

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSIONS ON THE PROPOSED LOWER HUTT DISTRICT PLAN
UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE
RESOURCE MANAGEMENT ACT 1991**

From: Out Of Home Media Association of Aotearoa (OOHMAA)

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Attn: Anthony Blomfield

To: Hutt City Council

Address: Private bag 31-912, Lower Hutt 5040

Introduction

1. The Out Of Home Media Association of Aotearoa (“**OOHMAA**”) is a non-profit industry body which represents the majority of New Zealand’s ‘Out of Home’ Media companies.
2. OOHMAA lodged a primary submission on the Proposed Lower Hutt District Plan (“**Proposed Plan**”) which supports and opposes various aspects of the Proposed Plan in respect of the proposed provisions for signs and, in particular, those provisions which relate to billboards and digital billboards.
3. OOHMAA is a body or person who has an interest in the Proposed Plan that is greater than the interest of the general public on the basis that OOHMAA is the representative body for the majority of operators of the Out Of Home Media industry, which has a vested interest in the Proposed Plan provisions that apply to out of home media activities.

Scope of submission

4. The submissions that OOHMAA supports or opposes are set out in **Appendix 1**.

Nature of submission

5. OOHMAA supports or opposes the submissions for the reasons specified in **Appendix 1**.

Relief sought

6. The relief sought by OOHMAA in respect of allowing or disallowing the submissions is set out in **Appendix 1**.
7. OOHMAA wishes to be heard in support of this submission.
8. If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

OUT OF HOME MEDIA ASSOCIATION OF AOTEAROA

by their planning and resource management consultants and authorised agents Bentley & Co. Ltd.

Date: 24 July 2025

Signature:



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Resource Management Consultant

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APPENDIX 1 – FURTHER SUBMISSION AND RELIEF SOUGHT BY OOHMAA

I support / oppose the submission of:	The particular part/s of the submission I support / oppose are:		Requested Relief of Submitter <i>As described in the Submission</i>	Reasons of Submitter <i>As described in the Submission</i>	I support / oppose the submission	The reasons for my support / opposition are:	I seek that the whole (or part) of the submission be allowed / disallowed:
	Sub no./ point no.	Provision					
385 NZ Transport Agency Waka Kotahi 44 Bowen Street Private Bag 6995 WELLINGTON 6141	385.77	SIGN- Signs – Introduction	Amend to add the following paragraph: <u>"Signs located on, or over, State Highways and State Highway road reserves require approval from the New Zealand Transport Agency, regardless of whether the sign complies with the provisions of the District Plan. Any sign fronting or clearly visible from a State Highway will require affected party approval from the New Zealand Transport Agency."</u>	NZTA generally support the overview provided with respect to signs within the District. However, NZTA seeks the inclusion of wording to note that affected.	Oppose	OOHMAA opposes the requested provisions which would necessitate written approval from NZTA for an application which seeks to depart from a rule or standard. The normal tests for notification under ss 95 – 95E of the Resource Management Act 1991 are appropriate for the consideration of the effects of proposals, and the extent to which parties are specifically affected (or not) by proposals. OOHMAA has no concern with the first sentence of the requested paragraph.	Disallow part of the submission by deleting the last sentence of the requested paragraph, being: <u>"Any sign fronting or clearly visible from a State Highway will require affected party approval from the New Zealand Transport Agency."</u>
	385.79	SIGN- Signs – SIGN-P1 (Signs provided for)	Retain as notified	NZTA supports the policy wording as notified. Signs have a number of effects to consider, which the policy adequately covers. This will support decision making.	Oppose in part	OOHMAA supports the intent of the proposed policy, which is to allow for signs where they are appropriately designed and operated to manage adverse effects. However, OOHMAA opposes the requested relief to retain SIGN-P1 as notified, as this is inconsistent with the relief sought in OOHMAA's primary submission.	Disallow the submission to the extent that it seeks to retain the policy as notified.
	385.80	SIGN- Signs – SIGN-P4 (Digital and Illuminated signs)	NZTA support the intent of the policy and the consideration of a wide range of effects associated with digital billboards. However, NZTA considers that the wording should be amended to consider effects that are particularly significant with the nature of digital billboards – being the cumulative effects of multiple digital billboards in proximity to each other and NZTA suggests they are not provided for in any high speed environments (reduced to 70km/h or higher instead of the proposed 80km/h or higher) as overseas research has found a statistically significant increase in injury crashes in high speed areas.	Amend the policy as follows: <u>"6. The sign is not visible from a state highway or road with a speed limit of 70km/h or more, and 7. Cumulative effects of digital billboards are managed."</u>	Oppose	OOHMAA opposes the requested amendment to this policy, to reduce the speed limit threshold of state highways that signs may be visible to. OOHMAA supports that digital signs and billboards can be controlled by different operational parameters depending on the speed environment of the road that they are orientated to. The policy, as notified, applies to signs that are visible from a state highway or road with a speed limit of 80km/h or more. This is consistent with the provisions of the 2024 Wellington District Plan, which have been recently debated and determined through a Schedule 1 process. It is appropriate that there are consistent provisions for signage across districts, insofar as they relate to transportation effects (which do not fundamentally change from district to district). OOHMAA also does not agree that SIGN-P4 needs to be amended to address cumulative effects, as such effects are addressed by Policy SIGN-P1 (subject to the amendments sought by OOHMAA in its primary submission).	Disallow the submission.
	385.82	SIGN- Signs – SIGN R.1 (Signs)	Amend the rule as follows: <u>"c. The sign cannot be seen beyond the boundary of a site or from the state highway network, or"</u>	NZTA support the premise of a permitted activity rule for signs which seeks to manage effects through compliance with standards. However, NZTA consider that all signs visible from the state highway should require a resource consent, given the potential safety effect signs can generate on the state highway network. It is therefore requested that amendments are made to the wording of the rule to make this clearer.	Oppose	OOHMAA does not support a 'blanket' approach which would require a resource consent for all signs which are visible from a state highway, regardless of whether that sign complies with all other relevant standards. Such an approach is unnecessarily onerous, as there are no inherent differences between local roads and state highways which would otherwise result in signs being unacceptable. Rather, it is appropriate to retain other rules and standards that apply to particular signs that are visible from a state highway with a speed limit of 80km/h or more, and that signs that are visible from a state highway with a speed limit of less than 80km/h are subject to the same rules and standards that apply to signs that are visible from any other road.	Disallow the submission.
	385.83	SIGN- Signs – SIGN R.1 (Signs)	Amend the rule as follows: <u>"Notification: Limited notification to the New Zealand Transport Agency is required for applications under this rule due to a non-</u>	NZTA supports the restricted discretionary activity status for signs which are unable to be delivered as a permitted activity due to non-compliance with the standards. NZTA seeks further clarification that where resource	Oppose	For the reasons set out above, OOHMAA opposes any provisions which would require written approval or limited notification of NZTA in the event that a rule or standard is infringed by a proposed sign. Rather, it is	Disallow the submission.

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			<i>compliance with SIGN-R1.1(c), (d, viii and ix).</i>	consent is sought for a sign as a restricted discretionary activity NZTA is notified of applications under this rule.		appropriate that an effects assessment is undertaken relative to the normal tests of ss 95-95E of the RMA.	
385.84	SIGN- Signs – SIGN R3 (Digital signs)	Amend the rule as follows: “iv. Is not visible, or oriented, to be read from a state highway or road with a speed limit of 8070km/h or more,” And “vii. Displays images for an appropriate dwell time determined so that no more than 5 per cent of drivers are exposed to image changes minimum of 35 seconds before transitioning to the next when visible from a road with a speed limit of 8070km/h or more” And “ix: Is not visible from, or within 100m of, a State Highway on ramp and/or off ramp.” “x: Is not located where there are any other digital billboards in a driver’s field of vision.”	As requested in prior submission points, NZTA suggests digital signs are not provided for in any high speed environments (reduced to 70km/h or higher instead of the proposed 80km/h or higher) as overseas research has found a statistically significant increase in injury crashes in high speed areas. NZTA also consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. Further, NZTA consider that the standard should be amended to restrict digital billboards within 100m of a state highway on ramp and/or off ramp. In addition, drivers should not be able to see more than one digital billboard at any one time to reduce the potential for distraction.	Oppose	For the reasons set out above, OOHMAA opposes the requested amendment of the speed limit threshold from 80km/h to 70km/h. OOHMAA opposes the requested amendment to rule (vii) regarding the ‘dwell time’ of messages on digital signs, as this is inconsistent with the relief sought in OOHMAA’s primary submission. OOHMAA also opposes the requested new rules (ix) and (x), because: • Other rules already manage digital signs that are visible from high speed state highways (80km/h or more), and another rule relating to on and off-ramps is not necessary; and • It is not practical to preclude a digital billboard in an environment where another digital billboard may be in a driver’s field of vision. Digital signs already require resource consent in every circumstance, and the matters of discretion (and objective and policies) direct an assessment of cumulative effects. An additional rule is not necessary.	Disallow the submission.	
385.85	SIGN- Signs – SIGN R3 (Digital signs)	Amend the rule as follows: “Notification: <u>Limited notification to the New Zealand Transport Agency is required for applications under this rule due to a non-compliance with SIGN-R3.1(a)(iv, vii, ix, and x).</u> ”	NZTA supports the non-complying activity status for digital signs which are unable to be delivered as a restricted discretionary activity. NZTA seeks further clarification that where resource consent is sought for a digital sign as a non-complying activity NZTA is notified of applications under this rule.	Oppose	For the reasons set out above, OOHMAA opposes any provisions which would require written approval or limited notification of NZTA in the event that a rule or standard is infringed by a proposed digital sign. Rather, it is appropriate that an effects assessment is undertaken relative to the normal tests of ss 95-95E of the RMA.	Disallow the submission.	
385.86	SIGN- Signs – SIGN S1 (Area of a sign)	Amend the matters of discretion for all zones covered by SIGN-S1: “6. Any adverse effects on the safety and efficiency of the transport network and its users.”	NZTA supports the general approach for controlling the area of signs based on the zone in which it is located. It is important that if the standard is exceeded then one of the matters of discretion is consideration of effects on the transport network. Signs not complying with these standards have the potential to distract drivers, thus potentially creating a safety effect for users of the transport network.	Oppose	The relief sought by NZTA is to introduce a matter of discretion relating to signs that exceed the standard for the permitted size of signs, which will require an assessment of transport effects. OOHMAA opposes this relief, as the effects of signs on transportation networks are managed by Standard SIGN-S8.	Disallow the submission.	
385.87	SIGN- Signs – SIGN S2 (Combined area of signs per site)	Amend the matters of discretion for all zones covered by SIGN-S2: “7. Any adverse effects on the safety and efficiency of the transport network and its users.”	NZTA supports the general approach for controlling the cumulative area of signs based on the zone in which it is located. It is important that if the standard for the cumulative total area of signs is exceeded then one of the matters of discretion is consideration of effects on the transport network. Signs not complying with these standards have the potential to distract drivers, particularly through visual clutter, thus potentially creating a safety effect for users of the transport network.	Oppose	The relief sought by NZTA is to introduce a matter of discretion relating to signs that exceed the standard for the permitted cumulative size of signs, which will require an assessment of transport effects. OOHMAA opposes this relief, as the effects of signs on transportation networks are managed by Standard SIGN-S8.	Disallow the submission.	
385.88	SIGN- Signs – SIGN S4 (Height of freestanding signs)	Amend the matters of discretion for all zones covered by SIGN-S4: “5. Any adverse effects on the safety and efficiency of the transport network and its users.”	NZTA supports the general approach for controlling the height of signs based on the zone in which it is located. It is important that if the standard is exceeded then one of the matters of discretion is consideration of effects on the transport network. Signs not complying with these standards have the potential to distract drivers, thus potentially creating a safety effect for users of the transport network.	Oppose	The relief sought by NZTA is to introduce a matter of discretion relating to signs that exceed the standard for the permitted height of freestanding signs, which will require an assessment of transport effects. OOHMAA opposes this relief, as the effects of signs on transportation networks are managed by Standard SIGN-S8.	Disallow the submission.	
385.91	SIGN- Signs – SIGN S8 (Signs and the transport network)	Amend the standard as follows: “4. Signs visible from any state highway or road with a speed limit of 8070km/h must not: a. Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, or logos, or..”	NZTA recommends that no billboards are located in environments where the posted speed limit is 70km/h or higher, as evidence does find a statistically significant increase in crashes in the presence of digital billboards in higher speed environments	Oppose	For the reasons set out above, OOHMAA opposes the requested amendment of the speed limit threshold from 80km/h to 70km/h. Further, OOHMAA opposes the request to preclude logos on signs that are visible from a state highway with a speed limit of 80km/h or more. Logos are a common and intrinsic element of advertising messages, and do not result	Disallow the submission.	

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						in adverse effects to the transport network, regardless of the speed limit of the adjoining road.	
	385.92	SIGN- Signs – SIGN S9 (Sign illumination)	Amend the standard as follows: “2. <i>Illumination of any sign must not result in the illuminance of any roadway by more than 4 lux in a Residential Zone, Rural Zone, Open Space Zone, or Natural Open Space Zone, or 20 lux in any other area.</i> ”	NZTA considers that no illuminated signs should be permitted to generate light spill or illuminance on the adjoining roadway or state highway. Any light spill could generate adverse safety effects for road users so should be subject to a resource consent and associated safety assessment if required.	Oppose	OOHMAA opposes the submission that illuminated signs should not result in any light spill or illuminance to adjoining roads or state highways. Such an outcome would be impractical in most instances where an illuminated sign is proximate to a road. The standard, as notified, appropriately seeks to manage light spill to appropriate levels.	Disallow the submission.
KiwiRail Holdings Limited Level 1 Wellington Railway Station Bunny Street PO Box 593 WELLINGTON 6140	442.74	SIGN- Signs – SIGN P4 (Digital and Illuminated signs)	Amend the policy as follows: x. The sign is not visible in conjunction with, or located in a manner that it may distract from warning lights such as those at level crossings, or signals associated with the operation of the rail network.	KiwiRail support the intent of the policy and the consideration of a wide range of effects associated with digital billboards. However, KiwiRail considers that the wording should be amended to consider effects that are particularly significant with the nature of digital billboards – being the cumulative effects of multiple digital billboards in proximity to each other and the impact that the digital bill boards can have when read in conjunction with the likes of flashing warning lights at level crossings.	Oppose	OOHMAA agrees that it is appropriate to manage the effects of digital and illuminated signs relative to the rail network. However, OOHMAA opposes the relief sought as it is overly onerous in seeking that signs are not visible in conjunction with rail signals, at all.	Disallow the submission.
	442.75	SIGN- Signs – SIGN R1 (Signs)	Amend the rule as follows: ix. is not visible, or oriented to be read in conjunction with warning lights located at a level crossing, or signals associated with the operation of the rail network.	Digital billboards have, by the changing nature of their content have the potential to distract drivers when they are arriving at a level crossing and also have the potential to distract train drivers when approaching level crossings.	Oppose	OOHMAA opposes the relief sought as it is vague, and unclear what is requested for general signs managed by Rule SIGN-R1, relative to the reasons provided which refer to digital billboards (which are managed by other rules and standards).	Disallow the submission.
	442.76	SIGN- Signs – SIGN R3 (Digital signs)	Amend the rule as follows: <u>Notification:</u> <u>Limited notification to KiwiRail Holdings Limited is required for applications under this rule due to a non-compliance with SIGN-R3.1(a)(ix).</u>	KiwiRail supports the non-complying activity status for digital signs which are unable to be delivered as a restricted discretionary activity. KiwiRail seeks further clarification that where resource consent is sought for a digital sign as a non-complying activity KiwiRail is notified of applications under this rule.	Oppose	For the reasons set out above, OOHMAA opposes any provisions which would require written approval or limited notification of KiwiRail in the event that a rule or standard is infringed by a proposed digital sign. Rather, it is appropriate that an effects assessment is undertaken relative to the normal tests of ss 95-95E of the RMA.	Disallow the submission.
	442.77	SIGN- Signs – SIGN S8 (Signs and the transport network)	Amend the standard as follows: <u>1. Any digital sign must not be able to be read in conjunction with flashing warning lights at level crossings or signals associated with the operation of the rail network.</u>	Digital billboards have, by the changing nature of their content have the potential to distract drivers when they are arriving at a level crossing and also have the potential to distract train drivers when approaching level crossings.	Oppose	OOHMAA opposes the relief sought as it is vague and unclear, and is overly onerous. It is not necessary to have a standard that precludes digital signs that are visible in conjunction with rail signals. Digital signs will require a resource consent in all instances, and there are appropriate provisions that require the consideration of effects on the transport network (which includes the rail network).	Disallow the submission.