

# Notification / non-notification decision report

For applications lodged from 30 September 2020 onwards.

Applicant: Bekon Media Limited

Application number: RM230535

Description of activity: Land use consent to erect a single-sided static billboard 3m wide x 6m high (18m<sup>3</sup>) that does not comply with maximum sign area in the Central Business Zone.  
**Amended Application**

## 1. Complete eight step notification decision making process

*Complete Appendix A.*

## 2. Activity status

Restricted discretionary activity

Notes for the following (click ▶ to open)

- (a) Identify why / how it breaches a lesser status or permitted activity performance standard.
- (b) Identify any rules requiring / precluding notification and / or re relevant matters of discretion / control, and
- (c) Identify any other statutory documents that are relevant for your assessment (e.g., NPS, WCOs etc)
- (d) It's assumed you do not have proposed plan and operative plan provisions with legal effect at the same time - but if so you must include both.

The following summarises the reasons for consent, activity status, rules or regulations

The site is located at 332 Queen Street, Richmond (legally described as Part Section 83 Waimea East DIST as held in the Record of Title NL1D/1120) and is within the Central Business zone. There are no other instruments that would impose on the proposed land use.

The site is on the corner of Queen Street and State Highway 6 and is adjacent to Designation D120 for State Highway 6 for which NZTA Waka Kotahi is the requiring authority.

### Signage Rules

Land use consent is required for a Restricted Discretionary Activity pursuant to Rule 16.1.4.2 as the establishment of an outdoor sign will not comply with the following conditions of Rule 16.1.4.1:

- Rule 16.1.4.1(a) which requires a sign to be located and have the dimensions in accordance with Figure 16.1B. The sign will be located above the parapet of the building therefore is not consistent Figure 16.1B.
- Rule 16.1.4.1(b) which requires a sign to meet conditions (b) to (h) of Rule 16.1.3.1. The proposal is for signage not related to activities being undertaken on the site, and is not of temporary nature, therefore does not meet 16.1.3.1(b).
- Rule 16.1.4.1(c) requires a sign to comply with the requirement indicated in Figure 16.1B. The sign will be located above the parapet of the building to which it is attached and therefore does not comply with Figure 16.1B.
- Rule 16.1.4.1(e)(i) Requires any sign painted on, or attached to, a building to be related to the activity operating therein (i.e. onsite advertising). The proposal is for off-site advertising.
- Rule 16.1.4.1(e)(iii) Requires a sign to be no higher than the roof peak or parapet of that part of the building to which the sign is attached. The sign will be attached above the parapet.

Overall, the proposed sign requires resource consent for a Restricted Discretionary Activity per Rule 16.1.4.2 of the Tasman Resource Management Plan (TRMP).

### 3. Adverse effects on the environment

Assessment must follow section 95D: (click ▶ to open)

- (a) must disregard any effects on persons who own or occupy: (i) the land in, on or over which the activity will occur, or (ii) any land adjacent to that land; [*identify adjacent properties if needed, e.g., complex – aerial map is an easy way*];
- (b) may disregard an adverse effect of the activity if a rule or NES permits an activity with that effect [*non-fanciful permitted baseline, avoid cherry picking; give reason if you choose not to apply*];
- (c) in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or NES restricts discretion; [*for bundled consents likely that overall activity status applies*];
- (d) must disregard trade competition and the effects of trade competition;
- (e) must disregard any effect on a person who has given written approval to the application.

Minor or less than minor

More than minor

Assessment and reasons:

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#### Amended Proposal

The applicant proposes to establish a digital billboard at 332 Queen Street, Richmond. The site is on the corner of Queen Street and State Highway 6 / Gladstone Road. The original application proposed a static billboard measuring 3m high and 6m wide (18m<sup>2</sup>), with periodic changes no less than weekly to the advertising material.

The amended proposal is for a billboard measuring 3.5m high and 7m wide (24.5m<sup>2</sup>), to be mounted above the northwestern parapet of the Pet Mart building on the site, above the west-facing angled wall. The signage display will be located above the traffic signals of the adjoining intersection and will be advertising off-site activities. The sign will have a digital display meaning it will be visible outside of daylight hours.

Only still images shall be displayed with a minimum duration of 8 seconds per image. There shall be no transitions between still images apart from cross-dissolve of 0.5 seconds. The following shall not be displayed:

- Live broadcast or pre-recorded video;
- Movement or animation of images;
- Flashing images;
- Sequencing of consecutive advertisements;
- Images using graphics, colours or shapes in such a way that they could cause confusion or conflict with any traffic control device, nor invite or direct a driver to undertake an action.

The applicant has advised that no more than 10.0 lux spill (horizontal or vertical) of light when measured or calculated 2 meters within the boundary of any adjacent site and the display will not exceed 5,500cd/m<sup>2</sup> during daytime hours and 250cd/m<sup>2</sup> maximum and 150cd/m<sup>2</sup> maximum average during night-time hours. The applicant also volunteers that the display will incorporate a lighting control to automatically adjust the brightness of the display in line with ambient light levels.

No advertisement installed within the signage platform will mimic the design, shape or colour combinations of the traffic signals, with the Applicant happy to accept a condition to that effect.

#### Existing Environment

The site is located on the corner of Queen Street and State Highway 6 (SH6) in Richmond. The site is comprised of a single storey commercial building (Pet Mart), located on the south-east corner of the intersection. The Pet Mart building extends right up to the legal road boundary, abutting the adjoining pedestrian footpath. The Queen Street frontage of the building comprises a veranda which extends over the pedestrian footpath.

The building's parapet facing both SH6, and Queen Street currently displays 'Pet Mart' signage, illustrating the name of the business operating therein. Additional signage associated with the business's products and services offered line the shop's display windows.

The existing surrounding environment is characterised by a mixture of retail and commercial activities and buildings/infrastructure. Properties surrounding the site are populated mainly by single storey buildings occupied by commercial and retail uses including the car dealerships, fast food restaurants, and service stations. These businesses consist of a range of freestanding signage, and signs attached to buildings, with large pylon signs, flag signage and signs installed above building parapet's evident in the vicinity.

The posted speed limit along Lower Queen Street and SH6 is 50km per hour and the posted speed limit along the southern portion of Queen Street is 30km per hour. A cycle lane is provided on both sides of Queen Street facilitating cyclist movements. There are footpaths provided along Queen Street and Gladstone Road, there are pedestrian crossings across all roads at the intersection of Queen Street and Gladstone Road.

The nearest residential dwellings are located approximately 180m from the site at 337 and 334 Lower Queen Street. Both dwellings are single storey, surrounded by established vegetation and are facing the street, not the proposed billboard location.

### **Location and legibility (traffic safety)**

The proposed static billboard will be located on the northwestern corner of the Pet Mart building, facing the Queen Street / State Highway 6 (Gladstone Road) intersection. The billboard itself will be 3.5m high and 7m wide (24.5m<sup>2</sup>) and will be situated well above the carriageway surface.

The amended application has been reviewed by Ari Fon, who reviewed the original application. Mr Fon has considered the revised design and the amended Traffic Assessment from Carriageway

In his previous assessment Mr. Fon noted that he had undertaken an intersection safety assessment which included reviewing the reported crash history between 2019-2023 and the recorded traffic volumes through the intersection. The assessment concluded that the intersection has a *“medium-high risk for both collective risk and personal risk”*. A comparison to other signalised urban crossroad intersections nationally indicates that *“the observed injury crash rate at the intersection is close to the worst 30% of similar intersections nationally, or in other words the crash rate is higher (worse) than that of 70% of similar intersections.”*

In his revised assessment, Mr Fon considers the safety performance in the context of local terms and states that *“a brief investigation has been carried out using reported crash data from the Waka Kotahi Crash Analysis System (CAS) for crashes coded only to intersections, at all urban intersections (maximum 50km/h regulatory speed limit) in the Nelson and Tasman regions for the five-year period 2019 – 2023. This covers all intersections within the main urban areas of both regions including Nelson, Richmond, Stoke, Motueka, Takaka, Wakefield and Brightwater.”*

Mr Fon also notes that during this period (2019-2023) the intersection has both the highest number of reported crashes as well as the highest number of reported all-injury crashes, of all the urban intersections throughout the Nelson and Tasman regions. Mr Fon also notes that the number and severity of crashes at the intersection has increased within the period 2019-2023 compared to 2013-2018. Number of crashes have increased from 20 to 27 and reported all-injury crashes have increased from 3 to 8.

The proposed billboard has also been reviewed by NZTA Waka Kotahi Safety Engineer Andy High who also notes that there are a number of 'vulnerable users' (walkers, cyclists, mobility impaired, elderly) crossing at the intersection as a result of the increased residential development, including multiple retirement villages along Lower Queen Street.

Mr High also considers there are fundamental safety concerns at the intersection with the biggest safety risk being with users of the uncontrolled pedestrian crossing, combined with the free left turn for vehicles turning from Lower Queen Street. Mr High considers that introducing a large sign at the intersection could draw attention away from the traffic signals and other users (including pedestrians and cyclists) who navigate the intersection.

The Carriageway Report which supports the application provides a detailed breakdown of crashes between 2019 -2023 and partially into 2024, noting a total of 21 crashes. This includes:

- 4 crashes were associated with the left-turn lane from Lower Queen Street into Richmond Deviation. None of these crashes resulted in injury
- 3 crashes were associated with drivers disobeying the signage and attempting to turn right in locations where there is a prohibition on this movement. One of these crashes resulted in serious injuries.
- 3 crashes occurred on the Gladstone Road approach. One of these crashes resulted in minor injuries.
- 3 crashes occurred on the Lower Queen Street approach. None of these crashes resulted in injuries.
- 4 crashes involved drivers failing to stop at red traffic signals. One of these crashes resulted in minor injury.
- 3 crashes occurred due to turning movements from Lower Queen Street. Two crashes resulted in minor injuries and one resulted in serious injuries.

The Carriageway report concludes that *“the crashes typically had different contributing factors and occurred in different locations. Crash types such as nose-to-tail collisions in queues of traffic, and drivers undertaking turning movements when having a red or orange signals are common at urban intersections. As such, it does not appear that there are any inherent road safety deficiencies at this location...”*

Mr Fon disagrees with the conclusion that that there does not appear to be any inherent road safety deficiencies identified at the intersection and the Carriageway report conclusion also appears contrary to the feedback received from NZTA Waka Kotahi.

The Carriageway report, acknowledged by Mr Fon, provides commentary on the evidence into whether billboards cause a distraction or not is inconclusive and notes that it is research reliant on data provided by people who have been in a crash and that the research concludes that far less than 1% of all crashes and near crashes involved distraction from roadside advertising. However, I note that in the past 4.5 years there have been multiple crashes resulting in minor to serious injuries at the intersection where the billboard is proposed to be located. In my view this is a clear indicator that the intersection is currently not functioning in a particularly safe manner and as highlighted by Mr Fon and NZTA Waka Kotahi there are, therefore, some pre-existing safety concerns with the intersection.

Billboards are not particularly common features within the Nelson Tasman Region and it does not appear there are any other digital billboards which would be comparable to the size proposed within the Nelson Tasman Region. Therefore, given the intent of the billboard is to draw attention to achieve the goal of advertising there are concerns that the sign could present a degree of distraction at the intersection.

The RMA definition of environment includes people and communities and based on all the information available to me there does appear to be a risk to the safety of road users from the proposed billboard. When considering the degree of risk, whether this constitutes a less than minor, minor or more than minor effect, I have considered whether there are any mitigating factors and do not believe there are. The applicant states that the billboard will advertise local services, companies and events. However, I do not consider that to be a positive effect which would sufficiently offset adverse effects on road user safety in this instance.

TRMP Objective 11.1.2 seeks to ensure that the district has a safe and efficient transport system and that adverse effects from development on the transport system are avoided, remedied or mitigated. TRMP Policy 11.1.3.11 is particularly relevant as it seeks *“to ensure signs do not detract from traffic safety by causing confusion or distraction to or obstructing the views of*

*motorists or pedestrians.”* Whilst this policy is not specifically directive it is clear that the intent is to allow signage which does not adversely affect traffic safety and discourage signage which detracts from traffic safety.

The concerns raised by Mr Fon and NZTA Waka Kotahi in relation to the specific safety defects associated with the intersection are acknowledged. In addition, the more detailed crash history data provided within the Carriageway report is helpful to understand the existing situation with regards to safe use of the intersection. It is clear that the intent of the billboard is to advertise which relies on people looking at the sign and it is therefore difficult to discount the fact that the billboard may cause a distraction.

Given the concerns raised by Mr Fon and NZTA Waka Kotahi and the fact that the intersection has high traffic volumes of both vehicles but also cyclists and pedestrians, including vulnerable people such as older people and children. Furthermore, based on the list of crashes and injury detail listed in the Carriageway report, the concerns raised by NZTA Waka Kotahi appear to be supported and it is considered that there is an existing safety issue at the intersection. Therefore, I consider that the adverse effects on the environment, which includes people and communities, are more than minor due to the potential increased risk of distraction from the billboard which could lead to a crash and injury at an intersection which is already the worst performing in terms of safety in the entire region.

On that basis, the argument put forward by the applicant’s lawyers in their letter dated 2 July 2024 - that the application should be limited notified to NZTA Waka Kotahi, does not apply.

### **Amenity effects**

The proposed digital billboard is within the Central Business zone and surrounded by commercial businesses. The surrounding environment is generally defined by varying architectural scale and styles, with a mixture of retail, hospitality and small-scale commercial activity. The lack of cohesive design in the receiving environment reduces the overall visual quality of the receiving environment. Furthermore, the intersection is a busy urban area with high levels of traffic, including heavy goods vehicles and various signage, including road traffic signs and signs associated with the commercial activities.

A review of the area indicates that although there is a reasonably high level of signage in the area signs are typically on the same site as the business they are advertising. There does not appear to be any offsite signage.

The application is supported by an Urban Design Assessment (UDA) which has been revised to take account of the amended application which is now for a larger digital billboard as opposed to a static billboard as previously proposed. The Urban Design Assessment considers the environment is highly modified and that the proposed digital billboard will *“successfully integrate within the existing commercial character of the receiving environment, and that any visual effects will be less than minor.”*

The UDA address the potential cumulative effects of signage but considers that as the receiving environment does not have a sensitive character or landscape values of high quality and varying signage is anticipate the addition of the digital billboard will not be unexpected in the zone or pose additional adverse effects on visual amenity. I agree that the area does not have a sensitive character or landscape values, however, I disagree that the billboard would be an expected feature of the zone given the size is significantly greater than anticipated by the permitted activity conditions and the location is not permitted coupled with the off-site nature of advertising I do not consider it to be an expected feature of the location, although I acknowledge a degree of signage, associated with businesses at the intersection would be anticipated.

The UDA concludes that the proposed digital billboard will still have less than minor effects on the visual amenity of the receiving environment.

In relation to amenity effects the matters of discretion under Rule 16.1.4.2 is limited to (2) “any amenity effect on the surrounding area, including size and duration.” This matter is particularly broad and allows for consideration of any amenity effect not just visual amenity.

TRMP Objective 5.2.2 seeks to achieve the “*maintenance and enhancement of amenity values on site and within communities through the District.*” TRMP Policy 5.2.3.11 relates to signage and enables signs subject to safety, access and visual considerations. In my opinion the proposed sign does not maintain or enhance the amenity values of the site but further degrades an area with already relatively low levels of visual amenity.

I acknowledge and agree that the intersection is already cluttered with signage, however, the cumulative effect of this additional sign, which would be an off-site sign that is considerably larger than reasonably anticipated in the area and introducing a new element as a digital sign represents something of a tipping point in terms of the amenity values of the area.

I do not consider there are any options for mitigating the visual effects of the billboard which by its design and nature is intended to be obvious and draw people’s attention. Therefore, whilst one more sign may represent a low degree of change to the existing environment it will result in increased visual clutter and cumulatively impact on the amenity values experienced at present further degrading rather than maintaining or enhancing the amenity values of the area.

In case law *Gabler v Queenstown Lakes District Council [2017] NZHC 2086* Davidson J considered that the term “less than minor” means an effect that in “the overall context” is insignificant and one which is so limited that it is objectively acceptable and reasonable in the receiving environment and to a potentially affected person. Whether something is acceptable or reasonable is something of a subjective matter. The overall context is a busy intersection with a range of existing signage and relatively low amenity values, although I consider that the views to the Richmond Ranges beyond the buildings, and the low form of the buildings do assist in offsetting some of the functional, low amenity value of the intersection. The wider views therefore form the ‘overall’ context in my opinion. The use of words ‘insignificant’ and ‘so limited’ are, in my view, important in the context of this application. As noted above, the fundamental purpose of the billboard is to advertise and this can only be achieved by people looking at the sign, i.e. having attention drawn to the sign. I cannot, therefore, reach a conclusion that the effects of the billboard, given its size, location and digital display are ‘insignificant’ or ‘so limited’ that they would be objectively acceptable or reasonable in the receiving environment.

Overall, taking account of the assessment provided by the applicant and considering the relevant TRMP Objectives and Policies, as well as the particular site context and design, position and size of the billboard I conclude that the proposed billboard would have a minor adverse effect on amenity values within the area.

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#### 4. Special circumstances for public notice

Notes: (click ▶ to open)

- ‘Special circumstances’ are generally those that are unusual, although they may also include objectives and policies of plans or national environmental standards that give clear indications of expected environmental outcomes relevant to the proposed activity.
- If what is proposed is specifically envisaged by the plan, it cannot be described as out of the ordinary.
- The fact that some persons have concerns about a proposal does not of itself give rise to ‘special circumstances’, but it may be a contributing factor.

Ask yourself what are the particular circumstances that take this out of the ordinary and make public notification desirable?

<input checked="" type="checkbox"/> No special circumstances identified.	<input type="checkbox"/> Special circumstances apply.
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## 5. Affected persons

Assessment must be made in accordance with section 95E: (click ▶ to open)

- (a) may disregard an adverse effect of the activity on a person if a rule or NES permits an activity with that effect;
- (b) must, if the activity is a controlled or restricted discretionary activity, disregard an adverse effect of the activity that does not relate to a matter for which a rule or NES restricts control/discretion;
- (c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11 (Treaty Settlement Legislation);
- (d) must disregard any effect on a person who has given written approval to the application.

If more than one statutory acknowledgement area below, type in the others in the reasons / analysis.

Statutory acknowledgment area (for s95E(2)(c))

none

No affected persons.

Affected persons.

*Refer table for affected persons.*

### Reasons / analysis

Given the conclusion reached in Section 3 above, that the proposed activities will have more than minor effects on the environment, the purpose of this section of the report is to identify persons who should be served notice of the application as part of the public notification process, as per Regulation 10 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

As noted above the application site is within a Commercial zone at a busy intersection. Adverse effects on traffic safety is a key concern in relation to the proposed billboard, however, given the high volume of traffic using the intersection it would be impossible to ring fence specific persons who may be adversely affected, rather adverse effects are more than minor on the wider environment (which includes the general public who would use the intersection). The risk of a crash and injury as a result of a distraction from the billboard at an already challenging intersection with existing safety concerns could affect any person using the intersection.

NZTA Waka Kotahi as road controlling authority for the State Highway have an interest in the safe and efficient management of the State Highway and have raised concerns about the effects of the billboard on the safe use of the intersection, in particular the uncontrolled left hand turn, and volume of traffic, including cyclists and pedestrians using the intersection. Given the primary function of NZTA Waka Kotahi is to “promote an affordable, integrated, safe, responsive and sustainable land transport system” and there are concerns the billboard would affect the safe use of the intersection it is considered that adverse effects on NZTA Waka Kotahi specifically would be at least minor because the billboard has the potential to prevent them for undertaking their purpose in relation to the intersection.

In terms of visual amenity there are no residential properties which would have direct line of sight of the billboard and whilst the billboard is considered to detract from an already cluttered working environment there are no specific persons who would be adversely affected in terms of their amenity values.

The application site is not within a Statutory Acknowledgement Area recognised under Treaty Settlement legislation. The application details have been provided to iwi and no comments have been received. The proposal does not involve any land disturbance.

Adversely affected person	How are they affected?	Written approval
NZTA Waka Kotahi	As road controlling authority the proposed billboard has the potential to affect the safe use of the intersection and therefore be contrary to the purpose of NZTA to promote a safe land transport system.	No

## 6. Special circumstances for limited notification – complete only if applicable

Notes: (click ▶ to open / hide)

- A person otherwise not considered adversely affected specifically excludes those weren't considered adversely affected in the assessment above.
- While there is no specific case law as to special circumstances that warrant notification to a person otherwise not considered adversely affected, consider what are the particular circumstances that are unusual or out of the ordinary that make it desirable for a person to have to be notified (for instance, if a rule precluded limited notification; or there may be a special interest group / association that has a 'charter' re some value / issue engaged).
- In that remember the context that the purpose of public participation is to assist in decision-making that better achieves the sustainable management of the purpose of the Act. For instance, which circumstances are 'special' will be those which make notification desirable, despite the general provisions excluding the need for notification.

No special circumstances identified.       Special circumstances apply.

## 7. Recommendation

It is recommended that this application be:

- Publicly notified** because the effects on the environment will be more than minor for the reasons in Section 3.
- Publicly notified** because there are special circumstances as identified in Section 4.
- Limited notified**
- Processed on a **non-notified** basis for the reasons identified in this report.

Recommendation by



Date: 4 July 2024

Name:

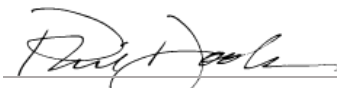
Victoria Woodbridge

Position:

Consultant Planner

## 8. Section 95 decision

Recommendation accepted under delegated authority of the Tasman District Council by:



Date: 4-07-2024

Phil Doole

**Principal Planner - Resource Consents**



## Appendix A – 8 Step Notification Decision Process

Complete steps 1-8.

If public or limited notification is required, record full reasons in the relevant sections of your report.

Public notification decision making flowchart		
<b>Step 1:</b> Mandatory public notification	<ul style="list-style-type: none"> <li>• Has the applicant requested public notification?</li> <li>• Has the applicant failed/refused to supply further information (s95C)?</li> <li>• Is the application made jointly with an application to exchange recreation reserve land under s15AA of the Reserves Act 1971?</li> </ul>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes → must publicly notify
<b>Step 2:</b> Public notification precluded in certain circumstances	<ul style="list-style-type: none"> <li>• Does a relevant plan rule or NES regulation prevent public notification?</li> <li>• Is the application for:               <ul style="list-style-type: none"> <li>○ a controlled activity?</li> <li>○ a 'boundary activity' that is a restricted discretionary, discretionary or non-complying activity?</li> </ul> </li> </ul>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes → go to step 4: special circumstances (no step 3)
<b>Step 3:</b> Public notification required in certain circumstances	<ul style="list-style-type: none"> <li>• Will the activity have, or be likely to have, adverse effects on the environment that are more than minor?</li> <li>• Does a relevant plan or NES rule require public notification?</li> </ul>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes → must publicly notify
<b>Step 4:</b> Public notification required in special circumstances	<ul style="list-style-type: none"> <li>• Do special circumstances exist that call for public notification?</li> </ul>	<input type="checkbox"/> No <input type="checkbox"/> Yes → must publicly notify
Limited notification decision making flowchart		
<b>Step 5:</b> Mandatory limited notification to certain groups and persons	<ul style="list-style-type: none"> <li>• Are there affected protected customary rights groups (s95F)?</li> <li>• Are there affected customary marine title groups (applications for an 'accommodated activity')? (s95G)</li> <li>• Is the activity on, adjacent to, or may affect land that is the subject of a statutory acknowledgement made per an Act specified in Schedule 11 of the Act; and the person to whom the statutory acknowledgement is made is affected under s95E?</li> </ul>	<input type="checkbox"/> No <input type="checkbox"/> Yes → must limited notify
<b>Step 6:</b> Limited notification precluded in certain circumstances	<ul style="list-style-type: none"> <li>• Does a relevant plan or NES rule prevent limited notification?</li> <li>• Is the application for a controlled activity that requires consent under a district plan (other than a subdivision)?</li> </ul>	<input type="checkbox"/> No <input type="checkbox"/> Yes → go to step 8: special circumstances (no step 7)
<b>Step 7:</b> Limited notification required to certain other affected persons	<ul style="list-style-type: none"> <li>• Are any of the following eligible persons 'affected' under s95E?               <ul style="list-style-type: none"> <li>• For boundary activities – an owner of an allotment with an infringed boundary?</li> <li>• For other activities, will there be minor or more than minor adverse effects on any 'affected persons'?</li> </ul> </li> </ul>	<input type="checkbox"/> No <input type="checkbox"/> Yes → must limited notify
<b>Step 8:</b> Limited notification required in special circumstances	<ul style="list-style-type: none"> <li>• Do special circumstances exist that warrant notification to any persons not already determined to be eligible for limited notification? (excludes persons assessed under s95E as not being affected)</li> </ul>	<input type="checkbox"/> No <input type="checkbox"/> Yes → must limited notify