

## Form 5

Submission on notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To: Hutt City Council**  
**Private Bag 31-912**  
**Lower Hutt 5040**

Name of submitter: oOh! Media Limited  
 Level 1, 22 Pollen Street  
 Grey Lynn  
 Auckland, 1021

This is a submission on the following proposed plan (the **proposal**):

(a) Proposed Lower Hutt District Plan.

oOh! Media Limited (**oOh!**) could not gain an advantage in trade competition through this submission.

oOh! is directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

oOh!’s submission is generally in support of the proposal as notified. The specific provisions of the proposal that oOh!’s submission relates to are the provisions contained within Part 2 relating to infrastructure and signs.

oOh!’s submission is set out in detail below.

### **Background to oOh! Media Limited**

#### About oOh!

oOh! is a provider of commercial ‘out of home’ advertising on bus and pedestrian shelters, bicycle parking and e-charging stations (such as Locky Docks), telecommunications kiosks, and other types of infrastructure within eight regions throughout New Zealand. oOh! holds contracts with several territorial authorities (including Hutt City Council) to provide advertising within the road reserve and other Council-controlled public places. This product is underpinned by the provision (by oOh!) of high-quality bus and pedestrian shelters, and the ongoing maintenance and cleaning of these shelters, which enhance the functionality and amenity of public transport services and networks, and of the general pedestrian environment.

#### Overview of Products and Services

oOh!’s advertising products within the road reserve and public places include a mix of ‘poster’ or ‘static’ advertising units and ‘digital’ advertising units, which are integrated into the structure of bus and pedestrian shelters, telecommunications kiosks, and micro-mobility infrastructure such as bike

parking and e-charging stations. The products provide for the advertising of businesses, goods and services (third party advertising). The street-based and pedestrian-orientated nature of the advertising units, and particularly the dynamic capabilities of the digital advertising units, also provide for the opportunity to display important civic and emergency messaging, enhancing community resilience and safety through its capacity to display real-time civic messages and emergency communications. For example, during the COVID-19 pandemic, the displays were used to display important information to the public.

These outcomes are also supported through modern infrastructure such as smart bicycle docking and charging facilities, and telecommunications kiosks, which contribute to urban mobility, connectivity, and the digital economy.

#### Contribution to Community Infrastructure and Public Safety

The products and services that oOh! provides within the public road reserve are important to the funding of public infrastructure and its ongoing maintenance. The revenue generated by advertising contributes to the ability to operate and improve transport networks.

#### Current Operations

oOh! provides for the installation of bus and pedestrian shelters, and for the maintenance and cleaning of the structures on an ongoing basis, at no cost to the Council or to the ratepayers. These services are funded by the revenue that is generated by advertising that is integrated with the infrastructure. Currently, oOh! operates 'static' and 'digital' advertising units that are integrated with bus shelters within Hutt City.

oOh! is actively exploring the integration of third-party advertising into other forms of infrastructure within the road reserve, including telecommunications kiosks and e-bike docking and charging stations.

The advertising units are of a small scale (at some 1.6m<sup>2</sup> in display area, being the size of a 75-inch screen) and are orientated primarily to pedestrians being located on the footpath and/or integrated with shelters for pedestrians and public transport users. The advertising units are operated consistently across its national network, in terms of advertising content and the operation of digital displays.

oOh!'s submission is concerned with the manner in which the proposal provides for street furniture, utilities and other structures, including associated integrated advertising panels, that are located within the road reserve.

oOh!'s services and products provide important funding for the improvement of infrastructure and its ongoing maintenance and viability. oOh!'s submission is that the proposal must include specific provision for advertising displays which are integrated with infrastructure in the road reserve as a permitted activity.

The model employed by oOh! directly supports the intent and objectives of the proposal by providing vital funding mechanisms for infrastructure that enhances community well-being and transport network efficiency, consistent with Objectives INF-O1, INF-O4, and SIGN-O1 (discussed further below).

### **Submission on Infrastructure Provisions**

#### Importance of Advertising Revenue for Infrastructure Funding

Advertising revenue is integral to the provision, upgrade, and maintenance of infrastructure. It ensures infrastructure such as bus shelters remain financially viable without imposing costs on councils or ratepayers. This is consistent with the intent of Policies INF-P1 and INF-P2, which promote resilient, efficient, and sustainable infrastructure operations.

#### Consistency with Objectives and Policies of Proposed District Plan

The 'Infrastructure' chapter appropriately recognises the essential role infrastructure plays in the successful functioning of the city and the lives of its residents. Infrastructure, as noted in the chapter introduction, enables communities to undertake everyday activities and supports their social and economic wellbeing, as well as their health and safety. The proposal recognises the importance of ensuring that the construction, maintenance, upgrade and operation of networks are acknowledged and provided for.

oOh! supports this approach and notes that the effectiveness and attractiveness of the public transport network is enhanced by structures such as bus shelters, which significantly improve public transport services. Other essential utilities, including vehicle and bicycle charging stations, telecommunications facilities, and related infrastructure, contribute directly to fulfilling the daily needs of the community. The installation, operation, maintenance, and improvement of this infrastructure carries costs borne by network operators, ratepayers, and end users. Revenue derived from advertising integrated with this infrastructure can substantially offset these costs, making it a vital enabler for providing and maintaining quality infrastructure.

#### General Support for Infrastructure Objectives and Policies

The proposal appropriately acknowledges the value of infrastructure through its objectives and policies. oOh! supports Objective INF-O1, which recognises and seeks to provide for the national, regional, and local benefits of infrastructure.

Policy INF-P1 of the proposal explicitly recognises infrastructure's broad range of social, economic, cultural, and environmental benefits. These include enhancing quality of life, ensuring public health and safety, enabling business functionality, supporting growth and development, facilitating the transportation of people and goods, providing lifelines during emergencies, and ensuring efficient transmission of electricity. Additionally, Policy INF-P2 provides for infrastructure by enabling its safe, resilient, effective, and efficient operation, maintenance, repair, minor upgrade, or decommissioning. Enabling advertising, particularly digital advertising, supports the implementation of these policies by contributing significantly to the financial viability and ongoing operational sustainability of infrastructure.

In respect of the transport network, oOh! supports Objective INF-O4, which aims to ensure a safe, accessible, and connected transport network that provides for all transport modes and users to move efficiently, integrating with land use and development, and contributing to the planned outcomes for zones and precincts.

Policy INF-P3 seeks coordinated and responsive infrastructure planning and delivery, integrated with land use, subdivision, development, and urban growth. Policy INF-P4 encourages adopting new technologies that increase resilience, safety, reliability, and promote environmentally sustainable outcomes. Digital advertising, serving as a revenue stream and communication medium, directly supports these policy outcomes by ensuring infrastructure remains financially viable, responsive to urban development needs, and able to leverage technological advancements effectively.

#### Specific provisions for ancillary transport network signage

In considering the role and benefits of infrastructure, the ability to implement and maintain infrastructure through revenue derived from advertising is consistent with the objectives and policies of the proposal for infrastructure. It is appropriate to include specific provisions for third-party advertising, including digital signage, that is integrated within ancillary transport network infrastructure. This includes, but is not limited to, bus shelters, pedestrian shelters, telecommunications kiosks, and bicycle parking or e-charging stations such as Locky Docks. Clear and efficient provisions will reduce uncertainty, allowing infrastructure providers to effectively plan, deliver, and maintain essential services that comprehensively support the community's current and future needs.

### **Submission on Signs Provisions**

#### Issues with Current Regulatory Approach for Signs

With respect to signage, Objective SIGN-O1 seeks that signs “support the needs of the community to advertise and inform” while effectively managing their effects on local character, amenity, heritage values, and transport network safety and efficiency. This objective appropriately recognises the benefits of signage, including signage integrated with infrastructure in public spaces.

However, the manner in which such signage, and in particular, digital signage, is proposed to be regulated under the Plan's provisions is neither efficient nor effective.

Under the current framework of the Proposed District Plan, all land including roads is zoned, resulting in signs within the road reserve being subject to the same provisions as those applicable to private land. General signage provisions typically address standalone or building-mounted signs and are therefore poorly suited to manage and enable third-party advertising signage integrated into transport infrastructure. Integrated signage has a unique role and is inherently tied to infrastructure funding and provision. Therefore, a bespoke rule framework is justified and necessary to explicitly accommodate this distinct category of signage.

#### Proposed Signage Rules and Standards

Bus stops and associated shelters, along with integrated advertising units, are predominantly situated within central city areas, commercial centres, and arterial corridors serviced by public transport, and

are widely recognised as appropriate and necessary infrastructure within road reserves and other public places. Other infrastructure types within public realms are generally anticipated and accepted. Infrastructure-integrated advertising signage is small-scale and pedestrian-oriented, ensuring that the effects of such signage are generally acceptable within road corridors in commercial environments and arterial roads, subject to suitable controls addressing sign design, placement, and integration with the infrastructure.

Appropriate standards triggering resource consent processes for such scenarios should be established, with a restricted discretionary activity status being suitable due to the readily manageable nature and scale of associated effects. Matters of discretion should explicitly consider the policies outlined in the Signs chapter, alongside the functional requirements of the infrastructure in the proposed location, reflecting the Plan's acknowledgment of infrastructure's broader benefits.

Accordingly, the following standards are sought by oOh! to manage the effects of ancillary transport network infrastructure-integrated signage within road reserves:

- (a) Ensuring sign scale and placement is appropriate and integrated, such as a requirement for signage to be no larger than the infrastructure to which it is attached or 1.6m<sup>2</sup> (being the size of a 75-inch screen).
- (b) Restricting signage placement within 30 metres of scheduled historic heritage places.
- (c) Establishing standards for controlling the illumination of both static and digital signage.
- (d) Implementing standards to manage sign content concerning traffic safety.

These standards are consistent with the structure and intent of the proposal and reflect operational practices for oOh!'s signage network within the city.

Policy SIGN-P1 currently provides for signs under specific conditions, including where they do to result in visual clutter. While the intent of Policy SIGN-P1 is supported by oOh!, the requirement not result in visual clutter effects is written in pass/fail terms and is not a realistic, necessary or appropriate outcome in every instance (for example, in commercial environments where signage is common). The RMA is not a 'nil effect' statute and oOh! seeks an amendment to Policy SIGN-P1 to require the management of visual clutter effects (rather than their avoidance) to better reflect the intent of the policy to manage adverse effects.

Other consequential changes are also sought by oOh! to the provisions of the proposal (SIGN-R3) to ensure that they more appropriately provide for digital signage within the District.

## Conclusion

The relief sought by oOh! in respect of the proposal is detailed in **Schedule 1** to this submission.

An analysis of the relief sought by oOh! in respect of the proposal against ss 32 and 32AA of the RMA is detailed in **Schedule 2** to this submission.

oOh! seeks the following decision from the local authority:

- (a) That the proposal be amended as set out within Schedule 1 of this submission.

(b) Such further or other consequential relief as may be necessary to fully give effect to the relief sought in its submission.

oOh! wish to be heard in support of its submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

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



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**Schedule 1**

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Detailed submissions and relief sought

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**Schedule 1: Detailed submissions and relief sought**

Relief sought by the submitter is shown in ~~strike through~~ and underline

	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
1.	Definitions	Ancillary transport network infrastructure	Support	oOh! supports the definition of ancillary transport network infrastructure as notified.	Retain the definition of ancillary transport network infrastructure as notified.
2.	General District-wide Matters - Infrastructure	INF-O1	Support	oOh! supports the proposed objective which recognises and provides for the national, regional and local benefits of infrastructure.	Retain INF-O1.
3.	General District-wide Matters - Infrastructure	INF-O2	Support	oOh! supports the proposed objective which seeks to effectively manage the adverse effects of infrastructure while recognising the functional and operational needs of infrastructure.	Retain INF-O2.
4.	General District-wide Matters - Infrastructure	INF-O3	Support	oOh! supports the proposed objective which seeks to enable safe, resilient, sustainable, responsive and efficient infrastructure that is well integrated with, and able to meet the needs of subdivision, use and development.	Retain INF-O3.
5.	General District-wide Matters - Infrastructure	INF-O4	Support	oOh! supports the proposed objective which seeks to ensure the transport network is safe, accessible and connected, and provides for all transport modes and users.	Retain INF-O4.
6.	General District-wide Matters - Infrastructure	INF-P1	Support	oOh! supports the proposed policy which recognises the social, economic, cultural and environmental benefits that infrastructure provide.	Retain INF-P1.
7.	General District-wide Matters - Infrastructure	INF-P2	Support	oOh! supports the proposed policy which provides for infrastructure.	Retain INF-P2.
8.	General District-wide Matters - Infrastructure	INF-P3	Support	oOh! supports the proposed policy which seeks to ensure that infrastructure planning and delivery is undertaken in a coordinated and responsive manner.	Retain INF-P3.



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	<b>Chapter</b>	<b>Provision</b>	<b>Support / Oppose</b>	<b>Reasons</b>	<b>Relief Sought</b>
9.	General District-wide Matters - Infrastructure	INF-P4	Support	oOh! supports the proposed policy which provides flexibility to adopt new technologies for infrastructure.	Retain INF-P4.
10.	General District-wide Matters - Infrastructure	INF-P5	Support	oOh! supports the proposed policy which requires the adverse effects of infrastructure to be avoided, remedied or mitigated, as far as practicable.	Retain INF-P5.
11.	General District-wide Matters - Infrastructure	INF-P6	Support	oOh! supports the proposed policy which set out a range of appropriate matters to consider when assessing the adverse effects of infrastructure.	Retain INF-P6.
12.	General District-wide Matters - Infrastructure	INF-P7	Support	oOh! supports the proposed policy which set out a range of appropriate matters to consider when assessing the adverse effects of infrastructure.	Retain INF-P7.
13.	General District-wide Matters - Infrastructure	INF-P9	Support	oOh! supports the proposed policy which set out a range of circumstances where new or upgraded infrastructure in the natural hazard overlays are provided for.	Retain INF-P9.
14.	General District-wide Matters - Infrastructure	INF-P13	Support	oOh! supports the proposed policy which set out a range of circumstances where new or upgraded infrastructure in sites and areas of significance to Māori, heritage areas, and sites containing heritage buildings or heritage structures are provided for.	Retain INF-P13.
15.	General District-wide Matters - Infrastructure	INF-P14	Support	oOh! supports the proposed policy which set out a range of circumstances where new or upgraded infrastructure in the Active Street Frontage Overlay are provided for.	Retain INF-P14.
16.	General District-wide Matters - Infrastructure	INF-R6	Support in part	It is currently unclear whether Rule INF-R6 is intended to apply to third-party advertising signs that contribute to the funding and ongoing maintenance of infrastructure.	Amend INF-R6 to clarify that the rule is intended to apply to those signs that are for the purpose of operating, maintaining, and repairing, or developing,

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				<p>The rule as currently drafted applies broadly to “signs associated with operating, maintaining, and repairing, or developing, upgrading and decommissioning of infrastructure,” while explicitly excluding signage related to the operation of the transport network in road reserves or rail corridors.</p> <p>The use of the phrase “associated with” introduces ambiguity, as it can be interpreted widely and may inadvertently capture third-party advertising signage integrated into infrastructure.</p> <p>The associated standard, INF-S13, states: “Where located within a road reserve, all signs within a 100m stretch of the road must not exceed a combined area of 3m<sup>2</sup>.” If this standard were applied to third-party advertising signs integrated into infrastructure, it would significantly constrain the ability to establish such signage, undermining the financial viability and effectiveness of infrastructure that relies on advertising revenue for its funding and maintenance.</p> <p>Third-party advertising signs warrant clear and explicit provision separately within the rules and an amendment is required to clearly distinguish operational signage from third-party advertising.</p>	<p>upgrading and decommissioning of infrastructure, as follows:</p> <p>INF-R6  <del>Signs associated with</del> <u>for the purposes of</u> operating, maintaining, and repairing, or developing, upgrading and decommissioning of infrastructure, not including signs for the purpose of operating the transport network which are located in road reserve or rail corridor, <u>or third-party advertising signs.</u></p>
17.	General District-wide Matters - Infrastructure	INF-R21	Support in part	<p>While oOh! supports the intent of INF-R21, it seeks that a new explicit provision be introduced into the Infrastructure chapter of the District Plan, clearly providing for third-party advertising signage, including digital signage, that integrated into ancillary transport network infrastructure as a permitted activity (subject to appropriate standards outlined separately in the Signs chapter).</p> <p>General signage provisions typically address standalone or building-mounted signs, and are therefore poorly suited to manage and enable third-party advertising signage integrated into transport infrastructure. Integrated signage has a unique role and is</p>	<p>Add a new rule that provides for third-party advertising signs and digital signs that are integrated into ancillary transport network infrastructure as a permitted activity.</p> <p><u>INF-R21A Signs, including third-party advertising signs and digital signs, that are integrated with ancillary transport network infrastructure.</u></p> <p><u>City Centre Zone, Metropolitan Centre Zone, Local Centre Zone, Neighbourhood Centre Zone, Mixed</u></p>

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				<p>inherently tied to infrastructure funding and provision. Therefore, a bespoke rule framework is justified and necessary to explicitly accommodate this distinct category of signage.</p> <p>Currently, there is no explicit rule providing for third-party advertising integrated within ancillary transport network infrastructure. Explicit provision provides certainty and clarity for both infrastructure providers and advertising operators.</p> <p>Such explicit provision will:</p> <ul style="list-style-type: none"> <li>Clearly differentiate operational infrastructure signs from advertising signage.</li> <li>Provide certainty for infrastructure providers and advertising operators regarding the regulatory framework that applies.</li> <li>Support the financial viability of infrastructure provision and ongoing maintenance, consistent with the objectives and policies of the Proposed District Plan, particularly Objective INF-O1 (recognising and providing for the local and regional benefits of infrastructure), and Policies INF-P1 and INF-P2, which seek to enable efficient, resilient, and sustainable infrastructure provision and maintenance.</li> </ul> <p>Enabling advertising, particularly digital advertising, as a permitted activity supports the implementation of the infrastructure objectives and policies by contributing significantly to the financial viability and ongoing operational sustainability of infrastructure. It also provides certainty for infrastructure providers to efficiently deliver and maintain vital public transport infrastructure without unnecessary consenting hurdles, delays, or additional costs. This status directly implements the objectives and policies of the District</p>	<p><u>Use Zone, Industrial Zones, Sport and Active Recreation Zone, Hospital Zone, Marae Zone, Quarry Zone, Tertiary Education Zone</u></p> <p>1. <u>Activity status: Permitted</u></p> <p><u>Applicable standards:</u></p> <ul style="list-style-type: none"> <li><u>INF-13A Signs, including third party advertising signs and digital signs that are integrated with ancillary transport network infrastructure.</u></li> </ul> <p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> <li><u>Compliance is not achieved with INF-13A</u></li> </ul> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <li><u>The compatibility of the sign with the amenity and character of the surrounding area.</u></li> <li><u>The size, position, design, and setting of the sign.</u></li> <li><u>The standards for the relevant zone in the Light chapter.</u></li> <li><u>The safety and efficiency of the transport network.</u></li> <li><u>The matters in:</u> <ol style="list-style-type: none"> <li><u>SIGN-P1: Compatible signs,</u></li> <li><u>SIGN-P4: Digital and illuminated signs, and</u></li> <li><u>SIGN-P6: Impacts of signs on the transport network.</u></li> </ol> </li> </ol>

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				Plan that relate to sustainable, efficient, and resilient infrastructure delivery (INF-O1, INF-P2).	6. <u>Any positive effects of the digital sign that cannot be achieved with a sign other than a digital sign.</u>
18.	General District-wide Matters - Infrastructure	INF-S13	Oppose in part	<p>oOh! seeks that a new explicit provision be introduced into the Infrastructure chapter of the District Plan, clearly providing for third-party advertising signage integrated into infrastructure as a permitted activity (subject to appropriate standards outlined separately in the Signs chapter).</p> <p>Enabling advertising, particularly digital advertising, as a permitted activity supports the implementation of the infrastructure objectives and policies by contributing significantly to the financial viability and ongoing operational sustainability of infrastructure. Consistent with the manner in which such advertising is provided across oOh!'s nationwide street network, standards are proposed such that:</p> <ul style="list-style-type: none"> <li>• The sign can be no larger than the structure to which it is attached.</li> <li>• The sign cannot be located within 30m of a scheduled historic heritage place.</li> <li>• The illumination of 'static' and 'digital' signs in the road reserve are controlled.</li> <li>• The content of the signs is controlled in relation to traffic safety matters.</li> </ul> <p>The proposed standards for digital signage illumination, image transitions, and dwell times are consistent with industry best practice and have been successfully implemented in other New Zealand districts, including Auckland. These proven standards adequately address amenity and transport safety effects without unnecessarily restricting functionality.</p>	<p><u>Add new a new standard for third-party advertising signs and digital signs that are integrated into ancillary transport network, as follows:</u></p> <p><u>INF-S13A Signs, including third-party advertising signs and digital signs, that are integrated with ancillary transport network infrastructure.</u></p> <p><u>City Centre Zone, Metropolitan Centre Zone, Local Centre Zone, Neighbourhood Centre Zone, Mixed Use Zone, Industrial Zones, Sport and Active Recreation Zone, Hospital Zone, Marae Zone, Quarry Zone, Tertiary Education Zone</u></p> <p>1. <u>The sign must:</u></p> <ol style="list-style-type: none"> <li><u>Be no larger than the ancillary transport network infrastructure it is attached to and no greater than 1.6m<sup>2</sup>.</u></li> <li><u>Not be located within 30m of a scheduled historic heritage place.</u></li> <li><u>Not flash, use video, moving images, moving text, or moving lights.</u></li> <li><u>Not play music or sound.</u></li> <li><u>Not provide advertising over multiple messages which are displayed across transitioning screens.</u></li> <li><u>Not be visible from a state highway or road with a speed limit of 80km/h or more.</u></li> </ol>

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				The bespoke standards proposed for integrated signage specifically supersede or clarify any relevant general signage standards, ensuring clarity, consistency, and ease of compliance for infrastructure providers.	<ul style="list-style-type: none"> <li>g. <del>Not monitor or respond in any way to the people viewing or potentially viewing the sign.</del></li> <li>h. <del>Display only a single static image at a time.</del></li> <li>i. <del>Display images for a minimum of 30 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and</del></li> <li>j. <del>In any other case, display images for at least 8 seconds before transitioning to the next.</del></li> <li>2. <del>Transitions between images must take between 0.1 seconds and 0.5 seconds, without flashing, blinking, fading, dissolving, or wiping.</del></li> <li>3. <del>In the event of a malfunction, the sign must default to a blank screen.</del></li> <li>4. <del>Illuminated signs, including digital signs, must not have an average luminance exceeding:</del> <ul style="list-style-type: none"> <li>a. <del>The limits in table LIGHT-TABLE3 during the restricted lighting period.</del></li> <li>b. <del>600cd/m<sup>2</sup> outside the restricted lighting period but after sunset or before sunrise.</del></li> <li>c. <del>5,000cd/m<sup>2</sup> between sunrise and sunset.</del></li> </ul> </li> <li>5. <del>Illumination of the sign:</del> <ul style="list-style-type: none"> <li>a. <del>Automatically adjusts to allow for ambient light levels.</del></li> <li>b. <del>Does not alter during the display of any image.</del></li> </ul> </li> </ul>

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19.	General District-wide Matters - Infrastructure	INF-R22	Support	oOh! supports the proposed rule, which provides for ancillary transport network infrastructure in the road reserve as a permitted activity.	Retain INF-R22.
20.	General District-wide Matters - Infrastructure	INF-R23	Support	oOh! supports the proposed rule, which provides for the upgrading of transport network infrastructure in the road reserve as a permitted activity.	Retain INF-R23.
21.	General District-wide Matters - Infrastructure	INF-R24	Support	oOh! supports the proposed rule, which provides for new transport network infrastructure in the road reserve as a permitted activity.	Retain INF-R24.
22.	General District-wide Matters - Infrastructure	INF-R25	Support	oOh! supports the proposed rule, which provides for infrastructure not otherwise provided for in the road reserve as a permitted activity.	Retain INF-R25.
23.	General District-wide Matters - Infrastructure	INF-S14	Support	oOh! supports the proposed rule, which makes appropriate provision for buildings and structures that are not cabinets or support structures.	Retain INF-S14.
24.	General District-wide Matters - Infrastructure	INF-S15	Support	oOh! supports the proposed rule, which makes appropriate provision for road design.	Retain INF-S15.
25.	General District-wide Matters - Infrastructure	INF-S16	Support	oOh! supports the proposed rule, which makes appropriate provision for earthworks.	Retain INF-S16.
26.	General District-wide Matters - Infrastructure	INF-S17	Support	oOh! supports the proposed rule, which makes appropriate provision for trenching.	Retain INF-S17.

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27.	General District-wide Matters - Infrastructure	INF-S18	Support	oOh! supports the proposed rule, which makes appropriate provision for earthworks and vegetation removal and reinstatement.	Retain INF-S18.
28.	General District-wide Matters - Infrastructure	INF-S19	Support	oOh! supports the proposed rule, which makes appropriate provision for earthworks in relation to sites and areas of significance to Māori.	Retain INF-S19.
29.	General District-wide Matters - Infrastructure	INF-S20	Support	oOh! supports the proposed rule, which makes appropriate provision for the removal of indigenous vegetation.	Retain INF-S20.
30.	General District-wide Matters - Signs	SIGN-O1	Support	oOh! supports the proposed objective which provides for signs that support the needs of the community to advertise and inform, while managing effects of signage.	Retain SIGN-O1.
31.	General District-wide Matters - Signs	SIGN-P1	Support in part.	<p>oOh! 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, oOh! is concerned that the policy seeks to provide for signs where they do not result in visual clutter, which could be interpreted in ‘pass/fail’ terms.</p> <p>The RMA is not a “nil effect” statute and in oOh!’s submission, it is necessary to include a qualifier to the management of ‘visual clutter’ effects to better reflect the intent of the policy to manage adverse effects (as opposed to avoiding adverse effects). Given the intended character of urban environments, including commercial and mixed-use zones where signage is an expected and accepted part of the landscape, managing visual clutter effects rather than strictly avoiding them recognises realistic expectations for these zones.</p> <p>Such an outcome (the avoidance of visual clutter) is not realistic, necessary or appropriate in every instance, for example in commercial environments where signage is common.</p>	<p>Amend SIGN-P1 as follows:</p> <p>Signs provided for</p> <p>Provide for signs where:</p> <ol style="list-style-type: none"> <li>1. The sign: <ol style="list-style-type: none"> <li>a. Is ancillary to the activity being undertaken on the site, or</li> <li>b. The sign is associated with an upcoming election or referendum, or</li> <li>c. The sign is required is required to meet regulatory or statutory requirements, or</li> <li>d. For any other sign (including third-party advertising signs and temporary signs for activities undertaken on another site), the sign is consistent with the purpose, character, and amenity values of the zone in which they are located, and</li> </ol> </li> </ol>

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	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
					<ol style="list-style-type: none"> <li>2. They are of an appropriate size, design and location,</li> <li>3. They maintain the character and amenity values of the site and the surrounding area,</li> <li>4. They <del>do not result in</del> <u>minimise</u> visual clutter,</li> <li>5. They do not compromise the efficiency of the transport network or the safety of its users, including cyclists and pedestrians, and</li> <li>6. Any potential cumulative effects are managed.</li> </ol>
32.	General District-wide Matters - Signs	SIGN-P3	Support in part	<p>oOh! supports the intent of the policy which is to manage the effects of third-party advertising to ensure that such signs are consistent with the character and amenity values of the zone in which they are located.</p> <p>For the reasons set out above, oOh! considers that the policy requires amendment to ensure that it seeks to manage the effects of visual clutter, rather than to avoid such effects.</p>	<p>Amend Policy SIGN-P3 as follows:</p> <p>Third-party advertising signs Manage the effects of third-party advertising signs to be consistent with the purpose, character, and amenity values of the zone in which they are located, and:</p> <ol style="list-style-type: none"> <li>1. Where relevant, are in proportion to the scale of the building it is located on and the number and size of the tenancies and the size of the site,</li> <li>2. Do not compromise the character and amenity values of any adjoining zones,</li> <li>3. Do not cause areas to feel commercialised where this is not part of the intended character of the zone, and</li> <li>4. <del>Do not result in</del> <u>Manage</u> visual clutter and other adverse cumulative effects.</li> </ol>
33.	General District-wide Matters – Signs	SIGN-P4	Support	oOh! supports this policy which seeks to provide for digital signs and illuminated signs, where they are consistent with specified outcomes.	Retain Policy SIGN-P4.
34.	General District-wide Matters – Signs	SIGN-P6	Support	oOh! supports policy SIGN-P5 which seeks to enable signs on heritage buildings and structures where they do not detract from significant historic heritage values.	Retain Policy SIGN-P5.



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	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
35.	General District-wide Matters – Signs	SIGN-P6	Support	oOh! supports Policy SIGN-P6 which seeks to ensure the safe and efficient use of the transport network by controlling signage.	Retain Policy SIGN-P6.
36.	General District-wide Matters – Signs	SIGN-R2	Support in part	<p>oOh! supports the permitted activity status for ‘third-party advertising signs’ in the following zones:</p> <ul style="list-style-type: none"> <li>• City Centre Zone</li> <li>• Metropolitan Centre Zone</li> <li>• Local Centre Zone</li> <li>• Neighbourhood Centre Zone</li> <li>• Industrial Zones</li> <li>• Sport and Active Recreation Zone</li> <li>• Hospital Zone</li> <li>• Marae Zone</li> <li>• Quarry Zone</li> <li>• Tertiary Education Zone</li> </ul> <p>However, oOh! does not support the Non-complying activity status for third-party advertising signs in the Mixed Use Zone.</p> <p>The description of the Mixed Use Zone explains “<i>The Mixed Use Zone recognises that market and community demand in these areas is less predictable and may change significantly from place to place and over time. Accordingly, land use control is flexible to a wide range of uses, while providing amenity values consistent with medium or high density mixed use urban development so that the area can adequately provide for residential activity or other sensitive activities.</i>” The nature of existing land uses within the proposed Mixed Use Zone varies significantly, from traditionally residential streets at the fringe of commercial centres, to commercial activities.</p> <p>Due to the eclectic nature of the Mixed Use zone, and the intended flexibility of the zone to adapt to a wide range of uses and forms of development, third-party advertising signs will not be inherently</p>	<p>Amend Rule SIGN-R2 to apply a Discretionary activity status to ‘third-party advertising signs’ in the Mixed Use Zone.</p> <p>A consequential change is required to SIGN-R2.3 to remove the Mixed Use Zone from the non-complying activity rule.</p>

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				<p>inconsistent elements in all locations within the Mixed Use Zone. On this basis, it is considered that a Non-complying activity status is too onerous, and that a Discretionary activity status is more appropriate.</p> <p>Retaining a Non-complying activity status unnecessarily elevates regulatory uncertainty and cost, potentially discouraging investment in signage that supports infrastructure provision and local economic activity, despite being generally consistent with the flexible intent of the Mixed Use Zone.</p> <p>As a Discretionary activity, a proposal for third-party advertising signage will be required to be assessed against any relevant objectives and policies, and in this respect, Policy SIGN-P3 will ensure that the effects of third-party advertising signs are managed to:</p> <ul style="list-style-type: none"> <li>• Be consistent with the purpose, character and amenity values of the Mixed Use Zone;</li> <li>• Not compromise the character and amenity values of any adjoining zones (which are typically residential zones adjoining the Mixed Use Zone); and</li> <li>• Not cause any area to feel commercialised where this is not part of the intended character of the zone.</li> </ul>	
37.	General District-wide Matters – Signs	SIGN-R3	Support in part	<p>Except where otherwise addressed below, oOh! supports Rule SIGN-R3. Those aspects of SIGN-R3 that oOh! considers need to be amended are:</p> <ul style="list-style-type: none"> <li>• Provide for the Mixed Use Zone as a discretionary activity.</li> <li>• Particular rules that apply to digital signs</li> <li>• The matters of discretion for Restricted Discretionary digital signage that complies with the relevant rules; and</li> <li>• The Non-complying activity status that applies to digital signs that do not comply with a relevant rule.</li> </ul>	<p>Make provision for other digital signs in the Mixed Use Zone as a restricted discretionary activity.</p> <p>A consequential change to SIGN-R3.3 is required to remove the Mixed Use Zone from the non-complying activity and public notification rule.</p>

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38.	General District-wide Matters – Signs	SIGN-R3.1.a.vii	Oppose in part	<p>Rules SIGN-R3.1.a.vii and viii require digital signs to display images for a minimum of 35 seconds or 15 seconds before transitioning to the next, when they are visible from a road with a speed limit of 80km/h or more or less (respectively).</p> <p>oOh! agrees 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.</p> <p>The ‘dwell time’ standard for digital signs has been recently debated through the Proposed Wellington District Plan process. The notified Proposed Wellington District Plan included a standard requiring dwell times that are consistent with those of proposed Rules SIGN-R3.1.a.vii and viii (e.g. 35 seconds and 15 seconds). The planning specialist for Wellington City Council (Joshua Patterson) agreed with the evidence presented at those hearings that dwell times of 8 seconds and 30 seconds are appropriate.</p> <p>oOh! seeks that these rules are amended to provide for ‘dwell times’ of 30 seconds and 8 seconds.</p>	<p>Amend Rule SIGN-R3.1.a as follows:</p> <ol style="list-style-type: none"> <li>Activity status: Restricted discretionary</li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>The sign: <ol style="list-style-type: none"> <li>Does not flash, use video, moving images, moving text, or moving lights.</li> <li>Does not play music or sound.</li> <li>Does not provide advertising over multiple messages which are displayed across transitioning screens,</li> <li>Is not visible from a state highway or road with a speed limit of 80km/h or more,</li> <li>Does not monitor or respond in any way to the people viewing or potentially viewing the sign,</li> <li>Displays only a single static image at a time,</li> <li>Displays images for a minimum of <del>35</del> <u>30</u> seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and</li> <li>In any other case, displays images for at least <del>15</del> <u>8</u> seconds before transitioning to the next,</li> </ol> </li> </ol>
39.	General District-wide Matters – Signs	SIGN-R3.1.d.iii	Oppose	<p>Rule SIGN-R3.1.d.iii requires that the illumination of a digital sign does not alter the average illuminance of any two successive images by more than 30%.</p> <p>oOh! opposes this rule</p>	Delete SIGN-R3.1.d.iii.

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	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
				<p>The illumination output of a digital sign is determined by the colour and composition of the elements of a message. White results in the brightest level of illuminance and black the dimmest. Therefore, the change of the average luminance output of one message to the next message will depend on the content that is to be displayed.</p> <p>Billboard operators do not regulate the content and colouring of one party's message relative to another party's message. This would be logistically challenging and would require a high level of ongoing technical input to calculate the average luminance output of each individual message in a sequence. Digital billboards currently operate throughout New Zealand without such a constraint, and no effects have been identified as a result of this method of operation.</p> <p>The effects of the illumination of digital signs are adequately managed by Standard SIGN-S9 which limit the average luminance of digital signs to:</p> <ul style="list-style-type: none"> <li>• The limits in table LIGHT-TABLE3 during the restricted lighting period (between 10pm and 7am or dawn);</li> <li>• 600cd/m<sup>2</sup> outside the restricting lighting period but after sunset or before sunrise; and</li> <li>• 5,000cd/m<sup>2</sup> between sunrise and sunset.</li> </ul> <p>These standards for sign illumination are generally comparable to standards that have been applied in other District Plans, such as the Auckland Unitary Plan, and reflect the standard operating parameters of digital signs and billboards in New Zealand. Signs have been operating effectively and safely in accordance with such standards, without further constraint on the 'change' in illumination levels from one image to the next image.</p>	

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	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
40.	General District-wide Matters – Signs	SIGN-R3 Matters of Discretion	Support in part	<p>oOh! generally supports the matters of discretion that apply to digital signs that are provided for as a Restricted Discretionary activity.</p> <p>Matter of discretion #3 is “whether the sign will be used for third-party advertising”. Third-party signs are provided for separately by Rule SIGN-R2 as a permitted activity within commercial (and other) zones, within which digital signs are provided for as a restricted discretionary activity.</p> <p>This matter of discretion does not correspond with any other provision, in that there is seemingly no distinction by the provisions of the Signs chapter between digital first-party or digital third-party signs. The matter of discretion effectively requires a ‘yes or no’ response, and it is not clear what the consequence is for either response.</p> <p>oOh! seeks that this matter of discretion is deleted.</p>	<p>Amend the matters of discretion for Rule SIGN-R3 as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The compatibility of the sign with the amenity and character of the surrounding area.</li> <li>2. The size, position, design, and setting of the sign.</li> <li><del>3. Whether the sign will be used for third-party advertising.</del></li> <li>4. The standards for the relevant zone in the Light chapter.</li> <li>5. The safety and efficiency of the transport network.</li> <li>6. The matters in: <ol style="list-style-type: none"> <li>a. SIGN-P1: Compatible signs,</li> <li>b. SIGN-P4: Digital and illuminated signs, and</li> <li>c. SIGN-P6: Impacts of signs on the transport network.</li> </ol> </li> <li>7. Any positive effects of the digital sign that cannot be achieved with a sign other than a digital sign.</li> </ol>
41.	General District-wide Matters – Signs	SIGN-R3.2	Oppose	<p>The restricted discretionary activity status for a digital sign is an appropriate method to manage the effects of such signage.</p> <p>However, a non-complying activity status for a digital sign which does not comply with a relevant standard is unnecessarily onerous, for the following reasons:</p> <ul style="list-style-type: none"> <li>• While the standards in SIGN-S10 for digital signs are important, they are not ‘bottom lines’ which must be protected by a non-complying activity status.</li> </ul>	<p>Amend SIGN-R3.2 as follows:</p> <ol style="list-style-type: none"> <li>2. Activity status: <del>Non-complying</del> <u>Discretionary</u></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with SIGN-R3.1</li> </ol>

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	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
				<ul style="list-style-type: none"> <li>Policy SIGN-P4 seeks to provide for digital signs where they are in accordance with particular outcomes. The policy is not an 'avoid type' policy, and is not appropriately implemented by a non-complying activity status.</li> </ul> <p>A discretionary activity status is an appropriate mechanism to enable a robust assessment of the effects of digital signage which does not comply with a standard, and is a more appropriate, efficient and effective method to implement policy SIGN-P5.</p>	
42.	General District-wide Matters – Signs	SIGN-R3.3	Oppose in part	<p>oOh! is opposed to SIGN-R3.3 to the extent that it would require automatic public notification for digital signs in the Mixed Use Zone.</p> <p>For the reasons discussed above, oOh! is of the opinion that the Mixed Use Zone environment can accommodate digital signs and should therefore be excluded from this notification rule.</p>	Amend SIGN-R3.3 to delete the reference to the Mixed Use Zone from the rule.
43.	General District-wide Matters – Signs	SIGN-S1	Support	oOh! supports Standard SIGN-S1 as notified.	Retain SIGN-S1.
44.	General District-wide Matters – Signs	SIGN-S2	Support	oOh! supports Standard SIGN-S2 as notified.	Retain SIGN-S2.
45.	General District-wide Matters – Signs	SIGN-S3	Support	oOh! supports Standard SIGN-S3 as notified.	Retain SIGN-S3.
46.	General District-wide Matters – Signs	SIGN-S4	Support	oOh! supports Standard SIGN-S4 as notified.	Retain SIGN-S4.
47.	General District-wide Matters – Signs	SIGN-S5	Support	oOh! supports Standard SIGN-S3 as notified.	Retain SIGN-S5

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	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
48.	General District-wide Matters – Signs	SIGN-S8	Support in part	<p>oOh! agrees that standards that seek to manage signage to ensure the safety of users of the transport network are important. In this regard, oOh! generally supports Standard SIGN-S8.</p> <p>There are two parts of Standard SIGN-S8 that oOh! considers should be amended or removed to avoid unworkable requirements. These are addressed below.</p>	Retain Standard SIGN-S8 as notified, except those parts which are addressed in Rows 31 and 32 below.
49.	General District-wide Matters – Signs	SIGN-S8.4.b	Oppose	<p>Standard SIGN-S8.4.b requires that signs that are visible from a state highway or a road with a speed limit of 80km/h or more contain no more than 40 characters.</p> <p>The limit on characters on signs that are orientated to roads with a speed limit of 80km/h or more is unsupported by evidence and will not manage any actual effect.</p>	Delete SIGN-S8.4.b
50.	General District-wide Matters – Signs	SIGN-S8.6.	Oppose	<p>Standard SIGN-S8.6 requires all signs that are within 10m of a legal road or visible from any state highway to comply with specified minimum lettering heights than range between 150mm and 300mm relative to the speed limit of the road that they are visible from.</p> <p>oOh! is concerned with the unworkable nature of the standard. Advertising messages are comprised of multiple ‘elements’ which collectively deliver the message. As drafted, the standard requires every letter used in an advertising message to be a specified minimum height, however, not all letter-based elements of an advertisement message are necessary to be read.</p> <p>The ‘primary’ advertising message will typically be delivered by a combination of an image, a text based message (which is typically brief and impactful), and colours. When absorbed together, the message is readily assimilated by the audience. As advertisers are incentivized to ensure the message is readily understood in the shortest amount of time, the text-based element of the primary</p>	<p>Amend SIGN-S8.6 as follows:</p> <p>SIGN-S8 Signs and the transport network</p> <p>...</p> <p>6. <u>The primary message of S</u>signs within 10 metres of a legal road or visible from any state highway must comply with the following minimum lettering heights:</p> <p>...</p>

**Schedule 1: Detailed submissions and relief sought**

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	Chapter	Provision	Support / Oppose	Reasons	Relief Sought
				<p>message will be of a size that is large enough to be instantly appreciated as the ‘most important’ text.</p> <p>Further, there are many elements that typically comprise letters and words, but are not necessary to be a particular size (or to be read at all) for the overall message to be understood. Examples of these elements are:</p> <ul style="list-style-type: none"> <li>• Logos</li> <li>• Slogans or ‘by-lines’</li> <li>• Terms and Conditions</li> <li>• Disclosure statements</li> <li>• Words within an image, for example the words on the label of a product</li> <li>• Trademarks (<sup>TM</sup>); Registered Trademarks (®); and Copyright (©) symbols</li> </ul> <p>For these reasons, oOh! considers that any minimum letter height standard should only apply to words within the ‘primary message’.</p>	
51.	General District-wide Matters – Signs	SIGN-S9	Support	oOh! supports Standard SIGN-S9 as notified.	Retain SIGN-S9.



**Schedule 2**

**Schedule 2: ss 32 and 32AA RMA analysis****The Purpose of the Proposal (s 32(1)(a))**

The proposed amendments seek to:

- (a) Enable the installation and operation of third-party digital advertising signage where it is integrated with ancillary transport network infrastructure, as defined;
- (b) Support the financial viability and ongoing maintenance of transport infrastructure (such as bus shelters, telecommunication kiosks, and micromobility lock-up facilities) through advertising revenue;
- (c) Ensure the District Plan appropriately recognises and manages the distinct operational nature of infrastructure-integrated signage, as opposed to general or building-mounted signage;
- (d) Manage potential adverse effects of digital signage on amenity, transport safety, and cumulative impacts through clear, tailored standards.

These objectives directly support the purpose of the RMA, in that they enable the use and development of physical resources (infrastructure and public space) in a way that:

- (a) Sustains the potential of resources for future generations,
- (b) Enables people and communities to provide for their well-being,
- (c) Avoids, remedies, or mitigates adverse effects.

**Appropriateness of the Proposal (s 32(1)(b))**

The proposed provisions are the most appropriate method for achieving the plan's objectives, for the following reasons:

- (a) They give effect to Objective INF-O1 (recognising national, regional, and local benefits of infrastructure), INF-O4 (connected, efficient transport network), and SIGN-O1 (signs that advertise and inform while managing effects).
- (b) They provide regulatory clarity and certainty for both infrastructure providers and operators regarding when signage is permitted, avoiding the inefficiency and cost of unnecessary consent processes.
- (c) They differentiate between operational signage (e.g. for transport control or safety) and third-party advertising signage, which has a fundamentally different function.
- (d) They avoid the misapplication of Rule INF-R6 and INF-S13, which were not designed for integrated advertising signage and would impose constraints inappropriate to this signage type.

**Assessment of Costs and Benefits (s 32(2)(a))**

Option	Benefits	Costs
Notified provisions (status quo)	Consistent framework for signs; standardised approach	Regulatory uncertainty; inefficient consenting; inability to implement advertising-based infrastructure funding models
Proposed amendments (submission)	Enables infrastructure funding via advertising; certainty for providers; tailored standards manage effects; supports plan objectives	Minimal amenity or traffic safety risk, subject to controls; potential minor perception of increased commercialisation in public spaces

**Schedule 2: ss 32 and 32AA RMA analysis**

The benefits of the proposed approach outweigh the costs, particularly when standards are appropriately designed to manage effects.

**Risk of Acting or Not Acting (s 32(2)(c))**

There is no significant uncertainty regarding the nature or scale of effects associated with digital advertising signage that is integrated into infrastructure. This type of signage operates within the road reserve under comparable regulatory frameworks in other major centres (including the Auckland Unitary Plan), with no known or documented adverse environmental effects.

If the amendments are not made, the following risks arise:

- (a) Ongoing regulatory uncertainty for infrastructure providers and operators;
- (b) A disincentive to invest in infrastructure that delivers public benefits;
- (c) The potential misapplication of signage controls that were not designed for third-party signage integrated into transport infrastructure..

**Section 32AA (Evaluation of Changes to Notified Provisions)**

INF-R6 (clarification of scope):

- (a) Clarifies that the rule does not apply to third-party advertising signs;
- (b) Resolves ambiguity and prevents unintended constraint on viable signage forms;
- (c) Low cost to implement; improves the administrative workability of the rule.

New rule INF-R21A and standard INF-S13A:

- (a) Permitted activity status provides certainty and enables the efficient delivery and maintenance of infrastructure without unnecessary consenting costs;
- (b) The associated standards ensure that visual amenity and transport safety effects are appropriately managed;
- (c) Directly supports and gives effect to the infrastructure and signage objectives and policies of the Plan;
- (d) Based on well-established design parameters and regulatory approaches used successfully in other jurisdictions.

SIGN-P1 and SIGN-P3 (visual clutter language):

- (a) Clarifies that the policy seeks to manage, rather than avoid entirely, visual clutter effects;
- (b) Allows the effects of signage to be assessed in the context of the receiving environment;
- (c) Better reflects the RMA's effects-based approach and recognises the mixed-use and commercial character of many urban locations.

SIGN-R2 / SIGN-R3 (Mixed Use Zone activity status):

- (a) Discretionary activity status better reflects the intended diversity and evolving character of the Mixed Use Zone;
- (b) Provides for appropriate assessment where necessary, while avoiding the disproportionate consequence of non-complying status.

**Schedule 2: ss 32 and 32AA RMA analysis**S 32AA conclusion

The amendments proposed in the submission are a more efficient, effective, and appropriate means of achieving the purpose of the RMA and the objectives of the Proposed District Plan, when compared with the notified provisions.