, is not located within 100m of any road intersection with a posted speed limit of <70km/h or within 200m of any road intersection with a posted speed limit of >70km/h.

158. NZTA seek to amend SI-R17-2 as follows:

2. The illuminated sign:

- a. Complies with the signage controls for the zone in which the sign is located and the requirements of R2.
- ~~b. Is not animated, moving or flashing and does not contain any moving image or wording.~~
- c. ...
- ~~d. Complies with the brightness standards in the table below.~~

Illuminated Signage Brightness Limits	
<u>Illuminated area of the sign (m²)</u>	<u>Maximum level of brightness (measured in candelae)</u>
Up to 0.5	1,000
0.5-2.0	800
2.0-5.0	600
5.0-10.0	600
Over 10.0	400

159. NZTA seek to amend SI-R17 to insert the following table as a standard for determining maximum luminance levels for signs. The table has been adapted from Tables 3.1 and 3.5 of Australian/New Zealand Control of the obtrusive effects of outdoor lighting 2019 (**AS/NZS 4282**) to fit within the context of a district plan.

Maximum luminance		
	Low Light Environment (Rural & Rural Residential areas)	Medium Light Environment Suburban and Urban Areas)
Maximum Candelas per Square Metre (cd/m²)	150	300

160. Furthermore, NZTA seek to amend the matters of discretion of SI-R17 as follows:

Matters of Discretion

1. *The effects of the illuminated or digital sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).*
2. *Scale, location, and hours of operation/duration of illumination.*
3. *The effects of illumination/animation, dwelling time and transition time on traffic safety and the efficient and safe function of the roading network.*
4. *Cumulative effects.*
5. *Duration of consent.*

161. NZTA seek to amend SI-R18 as follows:

SI-18 - Any Illuminated or Digital Sign...

162. Fonterra request the removal of NL-REQ1.4 for the NL chapter and in the inclusion of the rule requirement into SI-R17 as follows:

"... For illuminated signage, the maximum sign brightness shall be measured by calculation or certified statement by a suitably qualified and experienced professional (e.g. Chartered Professional Engineer or Independently Qualified Person)."

Discussion

163. I do not support the submissions from Mitre 10 and The Oil Companies seeking to provide for illuminated signage as a permitted activity, nor with restricting non-compliant illuminated signage resource consents to a restricted discretionary activity status in SI-R17. In my opinion, the appropriateness of illuminated signage within the Zones listed in SI-R17 requires consideration on a case by case basis which cannot be conclusively managed through the use of permitted activity standards. The notified SI provisions identify zones where illuminated signage is either generally anticipated or where there would be reasonable intent for these types of signs. A restricted discretionary activity status provides clear assessment direction for the consideration of such proposals, with a discretionary status ensuring that the effects of non-compliant illuminated signage proposals are comprehensively considered and tested against the objectives and policies for each zone.
164. As outlined within The Oil Companies' submission, I agree that the inclusion of "duration of consent" as a matter of discretion for illuminated signage is not necessary and subsequently support the removal of this matter from SI-R17.
165. With regard to Summerset's submission, I do not agree that a restricted discretionary activity status is appropriate for illuminated signage in the zones identified within SI-R18. When considering the primary activities (e.g. sensitive or residential activities) provided for within each of these zones, in my opinion illuminated signage is not generally expected to be required within these areas and for this reason, any illuminated signage requires a comprehensive assessment of effects and should be tested against the applicable objectives and policies to ensure such signage is appropriate and compatible with the intended development outcomes of each zone. A discretionary resource consent provides Council with the ability to consider any relevant matter when deciding whether or not to grant or decline a resource consent within these zones, which are typically associated with higher levels of amenity and potentially more sensitive to the adverse effects of illuminated signage.

166. I agree with a limited number of points made within NZTA's submission relating to illuminated signage. Given the technical nature of the requests by NZTA, advice was sought by Keith Gibson – Focus Technology to inform the responses below (see **Attachment 4**). Having considered the advice received from Mr Gibson, my position is summarised as follows:

- NZTA has requested the policy framework of the SI chapter differentiate between “illuminated signs” and “digital signs”. No definition or supporting information has been provided by NZTA to clearly differentiate between illuminated and digital signage and without further clarification, it is unclear as to the subsequent implications of adopting this requested change. As notified, the definition of “illuminated sign⁴” captures any sign that uses illumination to display content, whether static, flashing, animated or otherwise. I acknowledge that a number of submissions have either raised concerns or questioned the types of signs captured by the illuminated signage rules. As such, I recommend a consequential amendment to the definition of “illuminated signs” to improve clarity and understanding of the definition and provisions for illuminated signs. This includes adding the following wording at the end of the notified definition “digital signs, and signs that incorporate flashing, animation and variable message displays.” In my opinion, this wording addresses the concerns raised in submissions about the types of signs that should be captured, to ensure that all “illuminated signs” are addressed within the provisions, without the need to add new rule content specific to “digital signs”.
- NZTA has also requested additional controls be imposed on illuminated signage, including separation distances from intersections, transition and dwell time, and controls on signage content. While I agree that there may be merit in implementing such controls, no supporting technical evidence from a traffic engineer or lighting expert has been provided to justify the appropriateness of these. Until such technical evidence is produced, I consider that there is insufficient information and justification to accept these changes at this time.
- NZTA has requested that SI-R17 includes a reference to comply with SI-R2 and delete subpoints SI-R17.2(b) and SI-R17.2(d) from the rule relating to animated, moving or flashing signs and brightness limits respectively. I agree that it is appropriate to require illuminated signage to comply with the requirements set out within SI-R2 and consider that the relief sought will improve clarity as to the application of these standards. As such, I support the inclusion of “and the requirements of R2” within SI-R17.2(a) as requested. I do not support the deletion of SI-R17.2(b) and SI-R17.2(d). These are necessary for the implementation and application of the rule as evaluated in the Signs s32 Report⁵. I agree with the s32 Report assessment and notified wording in SI-R17.2(b) and SI-R17.2(d), and nothing identified within the submission from NZTA on this matter changes my opinion. In addition, I note that this relief was requested by NZTA on the basis of their relief sought to SI-R2 which I have also recommended to be rejected as discussed in Topic I of this report.

⁴ Illuminated Sign means any sign with a specifically designed means of illumination of the whole or any portion of its face. Includes internally illuminated and externally illuminated (floodlit) signs and reflective signs.

⁵ See paragraphs 193 – 197 on pages 45 – 47 of the Signs s32 Report.

- I do not support the relief requested by NZTA to incorporate AS/NZ 4282:2019, based on expert advice sought from Mr Gibson attached as **Attachment 4**. Mr Gibson indicates that AS/NZ 4282:2019 contains a section on the obtrusive effects from illuminated signs and provides some clarity on how a sign may be evaluated. This information was not included in the previous edition of the Standard. The problems with evaluating or measuring luminance from an illuminated sign remain, whether or not the table from Technical Report No.5 or AS/NZ 4282:2019 is utilised. AS/NZ 4282:2019 only determines how the illuminance (light spill) should be calculated at the window of the nearest inhabitable dwelling and, while maximum luminance values for a sign are given, these do not relate to the size of the sign or to all the criteria necessary for evaluating nuisance to the viewer. Mr Gibson acknowledged that there is sufficient information published in SI-R17 to provide guidance on the limitation of brightness against the size of the sign. Mr Gibson's advice is that the inclusion of compliance to AS/NZ 4282:2019 in SI-R17 would not achieve any additional benefit as the brightness and size of the sign face are not related in the Standard and these two factors need referencing together to evaluate the glare to the viewer's eye. I rely on the expertise of Mr Gibson, and as such it is my opinion that the current table in SI-R17 and the reference to Technical Report No. 5 is appropriate.
- I do not support the relief requested to the matters of discretion by NZTA. In my opinion, it is not necessary to amend the matters of discretion contained within SI-R17 to include "dwell time and transition time". In my opinion, NZTA have not provided sufficient practical justification as to why the notified matters of discretion are not adequate or robust enough to enable a full assessment. As notified, the matters of discretion require the consideration of the "effects of illumination/animation on traffic safety..." which in my opinion provides for comprehensive consideration of the effects of illuminated signage on the roading network without the use of unnecessary technical language that is not used elsewhere in the chapter.

167. Fonterra requested the removal of NL-REQ1.4 from the lighting chapter and relocating it to the applicable rule (SI-17) in the SI Chapter. The response to this submission is discussed in Topic m of the Lighting (NL) s42A report below.

Recommendation

168. I recommend that the Commissioners accept or reject the submission points as outlined below and:
- Amend SI-R17 as set out in **Attachment 2**.
 - Retain SI-R18 as notified, noting the consequential amendment required to include an advisory note as set out in **Attachment 2**.
 - Amend the definition of "Illuminated Sign" as set out in **Attachment 1 to Part 1** of the s42A Report.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Mitre 10	36.14	Reject	a.
The Oil Companies	101.1	Accept in part	a.
Summerset	205.23	Reject	b.
NZTA	240.64	Reject	a, c.
NZTA	240.65	Reject	a.

NZTA	240.66	Accept in part	a.
NZTA	240.67	Reject	a
NZTA	240.68	Reject	a.
NZTA	240.69	Reject	b.
Fonterra	202.28	Refer to Topic b of NL s42A below	

u. SI R19 – Consolidated Sign Installations

Submission Information

169. Mitre 10 request the deletion of SI-R19.

170. The Oil Companies request the amendment of SI-R19 to change the activity status of Consolidated Sign Installations to restricted discretionary with discretion retained over the following matters:

1. The effects of the illuminated sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).
2. Scale, location, and hours of operation/duration of illumination.
3. The effects of illumination/animation on traffic safety and the efficient and safe function of the roading network.
4. Cumulative effects.

Discussion

171. I do not support the request from Mitre 10 to delete SI-R19 or the Oil Companies' request to change the activity status relating to consolidated signs. In my opinion it is more appropriate that this rule remains as notified, as it clarifies the activity status for this activity / types of signs and ensures the effects of consolidated signs will be appropriately considered and managed following a case by case assessment. A full s32 assessment for "consolidated signs" was undertaken in the Signs s32 report⁶. Including a rule with a discretionary activity status was considered the most appropriate because:

While a discretionary activity status will result in consenting costs and reduced flexibility for sign installations, it is considered necessary to manage consolidated sign installations in signage parks and the associated effects. Including a rule and a definition for consolidated sign installation in the SI chapter provides clear direction for WDP users that the establishment of consolidated signs regardless of its location is subject to a consent requirement in addition to any CAS Bylaw requirements. A discretionary activity status allows consideration of the actual and potential effects on the surrounding environment, the relationship with other signs, the frequency and content of signs. This consent process will mean that consolidated sign installation can be more effectively managed through the consenting process and conditions of consent in addition to the CAS Bylaw (and application process).

172. I agree with the assessment in the s32 Report for SI-R19 and in my opinion having no provision for consolidated signage does not provide clear direction in the WDP as to how these types of signs are provided for and managed. A discretionary activity status in my opinion is appropriate in ensuring there is a full consideration of consolidated signs which could result in the proliferation of signs in one location or area. The notified activity status allows for the consideration of effects, both positive and negative.

⁶ See paragraphs 198 – 202 on pages 47 – 48 of the Signs s32 Report.

Recommendation

173. I recommend that the Commissioners reject the submission points as outlined below and:

- a. Retain SI-R19 as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Mitre 10	36.15	Reject	a.
The Oil Companies	101.6	Reject	a.

B. PC82B Lighting (Authors: Ms Hosted and Mr Badham)

174. Section B addresses submissions on PC82B Lighting. Topic headings for the submissions assessed under PC82B are as follows:

- a. Chapter Title
- b. Whole Plan Change
- c. Overview
- d. NL Objectives
- e. NL Policies
- f. NL Rules - General
- g. NL-R2 Any Artificial Lighting
- h. NL-R3 Any Artificial Road Lighting
- i. NL-R4 Any Health Safety or Navigational Artificial Lighting
- j. NL-R5 Any Artificial Lighting for Mineral Extraction Activities
- k. NL-R6 Any Car Parking or Loading Spaces
- l. NL-R7 Any Subdivision
- m. Information Requirement
- n. Safety
- o. Temporary Lighting

a. Chapter Title

Submission Information

175. NZTA request the amendment of the chapter title as follows: Outdoor Lighting.

Discussion

176. In our opinion, NZTA's request to include 'Outdoor' in the Lighting chapter title is unnecessary and we consider that given the nature of the provisions in the NL chapter it is evident that the chapter relates only to outdoor lighting. Further, the Standards provides mandatory direction that all chapters and sections must use specific standardised titles as indicated in Table 16 of the Standards, unless otherwise specified. Table 16 'Unique identifier table for chapters, sections and zone framework' references 'LIGHT-Light' as the unique identifier for this chapter. The inclusion of 'Outdoor' is therefore not consistent with the Standards, and accordingly we do not support it.

177. We note that the notified nomenclature for this chapter 'NL – Lighting' also does not align with the Standards as a result of notification occurring prior to the Standards being gazetted. WDC Planning and Development Department's (**WDC Planning**) submission (236.3) seeks 'consequential amendments' in order to align with the prescriptions of the Standards in regards to unique identifiers and chapter names.

As discussed in **Part 1** of the s42A Report⁷ the NL is recommended to be amended to LIGHT as set out by the Standards. Mrs McGrath has recommended amendments to the NL Chapter to reflect this amendment. We concur with the amendments recommended by Mrs McGrath. We note that in this report the chapter will still be referred to as the NL to avoid confusion.

Recommendation

178. We recommend that the Commissioners reject the submission point as outlined below and:

- a. Amend the chapter title to Lighting (LIGHT).

Submitter	Submission# & Point #	Accept/Reject	Recommendation
WDC Planning	236.3	Accept	a.
NZTA	240.70	Reject	a.

b. Whole Plan Change

Submission Information

179. Nga Hapu o Whangarei support the adoption of national lighting standards.

180. North Sawn and Volume Two generally supports the provisions in PC82B, and the consequential amendments to the Whangarei District Plan.

Discussion

181. We acknowledge the support for PC82B, noting that amendments have been recommended to some of these provisions in response to other submissions discussed in this report.

Recommendation

182. We recommend that the Commissioners accept in part the submission points as outlined below and:

- a. Retain the NL chapter as notified noting that amendments are recommended in response to submissions as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Nga Hapu o Whangarei	215.3	Accept in part	a.
North Sawn	249.8	Accept in part	a.
Volume Two	250.8	Accept in part	a.

c. Overview

Submission Information

183. Fonterra request the amendment as follows:

Artificial lighting enables a variety of activities to occur beyond daylight hours. Lighting is provided to illuminate work areas (including for health and safety purposes) and to provide for recreational and entertainment activities

⁷ Section H.

such as sporting events. Artificial lighting is also important to maintain security and support the safe use of areas after dark. Lighting infrastructure, such as street lighting, is necessary for traffic safety and efficiency and the well-being of people and communities. Unless appropriately managed, lighting can adversely impact on other properties due to light spill and glare. If lighting is not ~~screened or~~ appropriately angled designed, it can ~~also~~ result in 'light pollution' which can adversely affect the ability to view the night sky.

184. Somerset request the amendment of the overview as follows:

The artificial lighting provisions in this chapter both manage and require artificial lighting, in order to support the health and safety of people and to ensure that lighting levels are compatible with the existing lighting character of the surrounding environment and that the amenity of the night sky is preserved (where appropriate).

185. NZTA request the amendment of the overview as follows:

Artificial outdoor lighting enables a variety of activities to occur beyond daylight hours. Lighting is provided to illuminate work areas and to provide for recreational and entertainment activities such as sporting events. Artificial lighting is also important to maintain security and support the safe use of areas after dark. Lighting infrastructure, such as street lighting, is necessary for transport network ~~traffic~~ safety and accessibility efficiency and the well-being of people and communities. Unless appropriately designed, managed and located, the obtrusive effects of lighting can adversely impact on other properties (including the transport network) due to light spill and glare. If lighting is not screened or appropriately angled, it can also result in 'light pollution' which can adversely affect the ability to view the night sky.

Discussion

186. We support the specific inclusion of "health and safety" as requested by Fonterra as it acknowledges the importance of artificial lighting for health and safety purposes. We also support the additional amendments requested by Fonterra, as they result in more concise wording without changing the intent of the overview.

187. We do not support the amendments sought by Somerset as in our opinion the proposed wording does not improve the overview and is unnecessary.

188. We agree in part with the relief requested in NZTA's submission. The amendments sought by NZTA recognise that lighting assists with wayfinding for the entire transport network (including cyclists and pedestrians) and acknowledges the importance of appropriate lighting design. We consider that the proposed wording adds clarity to the overview and these amendments are supported. However, we do not support the inclusion of "outdoor" for reasons discussed in Topic a of this report.

Recommendation

189. We recommend that the Commissioners accept or reject these submission points as outlined below and:

- a. Amend the overview of the NL chapter as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.20	Accept	a.
Somerset	205.24	Reject	a.
NZTA	240.71	Accept in part	a.

d. NL Objectives

Submission Information

190. Fire NZ request the retention of NL-O1 as notified.
191. The Oil Companies request the retention of NL-O1 – O3 as notified.
192. The New Zealand Defence Force (**NZDF**) requests the retention of NL-O2 as notified or wording to a similar effect.
193. Fonterra request the amendment of NL-O2 as follows:

Artificial lighting ~~maintains, and where appropriate enhances,~~ does not detract from the amenity and character of the surrounding environment ~~while~~ by avoiding, remedying and mitigating adverse effects associated with light spill and glare.

194. Fonterra request the amendment of NL-O3 as follows:

The subdivision and development of land provides artificial lighting infrastructure to support the safety and security of people and property and to maintain public pedestrian and traffic safety.

Discussion

195. We acknowledge the support of NL-O1 – O3 as notified in PC82B, noting that amendments have been recommended to some of these objectives in response to other submissions discussed below.
196. The notified wording of NL-O2 acknowledges that there are ways to design lighting to enhance and improve the amenity of the surrounding environment. The inclusion of “where appropriate” in NL-O2 provides discretion for any potential enhancement and/or improvement to be considered on a case by case basis. The wording proposed by Fonterra would ensure that existing amenity is not reduced, however in our opinion it does not encourage improved amenity outcomes through lighting where this is considered appropriate and can be achieved. As such, we disagree with the wording proposed by Fonterra as we consider that it would result in missed opportunities for improved amenity.
197. We support the relief requested by Fonterra to include “security” in NL-O3 and agree that this is an important function that artificial lighting achieves.

Recommendation

198. We recommend that the Commissioners accept or reject the submission points as outlined below and:
 - a. Retain NL-O1 as notified.
 - b. Retain NL-O2 as notified.
 - c. Amend NL-O3 as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fire NZ	165.62	Accept	a.
The Oil Companies	101.7	Accept in part	a. b. c.
NZDF	156.6	Accept	a. b.
Fonterra	202.21	Reject	b.
Fonterra	202.22	Accept	c.

e. NL Policies

Submission Information

199. NZDF request the retention of NL-P1 as notified or wording to similar effect.

200. The Oil Companies request the retention of NL-P1 – P2 and NL-P4 – P5.

201. Fonterra request the amendment of NL-P1 as follows:

To maintain, ~~and where appropriate enhance~~, the amenity and character of each zone by controlling the intensity, location and direction of artificial lighting.

202. NZTA request the amendment of NL-P2 as follows:

To enable the use of artificial lighting where it is required for health and safety reasons including, to facilitate safe multi modal movement on transport networks, traffic and pedestrian safety or navigational purposes.

203. Fonterra request the amendment of NL-P3 as follows:

Mineral Extraction Strategic Business and Industry

To provide for the use of artificial lighting where it is required as a functional or operational component of ~~mineral extraction~~ strategic business and industry activities, while ensuring any adverse effects of the artificial lighting are minimised.

204. NZTA request the amendment of NL-P4 as follows:

To enable safe and efficient use of areas which will be accessed by the general public after daylight hours by requiring appropriately designed, installed and maintained artificial lighting to be provided when developing or redeveloping these areas.

205. NZTA request the amendment of NL-P5 as follows:

To support the safe and efficient use of the multi-modal transport networks ~~road and pedestrian network~~ while maintaining the character and amenity of the surrounding environment by requiring street lighting to be provided at the time of subdivision.

Discussion

206. We acknowledge the support of NL-P1, P2, P4 and P5 as notified, noting that amendments have been recommended to some of these policies in response to other submissions discussed below.

207. Fonterra seeks to amend the wording of NL-P1 on the basis that their relief requested will still result in the assurance that artificial lighting does adversely affect, or detract from, the amenity and character of the surrounding environment, whilst recognising that lighting should be appropriate for the zone. We

disagree with the amendments proposed. In our opinion, the notified wording “maintain” provides clear direction that artificial lighting should not detract from existing amenity. In addition, it is our opinion that the notified wording referring to “where appropriate, enhance” enables an opportunity for enhancement while providing discretion as to whether or not it is appropriate in all circumstances, including the consideration of the zone within which the activity is being undertaken.

208. We disagree with the amendments to NL-P2 requested by NZTA. The term “multimodal” is not a commonly used term within the WDP, nor has a definition for the term been provided by NZTA. In light of this, we consider that the inclusion of this term is not appropriate. However, we acknowledge that the policy could be amended for clarity and consistency to specifically identify cyclists as a mode of transport utilising transport networks.
209. We disagree with the amended wording to NL-P3 proposed by Fonterra. “Strategic Business and Industry” is not a term currently used within the WDP and no definition has been provided. In addition, this is not a term that is defined in the Northland Regional Policy Statement (**NRPS**) for Northland, the Standards or the RMA, making it difficult to assess the impact of the amendment sought. As such, given the lack of a definition for this term, it is our opinion that the inclusion of this wording could result in some ambiguity in terms of interpretation and therefore we do not support the relief requested.
210. We consider that the amendments sought to NL-P4 by NZTA improves the policy. It is our opinion that the inclusion of “appropriately designed, installed and maintained” to NL-P4 will ensure that fit for purpose artificial lighting is provided at the point of development and maintained so that the safety value provided is preserved.
211. We disagree with the amendments sought by NZTA to NL-P5 for the reasons discussed in Topic e of this report in regard to a submission made by NZTA on NL-P2. However, in light of the amended wording suggested for NL-P2, we recommend new wording also for NL-P5 to provide consistency in terms of specifically referencing cyclists.

Recommendation

212. We recommend that the Commissioners accept or reject the submission points as outlined below and:
- a. Retain NL-P1 as notified.
 - b. Amend NL-P2 as set out in **Attachment 3**.
 - c. Retain NL-P3 as notified.
 - d. Amend NL-P4 as set out in **Attachment 3**.
 - e. Amend NL-P5 as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
NZDF	156.7	Accept	a.
The Oil Companies	101.8	Accept in part	a,b,d,e.
Fonterra	202.23	Reject	a.
NZTA	240.72	Accept in part	b.
Fonterra	202.24	Reject	c.

NZTA	240.73	Accept	d.
NZTA	240.74	Reject	e.

f. NL Rules - General

Submission Information

213. The Oil Companies request the retention of the following provisions: NL-R2, NL-R4, NL-R6.

Discussion

214. We acknowledge the support of NL-R2, NL-R4, NL-R6 and agree that these rules should be retained as notified, noting that amendments have been made to some of these provisions in response to other submissions discussed below.

Recommendation

215. We recommend that the Commissioners accept the submission points as outlined below and:

- a. Retain NL-R2, NL-R4 and NL-R6 as notified, noting the amendments recommended in response to other submission.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
The Oil Companies	101.9	Accept	a, b, c.

g. NL-R2 Any Artificial Lighting

Submission Information

216. Fire NZ request the retention of NL-R2 as notified.

217. Fonterra request the amendment of NL-R2.1 as follows:

- 1. Except for artificial lighting that complies with NL-R4, ~~The~~ artificial lighting is shielded so that light emitted by the luminaire is projected below a horizontal plane running through the lowest point on the fixture as represented in NL Lighting Appendix Illustration of District Wide Lighting Standard.

218. NZTA request the amendment of NL-R2.1 as follows:

- 1. The artificial lighting is shielded or a suitable luminaire optic deployed so that light emitted by the luminaire is projected below a horizontal plane running through the lowest point on the fixture as represented in NL Lighting Appendix Illustration of District Wide Lighting Standard.
- 2. The Agency also suggests that the Council may wish to consider aligning lighting provisions with those in AS/NZS4282 (such as providing a table indicating equivalence).

219. NZTA request the retention of NL-R2.2 as notified.

220. NZTA request the amendment of NL-R2.3 as follows:

- 3. The artificial lighting is located in the Active Sport and Recreation Zone or the Open Space Zone and it complies with the AS/NZS 1158 and AS/NZS4282 series of standards.

221. WDC Infrastructure request to change the reference to 'Active Sport and Recreation' to 'Sport and Active Recreation' in NL-R2.

Discussion

222. We acknowledge the support of NL-R2 and NL-R2.2, noting that amendments have been made to some of these provisions in response to other submissions discussed below.

223. We agree in part with the relief requested by Fonterra. Fonterra seeks an amendment to NL-R2 to specifically acknowledge that where artificial lighting is required for health and safety or navigational purposes, it is exempt from complying with NL-R2. The intent of the rules structure is that NL-R2 is a catch all rule for activities that aren't specifically provided for in NL-R3 – R5 (that the activities provided for in NL-R3 – R5 are exempt from complying with NL-R2). We acknowledge that this may not be explicit or clear to the reader, and as such we agree with Fonterra that an amendment is required to the notified wording to provide clarity. We consider however that the wording requested is not consistent with other WDP Chapters, and instead recommend a note at the bottom of the NL-R2 table. The recommend wording is as set out in **Attachment 3**.

224. NZTA requests amended wording of NL-R2.1. Given the technical nature of the relief sought, commentary was sought from Keith Gibson from 'Focus Technology'. Mr Gibson's advice, attached as **Attachment 4**, indicates that a "luminaire optic" is an apparatus that '*directs light produced by a light source in a specific fashion*' and recommends that the wording be included as it provides an alternative way to achieve compliance with the rule. The notified wording implies that only shielding can be used as a means of compliance in terms of having light directed below the horizontal. Based on the advice provided by Mr Gibson, we recommended that the relief sought by NZTA be accepted.

225. NZTA's submission regarding NL-R2(1) also includes commentary suggesting that Council may wish to consider "*aligning the lighting provisions with those in AS/NZS4282*" specifically '*referencing tables indicating equivallance*'. The relief sought by NZTA is not entirely clear or specific in terms of what aspects of the provisions they consider should be "aligned". We assume that the comment is specifically in regards to NL Appendix Illustrations referenced in NL-R2(1), due to NZTA's reference to "tables" in their submission. Given the technical nature of the request, comment was sought from Mr Gibson who advised that the standard referenced by NZTA includes multiple tables and suggests that further clarification is needed to understand which aspects of the standard NZTA are referring to. Mr Gibson indicates that overall, he does not disagree with the inclusion of additional tables, however, any additional tables would have to be relevant and result in improved clarity of this provision.

226. Based on our assessment of NZTA's request and the advice received from Mr Gibson, we do not support this aspect of the submission at this time. However if NZTA provide further clarification as to what exactly they seek, and Mr Gibson confirms that the amendments will improve the provision, then we would consider reviewing our position.

227. NZTA also seek an amendment to NL-R2.3 to include reference to an additional series of standards. Given the technical nature of the relief sought, commentary was sought from Mr Gibson. The advice received, attached as **Attachment 4**, explains that the standard provides a calculation to show

compliance rather than a requirement of a direct measurement. Mr Gibson recommends that the new standards be included as they would allow a cost effective way of evaluating a lighting scheme by ‘eliminating the expense of employing a lighting engineer to physically measure the environmental effects from a lighting installation’. Based on the advice received from Mr Gibson, we support the relief sought by NZTA to reference the additional standard as requested. However, we recommend that a minor amendment be made to the wording to remove the reference to the standards being a “series”, as recommended by Mr Gibson.

228. We support WDC Infrastructure’s relief requested for NL-R2 to correct the zone name to “Sport and Active Recreation” to ensure consistency with the other chapters in the plan change package.

Recommendation

229. We recommend that the Commissioners accept the submission points as outlined below and:

- a. Amend NL-R2 as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fire NZ	165.63	Accept	a.
Fonterra	202.25	Accept in part	a.
NZTA	240.75	Accept	a.
NZTA	240.76	Accept in part	a.
NZTA	240.77	Accept in part	a.
WDC Infrastructure	242.56	Accept	a.

h. NL-R3 Any Artificial Road Lighting

Submission Information

230. Fonterra seeks the amendment to the title of NL-R3 as follows:

Any Artificial Public Road Lighting

Discussion

231. In our opinion, the inclusion of “public” in the title of NL-R3 as requested by Fonterra is inappropriate and therefore we do not support this submission. It is our view that the rule should apply to all “roads” as defined in the RMA. Additionally, we note that internal private roads (which appear to be Fonterra’s main concern) are not captured by the definition of ‘road’ and, as such, this rule would not be applicable.

Recommendation

232. We recommend that the Commissioners reject the submission point as outlined below and:

- a. Retain NL-R3 as notified.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.26	Reject	a.

i. **NL – R4 Any Health Safety or Navigational Artificial Lighting**

Submission Information

233. Fonterra request the amendment of NL-R4 as follows:

~~Any artificial lighting is limited to that which is required to meet the relevant for health and safety standards purposes and must comply with the requirements of the relevant standards or legislation.~~

Discussion

234. In our opinion, the wording requested by Fonterra is more succinct than the notified wording while still maintaining the intent of the rule. We therefore support the relief requested, but have recommended a slight change from the wording requested by Fonterra in order to better align with the structure of the rule tables used by WDC.

Recommendation

235. We recommend that the Commissioners accept in part this submission point as outlined below and:

- a. Amend NL-R4 as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.27	Accept in part	a.

j. **NL-R5 Any Artificial Lighting for Mineral Extraction Activities**

Submission Information

236. Atlas Concrete Limited (**Atlas**) request the amendment of NL-R5 as follows:

1. Artificial lighting is on vehicles associated with mineral extraction activities and the vehicles are located within an identified Mineral Extraction Area (as either defined as Mineral Extraction Areas or identified in the Planning Maps and in QRA Appendix 1 Schedule of Existing Quarrying Resource Areas).

2. Fixed plant or security lighting in Mineral Extraction Areas complies with R2.

Discussion

237. We consider that Atlas' request to provide the same exemption to Mineral Extraction Areas as has been provided to existing Quarrying Resource Areas (**QRA's**) in NL-R5 is inappropriate for the following reasons:

- QRA's are mapped and listed in QRA Appendix 1, meaning they are fixed in location and their extent is known. This is important in terms of managing any reverse sensitivity effects and sets an expectation for neighbouring properties that these activities can take place within these identified areas.
- QRA's are applied only to nationally or regionally significant quarries, providing specific provisions that enables the ongoing operation. This aligns with the NRPS direction.

- The WDP requires setbacks from QRA's in adjoining zones, and within the QRA's themselves, managing the potential for reverse sensitivity effects.
- The submission seeks that this rule applies to "Mineral Extraction Areas." These areas are not mapped nor is this term used throughout the WDP and in particular the Minerals (**MIN**) Chapter.

238. As such, we do not support this aspect of Atlas' request.

239. The second part of Atlas' requested amendments to NL-R5 seeks to specifically state that fixed plant or security lighting in "Mineral Extraction Areas" is permitted where it complies with NL-R2. Giving consideration to the points raised above, and our opinion that NL-R5 should only apply to QRA's, we do not agree with the relief sought. The intent of NL-R5 is to provide an exemption for QRA's given that the effects of these operations are better understood and, importantly, their extent mapped. This is not the case for "Mineral Extraction Areas" which are not mapped.

240. Additionally, the amended wording requested does not align with the structure of the rule tables as notified throughout the Urban and Service Plan Changes. NL-R2 is the general 'catch all' rule, NL-R3 – R5 are exemptions to the requirements of NL-R2.

241. We acknowledge that the current wording could create confusion for plan users given that the title of NL-R5 currently reads "Any Artificial Lighting for Mineral Extraction Activities". In our opinion, a better way to address this would be to amend the title of NL-R5 to reference "Any Artificial Lighting for Mineral Extraction activities in Quarrying Resource Areas". Consequential changes would subsequently also be required to NL-P3 to refer to "Mineral extraction activities in identified Quarry Resource Areas".

Recommendation

242. We recommend that the Commissioners accept in part the submission points as outlined below and:

- Amend NL-R5 as set out in **Attachment 3**.
- Amend NL-P3 as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Atlas	129.19	Accept in part	a.

k. NL-R6 Any Car Parking or Loading Spaces

Submission Information

243. NDHB request the amendment of NL-R6 so that the Hospital Zone is included within the list of zones to which the rule applies.

244. NZTA request the amendment of NL-R6 as follows:

- The artificial lighting complies with the AS/NZS158 and AS/NZS4282 series of standards.*

245. WDC Infrastructure request the inclusion of a cross reference to the 'Traffic' Chapter in NL-R6.

246. WDC Infrastructure request the change of NL-R6.2 from "AS/NZS 158" to "AS/NZS 1158".

Discussion

247. In our opinion, Public Health Northland has misunderstood the application of NL-R6. The reasons for the relief sought provided in Public Health Northland's submission states the following: '*safe accessibility to and from car parking area is essential to the efficient and effective operation of the hospital. It is considered appropriate that lighting be enabled in the carparking areas....*'. The rule as worded requires lighting to be provided in the zones indicated (except where related to residential activities) and requires that it complies with the specified standards. Including the Hospital Zone in NL-R6 is not specifically permitting lighting in this zone, but rather requiring lighting, and to a certain standard. The notified wording provides for lighting in the Hospital Zone as a permitted activity (where the standards of NL-R2 are met). The wording requested by the Public Health Northland would be more onerous. On this basis we do not support the submission point, and consider that the wording should be retained as notified. However, if we have misread the intent of what Public Health Northland are seeking, we would consider revisiting the amendment at the hearing if required.
248. Given the technical nature of the relief sought by NZTA, advice was sought from Mr Gibson. The standard NZTA seeks to include is further discussed in Topic g in relation to a submission received from NZTA on NL-R2. Based on advice received from Mr Gibson (attached as **Attachment 4**) we recommend that the relief sought by NZTA be accepted in part to include the reference to the additional standard as requested. However, we also recommend a minor change to the wording to remove the reference to the standards being part of a 'series' as recommended by Mr Gibson.
249. WDC Infrastructure Group requests amendments to NL-R6 to include a cross reference to the "Traffic" Chapter and vice versa as it specifically relates to car parking and loading spaces, which are addressed in the Transport Chapter. We don't consider it necessary to provide a cross reference in the Lighting chapter as it is implicit that the provisions only apply to lighting and not the formation of parking or loading space. However, we agree that a cross reference in the Transport Chapter to the lighting requirements for parking and loading spaces (in the zones specified) could be beneficial.
250. We support WDC Infrastructure's requested amendments to NL-R6.2 being corrections to minor errors.

Recommendation

251. We recommend that the Commissioners accept or reject the submission points as outlined and:
- a. Amend NL-R6 as set out in **Attachment 3**.
 - b. Amend TRA-R2 to include a cross reference to the NL Chapter as set out in **Attachment 2** of **Part 9** of the s42A Report.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
NDHB	206.28	Reject	a.
NZTA	240.78	Accept in part	a.
WDC Infrastructure	242.22	Accept in part	b.
WDC Infrastructure	242.57	Accept	a.

I. NL-R7 Any Subdivision

Submission Information

252. WDC Infrastructure request a change to NL-R7 from 'deisgn' to 'design'.

Discussion

253. We support WDC Infrastructure's requested amendments to NL-R7 being a correction to a minor spelling error in the notified rule.

Recommendation

254. We recommend that the Commissioners accept the submission point as outlined below and:

- a. Amend NL-R7 as set out in **Attachment 3**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
WDC Infrastructure	242.58	Accept	a.

m. Information Requirement

Submission Information

255. Fonterra request the amendment of NL-REQ1 as follows:

~~"...4. For illuminated signage, the maximum sign brightness shall be measured by calculation or certified statement by a suitably qualified and experienced professional (e.g. Chartered Professional Engineer or Independently Qualified Person)."~~

Discussion

256. Fonterra requests the removal of NL-REQ1.4 from the lighting chapter and seek its relocation to the signage chapter. We agree that this explanation of lighting measurement for illuminated signage should be relocated to the signage chapter. However, we consider that it is likely that there will be a perceived interrelationship between lighting and illuminated signage (e.g. a plan user may refer to the lighting chapter to find provisions relating to illuminated signage). As such, we recommend for completeness that there is a note within NL-REQ1 that directs the plan user to the signage chapter for illuminated signs.

Recommendation

257. We recommend that the Commissioners accept in part the submission point as outlined below and:

- a. Amend NL-REQ1 as set out in **Attachment 3**.
- b. Amend SI-R17 as set out in **Attachment 2**.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
Fonterra	202.28	Accept in part	a, b.

n. **Safety**

Submission Information

258. Earl Pennington requests lighting over McLean Bridge and lighting when turning into boat club parking.

Discussion

259. E Pennington seeks the instalment of physical infrastructure for safety purposes which in our opinion is out of scope of this plan change, as PC82B does not direct the installation of physical infrastructure. As such, we do not consider the relief sought by the submitter to be appropriate.

Recommendation

260. We recommend that the Commissioners reject the submission point as outlined below and:

- a. Not include a provision for lighting over McLean Bridge.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
E Pennington	15.3	Reject	a.

o. **Temporary Lighting**

Submission Information

261. Lindsay Gallie requests an extension to the hours of use in artificial, temporary lighting from 12 days to 40 days e.g. 1st Dec -6 Jan.

Discussion

262. L Gallie requests the extension of hours of use for artificial lighting to provide for Christmas light displays. The notified NL provisions do not include controls regarding the period of use of artificial lighting. Instead they promote performance standards; where compliance with the performance standards can be achieved, any artificial lighting is a permitted activity with no restriction on period of use (NL-R2). We consider that the submitter's concern regarding timeframe of use has already been addressed by the notified provisions and as such we do not support the relief requested.

Recommendation

263. We recommend that the Commissioners reject the submission point as outlined below and:

- a. Not include a provision relating to hours of use for artificial lighting.

Submitter	Submission# & Point #	Accept/Reject	Recommendation
L Gallie	110.1	Reject	a.

6. Conclusion

264. After carefully considering the submissions and further submissions received in relation to each topic, we recommend that PC82A and PC82B be amended to the extent detailed in the preceding sections of this report and as illustrated in **Attachment 2** for PC82A and **Attachment 3** for PC82B. We further recommend that those submissions and further submissions that support the provisions as notified, or that request the recommended changes be accepted in whole or in part, and that all other submissions be rejected.
265. The revised provisions in **Attachment 2** for PC82A and **Attachment 3** for PC82B have been detailed and compared above against viable alternatives in terms of their costs, benefits, efficiency and effectiveness and risk in accordance with the relevant clauses of s32AA. Overall, it is considered that the revised provisions represent the most efficient and effective means of achieving the RMA and the plan changes.

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Attachment 1: Section 32AA Assessment

<u>Recommended Amendment</u>	<u>Options Evaluated</u>	<u>S32AA Assessment</u>
<p>SIGNS – Signs within Commercial, Shopping Centre and Light Industry Zones</p> <p>Include new Rule <u>SI-RNew1 – Any Sign within the Commercial, Shopping Centre, Light Industry Zones</u> as set out in Attachment 2.</p>	<ul style="list-style-type: none"> • Option 1: Notified provisions – SI-R9 with more restrictive signage areas for signs in these zones. • Option 2: Recommended revised provisions as outlined in Attachment 2 – Include a new rule for signs in COM, SCZ and LI zones with double the sign area limits. • Option 3: Mitre 10 submission - New rule with a 30m² permitted sign area for signs in industrial and commercial zones. 	<p>Costs and benefits</p> <p><u>Economic</u> Options 1, 2 and 3 all have low economic costs with no direct consenting costs. There will only be costs associated with all of these options if the permitted standards are not met and then there will be consenting costs associated. Options 2 and 3 have a slightly lower economic cost by providing greater permitted flexibility for signage before a consent would be required. Option 1 has higher economic costs due to a lower trigger for requiring resource consent.</p> <p><u>Environmental, Social and Cultural</u> Option 2 has the greatest environmental, social and cultural benefit by enabling signs of an appropriate size and scale in balance with the amenity values and character of the location of the zones to ensure there are no adverse effects. Option 2 provides appropriate flexibility for enabling signs proportionate to the location and expectations of the applicable zones, recognising the different expectations in these zones where the use is business rather than residential or a mix of uses where the amenity levels are different. Option 3 has the greatest environmental, social and cultural costs where the extremely high area of signage could lead to adverse effects on amenity levels and the character of zones. Option 1 does not sufficiently manage signs in the more business focussed zones and therefore there are limited benefits to this option.</p> <p>Efficiency Option 1 is inefficient in that the rules are too restrictive and not practical for business type zones. Option 2 is more efficient than Option 1 and 3 because it introduces a new rule for the Shopping Centre, Commercial and Light Industry zones which will enable signage to be established proportionate to the expectations, primary uses, amenity levels and scale of development anticipated.</p> <p>Effectiveness Option 1 is not effective in enabling and managing signs in zones where the primary use is business. Option 2 is more effective than Options 1 and 3 by introducing a new rule for signs in the Shopping Centre, Commercial and Light Industry zones which is more in keeping with the objectives and policies for those zones and recognises the different expectations in terms of character and amenity.</p> <p>Risks There is no known risk due to insufficient information.</p>

SIGNS – Illuminated Signs

Include new Rule SI-RNew2 – Any Illuminated Sign not visible from beyond the site boundary as set out in **Attachment 2**.

- **Option 1:** Notified provisions – Restricted Discretionary or Discretionary Activity Rule (SI-R17 or SI-R18) for all illuminated signs (dependent on zones).
- **Option 2:** Recommended revised provisions – Include a new permitted activity rule relating to illuminated signs where it is not visible from beyond the site boundary.

Costs and benefits

Economic

Option 1 will have the highest economic costs due to the requirement for all illuminated signs to obtain a resource consent. Option 2 presents lower economic costs as there would be no consenting costs for illuminated signs where they are not visible from beyond the site boundary. Option 2 provides reduced consenting costs in comparison to option 1.

Environmental and Social

Option 2 provides the greatest environmental and social benefits. Option 2 will enable illuminated signs while ensuring adverse effects on the surrounding environment are mitigated given the illuminated signage will only be permitted where it is not visible from the site boundary. Option 1 is unduly restrictive and does not provide environmental or social benefits.

Cultural

None identified.

Efficiency and Effectiveness

Option 2 is considered to be the most efficient and effective option. Option 2 will allow for illuminated signage where it is not visible from beyond the site boundary which should be able to occur without undue constraints given there will be no adverse effects on the surrounding environment. Option 1 is not practical in enabling illuminated signs that would result in overly restrictive planning provisions and unnecessary consenting costs for signs that are not visible from the boundary of any site and will therefore pose greater inefficiencies in providing this type of signage.

Risks

There is no known risk due to insufficient information.

Attachment 2: Recommended Signs Chapter

Attachment 3: Recommended Lighting Chapter

Attachment 4: Focus Engineering Report