

BEFORE THE ENVIRONMENT COURT

IN THE MATTER of the Resource Management Act 1991

AND of an appeal under clause 14(1) of the First Schedule of the Act

BETWEEN APN OUTDOOR LIMITED

(ENV-2015-CHC-0004)

Appellant

AND QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

Environment Judge J R Jackson sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

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**CONSENT ORDER**

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[A] Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed to the extent that the Queenstown Lakes District Council is directed to amend Plan Change 48 to the Queenstown Lakes District Plan as shown in Annexure A (additions underlined; deletions in ~~strikethrough~~), attached to and forming part of this order;
- (2) the appeal is otherwise dismissed.

[B] Under section 285 of the Resource Management Act 1991, there is no order as to costs.

**REASONS**

**Introduction**

[1] On 5 February 2015 APN Outdoor Limited lodged an appeal against a decision of the Queenstown Lakes District Council in respect of Plan Change 48 (Signs) to the Queenstown Lakes District Plan.



[2] The court has now read and considered the consent memorandum of the parties dated 5 June 2015 which proposes to resolve the appeal.

[3] The Council has agreed to amend Plan Change 48 so that the district-wide status for “Hoardings” is changed from prohibited to non-complying.

**Other relevant matters**

[4] No person has given notice of an intention to become a party under section 274 of the Resource Management Act 1991 (“the RMA” or “the Act”).

**Orders**

[5] The court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the court’s endorsement fall within the court’s jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

DATED at Christchurch 5 June 2015

  
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**J R Jackson**  
**Environment Judge**

Issued: 05 JUN 2015  
2015-chc-4 APN v qlde consent order



## ANNEXURE A

**ACTIVITY TABLE 4 – CHAPTER 18 - SIGNS OF THE QUEENSTOWN LAKES  
DISTRICT PLAN – MARK UP**

| <b>ACTIVITY TABLE 4 – DISTRICT WIDE</b> |   |     |
|---|---|-----|
|   | Flags – provided that:<br>a) There is only 1 per site depicting corporate colours or logo of the business provided it does not exceed 1.8m x 0.9m in size; and,<br>b) Any number of flags depicting national colours and logos provided that each flag does not exceed 1.8m x 0.9m in dimension; and,<br>c) Only one flag of each nationality is erected.   | PER |
| 2.                                      | Temporary Event Signs provided that:<br>a) They are established no more than two months prior to the date of the event; and,<br>b) They have an area no greater than 2m <sup>2</sup> , or 3m <sup>2</sup> if a Banner; and,<br>c) Are removed within 24 hours of completion of the event; and,<br>d) Are limited to two signs fronting any State Highway and two signs fronting other roads.  | PER |
| 3.                                      | Signs in Reserves provided that:<br>a) They have an area no greater than 1m <sup>2</sup> ; and<br>b) Only relate to businesses operating in the reserve; and<br>c) They are located where the business operates from; and<br>d) They are limited to one sign per business.  | PER |
| 4.                                      | Real Estate Signs (including Auction Signs) provided that:<br>a) They are located on the site to which they relate; and,<br>b) They have an area no greater than 1.62m <sup>2</sup> ; and,<br>c) No more than 1 sign per agency is erected; and,<br>d) The sign is removed within 14 days of an unconditional agreement for sale and purchase being made by the vendor provided that any Auction Sign is to be removed within 7 days of the auction whether the site is sold or not.            | PER |
| 4A.                                     | Land Development Sign provided that:<br>a) There is only one sign per site; and<br>b) It is located on the site of the development to which it relates; and<br>c) It has a maximum area of 8.64m <sup>2</sup> ; and<br>d) It relates to a land development that involves a minimum of 6 allotments or units; and<br>e) The sign is removed within 7 days of unconditional agreements for sale and purchase being made by the vendor with respect to all allotments or units in the development. | PER |
| 5.                                      | Temporary Sale Signs provided that they are erected or displayed for no more than 14 days, provided that there are no more than 4 occurrences per site, per year.   | PER |
| 6.                                      | Construction Signs provided that:<br>a) There are no more than four signs per site; and<br>b) They each have an area no greater than 1.62m <sup>2</sup> ; and<br>c) They are erected for no more than 30 days prior to works commencing; and<br>d) They are removed within 14 days of completion of the work; and<br>e) Safety and hazard signs are exempt.   | PER |



|     |  |                   |
|-----|--|-------------------|
| 7.  | Any sign which does not comply with the requirements of 1 - 6 above (including 4A).  | DIS               |
| 8.  | Free Standing Signs<br>a) That exceed 3.5m in height; and/or<br>b) That are less than 2.5m above the footpath; and/or<br>c) That extend more than 1 metre over any footpath<br>d) That have an area greater than 2m <sup>2</sup>                   | DIS               |
| 9.  | Sandwich or Flat Board Signs<br>a) That have an area greater than 1m <sup>2</sup> ; and/or<br>b) That are not located on private land.   | DIS               |
| 10. | Under Verandah Signs that are less than 2.5m above the footpath.   | DIS               |
| 11. | Signs on Wharves and Jetties (including on buildings established on wharves and jetties).  | DIS               |
| 12. | Off-Site Signs.  | DIS               |
| 12A | Hoardings.   | <b>PRO<br/>NC</b> |
| 13. | Signs exceeding 150cd/m <sup>2</sup> of illumination.  | DIS               |
| 14. | Flashing, moving, animated signs and signs that create an optical illusion.  | PRO               |
| 15. | Roof Signs.  | PRO               |
| 16. | Signs displaying sexually explicit, lewd or otherwise offensive content.   | PRO               |
| 17. | Any sign-written trailer, vehicle or permanently moored vessel or sign attached to any trailer, vehicle or permanently moored vessel which is parked or moored on or is visible from any road or public place for the sole purpose of advertising. | O                 |
| 18. | Signs imitating any traffic direction and safety sign as required by New Zealand Transport Agency.   | PRO               |
| 19  | Signs required by acts of Parliament, legislation or statutory requirements.   | PER               |
| 20  | Electioneering Signs<br>a) That have an area no greater than 3m <sup>2</sup> ; and,<br>b) That are displayed no more than 2 months prior to the election/referendum date; and,<br>c) That are removed before the election/referendum day.          | PER               |
| 21. | Signs on any Category 1, 2 or 3 item in the Inventory of Protected Features  | DIS               |

