



SECTION 42A REPORT

Signs

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List of Abbreviations

Table 1: List of Submitters and Abbreviations of Submitters' Names

Submitter Number	Abbreviation	Full Name of Submitter
S368	FNDC	Far North District Council
S363	Foodstuffs	Foodstuffs North Island Limited
S138	Kairos Connection Trust	Kairos Connection Trust and Habitat for Humanity Northern Region Ltd
S356	NZTA	Waka Kotahi NZ Transport Agency
S458	Woolworths	Woolworths New Zealand Limited

Note: This table contains a list of submitters relevant to this topic which are abbreviated and does not include all submitters relevant to this topic. For a summary of all submitters please refer to Section 5.1 of this report (overview of submitters). Appendix 2 to this Report also contains a table with all submission points relevant to this topic.

Table 2: Other abbreviations

Abbreviation	Full Term
FNDC	Far North District Council
NPS	National Policy Statement
PDP	Proposed District Plan
RMA	Resource Management Act
RPS	Regional Policy Statement



1 Executive summary

1. The Far North Proposed District Plan ("PDP") was publicly notified in July 2022. The Signs Chapter is located in Part 2 – District Wide Matters section of the PDP.
2. 17 original submitters (with 76 individual submission points) and 13 further submitters (with 115 individual submission points) were received on the Signs topic. Seven original submission points indicated general support for the provisions to be retained as notified, 48 submission points indicated support in part, with changes requested, whilst seven submission points opposed the provisions and 14 did not say.
3. The submissions can largely be categorised into eight key themes:
 - a) Clarification, interpretation matters and general support
 - b) Maximum sign area and height
 - c) Reducing visual clutter
 - d) Temporary signs and community signs
 - e) Third-party signs
 - f) Exemptions
 - g) Transport network safety
 - h) Other general matters
4. This report has been prepared in accordance with Section 42A of the Resource Management Act ("RMA") and outlines recommendations in response to the issues raised in submissions. This report is intended to both assist the Hearings Panel to make decisions on the submissions and further submissions on the PDP and also provide submitters with an opportunity to see how their submissions have been evaluated, and to see the recommendations made by officers prior to the hearing.
5. The key changes recommended in this report relate to:
 - a) Several amendments to improve the clarity and implementation of the PDP.
 - b) Amendment to SIGN-S2 to add a height restriction of 6m.
 - c) Amendments to the duration of temporary signs to erect signs no more than 8 weeks before the activity and removed 1 week after the activity.
 - d) Insert an exemption to Standard SIGN-S1 and SIGN-S3 for the Waitangi Estate.



- e) Insert a new rule for digital signs in the Light Industrial zone as a discretionary activity.
- f) Amendments to PER-3 of Rule SIGN-R7 to specifically refer to lawfully established activities.

2 Introduction

2.1 Author and qualifications

- 6. My full name is James Witham, and I am the Team Leader of the District Planning Team at Far North District Council (FNDC).
- 7. I hold the qualifications of a Bachelor of Environmental Planning with Honors (BRP Hons).
- 8. I have approximately 20 years' experience in planning and resource management including policy development, formation of plan changes and associated Section 32 assessments; Section 42A report preparation and associated evidence; and the preparing and assessment of resource consent applications. This experience has been gained from working for both local and central government, and in the private sector.

2.2 Code of Conduct

- 9. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 10. I am authorised to give this evidence on the Council's behalf to the PDP hearings commissioners ("Hearings Panel").

3 Scope/Purpose of Report

- 11. This report has been prepared in accordance with Section 42A of the RMA to:
 - a) assist the Hearings Panel in making their decisions on the submissions and further submissions on the PDP; and
 - b) provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by officers, prior to the hearing.
- 12. This report responds to submissions on Signs Chapter.
- 13. It does not address submissions made on other topics/chapters.



14. Wherever possible, I have provided a recommendation to assist the Hearings Panel.
15. Separate to the Section 42A report recommendations in response to submissions, Council has made a number of Clause 16(2) amendments to the PDP. These changes are neutral and do not alter the effect of the provisions, they simply clarify the intent. The Clause 16 corrections are reflected in **Appendix 1** to this Report (Officer's Recommended Provisions in response to Submissions).

4 Statutory Requirements

4.1 Statutory documents

16. I note that the Signs Section 32 report provides detail of the relevant statutory considerations applicable to the Signs Chapter.
17. It is not necessary to repeat the detail of the relevant RMA sections and full suite of higher order documents here. Consequently, no further assessment of these documents has been undertaken for the purposes of this report. Although a number of higher order documents have been subject to change since notification of the PDP, none of these changes are directly relevant to the Signs Chapter.

4.1.1 National Planning Standards

18. The National Planning Standards determine the sections that should be included in a District Plan, including the Strategic Direction chapters, and how the District Plan should be ordered. The Signs Chapter provisions proposed and recommended in this report follow this guidance.

4.1.2 Treaty Settlements

19. There have been no further Deeds of Settlement signed to settle historic Treaty of Waitangi Claims against the Crown, in the Far North District, since the notification of the PDP.

4.1.3 Iwi Management Plans – Update

20. Ngā Tikanga mo te Taiao o Ngāti Hine' the Ngāti Hine Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with the FNDC in 2022, after notification of the PDP in July 2022. The Ngāti Hine Environmental Management Plan does not provide any specific direction that is directly relevant to signage.
21. The Ahipara Takiwā Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with FNDC in 2023, after notification of the PDP in July 2022. The Environmental Management Plan does not provide any specific direction that is directly relevant to signage.



22. Both of the above management plans cover a range of issues relating to the natural environment, cultural, heritage, and amenity values. The provisions of the Signs Chapter aim to maintain amenity values and protect the values of significant sites and areas.
23. At the time of writing this report, FNDC anticipates that the Patukeha Hapu Management Plan will be finalised in October 2024.

4.1.4 Bylaws

24. The District Plan controls apply to permanent and some temporary signage where is located on non-FNDC owned land (i.e. privately owned land). This is explained in the overview section of the Signs Chapter.
25. FNDC Road Use Bylaw manages signage located on Council owned roads. State Highways Bylaw 2010 controls signage on State Highways and is administered by Waka Kotahi NZ Transport Agency.
26. The PDP is intended to provide further clarity between the roles of the District Plan and the bylaws to avoid confusion, duplication or overlap.

4.2 Section 32AA evaluation

27. This report uses 'key issues' to group, consider and provide reasons for the recommended decisions on similar matters raised in submissions. Where changes to the provisions of the PDP are recommended, these have been evaluated in accordance with Section 32AA of the RMA.
28. The Section 32AA further evaluation for each key issue considers:
 - a) Whether the amended objectives are the best way to achieve the purpose of the RMA.
 - b) The reasonably practicable options for achieving those objectives.
 - c) The environmental, social, economic and cultural benefits and costs of the amended provisions.
 - d) The efficiency and effectiveness of the provisions for achieving the objectives.
 - e) The risk of acting or not acting where there is uncertain or insufficient information about the provisions.
29. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.



4.3 Procedural matters

30. Informal pre-hearing discussions with Waitangi Limited (S503) were held on 22 August 2024 to better understand the nature of signage at the Waitangi Estate, implications of the current proposed PDP sign chapter provisions, and to clarify the relief sought in the submission.
31. Due to the clarity of submissions, no other correspondence or meetings with submitters needed to be undertaken and there are no procedural matters to consider for this hearing.

5 Consideration of submissions received

5.1 Overview of submissions received.

32. 17 original submitters (with 76 individual submission points) and 13 further submitters (with 115 individual submission points) were received on the Signs topic. Seven original submission points indicated general support for the provisions to be retained as notified, 48 submission points indicated support in part, with changes requested, whilst seven submission points opposed the provisions and 14 did not say.
33. The main submissions on the Signs Chapter came from:
 - a) FNDC(S368) who seek to make amendments to the provisions to improve clarification and interpretation.
 - b) Community interest groups - Kapiro Conservation Trust (S445), Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S523), Our Kerikeri Community Charitable Trust (S272) and Carbon Neutral NZ Trust (S529) who mostly seek amendments to further restrict the scale, size and number of signs permitted by the PDP.
 - c) Businesses - Bunnings Limited (S371) and McDonalds Restaurants (NZ) Limited (S385) who seek to increase the scale, size and number of signs permitted by the PDP.
 - d) Transport Operators - Kiwi Rail Holdings Limited (S416) and Waka Kotahi NZ Transport Agency (NZTA)(S356) who seek amendments to the sign rules and standards to improve transport network safety.
34. The key issues identified in this report are set out below:
 - a) Key Issue 1: Clarification, Interpretation Matters and General Support
 - b) Key Issue 2: Maximum Sign Area and Height
 - c) Key Issue 3: Reducing Visual Clutter
 - d) Key Issue 4: Temporary Signs and Community Signs
 - e) Key Issue 5: Third Party Signs



- f) Key Issue 6: Exemptions
 - g) Key Issue 7: Transport Network Safety
 - h) Key Issue 8: Other General Matters
35. Section 5.2 constitutes the main body of this Report and considers and provides recommendations on the decisions requested in submissions. Due to the large number of submissions received and the repetition of issues, as noted above, it is not efficient to respond to each individual submission point raised in the submissions. Instead, this part of the report groups similar submission points together under key issues. This thematic response assists in providing a concise response to, and recommended decision on, submission points.

5.2 Officer Recommendations

36. A copy of the recommended plan provisions for the Signs Chapter is provided in **Appendix 1 – Recommended provisions to this report.**
37. A full list of submissions and further submissions on the Signs Chapter is contained in **Appendix 2 – Recommended Decisions on Submissions to this report.**
38. Additional information can also be obtained from the Summary of Submissions (by Chapter or by Submitter) Submissions database FNDC (fndc.govt.nz) the associated Section 32 report on this chapter section-32-overview.pdf (fndc.govt.nz) the overlays and maps on the ePlan Map - Far North PDP (isoplan.co.nz).

5.2.1 Key Issue 1: Clarification, Interpretation Matters and General Support

Overview

Provision(s)	Officer Recommendation(s)
Definition of 'community sign'	Insert a new definition for 'Community Sign'
Definition of 'digital sign'	Insert a new definition for 'Digital Sign'
Definition of 'freestanding sign'	Insert a new definition for 'Free Standing Sign'
Definition of 'V-shaped sign'	Insert a new definition for 'V-shaped Sign'
Definition of 'double-sided sign'	Insert a new definition for 'Double-sided Sign'
Objective SIGN-O1 and Policy SIGN-P1	Amend to include the defined term 'historic heritage'
Rule SIGN-R10	Amend Rule SIGN-R10 to include reference to specific heritage areas



Provision(s)	Officer Recommendation(s)
Performance Standards	Amend note 1 to provide further clarity on the relationship between the Signs and zones chapter
SIGN Table 1	Amend to include reference to millimetres

Analysis of Submissions on Key Issue 1

Matters raised in submissions

39. A number of submissions sought amendments to clarify the intent of the provisions in the PDP. I summarise and evaluate each one of submissions in the sub-topics below.

General Support

Submission

40. KiwiRail Holdings Limited (S416.005) seek to retain the definition of 'official sign' as notified in the PDP.
41. Official sign is defined as:
- means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.*
42. Waitoto Development Limited (S263.031) seek to retain Rule SIGN-R12 (Freestanding signs in Orongo Bay) as notified in the PDP. No other submissions on Rule SIGN-R12 were received.

Analysis

43. I consider that the definition for 'official sign', as notified, is appropriate as it is consistent with the definition provided in the Definition List of the National Planning Standards 2019. In plans (i.e. Far North District Plan) local authorities must use the definition as defined in the Definitions List.
44. I acknowledge Waitoto Development Limited's support for Rule SIGN-R12. There are no other submission points that relate to Rule SIGN-R12.

Recommendations

45. For the above reasons, I recommend the following:
- a) Submission point S416.005 is accepted and the definition of 'official sign' is retained as notified in the PDP.
 - b) Submission point S263.031 is accepted and Rule SIGN-R12 is retained as notified in the PDP.



Sign Definitions

Submission

46. FNDC (S368.085) seek a new definition for 'community sign' in the PDP to assist the plan usability.
47. Puketona Business Park Limited (S45.021 and S45.022¹) seek to insert a definition of 'digital sign' in the PDP, to reduce the chance of the rules for digital signs (SIGN-R11 and SIGN-R17) capturing signs with LED illumination.
48. Bunnings Limited (S371.011 - S371.013), Foodstuffs North Island Limited (S363.015 - S363.016) and McDonalds Restaurants (NZ) Limited (S385.011 - S385.012) seek to clarify the type of signs provided for by rules by either inserting new definitions in the PDP for 'Freestanding sign'; 'Double-sided sign'; and 'V-shaped sign' or that the rules are amended to "manage signs, utilising standards to clearly articulate the types of signs with specified limits".
49. The submitters consider that without the relief sought, the different signage types could potentially fall into multiple different rules without the use of clearly defined term.

Analysis

50. Community signs are permitted under Rule SIGN-R2 in the PDP. The term 'community sign' is not defined in the notified PDP².
51. I consider that the request to add a definition for 'community sign' in the PDP is appropriate as it will provide clarity and direction on the types of signs permitted under the rule, reducing ambiguity and improving plan interpretation and implementation.
52. In response to Puketona Business Park Limited's submissions (S45.021 and S45.022³), the PDP permits digital signs in the Mixed Use zone under Rule SIGN-R11, however in all other zones digital signs are a non-complying activity (Rule SIGN-R17). The term 'digital sign' is not defined in the notified PDP.
53. I consider that inserting a new definition for 'digital sign' in the PDP is appropriate as it will provide clarity and direction on what digital signs entail. It also clarifies that standard signage that is lit by LED illumination

¹ Other aspects of this submission are addressed in key theme 7.

² I note the Section 32 report refers to definitions of Community Information sign and Freestanding sign which were not in the notified PDP. I consider the definitions I have recommended are more appropriate.

³ Other aspects of this submission are addressed in key theme 7.



is not considered a 'digital sign', which is consistent with the intent of the PDP.

54. Double sided and V shaped signs are a permitted activity under the PDP (Rule SIGN-R6). Similarly to above, a definition of 'freestanding sign²', 'double-sided sign' and 'V-shaped sign' is appropriate to provide clarity, consistency, reduce ambiguity and improve plan implementation. I recommend that the primary relief is accepted and these new definitions are inserted to the PDP. As a result, the alternative relief (to manage signs, utilising standards to clearly articulate the types of signs with specified limits) is not necessary.
55. The definitions for community sign⁴, digital sign⁵ and free standing sign⁶ are consistent with definitions from other district plans. In terms of the definitions of 'double-sided sign' and 'V-shaped sign' the recommended definitions are based on the commonly understood meaning of the term.

Recommendation

56. For the reasons above I recommend that submission point S368.085 is accepted and a new definition for 'community sign' is introduced to the PDP, as follows:

"Community Sign' means a sign displaying information relating to the location of public facilities, place-names, destinations of historical, cultural, spiritual, sporting, or scenic significance. The advertising of public, sporting, recreation, community, social or cultural events."

57. For the reasons above I recommend that submission point S45.021 and S45.022 are accepted and a new definition for 'digital sign' is introduced to the PDP, as follows:

"Digital Sign' means any sign that displays changeable electronic messages or images via LED, neon, or electronic projection."

58. For the reasons above I recommend that submission points S371.011 - S371.013, S363.015 - S363.016 and S385.011 - S385.012 are accepted and a new definition for 'Free Standing Sign', 'Double-sided sign' and 'V-shaped sign' are introduced to the PDP.

"Free Standing Sign' means any sign which stands upright wholly on its own with its own support structure without having to be attached to any building, post or other structure'.

⁴ Community sign – Whangarei District ePlan

⁵ Digital sign - Proposed Waimakariri District Plan

⁶ Free standing sign - Operative Selwyn District Plan (Appeals Version)



"Double-sided Sign' means a sign having two (2) sign faces of equal area and proportions which are located exactly opposite each other on the sign structure."

"V-shaped Sign' means a sign placed on a horizontal plain in a V shape containing no more than three support posts and two signs."

59. I note that Double-sided and V-shaped signs can also be freestanding signs, though there are separate rules for each type of sign (Freestanding signs are permitted by SIGN-R5, whereas Double sided and V-shaped signs are permitted by Rule SIGN-R6). As a consequential amendment, to reduce ambiguity I recommend an advice note is added to Rule SIGN-R6 for (Double sided and V-Shaped Signs) as follows:

Note: where these types of signs are freestanding signs they shall also comply with Rule SIGN-R5 and other standards for freestanding signs.

60. We also recommend a diagram for 'V-shaped Signs' is inserted into the definitions section of the PDP to help provide clarity.

Objective SIGN-O1 and Policy SIGN-P1

Submission

61. FNDC (S368.012 and S368.013) seek amendments to Objective SIGN-O1 and Policy SIGN-P1 to include the defined term 'historic heritage' rather than 'heritage'. FNDC considers the redrafting improves the clarity of the PDP by using terms defined in the PDP.

Analysis

62. The term historic heritage is defined in the PDP and the term is consistently used throughout the PDP to identify natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures. Using the term historic heritage in Objective SIGN-O1 and Policy SIGH-P1 provides consistency throughout the PDP with RMA Section 6 to recognises and provide for historic heritage.
63. I consider including historic heritage in Objective SIGN-O1 and Policy SIGN-P1 is appropriate. The proposed amendments provide consistency in the PDP and higher order documents and the term 'historic heritage' which is used elsewhere in the PDP.

Recommendation

64. I recommend submission point S368.012 is accepted and Objective SIGN-O1 is amended as follows:



"Signs are consistent with the natural character, amenity, cultural and historic heritage values of the zone and the receiving environment."

65. I recommend submission point S368.013 is accepted and Policy SIGN-P1 is amended as follows:

"Allow the use of signs of a scale, size and intensity across a range of zones while avoiding, remedying or mitigating adverse effects on:

- a. Character and amenity values;*
- b. cultural and historic heritage values;*
- c. the legibility and function of a place; and*

- 66. the safety and efficiency of the transport network."*

New Rule

Submission

67. Northland Fish and Game Council (S436.029) seek to insert a new rule to allow for all signs erected by the Northland Fish and Game Council to be a permitted activity.
68. The reasoning provided in the submission is that Fish and Game has a statutory role to maintain and enhance access to sports fisheries and game bird hunting areas. Accordingly, Fish and Game erects interpretative signage at access points to sports fisheries and game bird hunting areas. The submitter considers that the construction, maintenance, use and removal of these signs is a fundamental aspect of managing game bird shooting and sports fish angling activities in New Zealand.
69. Fish and Game consider that signs would in some instances be covered by the definition of 'official sign' and therefore subject to the conditions set out in several rules throughout the plan. However, there are some instances in which Northland Fish and Game Council may need to breach these rules, for example in the case of in the Rural Zone, by erecting more than one sign on a site, or on a road frontage.

Analysis

70. The definition of Official Sign is:

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

71. In many cases Northland Fish and Game Council signs would be considered an 'official sign' because they are part of Fish and Game's obligations and



statutory role under the Conservation Act 1987⁷. Official signs are a permitted activity in all zones under the PDP and are not subject to performance standards (SIGN-S1 – SIGN-S6) including those that restrict the area, height and number of signs.

72. The provisions already enable Northland Fish and Game Council signs to be constructed, maintained, used and removed as a permitted activity under the definition of 'official sign'.

Recommendation

73. For the above reasons I recommend that submission point S436.029 relating to Northland Fishing and Game Council is accepted in part, insofar as the PDP already achieves the relief sought.

Rule SIGN-R10 (Signs in the Kororāreka Russell and Kerikeri Heritage Areas)

Submission

74. FNDC (S368.014) seek amendments to Rule SIGN-R10 (Kororāreka Russell and Kerikeri Heritage Areas) to recognise the tiered heritage framework. The rule was not intended to apply to the entire area of Kororāreka Russell and Kerikeri Heritage Areas but more specifically Kororāreka Russell – Part A-D and Kerikeri Heritage Areas – Part A.

Analysis

75. The Kororāreka Russell Heritage Area Overlay contains the nationally significant Kororāreka Russell, which is a historically significant location of Māori and Early European settlement in the Bay of Islands. Kororāreka Russell has architectural significance as a very good example of nineteenth and early twentieth century settlement and includes several important historical buildings. The Kororāreka Russell Heritage Area Overlay includes four heritage parts: 'The Strand' (Part A), 'Wellington Street' (Part B), 'Christ Church' (Part C) and the remainder of the area (Part D). All of these parts have historical significance to the township of Kōrorāreka Russell and contribute to its unique heritage values.
76. The Kerikeri Heritage Area Overlay contains Heritage Resources of regional and national significance. The Heritage Area Overlay contains several Category 1 historic buildings and features, Sites and Areas of Significance to Māori, a historic pa site, and archaeological and historic sites of critical importance to the nation's heritage. The Kerikeri Heritage Area Overlay includes two heritage parts: Kerikeri Heritage Area Part A and Kerikeri Heritage Area Part B.

⁷ Under section 26Q of the Conservation Act 1987 Fish and Game Councils are required to manage, maintain, and enhance the sports fish and game resource in the recreational interests of anglers and hunters.



77. I consider that the request to specifically identify Kororāreka Russell – Part A-D and Kerikeri Heritage Areas – Part A under Rule SIGN-R10 is appropriate as it means the restrictions on signage to protect historic heritage values are targeted to areas of highest significance (Kororāreka Russell – Part A-D and Kerikeri Heritage Areas – Part A rather than the entire extent of the Kororāreka Russell and Kerikeri Heritage areas). The changes provide clarity and certainty on where Rule SIGN-R10 applies, improving plan implementation.

Recommendation

78. For the reasons outlined above I recommend that submission point S368.014 is accepted and reference to the heritage areas added to Rule SIGN-R10, as follows:

"SIGN-R10

Signs in the Kororāreka Russell – Part A-D and Kerikeri Heritage Areas – Part A

[..]"

Performance standards

Submission

79. McDonalds Restaurants (NZ) Limited (S385.010) and Bunnings Limited (S371.010) seek amendments to Note 1 (at the start of the rules section) to clarify which performance standards take precedence when there is overlap between those in the Signs Chapter and the zones.
80. The reasoning provided in the submission is that understanding which rules take precedence is crucial given that signs are captured as structures, and the Zoning Chapters and the Signs Chapter include performance standards for structure height. The submitters consider that direction needs to be provided in the note to understand which provisions take precedence.

Analysis

81. Signs proposed in the Far North District are required to comply with the signage rules and standards located in the Sign Chapter of the PDP.
82. Note 1 of the Signs Chapter currently reads:

"There may be rules in other District-Wide Matters and the underlying zone in Part 3 - Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in



the District Plan. Refer to the how the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules”.

83. The Signs Chapter contains cross-references to the Zone Chapters in some rules and standards. For example, Rule SIGN-R2, Standard PER-1 for Community signs requires that:

“The sign must comply with the height, height in relation to boundary, and setback standards for the zone, except for the road boundary setback”.

84. Similar to how the District-Wide provisions for Infrastructure and Renewable Electricity Generation work, the intent is that except where specifically referenced in a signage rule or standard, the intent is that signs are not required to comply with the rules in the zone chapters. However, if the sign is located on a building or structure then the building or structure should comply with the zone standards.

85. The 'how the plan works' chapter provides guidance on applications subject to multiple provisions. The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal. This includes rules in the District-Wide Matters and Area-Specific Matters. When activities have multiple rules and activity standards that relate it is appropriate to 'bundle' the activities, the proposal will be assessed on the basis of the most restrictive activity status.

86. I agree with the submitters that amendments to Note 1 are appropriate to clarify that the intent is that the zone chapters do not apply to signs. I recommend removing the reference to “Area Specific Matters” from the Note to clarify the intent and improve plan interpretation and implementation. The recommended change is consistent with the Note used for the other District-Wide Chapters (Infrastructure and Renewable Electricity Generation).

Recommendation

87. For the reasons above I recommend submission points S385.010 and S371.010 are accepted in part, as follows:

“Note

- a. There may be rules in other District-Wide Matters ~~and the underlying zone in Part 3~~ Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the ~~underlying zone chapter~~ and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the how*



the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules."

SIGN Table 1 (Minimum and Maximum lettering) Clarity

Submission

- 88. FNDC (S368.008) seek to make an amendment to SIGN-Table 1 (Minimum and maximum lettering) to clarify that the measurements are measured in millimetres, to improve the clarity for plan users. The requested amendments are as follows:

Regulatory speed limit of adjoining road	Property Name Main message	Main message	Secondary message
Km/hr	Minimum lettering height (mm)	Minimum lettering height (mm)	Minimum lettering height (mm)
0-50	100	150	75
51-70	150	500	100
71-80	175	250	125
81-100	200	300	150

Analysis

- 89. I consider this amendment to SIGN Table 1 appropriate to improve the clarity of the table and PDP.

Recommendation

- 90. I recommend the amendment sought in submission point S368.008 is accepted.

Numbering error

Submissions

- 91. FNDC (S368.043) seek to make amendments to Rule SIGN-R6 (Double-sided and V-shaped signs) to correct errors which refer to incorrect numbering of standards in the PDP. As follows:

"Double-sided and V-shaped signs – All zones

Activity status: Permitted

Where:

~~PER-3~~PER-1



The sign complies with standards:

[...]"

Analysis

- 92. This change is appropriate and has already been made as a clause 16(2) correction to the PDP.

Recommendation

- 93. I recommend the amendment sought in submission point S368.043 is accepted. The amendment to the numbering has already been made as a clause 16(2) correction to the PDP.

Section 32AA evaluation

- 94. The recommended addition of five new definitions and amendments to Objective SIGN-O1, Policy SIGN-P1, Rule SIGN-R10, NOTE 1 and SIGN-Table 1 for clarification and interpretation are appropriate to clarify the intent of the Signs Chapter. The change does not change the intent of the provisions and the recommended amendments will lead to more consistent interpretation and implementation of the PDP.

5.2.2 Key Issue 2: Maximum Sign Area and Height

Overview

Provision(s)	Officer Recommendation(s)
Standard SIGN-S1	Retain as notified
Standard SIGN-S2	Amend Standard SIGN-S2 to provide for updated maximum sign height limits

Analysis of Submissions on Key Issue 2

Matters raised in submissions

- 95. A number of submissions were made on the maximum sign area and height in the Sign chapter of the PDP. These submissions have been grouped into two sub-topics, Standard SIGN-S1 and Standard SIGN-S2. I summarise and evaluate each of submissions in the relevant sub-topics below.

Standard SIGN-S1 – Maximum Sign Area

Submission

- 96. McDonalds Restaurants (NZ) Limited (S385.014) seek to amend Standard SIGN-S1 to enable increased area of signage in the Mixed Use zone. McDonalds Restaurants (NZ) Limited seek this change because they consider that the maximum total sign area (6m² or up to 12m² (0.25m² for every 1m of road frontage) is considered overly restrictive for a commercial setting.



97. Our Kerikeri Community Charitable Trust (S273.006), Carbon Neutral NZ Trust (S529.109) and Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S525.006) seek to amend Standard SIGN-S1 to reduce the sign area in the Mixed Use zone. The submitters consider that the proposed sign area is too large for signs in the Mixed Use zone.
98. Kapiro Conservation Trust (S447.013) seek to amend Standard SIGN-S1 to reduce the total maximum sign area for the Mixed Use, Light Industrial and Heavy Industrial zone to restrict signage to between 3m² and 5m² for building frontage of less than 25m, then between 7% and 12% of building frontage greater than 25m.
99. Kapiro Conservation Trust (S447.014) seek to amend Standard SIGN-S1 to set a total maximum sign area for signs on specific roads, roundabouts and precincts where signage is a problem. Kapiro Conservation Trust request that the PDP takes a similar approach to the one taken for the Orongo Bay standard.
100. Horticulture New Zealand (S159.093) seek to retain Standard SIGN-S1 (maximum sign area per site) as notified in the PDP.

Analysis

101. The maximum sign area permitted in the Mixed Use Zone (Standard SIGN-S1) is:

The maximum total sign area on any site:

1. For each road frontage:

a. Less than 24m width: 6m²; or

b. Greater than 24m width: 0.25m² for every 1m of road frontage, up to a maximum area of 12m².

102. I consider that the Mixed Use zone standards are appropriate because:
 - a) The nature of the zone includes a mix of activities (including residential and a wide range of commercial services, and food and beverage establishments).
 - b) The standards are consistent with the current maximum area standards⁸ provided in the Operative District Plan (ODP) for commercial and industrial zones, and there is no evidence to suggest the maximum sign area has been considered overly restrictive.
 - c) The signage is required to comply with several rules and standards for the zone (with restrictions on height, size, and

⁸ 16.6.1.3 Maximum Sign Area Per Site



- number) to manage effects on visual amenity and reduce visual clutter.
- d) Increasing the size of the signs as a permitted activity could lead to adverse effects on amenity.
 - e) The maximum size of signage is generally consistent with the size of signs permitted in commercial environments for other district plans.
 - f) Further restrictions on the size of signage in the Mixed Use zone is not appropriate because commercial activities are a fundamental part of the Mixed Use zone, and the zone has lower amenity values when compared to other more sensitive environments. In addition, signs are an anticipated feature of a commercial environment, and being able to advertise effectively is a core function and reasonable expectation of business.
 - g) It is appropriate for signage exceeding the maximum area thresholds to apply for resource consent so that a case by case assessment can be made on the proposed sign in its context.
103. In response to submission point S447.014 seeking amend Standard SIGN-S1 to set a total maximum sign area for signs on specific roads, roundabouts and precincts where signage is a problem, the submitter has not identified the specific areas where they consider that signs on specific roads, roundabouts and precincts are a problem I note that the overview of the Signs Chapter states that:
- "The District Plan controls apply to permanent and some temporary signage where is located on non-Council owned land. Council's Road Use Bylaw manages signage located on Council owned land. State Highways Bylaw 2010 controls signage on State Highways and is administered by Waka Kotahi NZ Transport Agency."*
104. The Road Use Bylaw 2022 regulates and controls the use of council-owned roads and adjoining council-owned land. Therefore, it would be inefficient and would create duplication for the PDP to regulate signage on the road reserves. The State Highways Bylaw 2010 controls signage on State Highways.
105. If the roads, roundabouts and precincts of interest are within areas with identified values (e.g. scheduled heritage resource, overlays), they are subject to more restrictive rules and standards to manage effects on the values of the area.



106. Additionally, the submitter does not provide sites and reference to 'specific roads, roundabouts and precinct where signage is a problem' and FNDC are not aware of any of these sites.
107. I acknowledge the submission point in support of Policy SIGN-S1.

Recommendation

108. For the reasons above I recommend submission points S385.014, S273.006, S529.109, S525.006, S447.013 and S447.014 are rejected and Standard SIGN-S1 is retained as notified in the PDP.
109. It is important to note that if FNDC officers recommend any additional commercial zoning (as part of the Mixed Use Zone and/or rezoning topics hearings in future) then the appropriate signage provisions for the Town Centre Zone will need to be determined and inserted into the Signs Chapter.

Standard SIGN-S2 – Maximum Sign Height

Submission

110. McDonalds Restaurants (NZ) Limited (S385.015) and Bunnings Limited (S371.015) seek to amend Standard SIGN-S2 (Maximum height of signage) for freestanding signs as follows:

"Maximum height of signage

- 1. Freestanding signs must not exceed ~~the height of the building~~ 12m in height; and*
 - 2. Signs attached to a building must not protrude above the highest point of the building."*
111. McDonalds Restaurants (NZ) Limited and Bunnings Limited seek this amendment as they consider that the height limit for freestanding signs is not appropriate. They consider that freestanding signs are intended to be higher than the building to act as a wayfinding tool and be visible from a distance. Mixed Use and Light Industrial zone buildings and structures are permitted up to 12m in height, so the requested height for the freestanding signs of 12 metres would provide flexibility.

Analysis

112. The current standard in the PDP does not provide a numerical value to guide people on the maximum height for signs. I consider that the current standard lacks certainty as it is not clear which building is being referred to within the standard, given that freestanding signs are not attached to a building.
113. I consider that refinements to the standard to specify a maximum height are appropriate to ensure that the standard is clear and measurable,



however I disagree that a maximum height of 12m is appropriate in the Far North Context. The Far North District is a low-density urban environment made up of mostly single storey buildings, and a 12m freestanding sign in most contexts would be excessive and inconsistent with surrounding buildings and structures, creating adverse visual amenity effects.

114. I have undertaken a review of other district plans with similar density and context to the Far North, and have not identified any district plan that permits freestanding signs up to the maximum height of buildings in the relevant zone (refer Table 1 below). In the examples I reviewed, buildings were permitted 4m – 9 m higher than freestanding signs.

Table 1 Comparison of maximum height for freestanding signs of other District Plans

District Plan	Maximum Height for building and structures - zone chapter (Mixed Use zone or most similar)	Maximum Height for freestanding signs- Signs Chapter (Mixed Use zone or most similar)	Difference between building height and sign height standards
New Plymouth District Plan	11m	5m	-6m
Porirua District Plan	18m	10m	-8m
Whangarei District Plan	16m	8.5m	-7.5m
Waimakariri District Plan	15m	6m	-9m

115. In the current context of the Far North District, the ODP allows signs up to 4m in height, and many signs in main centres of the Far North District do not exceed a 6m height. I consider that 6m would be the most appropriate maximum height for free standing signs as a permitted activity in the Mixed Use, Light and Heavy Industrial Zones, Airport, Hospital and Ngwaha Innovation and Enterprise Park Zones. Any freestanding sign exceeding 6m in height can be assessed on a case-by-case basis through the resource consent process.

Recommendation

116. In regard to the information above, I recommend submission points S385.015 and S371.015 are accepted in part and the following amendment is made to Standard SIGN-S2:

"SIGN-S2 - Maximum height of signage

Mixed Use Zone [..]

- 1. Freestanding signs must not exceed 6m in height the height of the building from ground level; and*
- 2. Signs attached to a building must not protrude above the highest point of the building."*



Section 32AA evaluation

117. A Section 32AA evaluation for the recommendation to amend Standard SIGN-S2 is provided below:

Effectiveness and efficiency

- a) The recommended approach is efficient and effective at achieving the objectives and policies of the Signs Chapter. In particular, Objective SIGN-O1 to ensure signs are consistent with the natural character, amenity, cultural and heritage values of the zone and receiving environment and Policy SIGN-P2 to allow for signs of a scale, size and intensity across a range of zones while avoiding, remedying or mitigating adverse effects on character and amenity value.
- b) The recommended amendments improve the interpretation and usability of the plan by reducing ambiguity or uncertainty.

Costs/Benefits

- c) The benefits of the recommended amendment are that the amended standard will provide greater clarity when implementing the PDP and ensure signs are of a height expected in the Mixed Use zone and Far North context.
- d) The amendment is more likely to achieve the objectives and policies of the Signs Chapter by ensuring signs are consistent with the natural character, amenity, cultural and heritage values of the zone and receiving environment.
- e) The main costs associated with the change to the provision is that it provides more restriction on what is allowed the Mixed Use zone. The reasons why this restriction is important is noted above and it is required to reduce adverse effects in the context of Far North.

Risk of acting or not acting

- f) There are limited risks in accepting the recommended amendments to Standard SIGN-S2 the change improves the certainty and readability of the PDP and are intended to maintain amenity values in the Far North context.

Decision about most appropriate option

- g) The recommended amendments are considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP.



5.2.3 Key Issue 3: Reducing Visual Clutter

Overview

Provision(s)	Officer Recommendation(s)
Policy SIGN-P1	Retain as notified
Standard SIGN-S3	Retain as notified

Analysis of Submissions on Key Issue 3

Matters raised in submissions

118. Vision Kerikeri (Vision for Kerikeri and Environs, VKK)(S525.001, S525.005), Our Kerikeri Community Charitable Trust (S273.001, S273.005), Carbon Neutral NZ Trust (S529.104, S529.108) and Kapiro Conservation Trust (S447.001, S447.007, S447.006) seek that the Signs Chapter in the PDP does not allow for visual clutter. Specifically, submitters are seeking:

- a) Amendments to Policy SIGN-P1 to replace the term 'across a range zones' to 'in appropriate locations only' as follows:

"Allow the use of signs of a scale, size and intensity ~~across a range of zones~~ in appropriate locations only while avoiding, remedying or mitigating adverse effects on: ..."

- b) Amendments to Standard SIGN-S3 (Maximum number of signs) to reduce the maximum number of signs from five, or require signs to be consolidated if sites have more than two signs in the Mixed Use, Light Industrial, Heavy Industrial, Hospital, Ngawha Innovation and Enterprise Park and Airport zone.

Analysis

119. Signage has an important function as a communication and advertising tool within the Far North District. Signs advertise goods and services, provide notice of forthcoming events, warn of hazards, identify premises, direct and control traffic and pedestrians. Signs also enable businesses, community groups and other organisations to support the social, economic and cultural wellbeing of the district.

120. Signs contribute to the social, cultural and economic wellbeing and are an anticipated feature of the environment. An amendment to the wording of Policy SIGN-P1 as sought, to allow signs in appropriate locations only, would not achieve Objective SIGN-O3 (Signs contribute to the social, cultural and economic wellbeing of the community).

121. In addition, the term 'appropriate locations only' would be difficult to enforce and monitor, and would likely require a more detailed assessment than what is typically necessary to determine what an 'appropriate location' is. Alternatively, FNDC would be required to identify all the locations where



signage is not appropriate in the District, which could result in perverse outcomes.

- 122. The location of signage that is likely to have an adverse effect on character and amenity values, cultural and heritage values, the legibility and function of a place and the safety and efficiency of the transport network is controlled through various provisions throughout the Signs Chapter. I consider that further control as sought by the submitter would be too restrictive, resulting in a complex planning process and difficult plan implementation.
- 123. In terms of Standard SIGN-S3 in the current PDP in the Mixed Use, Light Industrial, Heavy Industrial, Hospital, Ngawha Innovation and Enterprise Park and Airport zone the maximum number of permitted advertising signs is five signs per site. The number of signs provided for in these zones is more permissive compared to the remainder of zones (where only one or two signs are permitted per site).
- 124. These zones are more permissive as the amenity values are lower than other zones, and signage is an anticipated feature of the environment. I consider that a reduction in the number of signs would create an unreasonable imposition for the main commercial areas of the District and could create a high volume of resource consent applications for signs that are of a size, scale and intensity that is expected in the zones.
- 125. For the above reasons I do not support the requested changes.

Recommendation

- 126. I recommend that, for the above reasons, submission points S525.001, S525.005, S273.001, S273.005, S529.104, S529.108, S447.001, S447.007 and S447.006 are rejected and no changes to the provisions are recommended to address these submission points.

Section 32AA evaluation

- 127. No changes to the provisions are recommended, as a result a Section 32AA evaluation is not required.

5.2.4 Key Issue 4: Temporary Signs and Community Signs

Overview

Provision(s)	Officer Recommendation(s)
Rule SIGN-R3	Amend Rule SIGN-R3 to reduce the duration of temporary signs
Bylaw	Reject as the duration of temporary signs is reduced



Analysis of Submissions on Key Issue 4

Matters raised in submissions

Submission

128. Our Kerikeri Community Charitable Trust (S273.002), Carbon Neutral NZ Trust (S529.105), Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S525.002) and Kapiro Conservation Trust (S447.002 and S447.003) seek to either:
- a) Amend Rule SIGN-R3 (Temporary signs) to reduce the duration of temporary signs to 8 weeks prior to the event and taken down one week after the event ending; or
 - b) Remove rules for community and temporary from the PDP and instead have a separate bylaw.
129. The submitters request these amendments so the adverse effects of accumulating temporary signage are avoided. They have requested a separate bylaw so people can use a booking system to book a spot for a sign at sites approved by FNDC or a Community Group. They consider that a separate bylaw would ensure community events are marketed but in a controlled way that meets amenity value.

Analysis

130. Temporary signs are required for several reasons including advertisement of temporary events and providing temporary health and safety notices.
131. The current duration of temporary signs in the PDP is as follows:

"SIGN-R3 – Temporary Signs

[...]

PER-4

The sign is erected for a maximum duration period of 3 months in any calendar year and must be removed within two weeks of the event ending."

132. The submitters request to reduce this timeframe from 3 months before an event and 2 weeks after to 8 weeks before an event and 1 week after. I consider this amendment will better achieve the purpose of the Objectives and Policies and will result in less visual clutter. I agree with the submitters that the current duration of temporary signs is excessive and could result in the accumulation of temporary signs. In addition, the recommended timeframe of 8 weeks before and 1 week after the event is generally consistent with other District Plans (see Table 2).



Table 2: Timeframes for temporary signs in other District Plans

District Plan	Before Event	After Event
New Plymouth DP	1 month	3 days
Selwyn DP	8 weeks	1 week
Porirua DP	1 week	1 week
Waimakariri District Plan	6 weeks	1 week

133. In addition, I recommend removing reference to the term 'calendar year' as in practice could result in signs being erected for a maximum period of 6 months (October – March) across two calendar years, which was not the intent.
134. With regard to the request for a separate bylaw for community and temporary signs, I consider that a separate bylaw is not necessary as signs on FNDC owned land (including roads) are already managed by the Council's Road Use Bylaw.
135. In the Councils Road Use Bylaw 2022 Part 3 Section 11 regulates or controls the use of roads and adjoining land by vehicles, stands, stalls and mobile shops, animals, and structures vegetation or other things that may affect road safety or the environment.
136. The PDP controls apply to permanent and some temporary signage located on non-council owned land. The PDP is the most appropriate method to manage temporary signage on non-Council owned land, because:
- a) Options for undertaking enforcement and considering effects are limited under the LGA Bylaw process when compared to the RMA.
 - b) Having another separate bylaw for different types of signage could create further confusion and uncertainty for plan users.
 - c) Many other district plans manage temporary signage in the District Plan rather than through a bylaw.

Recommendation

137. For the reasons outlined above I recommend that submission points S273.002, S529.105, S525.002 and S447.003 are accepted and the maximum duration of temporary signs is reduced to 8 weeks before the activity, and removed 1 week after the activity, as follows:

"SIGN-R3 – Temporary Signs

PER-4

The sign is erected no more than eight weeks before the first day of the event for a maximum duration period of 3 months in any calendar



year and must be removed within one ~~two~~ weeks of the event ending.”

138. For the above reasons I recommend submission point S447.002 is rejected.

Section 32AA evaluation

139. A Section 32AA evaluation for the recommendation to amend Rule SIGN-R3 is provided below:

Effectiveness and efficiency

- a) The recommended amendments are more appropriate in achieving the purpose of the RMA than the notified version of the PDP.
- b) The recommended amendments to the wording of Rule SIGN-R3 improve the clarity and certainty of the plan and reduce the potential for ambiguity and associated compliance and enforcement issues.
- c) The recommended amendments will ensure overall consistency with the objectives and policies of the PDP. The shortened duration will reduce the potential for adverse effects on amenity from temporary signs. The recommended change will achieve the objectives of the PDP in a more effective manner.

Costs/Benefits

- d) The benefits of the recommended changes improve the clarity of the plan and reduces the chances of temporary signage accumulating and creating visual clutter.
- e) The costs will be that the duration of permitted temporary signs is reduced which will reduce the time organisations can advertise for temporary events, however these costs are outweighed by the benefits of reducing visual clutter.

Risk of acting or not acting

- f) There is limited risk in accepting the recommended amendments to Rule SIGN-R3 the change improves the readability of the PDP and is consistent with the objectives of the Signs Chapter.

Decision about most appropriate option

- g) The recommended amendments are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP.



5.2.5 Key Issue 5: Third Party Signs

Overview

Provision(s)	Officer Recommendation(s)
Rule SIGN-R15	Retain as notified
Rule SIGN-R18	Retain as notified

Analysis of Submissions on Key Issue 5

Matters raised in submissions

140. Carbon Neutral NZ Trust (S529.106 and S529.107), Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S525.003 and S525.004), Our Kerikeri Community Charitable Trust (S273.003 and S273.004) and Kapiro Conservation Trust (S447.004 and S447.005) seek to delete Rule SIGN-R15 (Third-party signs) and amend Rule SIGN-R18 (Non-complying activity rule for Third Party signs) to include all zones.
141. The changes sought would mean that all third-party signs would be a non-complying activity in all zones. The submitters request these amendments as they consider that mixed zones should not be able to have third party signs erected at their premises. They consider that if a building has multiple tenants, then those businesses would not be deemed third party and could erect their signs, ensuring compliance with the standards.

Analysis

142. Third party signs are signs that advertise activities or businesses that are not related to activities occurring on the site where the sign is located. They are typically located in highly visible locations and along roads with high volumes of traffic, to maximise the exposure of the sign's message to motorists and pedestrians.
143. The PDP manages third-party signs by:
- a) requiring a restricted discretionary activity consent for any third party sign in the Mixed Use zone under Rule SIGN-R15, subject to compliance with standards; and
 - b) requires non-complying activity consent for third-party signage that fails to comply with standards in the Mixed Use zone
 - c) requires non-complying activity consent for third party signage in all zones except the Mixed Use zone.
144. The PDP enables third-party signage as a restricted discretionary in the Mixed Use zone because it recognises that signage is an anticipated feature of the commercial environment. The resource consent process enables a case-by-case assessment of third party signage in its context, considering whether it would create visual clutter.



- 145. I do not support the submitters request to make third-party signs a non-complying activity within the Mixed Use zone of the PDP, as I consider that a non-complying activity status would be onerous and overly restrictive.
- 146. The Mixed Use zone is not considered an area of high amenity and signage is reasonably anticipated as a part of the mixed use environment. When assessing if an activity should be non-complying the adverse effects of the activity on the surrounding context is taken into consideration.
- 147. To achieve the objectives and policies of the PDP Third Party signs should be enabled (as a restricted discretionary activity, through the resource consent process) in the Mixed Use zone to contribute to the social, cultural and economic wellbeing of the community, when the signs are consistent with the character expected in the zone. The ODP approach does not specifically restrict third-party signs, rather these types of signs are managed by the general standards for signs (e.g. Maximum sign area and maximum number of signs per site).

Recommendation

- 148. For the reasons stated above, I recommend that Rule SIGN-R15 and SIGN-R18 are retained as notified and submission points S529.106, S529.107, S525.003, S525.004, S273.003, S273.004, S447.004 and S447.005 are rejected.

Section 32AA evaluation

- 149. As the provisions relating to Rule SIGN-R15 and SIGN-R18 are recommended to be retained as notified no Section 32AA evaluation is necessary.

5.2.6 Key Issue 6: Exemptions

Overview

Provision(s)	Officer Recommendation(s)
Standard SIGN-S1 – All Zones	Insert an exception for Waitangi Estate
Standard SIGN-S3 – All Zones	Insert an exception for Waitangi Estate

Analysis of Submissions on Key Issue 6

Matters raised in submissions

- 150. A number of submissions were made to include exemptions in provisions of the PDP. These submissions have been grouped into to sub-topics including Waitangi Estate Exemptions and Public Viewing Place Exemption. I summarise and evaluate each one of submissions in the sub-topics below.



Waitangi Estate Exemption

Submission

151. Waitangi Limited (S503.046) seek to amend PER-2 of Rule SIGN-R3 (Temporary signs) and Standard SIGN-S1 (Maximum sign area per site) to allow for the exception of Waitangi Estate due to the nature of the activities that occur on the property. The requested amendment for Rule SIGN-R3 is as follows:

"Temporary Signs – All Zones

[...]

PER-2

The sign complies with standards:

- 1. SIGN-S1 Maximum area with the exception of the Waitangi Estate;*
- 2. SIGN-S2 Maximum height;*
- 3. SIGN-S4 Traffic safety; and*
- 4. SIGN-S5 Sign design and content.*

[...]"

152. Waitangi Limited request this amendment because based on the notified framework, they consider that any temporary event at Waitangi Estate will require resource consent due to the maximum area of signs being exceeded. Due to the nature of events at Waitangi Limited and the fact that the signs are temporary, they consider that signs will not have an adverse effect on the surrounding environment.

153. Waitangi Limited (S503.047) seek to make amendments to Rule SIGN-R8 to include the exemption of Waitangi Estate where signs are not visible from a public viewing place. The following amendment is requested:

"Signs located within any overlay other than a Natural Hazard Overlay – All zones

Activity status: Permitted

Where:

PER-1

The sign complies with standards:



SIGN-S1 Maximum area with the exception of the Waitangi Estate where signs are not visible from a public viewing place;

SIGN-S2 Maximum height;

SIGN-S3 Maximum number with the exception of the Waitangi Estate where signs are not visible from a public viewing place;

[...]"

154. Waitangi Limited's reason for the requested amendment is that the Waitangi Treaty Grounds has various overlays including the coastal environment, which results in very limited minimum signage area that is permitted. Signage is necessary at the Waitangi Treaty Grounds to direct visitors, to inform them of upcoming events and for general information purposes about the Waitangi Treaty Grounds. The submitter considers that effects of signage on the wider environment will be negligible as in most cases signage cannot be seen from public places.

Analysis

155. The Waitangi Estate is made up of the Waitangi Treaty Grounds and the wider area known as the Waitangi Estate. The nature of activities that occur on the site include the daily operations at the Waitangi Treaty Grounds (tourism and education), the Copthorne Hotel and the Waitangi Golf Course.
156. The Waitangi Estate is zoned predominantly Rural Production zone with partial Mixed Use and Open Space zoning. The Waitangi Estate is made up of six properties which are legally described as Lots 1, 2 & 3 DP 326610, Lots 1 & 2 DP 152502, Lot 3 DP 51155, Sec 6 - 11, 15 & 16 SO 338905. The largest property, which includes the Waitangi Treaty Grounds, is Lot 1 DP 326610 which is 411.4460ha and zoned Rural Production (refer to Appendix 3).
157. There are several overlays which are present over the Waitangi Estate including high natural character, outstanding natural landscape, coastal environment, heritage item 100 and sites and areas of significance to Māori (MS09-49). The High Natural Character (HNC) area covers approximately 155ha across the site and 3.5ha in the areas near the coast over the Waitangi Treaty Grounds. Within the HNC areas there are several walkways and dense vegetation. The Outstanding Natural Landscape overlay covers approximately 18ha of the Waitangi Estate and is overlaid across the entire extent of the Waitangi Treaty Grounds (Appendix 3). This includes the entrance building to the Waitangi Treaty Grounds, the Whare Waka café, parking lot, Treaty House, Hobson Memorial, Whare Runanga and Flagpole.
158. The purpose of signage at Waitangi Estate is primarily to direct the visitors and crowds to certain locations, including temporary signage during events



(e.g. the signs with the estate map and different activities, and the temporary traffic management signs directing crowds to park in certain areas). The majority of signage at Waitangi Estate are official, directional or interpretation signs. In the Waitangi Treaty Grounds these signs are predominantly used to guide and inform people of the Waitangi Treaty Grounds. In the context of the Waitangi Estate the signage is generally small in scale (less than 1m² sign area) and designed to be aesthetically pleasing and sympathetic to the values of the site.

Temporary signage

159. The Waitangi Treaty Grounds have been hosting Waitangi week events for a considerable period of time. It seems given the nature of the event that it would be unreasonable to regulate the temporary signage that is associated with these temporary and often nationally prominent events. The temporary signs are an anticipated and necessary part of the environment during the Waitangi events and are unlikely to generate any significant adverse effects. Therefore, I consider it appropriate that an exemption is added to Standard SIGN-S1 and SIGN-S3 to exempt temporary signage at Waitangi Estate from requirements for maximum signage area and maximum number of signs per site.

Permanent signage

160. I understand from pre-hearing discussions that the Waitangi Estate is looking to refresh the current signage at the site but is unlikely to erect a high number of new signs across the site. In addition, because Waitangi Estate is a Schedule 1 heritage site, on the Rārangi Kōrero (Heritage New Zealand List), Heritage New Zealand provide comment on signage proposed at the site and visual effects to ensure that any proposed signage is in keeping with historic heritage and cultural values.
161. As an example, under the current PDP framework, The Waitangi Treaty Grounds⁹ can establish the following signs as a permitted activity:
- d) Up to 0.5 m² in total sign area per site within the ONL (SIGN-S1)
 - e) Up to 3m² total sign area on any site within Rural Production Zone (SIGN-S1)
 - f) Maximum of two signs per site (SIGN-S3).
162. I consider that the existing framework for permanent signage is relatively restrictive, although replacement of existing signage were lawfully established would qualify for existing use rights¹⁰ (S10 RMA) therefore only

⁹ Outstanding Natural Landscape and Rural Production Zone

¹⁰ land may be used in a manner that contravenes a rule in a district plan or proposed district plan if both:



new signage proposed (that does not qualify for existing use rights) will be subject to the PDP rules.

163. Because the Waitangi Estate is comprised of a number of different land uses and parts, overlays and associated values, it is difficult to determine an appropriate set of signage provisions that are “fit for purpose” for the Estate. I have concerns that permitting unlimited and larger-scale permanent signage across the site could create perverse outcomes and/or unintended consequences. Signs need to achieve their function and intended purpose while also protecting the important values of the Site.

Recommendation

164. I recommend that submission point S503.046 and S503.047 is accepted in part and exemptions for Waitangi Estate are added to Standards SIGN-S1 (maximum sign area per site, for temporary signs only) and SIGN-S3 (Maximum number of signs, for temporary signs only). I also recommend that SIGN-S1 is amended to enable permanent signs up to 1m² total sign area within the ONL rather than 0.5m² as follows:

1. *The maximum total sign area within an ONF, ONL or Heritage Area must not exceed 0.5m²;*
2. *The maximum total sign area on a scheduled historic resource must not exceed 0.25m².*

Except that:

Within the Waitangi Estate, any sign within an ONL must not exceed 1m².

165. I suggest the above recommendations are revisited and reviewed at Hearing 15B when officers will make recommendations on the Special Purpose Zone for Waitangi Estate. The consideration of Special Purpose Zone provisions for Waitangi Estate may aid in development of a more bespoke set of signage provisions for the Waitangi Estate.
166. However in the interim, the above suggested alternative relief goes some way to achieving the relief sought by the submitter with less risk of unintended consequences, in a more efficient manner, and strikes an appropriate balance between protecting the values of overlays and providing for important signage at Waitangi Estate without unnecessary limitations or costs.

-
- the use was lawfully established before the rule became operative or the proposed plan was notified
 - the **effects** of the use are the same or similar in character, intensity and scale.



Public Viewing Place Exemption

Submission

167. Northland Planning and Development 2020 Limited (S502.076) seeks amendments to Rule SIGN-R8 (Signs located within any overlay other than a Natural Hazard Overlay) to exclude signs that are not visible from public places as signage is necessary on some sites to direct visitors, to inform of upcoming events and for general information purposes about the site. As the maximum signage area is limited in some zones, submitters consider that in some cases the public may not be able to see a sign from any public places, such that the effect of placing a sign on a particular site would be negligible on the wider environment.
168. Northland Planning and Development 2020 Limited request the following amendment to Rule SIGN-R8:

“Signs located within any overlay other than a Natural Hazard Overlay – All zones

Activity status: Permitted

Where:

PER-1

The sign complies with standards:

SIGN-S1 Maximum area with the exception of signs where they are not visible from a public viewing place;

SIGN-S2 Maximum height;

SIGN-S3 Maximum number with the exception of signs where they are not visible from a public viewing place;

[...]”

Analysis

169. The definition of signs in the ODP does not include signs that are not visible from public places. In the PDP the definition of sign was adopted from the National Planning Standards and this reference to signs not visible from public places was removed.
170. I have reservations that the term ‘public viewing place’ is also very broad and could be difficult to enforce, resulting in interpretation issues. Across the district, the majority of signs are intended to be viewed from public viewing places (so they are visible to the public) therefore the circumstances where signs are not visible to the public is expected to be



limited, especially the overlay areas. At this stage I do not consider that the requested change is appropriate or necessary.

Recommendation

171. I recommend S502.076 is rejected and Rule SIGN-R8 is retained as notified in the PDP.

Section 32AA evaluation

172. A section 32AA evaluation for the recommendation to amend Standards SIGN-S1 and SIGN-S3 is provided below:

Effectiveness and efficiency

- a) The recommended amendments are more appropriate in achieving the purpose of the RMA than the notified version of the PDP. The amendments also are consistent with to Section 6 of the RMA by:
- b) Recognising the significance of the Waitangi Estate and limiting the need for resource consents for activities which are generally accepted part of the environment, and recognising the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- c) The recommended approach improves effectiveness and efficiency of the PDP and ensures that the Waitangi Estate can provide for temporary events and required signage that is expected within the estate without generating adverse effects and without requiring resource consent for all small-scale signs.

Costs/Benefits

- d) The benefits of the recommended approach are that it will allow for Waitangi Limited to erect signs that relate to the Waitangi Treaty Grounds during temporary events and also erect signage that is expected in the area.

Risk of acting or not acting

- e) There is limited risk in accepting the recommended amendments to Standard SIGN-S1 and SIGN-S3 for reasons outlined in paragraphs 155 to 166 above.

Decision about most appropriate option

- f) The recommended amendments are considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP.



5.2.7 Key Issue 7: Transport Network Safety

Overview

Provision(s)	Officer Recommendation(s)
Objective SIGN-O2	Retain as notified in the PDP
Policy SIGN-P3	Retain as notified with minor amendments
Policy SIGN-P1	Retain as notified in the PDP
Policy SIGN-P4	Retain as notified in the PDP
Standard SIGN-S4	Retain as notified in the PDP

Analysis of Submissions on Key Issue 7

Matters raised in submissions

173. Kiwi Rail Holdings Limited (S416.042 - S416.045) seek to make amendments to the Signs Chapter to avoid impacts on the safe operation of transport networks. These amendments are as follows:

a) Amend Objective SIGN-O2, as follows:

"Enable Signs that promote health and safety and do not adversely affect infrastructure, particularly the transport network."

b) Amend Policy SIGN-P3 to manage safety issues arising at level crossings, as follows:

"Ensure that signs do not compromise the safe and efficient use of the transport network by managing:

[...]

c. any obstruction caused by signs projecting over the road boundary or within level crossing sightlines; and

[...]"

174. Retain Policy SIGN-P1 and SIGN-P4 as notified in the PDP.

175. NZTA (S356.112 - S356.114) seek to make amendments to the Signs Chapter to reduce safety issues and driver distraction to users on the State Highway Network. These amendments are summarised as follows:

a) Amend Standard SIGN-S4 (Traffic Safety) to include all signs and require signs directed at state highway traffic to obtain approval from NZTA. As follows:

"Traffic Safety



1. All freestanding signs directed at drivers on the visible from State highways must be:
 - a. *erected at a right angle to the road; and*
 - b. *comply with the New Zealand Transport Agency Planning Policy Manual and Signs on State Highways Bylaw 2010;*
 - c. receive written approval from the New Zealand Transport Agency.

[...]”

- b) Retain Policy Sign-P3 as notified in the PDP.
- c) Retain Objective SIGN-O2 as notified in the PDP.

Analysis

176. The intention of the objective is to provide a statement of what the chapter aims to achieve which is then enabled by the policies, rules and standards in district plans.
177. I do not support the change to Objective SIGN-O2 requested by Kiwi Rail Holdings Limited because the suggested amendments are worded like a policy in that they set out the intended course of action, rather than the outcome to be achieved. The purpose of the objectives is to set out the outcome. In addition, I consider that Policy SIGN-P3 and SIGN-P4 already provides for the direction in terms of how the objective will be achieved.
178. I consider that the requested amendment to Policy SIGN-P3 by Kiwi Rail is already provided for in Policy TRAN-P3 of the Transport chapter. Policy TRAN-P3 ensures the safe, efficient and well connected operation of the transport network through the management of the location of structures that may impact on sightlines. Therefore, no further amendments to Policy SIGN-P3 to add sightlines is required as this change would create unnecessary duplication.
179. I acknowledge Kiwi Rail Holdings Limited submission points to retain Policy SIGN-P1 and SIGN-P4 as notified in the PDP.
180. I do not support the changes to Standard SIGN-S4 suggested by NZTA because:
 - a) The term “visible from state highways” is more certain and enforceable than “signs directed at drivers on the state highways”.
 - b) Generic reference to the NZTA Planning Policy Manual within a standard is not clear, certain or measurable.



- c) Broadening the standard to apply to all signs rather than freestanding signs visible from a state highway could have unintended consequences (e.g. all signs in townships located along state highways in 50km areas). In addition, the rule framework already contains a standards for signs that are most likely to cause driver distraction to not be located on or adjacent to state highways (e.g. digital signs, third-party signs).
 - d) Requiring NZTA's written approval for all signs visible from state highways, even when permitted and complying with the requirements for traffic safety and minimum and maximum lettering is not efficient or effective, and would place an unreasonable cost on community members erecting signs. It is more appropriate for NZTA to be involved in approving signage that is most likely to generate traffic safety concerns (i.e. those signs that require resource consent for infringing the permitted standards).
181. I consider that the provisions in the Signs Chapter are appropriate and already achieve the objectives to not adversely affect the transport network.
182. In addition, signs are required to comply with the standards of the PDP including maximum size, maximum number per site and minimum lettering which helps to avoid driver distraction.
183. I acknowledge NZTA's submission points to retain Objective SIGN-O2 and Policy Sign-P3 as notified in the PDP.

Recommendation

184. For the reasons above I recommend Submission points S416.042, S416.044 and S356.114 are rejected.
185. For the above reasons, I recommend the following:
- a) Submission point S416.042 is accepted and Policy SIGN-P1 is retained as notified in the PDP with minor amendments as noted in paragraph 62.
 - b) Submission point S416.045 is accepted and Policy SIGN-P4 is retained as notified in the PDP.
 - c) Submission point S356.112 is accepted and Objective SIGN-O2 is retained as notified.
 - d) Submission point is accepted and Policy SIGN-P3 is retained as notified.



Section 32AA evaluation

186. As the provisions relating to signs that effect the transport network are recommended to be retained as notified no Section 32AA evaluation is necessary.

5.2.8 Key Issue 8: Other General Matters

Overview

Provision(s)	Officer Recommendation(s)
Rule SIGN-R7	Amendment to PER-3 to reference activities lawfully undertaken on the site.
New Rule	Insert a new rule for digital signs in the Light Industrial zone
Standard SIGN-S1, S3, S5, and S6	Retain as notified

Analysis of Submissions on Key Issue 8

Matters raised in submissions

187. A number of submissions points were made requesting matters other than those discussed in the previous key themes. These submissions have been grouped into further sub-topics including Rule SIGN-R7, Rule SIGN-R8, Rule SIGN-R11, directional and health and safety signs and standards. I summarise and analyse each one of the submissions points in the sub-topics below.

Rule SIGN-R7

Submission

188. Foodstuffs North Island Limited (S363.017), McDonalds Restaurants (NZ) Limited (S385.013) and Bunnings Limited (S371.014) seek amendments to Rule SIGN-R7 (Signs on or attached to a building, window, fence or wall) to make the provisions more permissive and remove maximum area and maximum number standards, as follows:

"Signs on or attached to a building, window, fence or wall (excluding a scheduled heritage resource) – All zones

Activity status: Permitted

Where:

~~PER-1~~

~~The sign does not protrude above the highest point of the building or structure.~~

PER-2



The sign complies with standards:

~~*SIGN-S1 Maximum area;*~~

~~*SIGN-S2 Maximum height;*~~

~~*SIGN-S3 Maximum number;*~~

~~*SIGN-S4 Traffic safety; and*~~

~~*SIGN-S5 Sign design and content.*~~

~~*PER-3*~~

The sign is not for third party advertising and is directly related to a permitted activity undertaken within the building.”

189. The submitters also seek an additional rule is included to address signs on fences.
190. The submitters request these amendments as where signage is attached to a building in the Mixed Use zone, and the signage directly relates to the use of the building/comprises branding they consider it should be exempt from maximum area and maximum number standards. The submitters also consider that PER-1 and PER-3 SIGN-S2 are double ups and considers it unnecessary to specify 'window' or 'wall' which are parts of buildings.

Analysis

191. The Far North context is a low density urban environment with typically single storey buildings.
192. I do not support the change in wording requested by Foodstuffs North Island Limited, McDonalds Restaurants (NZ) Limited and Bunnings Limited to remove the words “window, fence or wall” because fences or walls may not always be part of a building. I have concerns that removing these references could cause unintended consequences.
193. In regard to the deletion of PER-1, I consider that the submitter has not provided sufficient justification as to why signs protruding above the building or structure are appropriate and should be a permitted activity. Signs attached to a building but protruding above the building could result in potential visual amenity effects and mean the rule is not consistent with the objectives and policies of the Signs Chapter. I consider the request to delete PER-1 inappropriate. For these same reasons I also consider the deletion of Standard SIGN-S1 and SIGN-S3 from PER-3 is inappropriate.
194. I consider that the statement “the sign is not for third party advertising” encompasses activities that directly relate to the building. Although, I do understand the intent behind the submitters requested change and believe it could add clarity to the PDP. I have recommended alternative wording



that uses the term "authorised activities" which includes activities that are a permitted activity or authorised by a resource consent.

Recommendation

195. I recommend submission point S363.017, S385.013 and S371.014 is accepted in part and recommend the following change to Rule SIGN-R7:

"Signs on or attached to a building, window, fence or wall (excluding a scheduled heritage resource) – All zones

Activity status: Permitted

Where:

PER -1

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

PER-2

The sign complies with standards:

SIGN-S1 Maximum area;

SIGN-S2 Maximum height;

SIGN-S3 Maximum number;

SIGN-S4 Traffic safety; and

SIGN-S5 Sign design and content.

PER-3

The sign is not for third party advertising and the activity is lawfully undertaken within the site."

Digital Signs - New Rule

Submission

196. Puketona Business Park Limited (S45.022) seek to amend Rule SIGN-R11 (Digital Signs) to provide for digital signs as a permitted activity (or "worse case restricted discretionary activity") in the Light Industrial zone.

Analysis

197. The notified PDP permits the use of digital signs in the Mixed-Use zone, in all other zones digital signs are a non-complying activity which is the second most restrictive activity status.



198. I acknowledge that the Light Industrial zone has low amenity and digital signs would not have significant adverse effects on the environment and character of the zone. However, in the Far North context digital signs are not often apart of the Light Industrial zone.
199. The resource consent process is appropriate for digital signs in these areas to consider digital signs on a case by case basis. I consider it appropriate and acceptable for digital signs to be a discretionary activity in the Light Industrial zone.

Recommendation

200. I recommend that submission point S43.022 is accepted in part and a new rule (Rule SIGN-RXX) is added to the PDP so that digital signs are a Discretionary activity in the Light Industrial zone.

Directional and Health and Safety Signs

Submissions

201. Northland Planning and Development 2020 Limited (S502.077) and Waitangi limited (S503.048) seek that under the PDP Directional and Health and Safety signs are excluded from Standard SIGN-S1 (Maximum sign area per site). The key reason provided is that directional and health and safety signs are of a temporary nature but necessary to ensure the safety of the public. The submitters seek the following amendments:

"Maximum sign area per site – All zones

- 1. Any temporary sign (excluding real estate, ~~and~~ development, Directional and Health and Safety) or community sign must not exceed 2m² in area but may be double-sided. Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign; and*
- 2. Any real estate, ~~and~~ development, Directional and Health and Safety sign must not exceed 1.5m² in area."*

202. Northland Planning and Development 2020 Limited (S502.078) and Waitangi Limited (S503.049) seek that Standard SIGN-S3 (Maximum number of signs) is amended to include 'Directional and Health and Safety', as follows:

"Maximum number of signs – All Zones

There shall be no more than one temporary sign (excluding real estate, ~~and~~ development, Directional and Health and Safety) per site.

[...]"



203. If this amendment is not accepted, Waitangi Limited seek having this change applied to the Waitangi Estate specifically.

Analysis

204. In pre-hearing discussions Ms Jacobs, representing Waitangi Estate clarified that the clause 2 requested change was not intended, and confirmed that the majority of directional and health and safety signage at Waitangi Estate is less than 2m². As a result, Ms Jacobs advised that Waitangi Estate would not be pursuing this submission point S502.077 and S503.048 any further.

Recommendation

205. I recommend Standard SIGN-S3 is retained as notified in the PDP with amendments to include an exemption as discussed in Key Issue 6.

Any other sign or freestanding sign

Submission

206. Kapiro Conservation Trust (S447.008 - S447.012) seek to amend Standard SIGN-S1 (Maximum sign area per site), SIGN-S2 (Maximum height of signage), SIGN-S3 (Maximum number of signs), SIGN-S5 (Sign design and content) and SIGN-S6 (Sign setback and design) to include "any other sign or freestanding sign". The submitter requests this amendment to strengthen the intent of the provisions in the Sign chapter.

Analysis

207. The submission states "any other sign or freestanding sign should be included within the standards/limits on number, area, etc.". I understand that the submitter would like this wording added so all signs are subject to the standards in the Signs Chapter.
208. I consider that the requested change is not necessary as the standards as notified in the PDP relate to all signs.

Recommendation

209. I recommend that submission points S447.008 - S447.012 are rejected and Standard SIGN-S1, SIGN-S2, SIGN-S3, SIGN-S5 and SIGN-S6 are not amended to include "any other sign or freestanding sign".

Section 32AA evaluation

210. The recommended amendment to Rule SIGN-R7 and the addition of a new rule for digital signs in the Light Industrial area are considered appropriate for the reasons outlined in paragraphs 179-182 and 158-186 above.



6 Conclusion

211. This report has provided an assessment of submissions received in relation to the Signs Chapter. The primary amendments that I have recommended relate to:
- a) Several amendments to improve the clarity and implementation of the plan.
 - b) Amendment to SIGN-S2 to add a height restriction of 6m.
 - c) Amendments to the duration of temporary signs to erect signs no more than 8 weeks before the activity and removed 1 week after the activity.
 - d) Insert exemptions to Standard SIGN-S1 and SIGN-S3 for the Waitangi Estate.
 - e) Insert a new rule for digital signs in the Light Industrial zone as a discretionary activity.
 - f) Amendments to PER-3 of Rule SIGN-R7 to specifically refer to lawfully established activities.
212. Section 5.2 considers and provides recommendations on the decisions requested in submissions. I consider that the submissions on the Signs Chapter should be accepted, accepted in part, rejected or rejected in part, as set out in my recommendations of this report and in Appendix 2.
213. I recommend that provisions for the Signs matters be amended as set out in the Signs in Appendix 1 below for the reasons set out in this report.

Recommended by: James R Witham – Team Leader District Plan, Far North District Council.

A handwritten signature in black ink, appearing to read "J.R. Witham".

Approved by: Tammy Wooster, Manager - Integrated Planning, Far North District Council

Date: 23 September 2024