

## Oral Submission of Matthew Thode

I am Matthew Thode and you have my primary evidence before you. Thank you for the opportunity to provide oral submissions.

My primary evidence focuses on ensuring clarity and certainty of provisions. I am happy to answer questions relating to my evidence, but before I do I would like to make a few comments in response to matters raised in the evidence of the other submitters, as relevant to my own evidence and/or those submissions of the Oil Companies where there was acceptance of the recommendations in the S42A Report.

### **Alison Tindale**

- In her submission Ms Tindale acknowledged the fact (from the Section 32 Report) that the (existing) signage provisions have generated a low number of resource consents and that few signs have been identified as having an unacceptable effect. In that context, I consider that seeking a non-statutory guide via this process is not only outside the scope of this submission but also not identified in the Section 32 analysis as being necessary. While it is accepted that ‘character and amenity values’ associated with signage can be subjectively assessed in the context of the existing environment, it is considered that the resource consent process provides a suitable avenue to do so, including providing a process where others can be involved if considered necessary and an opinion can be objectively tested in Court if necessary.
- I agree with Ms Tindale that if the term ‘façade’ is to be replaced with the term ‘elevation’, then this replacement should be consistent throughout the plan change.
- I continue to support the changes to Policy 8A3.3.3 as sought in my evidence. Notably:
  - I consider that Policy 8A3.3.3 (c) clearly relates to any façade upon which signage is to be attached: *(c) integrates with the façade of the building to which it is attached including verandas, roofline and architectural features;*
  - I concur that the use of the term ‘limit’ in Policy 8A3.3.3 (d) can sometimes be confusing however in this case I consider it is given some context by subclauses (i)-(iii).
- On reflection, I concur that the way that the phrase ‘visible in one direction’ has been incorporated into the rules could be read to lack clarity when it is being applied to the number of signs, but not to the area of signs. Ms Tindale refers to the use of the phrase in the residential and open space zone rule, but it is also relevant to the business zone rule (8A3.4.10a): *The number of free-standing signs on a site visible in any one direction shall not exceed and (d) The maximum area of any free-standing sign, visible in any one direction shall not exceed 7.5m<sup>2</sup>.* In my experience the assessment of the area of signage that is visible in one direction against the permitted activity standards is relatively common, although it is done in different ways (see table below). I do not consider it necessary (or appropriate) to delete the phrase ‘visible in one direction’ from the standards relating to area – where visible in one direction does not refer to the sign’s placement on the site, but rather to the face of one side of the sign. I accept that it may well be appropriate to provide some clarification as to the interpretation of the standard that relates to number of signs. In that context, I am not sure if there is an issue with a possible 3-dimensional sign.
  - For example:

Auckland Unitary Plan	General signage is not controlled though the AUP:OIP unless it is a billboard or
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	comprehensive signage associated with a development.
Christchurch Replacement Plan	Measurement of the area of a sign 1. For the purposes of measuring the area of any sign in accordance with Rule 6.8.4.2, a double-sided sign shall be measured as the area of one side only, being the larger of any one side (see Rule 6.11.8 - Diagram 2).
Kapiti Coast Replacement District Plan	One sign per property which shall; a) Not exceed 1.2m <sup>2</sup> in area for a single-sided sign or 2.4m <sup>2</sup> in area for a 2-sided/double sided sign;
2018 Review of the signage chapter of the Palmerston North District Plan (PC22A-G process)	6.1.5.2 Permitted Activities for Advertising Signs (e) Area: no limit on area in the Inner or Outer Business, Local Business, Fringe Business, Industrial, Institutional and Airport Zones, except that a limit of 10.0m <sup>2</sup> is placed on signs visible from any residentially zoned site plus, for sites with a frontage length over 20m, an additional 0.5m <sup>2</sup> for every 1m of frontage over 20m. (in which case in applying the limit you would only count the area of the sign that was visible to the residentially zoned site – which would generally be only one side of the sign).

- I support Ms Tindale’s view, regarding the proposed change to 8A.3.4.13(a), that an exemption may be worthwhile for electronic signage which changes relatively slowly, such as one or twice a day, as opposed to several times per hour. Ms Tindale uses the example of ‘business open or closed signs’ and vacancy or no vacancy’ signs. I would put the pricing component of a prime sign into that category also.
- I am not opposed to Rule 8A.3.4.13(i) being amended to apply the standard to any sign if there is scope to do so, however I support any non-compliance with the standard continuing to be restricted discretionary. I am unclear why such a non-compliance would need to be discretionary or non-complying, and again would question whether there is scope to do so.

**NZTA: Aaron Hudson**

- With respect to the change sought in para 31, I reiterate my support for Ms Tindale’s view that an exemption may be worthwhile for electronic signage which changes relatively slowly.
- I am not opposed by the change sought to the criteria in para 36.

- Of the options in para 40, the wording of (b) provides the greatest certainty and accordingly I am opposed to the inclusion of (a). However, if there is scope to include Table 3.5 of the standard, in my opinion a reference would be insufficient. While the AN/NZS is available for purchase, for convenience and certainty the relevant standard itself should be included. I note that Mr Muir's evidence discusses the standard but does not provide a copy, including of Table 3.5.

**NZTA: Steven Muir**

- Again I reiterate my support for Ms Tindale's view that an exemption may be worthwhile for electronic signage which changes relatively slowly. Mr Muir's evidence appears to me to be predicated on the basis of signs that flash, move or change relatively quickly.

I am now happy to answer questions.