



## **PROPOSED INVERCARGILL CITY DISTRICT PLAN**

Report No. 8

### **Signage**

**10 June 2014, 9am  
DRAWING ROOM  
CIVIC THEATRE, TAY STREET, INVERCARGILL**

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# 1. EXECUTIVE SUMMARY

The objectives and policies of each zone in the Invercargill City District enable a range of land use activities. These activities often generate a requirement for signage, for which it is also necessary to provide in the Proposed District Plan. However, in many zones it is appropriate to control the nature and scale of signage. This can be important for safety reasons (e.g. avoiding distraction to motorists), but more often the need to control signage relates to the protection and enhancement of amenity values. Rules in a district plan can help avoid unattractive or visually intrusive signage that may detract from the amenity values envisaged in the various zones of the District or which could compromise safety.

As noted in Report No 1 on “Amenity Values”, the concept of “Amenity Values” is fundamental to the Proposed District Plan, which uses zoning as a technique to group land uses with similar requirements for amenity, and sets standards for the level of effect that one land use can have on another. The size, quality and quantity of “Signage” can contribute to, or detract from, the general amenity of an area.

Thirty four points of submission were made on the subject of “Signage” in the submission and further submission processes:

- There were no submissions on “issues”.
- There was one submission on the ‘objectives’. The submitter sought a specific objective encouraging signage in each of the business zones. This report recommends this submission be rejected on the basis that signage is ancillary to land use, and should not be seen as a land use in itself.
- As notified, the Proposed District Plan contained policies that indicated that billboards would be prohibited in most zones, although this was not followed up in the Rules. In response to submissions, changes are recommended at policy level to “discourage” billboards, and to the Rules to clarify that they are non-complying.
- Also in response to submissions, several changes to Rule 3.16 are recommended to clarify the application of the rule to clarify that size of signage will not be regulated in some zones where it serves no useful purpose to do so, and to introduce assessment criteria that can be applied to signage applications that are discretionary activities.

In this report:

- Part 2 outlines several key procedural issues.
- Part 3 sets out background to the Proposed District Plan approach to “Signage”
- Part 4 summarises the various statutory provisions that apply to the consideration of the Proposed District Plan provisions.
- Part 5 assesses the relevant issues raised by submitters and the effects of the relief sought.
- Part 6 includes an evaluation of the provisions in accordance with s32AA of the RMA.
- Part 7 sets out the overall conclusions.
- Appendix 1 sets out recommendations on each of the submission points.
- Appendix 2 sets out the recommended changes to the text of the Proposed District Plan.

## **2. INTRODUCTION**

### **2.1 Report Author**

This report has been prepared by William J. Watt. My company, William J Watt Consulting Ltd, offers consultancy services in planning and resource management including research, consultation facilitation, policy formulation and evaluation, hearings commissioner and mediation roles. I am currently the sole practitioner in that company.

I hold the qualifications of Bachelor of Arts and Diploma of Town Planning. I am a Full Member of the New Zealand Planning Institute and also a Fellow of the New Zealand Institute of Management. I am also an accredited Hearings Panel Chairman under the MfE 'Making Good Decisions' programme and a mediator accredited with LEADR. Before setting up my consultancy I had 40 years' experience in local government in regional, local and project planning and senior management roles.

### **2.2 Peer Review**

This report has been peer reviewed by Dan Wells and John Edmonds, from John Edmonds and Associates Ltd. Both John Edmonds and Dan Wells are practising resource management planners with a variety of experience throughout the plan change preparation process. Dan Wells has a Bachelor of Resource and Environmental Planning (Hons) and a Post Graduate Diploma in Development Studies, both from Massey University. John Edmonds has a Bachelor of Regional Planning from Massey University.

### **2.3 How to Read this Report**

This report is structured as follows:

- Introduction (Report Author, Peer Review, How to Read this Report, Interpretation, the Hearings Process)
- Background to the "Signage" topic, and the provisions of the Plan
- Description of the statutory framework within which the proposed provisions have been developed
- Analysis of the submissions, including a discussion of the key issues raised through the submissions and further submissions received
- Assessment of the changes I am recommending under Section 32 AA of the RMA
- Concluding comments
- Appendix 1, detailing recommendations on individual submissions
- Appendix 2, detailing the recommended changes of the Proposed District Plan provisions relating to Amenity Values

Recommendations on individual submissions are set out in the table which forms Appendix 1. This table sets out the name and relevant submission number of those who submitted on the subject of Amenity Values, a brief summary of their submissions and decisions requested, followed by my recommendations and the reasons for them.

## 2.4 Interpretation

In this report, the following meanings apply:

“*Council*” means the Invercargill City Council.

“*FS*” means Further Submission

“*Hearing Committee*” means the District Plan Hearing Committee established by the Council under the Local Government Act.

“*NES*” Means National Environmental Standard

“*NPS*” Means National Policy Statement

“*Operative District Plan*” means the Invercargill City District Plan 2005

“*Proposed District Plan*” means the Proposed Invercargill City District Plan 2013

“*Provisions*” is a term used to describe, collectively, Objectives, Policies and Rules

“*RMA*” means the Resource Management Act 1991

“*Submitter*” means a submitter to the Proposed District Plan (and *Further Submitter* means someone who made a further submission to the Proposed District Plan).

## 2.5 The Hearing Process

Several hearings are to be held to consider the submissions and further submissions that have been lodged. These hearings have been arranged to ensure that submissions on similar issues have been grouped together, and to enable the Hearing Committee to make decisions on the provisions relating to those issues. This report applies to the provisions of the Proposed District Plan that pertain to signage.

The Hearing Committee is comprised of accredited Invercargill City Councillors, with the assistance of an Independent Hearing Commissioner. The Committee is to consider the Proposed Plan and the submissions and further submissions lodged. The Hearing Committee has full delegation to issue a decision on these matters.

This report is prepared pursuant to s42A of the Resource Management Act 1991 (the “RMA”). Section 42A provides for a report to be prepared prior to a hearing, setting out matters to which regard should be had in considering a Proposed District Plan and the submissions lodged to it. This report highlights those matters that are considered appropriate by the author for the Hearing Committee to consider in making decisions on the submissions lodged. This report has been prepared on the basis of information available prior to the hearing.

While the Hearing Committee is required to have regard to this report, regard must also be given to the matters raised in submissions, and presentations made at the hearing. The comments and recommendations contained in this report are not binding on the Hearing Committee and it should not be assumed that the Hearing Committee will reach the same conclusions set out in the report, after having heard from the submitters and Council advisers.

The hearing is open to the public, and any person may attend any part of the hearing. Those persons who lodged a submission have a right to speak at the hearing. They may appear in person, or have someone speak on their behalf. They may also call evidence from other persons in support of the points they are addressing

At any time during or after the hearing, the Hearing Committee may request the preparation of additional reports. If that is done, adequate time must be provided to

the submitters, to assess and comment on the report. The Hearing Committee may determine that:

- the hearing should be reconvened to allow responses to any report prepared, or
- any responses be submitted in writing within a specified timeframe.

At the conclusion of the hearing process, the Hearing Committee will prepare a written decision. The decision is sent to all persons who lodged a submission. If not satisfied with the decision the submitters have a right of appeal to the Environment Court. If an appeal is lodged, the RMA requires a copy to be served on all submitters with an interest in that matter. Any submitter served may, if they wish, become a party to the appeal either in support or opposition to it.

If there is an appeal, the Environment Court will provide an opportunity for mediation between the parties. If mediation is not accepted, or does not resolve the issues, a further hearing will take place before a Judge and Court appointed Commissioners. Except on points of law, the decision of the Environment Court is final.

### 3. BACKGROUND

#### 3.1 General

This report relates to the provisions in the Proposed District Plan relating to “Signage”.

#### 3.2 Issues

Signage is not identified as an ‘issue’ in its own right in the Proposed District Plan. There are no district-wide Issues relating to ‘Signage’.

“Signage” is addressed as a specific dimension of the ‘amenity of an area. The size, quality and quantity of signage can contribute to, or detract from, the “Amenity Values” of an area. “Signage” is treated in the same way as a number of other components of “Amenity value” – e.g. Infrastructure, Light-spill, Noise, and Transport.

#### 3.3 Objectives and Policies

The proposed District Plan contains no district-wide Objectives or Policies relating to ‘Signage’.

Most of the zones each have an objective to the effect that the “Amenity Values” of that zone are to be maintained and enhanced, and the signage policies relate directly to those general “Amenity Value” objectives.

Specific policies in relation to signage are included as follows:

2.20 – Airport Protection Zone – Policy 11 *“To protect the amenity of the Airport Protection Zone by controlling the size and nature of signage”* (N.B. See Report 1 on Amenities which recommends a change to this Policy).

In the Business zones the policies on signage are clearly related to the purpose and character of the zone.

2.22 – Business 1 (City Centre) Zone – Policy 11 *“To provide for signage as ancillary to a vibrant and attractive city centre which:*

*(A) Relates to the activity being undertaken on the premises on which the sign is situated.*

*(B) Does not create a nuisance.”*

*“Policy 12 – To discourage billboards (both fixed and electronic) in the city centre except where they complement design features in the public realm or are otherwise part of a public event or exhibition.”*

2.23 – Business 2 (Suburban Shopping and Business) Zone- Policy 9 is similar to Policy 11 in the Business 1 zone. However the Proposed District Plan would seek to ‘prohibit’ billboards in the Business 2 Zone.

2.24 – Business 3 (Specialist Commercial Zone – Policy 10 *“(A) To provide for signage associated with business and activities while avoiding nuisance to users of the airport, the State Highway and the Railway.*



*(B) To manage the effects of signage on adjoining Residential zones. Policy 11 would seek to prohibit billboards.*

2.25 Business 4 (Neighbourhood Shop) Zone – Policy 7 *“(A) To provide for signage as necessary to establish the identity of a retail enterprise.*

*(B) To require that signage relates to the activity being undertaken on the premises on which the sign is situated.*

*(C) To prevent signage becoming a nuisance. Policy 8 would seek to prohibit billboards.*

2.26 Business 5 (Rural Service) Zone – Policy 8 *(A) To provide for clear and prominent signage giving an enterprise a presence in the area, and clear directional signage.*

*(B) To require signage to pertain directly to the activity carried out on-site.*

*(C) To prevent signage becoming a nuisance, or a distraction to users of the State Highway. Policy 9 would seek to prohibit billboards.*

The Hospital Zone (2.27) provides for clear directional and identification signage at Policy 8.

In the Industrial Zones:

- Industrial 1 (Light Industry) and 1A (Marine). Policy 10 focusses on protection of amenity in nearby residential zones by controlling signage within the Industrial 1 zone.
- Industrial 2. (Urban) Policy 7 is to *‘provide for’* signage associated with businesses and activities.
- Similar provisions apply to the Industrial 3 Zone (Large) - Policy 8 and in the Seaport Zone (Policy 7)
- There is no signage policy in the Industrial 4 Zone (Awarua). However, other objectives and policies provide broad direction on matters relevant to the control of the effects of signage.

In the Otatara Zone Policy 10 is *“To protect the amenity of the Otatara Zone by controlling the size and nature of signage and requiring that any signage should relate to the activity being carried out on site.”*

In the Residential Zones,

- Residential 1, 1A and 2; Policy 15 is *To protect residential amenity by controlling the size and nature of signage*
- Residential 3 Policy 15 is *To recognise that a low level of visual intrusion from signage is an important dimension of the amenity of these areas and any activity should relate to the activity being carried out on site.*

In the Rural 1 Zone, Policy 14 is *to protect the amenity of the Rural 1 zone by controlling the size and nature of signage and requiring that any signage should relate to the activity being carried out on site.* In the Rural 2 Zone, Policy 13 contains similar provision.

Signage is not the subject of specific policy in the Smelter Zone.

### 3.4 Rules

Rule 3.16 is district-wide, setting out specific signage limits and conditions that apply in each of the zones.

In general terms, the provisions allow for signage that relates to activities being carried out on the site. In particular:

- In each zone there are varying degrees of control on ‘signage painted on to, or attached parallel to, buildings’
- There are separate controls on free standing signage
- Signage may be illuminated except in the Otatara, Residential and Rural zones. Flashing signage is permitted only in the CBD.
- Outside the Residential Zones and the Otatara Zones, signage that exceeds the size permitted by less than 20% is a discretionary activity, and more than 20% is non-complying.
- Within the Residential Zones, the Otatara Zone and the Airport Protection Zone, any signage that exceeds the 0.25 m<sup>2</sup> permitted is non-complying.
- There are enabling provisions for safety signage
- There are provisions that enable temporary signage (such as builders’ signs).

### 3.5 Scope of this report

It was noted in the parallel section of my Section 42A report on “Amenity Values” that

*“A broad range of issues relate to amenity values. For example, subjects or elements such as noise, glare, light spill, architectural design, and landscape all affect the overall ‘amenity’ of a site. These specific elements will be addressed through later reports on different issues and zones in the Proposed District Plan.”*

This report relates to one element of amenity values – Signage. Hence, this report addresses submissions on the provisions of the Proposed District Plan described in Sections 3.2, 3.3 and 3.4 above.

## 4. THE STATUTORY FRAMEWORK

Several statutory requirements guide the process and outline what must be considered in developing a district plan. This section of the report details this statutory context.

### 4.1 Resource Management Act 1991

#### 4.1.1 General

In reviewing the District Plan, the Council must follow the process outlined in Schedule 1 of the RMA.

The First Schedule Procedure includes notification for submissions (Clause 5) and further submissions (Clause 8), holding a hearing into submissions (Clause 8(b)), and determining whether those submissions are accepted or rejected and giving reasons for the decisions (Clause 10).

Clause 29(4) of the First Schedule to the RMA states that after considering a plan or plan change, a local authority may decline, approve, or approve with modifications, the plan or change, and shall give reasons for its decisions.

Under Section 74 of the RMA, when preparing or changing its district plan a council must consider Part 2 of the Act (purposes and principles), Section 32 (alternatives, benefits and costs) and relevant regional and district and iwi planning documents.

#### 4.1.2 Part 2 of the Resource Management Act

Part 2 of the Resource Management Act (ss5-8) sets out the purpose and principles of the Act.

The purpose of the RMA is set out in Section 5. I confirm that the provisions for managing signage fall within the purpose of the Act. In particular, policies and rules are designed to avoid, remedy or mitigate adverse effects on the environment in accordance with Section 5(2)(c) of the Resource Management Act.

Section 6 of the RMA sets out matters of national importance which must be recognised and provided for. None of these is directly relevant to the issue of signage. In my opinion the provisions as notified appropriately manage these issues through the approach taken to 'signage' as an element of 'amenity values'.

Section 7 of the Resource Management Act requires 'particular regard' for 'other matters', and specifies several such matters. In my view the most relevant are:

- (aa) *The ethic of stewardship*
- (c) *The maintenance and enhancement of amenity values:*
- (f) *Maintenance and enhancement of the quality of the environment:*

In my opinion the provisions relating to "signage" in the Proposed District Plan demonstrate appropriate regard to these matters.

Section 8 of the Resource Management Act obliges persons exercising functions and powers under the Resource Management Act to take account of the principles of the

Treaty of Waitangi. Representatives from Te Ao Marama Inc (representing the local Runaka) have been part of the Plan Review process as members of the Council's Plan Group that worked on developing the Proposed District Plan. Consultation with Iwi has also occurred. Having read all the submissions it is my impression that the general approach taken by the Runaka in their submissions is generally consistent with the general approach taken to 'signage' in the Plan in that excessive or overly intrusive signage would detract from the environmental qualities and values that the Runaka seek to protect, but in certain circumstances some signage may be desirable.

#### 4.1.3 Functions of Territorial Authorities under the RMA.

Section 31 of the Resource Management Act states the functions of a territorial authority under the Act. The provision especially relevant to "signage" is as follows:

##### **31. Functions of territorial authorities under this Act**

- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
  - (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
  - (b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
    - (i) *the avoidance or mitigation of natural hazards, and*
    - (ii) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances, and*
    - (iia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land, and*
    - (iii) *the maintenance of indigenous biological diversity.*

Appropriate signage is likely to be associated with the performance of these functions by a territorial authority. In contrast, 'inappropriate' signage has an adverse effect on the environment. In my view, the way in which the Proposed District Plan addresses signage is consistent with the functions of territorial authorities under the Act.

#### 4.1.4 Consideration of alternatives, benefits and costs.

Section 32 of the Resource Management Act states the Council's obligations in assessing the alternatives, benefits and costs.

Whilst a Section 32 report was released at the time of notification of the Proposed District Plan, the Council is required to carry out a further evaluation through the hearing, consideration and deliberation process before making its decision on the Plan Change. Section 6 of this report includes my evaluation of the Proposed District Plan Provisions in accordance with Section 32AA.

An analysis in accordance with s32AA is included later in this report.

## 4.2 The relevant planning documents

The Resource Management Act specifies a number of documents that need to be considered in a decision on a Proposed District Plan and the weight that should be given to these. These are addressed in the following sections.

### 4.2.1 National Policy Statements

Section 75 of the Resource Management Act requires that a District Plan give effect to National Policy Statements (NPS). The following NPS are currently in effect:

- Electricity Transmission
- Renewable Electricity Generation
- NZ Coastal Policy Statement
- Freshwater Management

There is little policy direction in these NPS that is directly relevant to the issue of signage. However, signage can be related to the land use activities addressed by these NPS. For example, a new electricity line is likely to require additional safety and advisory signage. Another example is that the NZ Coastal Policy Statement is, in essence, about maintaining the amenity of the coastal environment. There may well be associated signage. In this context signage may be educational or directional.

### 4.2.2 National Environmental Standards

Section 44 of the RMA prescribes how District Plans must be amended if a rule conflicts with a National Environmental Standard (NES).

The following NES's are likely to give rise to a need for associated signage:

- Telecommunications facilities
- Electricity transmission
- Assessing and managing contaminants in soil to protect human health

Advisory signage is likely to be associated with telecommunications facilities (e.g. who owns the facility, emergency notification numbers)

The Regulations to the NES on Electricity Transmission make particular provision for signage at Regulation 23 as follows:

#### **Permitted activities**

- (1) *Installing or modifying a sign on a transmission line support structure of an existing transmission line that is intended to identify the structure or its owner, or is intended to help with safety or navigation, is a permitted activity if the applicable condition in subclause (2) or (3) is complied with.*

#### **Conditions**

- (2) *The signs on a transmission line support structures that are intended to identify the structure or its owner must together cover an area of no more than 1m<sup>2</sup>.*
- (3) *The signs on a transmission line support structure that are intended to help with safety or navigation must together cover an area of no more than 6m<sup>2</sup>.*

Advisory signage may well be necessary in relation to contaminated land and its appropriate management.

Signage associated with the NES on electricity distribution is the subject of a submission to the Proposed District Plan, and a modification to the wording of the relevant provision is recommended. In my opinion, signage incidental to the other NES's is enabled by the Plan provisions.

#### 4.2.3 Regional Policy Statement

Under Section 75 of the RMA a District Plan must give effect to an operative Regional Policy Statement.

The focus of the Southland Regional Policy Statement is the physical environment and the state of the air, water and land resources. These directly impinge on the "amenity values" enjoyed on any particular site. There is a direct link between amenity values and environmental quality. "Signage" may well be associated with a whole range of activities aimed at maintaining or enhancing environmental quality, however there are no specific objectives and policies in the Southland Regional Policy Statement (1997) that relate directly to signage.

In my opinion the provisions in the Proposed District Plan that relate to "signage" enable any reasonable signage likely to be associated with implementing the Southland Regional Policy Statement.

#### 4.2.4 Proposed Regional Policy Statement

Section 74 of the Resource Management Act also requires regard to be given to any Proposed Regional Policy Statement. This is a lower threshold than the requirement to "give effect to" an operative Regional Policy Statement.

The Proposed Regional Policy Statement for Southland 2012 was notified on 19 May 2012. Several objectives and policies directly relate to the subject of amenity values, but none relate directly to signage.

In my opinion the provisions in the Proposed District Plan that relate to "signage" enable any reasonable signage likely to be associated with implementing the Proposed Southland Regional Policy Statement.

#### 4.2.5 Regional Plans

Section 74 of the RMA provides that a District Plan must not be inconsistent with a Regional Plan. Signage is likely to be incidental to many activities carried out under regional plans.

In my opinion the provisions in the Proposed District Plan that relate to "signage" enable any reasonable signage likely to be associated with implementing any Regional Plan

#### 4.2.6 Iwi Management Plans

Section 74 of the Resource Management Act requires that a territorial authority takes into account any relevant planning document recognised by an iwi authority and lodged with the authority.

Ngai Tahu has lodged an Iwi Management Plan with the Council. The relevant document is *Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 – The Cry of the People - Te Tangi a Tauira*.

In my opinion the provisions in the Proposed District Plan that relate to “signage” enable any reasonable signage likely to be associated with the *Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 – The Cry of the People - Te Tangi a Tauira* and the limitations imposed by the Plan on signage are fully consistent with the general thrust of that document.

#### 4.2.7 Management Plans and Strategies prepared under other Acts

A territorial authority preparing a District Plan is required to have regard to management plans and strategies prepared under different Acts. In Invercargill, the following are particularly relevant:

- The Invercargill City Centre Outline Action Plan and The Big Picture are non-statutory plans but are intended to provide direction on the land uses and levels of amenity anticipated in different parts of the City District.
- Management plans have been prepared for the parks and reserves in the City District pursuant to the Reserves Act 1977.
- Activity Plans and Asset Management Plans must be prepared by a territorial authority to enable it to complete its Long Term Plan and Annual Plan obligations under the Local Government Act 2002.
- Several bylaws directly or indirectly involve the provision of signage.
  - The Liquor Ban provisions under the Environmental Health Bylaw (2008) have an associated requirement for signage.
  - The Roding, Parking and Traffic Bylaw (2012) contains provisions with an associated requirement for signage, and also regulates signage boards on public roads.
  - The Significant Events Bylaw (2011) also contains provisions with an associated requirement for signage.
  - Quite specific requirements pertain to election signage.

Indeed, just about everything a territorial authority does can imply a need for signage (e.g. “No dogs”, “Keep off the grass”, “Post no bills”, “No skateboards”, street names and numbers, or even “Welcome to Invercargill”).

In my view, the provisions of the Proposed District Plan and the contents of the background papers demonstrate that regard has been had to these needs and documents in the course of its preparation. The Proposed District Plan, in my opinion, will enable any reasonable signage associated with implementing these other policy documents.

## 5. ANALYSIS OF SUBMISSIONS

### 5.1 General

In my view the Proposed District Plan takes a straightforward, logical and easily understood approach to what is often a vexed subject. Excessive signage can lead through a series of seemingly innocuous approvals to significant adverse cumulative effects, but it can be hard to argue against 'just' one extra or a bigger or brighter sign than that permitted. The small number of submissions indicates that in general the approach taken in the Proposed District Plan has found acceptance in the community. Several submissions make valid points. However, in addressing these points it is important not to dilute the logic and simplicity of the approach taken in the Proposed District Plan as notified.

### 5.2 Objectives and Policies

The submitter "Twisted World" raises an interesting issue by suggesting that the Plan should contain objectives actively seeking provision of signage in the business zones. Consistent with this, "Twisted World" also submits against the policies in the Plan that require signage to relate to the use of the land or property to which the sign is attached or on which the sign is placed. However, in my view the Plan is right in taking the view that signage is ancillary to land use, correctly treating signage as a dimension of 'amenity', not as a land use in its own right (which Twisted World's submission implies).

#### 5.2.1 Bill boards

The Proposed District Plan, as published, takes a hard line on 'billboards' (but does not define them). The Proposed District Plan, as notified, at policy level sought to 'discourage billboards in the central city and 'prohibit them in many other zones, although "prohibited activity" status was not carried through into the Rules. . Several submissions opposed this policy of seeking prohibition of billboards. Submitters indicated that 'prohibition' is too harsh. If they were a '*prohibited activity*', then any proposal for a billboard could not even be considered. The verb 'to forestall' (to *delay, hinder, or prevent by taking precautionary measures beforehand*).would be concise and accurate. However, the phrase '*generally avoid the erection of*' may be preferred as plainer language. In my view, a policy of 'forestalling ' or 'generally avoiding the erection of ' billboards is consistent with the approach taken in the Proposed District Plan to signage generally, but to prohibit them entirely would indeed be unnecessarily restrictive. I am therefore recommending

- the use of the words '*generally avoid" the erection of"* at policy level,
- the inclusion of a definition of 'billboard' and
- that the consent status of billboards remains non-complying.

Another point concerning billboards was raised by one submitter, Twisted World. The submitter claimed that private billboard advertisements can have significant public appeal, and the Plan should not distinguish between them and what the submitter terms 'public' billboards. The Plan does not make this distinction. The Plan does indicate, in relation to the City Centre, that billboards may have a place there when they are intended for use for public information or entertainment and where they relate sensibly to a defined civic space.



This is consistent with the tenor of policy throughout the Plan seeking to give primacy to the City Centre as a gathering place for people, a place for 'entertainment.' Examples of this emphasis on city centre primacy are the Plan provisions relating to the Entertainment Precinct and the Pedestrian Friendly Frontages Precinct within the Business 1 Zone. The Plan recognises that billboards may contribute to this 'entertainment' emphasis of the Business 1 Zone. This is why Policy 12 and its explanation in the Business 1 Zone have a different emphasis from the billboard policies in other business zones.

### 5.2.2 Wording amendments to improve clarity

In several instances submitters seek amendments to wording to improve clarity, for example:

- Invercargill Airport Ltd seeks clarity as to what the Signage Policy in the Airport Protection Zone is trying to achieve. The reason for the Airport Protection Zone as a separate zone is to safeguard operational requirements of the airport, and it is appropriate to reinforce this in the relevant signage policy.
- In the Business 3 Zone, NZTA seeks to clarify that the issues relating to signage are avoiding nuisance to uses of the airport and the railway, and maintaining safety and avoiding distraction to users of the State Highway
- In the Hospital Zone, the Plan as published omits a verb – which makes the Policy confusing.

In each case I have considered the point made by the submitter and in most cases I am recommending minor changes to the wording of the Plan.

## 5.3 Rules

### 5.3.1 Rule 3.16

In the Rules section, several submissions relate to Rule 3.16.1, which takes the form of a table and supporting text, setting out the signage permitted in each zone. They are matters of format, clarification and detail. For example:

- The Council's Environmental and Planning Services Directorate seeks a re-ordering of provisions to achieve consistency with other parts of the Plan.
- In relation to the Smelter Zone, clarification is sought of how of how the signage rules apply. That has implications for the Airport Operations, Hospital and Seaport Zones.
- Several submitters seek extension of a signage provision already in place for the Business 1 (City Centre) Zone to the Business 3 (Specialist Commercial) Zone.
- Transpower NZ Ltd seeks an amendment to allow for safety signage as a permitted activity.

I am recommending alterations to Rule 3.16.1 and some minor re-drafting to address these concerns.

One submitter (Progressive Enterprises) requests a change in the allowable size of freestanding signage in the Business 1 and 2 zones. The change requested would

more than double the size of sign permitted as of right. In my view, such proposals are best considered individually on their merits in the context of an application for resource consent.

Only one submitter (Twisted World) seriously questions the parameters set by Rule 3.16.1 around the size and characteristics of signage that is to be permitted in various areas of the district. Overall, there has been reasonable acceptance of these parameters and it is my opinion they should remain with only minor re-drafting.

### 5.3.2 Temporary signage

One submitter (NZTA) considers that the provisions in the Proposed District Plan relating to temporary signage are overly generous (a temporary sign would be allowed to stay erected for too long). While I consider their suggestion of one month is too short (e.g. for a builder's or real estate agent's sign) I am recommending additional wording to relate the 'temporary' signage to a temporary activity or situation and that the signage be removed on completion.

## 6. DISCUSSION OF SECTION 32 MATTERS

### 6.1 General

Section 32 of the Act establishes the framework for assessing the objectives, policies and rules proposed in a District Plan. An Evaluation Report must be prepared.

That report was prepared and published simultaneously with the notification of the Plan.

Amendments to section 32 of the Act came into force in December 2012, since the notification of the Plan. These amendments affect any changes that may be made to the Plan following consideration of submissions and further submissions. The following is a summary of the current requirements.

The first task under s32 is to assess the objectives, determining whether they are the most appropriate way to achieve the purpose of the Act as defined in Section 5. Subsequent tasks are the assessment of policies and rules – are they the best and most efficient ways to achieve the objectives?

There is no requirement that changes to the issues and the explanatory text be assessed in accordance with s32 of the Act.

This report recommends only minor changes to the policies and rules already published in the Plan.

However s32AA does require that a further Evaluation Report be released with decisions on submissions and further submissions. That Section states that Evaluation Reports must include a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal. This means that if, in its decision, the Hearings Committee recommends changes from what was in the (Proposed) Plan, an Evaluation Report must be prepared. If those changes are minor, then the Evaluation Report can be brief.

### 6.2 Relevant Section 32AA Matters

This section of the report evaluates only the changes I have recommended to the Policies and Rules relating to signage. These changes are set out in **Appendix 2**. They are to:

- a. Airport Protection Zone – Policy 11 (page 2-73)
- b. Business 2 Zone – Policy 10 (page 2-87)
- c. Business 3 Zone – Policy 10 (page 2-94)
- d. Business 4 Zone – Policy 7 (page 2-98)
- e. Business 5 Zone – Policy 9 (page 2-102)
- f. Hospital Zone – Policy 8 (page 106)
- g. Rules – Rule 3.16 (pages 3-27 to 3-30.)

### 6.3 Section 32AA Further Evaluation

The changes I have recommended to the provisions listed (a) to (f) under paragraph 6.1 will be the most appropriate means in which to achieve the purpose of the Act in that:

- a. The change to the Airport Protection Zone Policy 11 simply clarifies the intent of the policy, being to protect the operational requirements of the airport.
- b. The change to the Business 2 Zone Policy 10 moves from prohibiting billboards to 'generally avoiding' their erection. A similar change has been made to Policy 11 in the Business 3 Zone, Policy 8 in the Business 4 Zone, and Policy 9 in the Business 5 Zone.
- c. The change to the Business 3 Zone Policy 10 clarifies the focus of the policy, being to avoid nuisance to users of the airport and the railway and avoid safety impacts and distraction to users of the state highway.
- d. The change to the Hospital Zone Policy 8 explanation includes a verb that was missing in the Plan as notified.
- e. The changes to Rule 3.16.
  - Clarify the application of certain rules and the zones to which they apply.
  - Introduce matters to be taken into account in deciding applications for signage that is a discretionary activity.
  - Clarify provisions relating to safety signage.
  - Reformat part of the Rule to achieve consistency with other parts of the Plan.

These changes are minor and simply clarify how the proposed District Plan should be interpreted. It is therefore neither practical nor necessary in my view to quantify the employment and economic effects of the amendments.

These amended provisions of the Plan will enable, in my view, the people and communities of Invercargill to provide for their social, economic and cultural well-being by enabling reasonable signage.

## **7. Concluding comments**

The “Signage” provisions of the Proposed District Plan attracted a small number of submissions. I recommend some minor amendments to the Policies and associated explanatory text to aid interpretation of this part of the Plan and improve its consistency with other parts of the Plan. I have also recommended changes to Rule 3.16 to clarify its application.

Only one submitter (Twisted World) seriously questioned the approach to signage taken in the Proposed District Plan. In my opinion the points raised by that submitter do not justify a re-drafting of this section.

## Appendix 1 - Recommendations in response to submissions

N.B. The references to paragraph numbers in Rule 3.16 in my recommendations refer to the revised numbering in my recommended re-drafting of this Rule, set out fully in Appendix 2.

Submitter	Provision	Submission	Recommendation
<b>SECTION TWO ISSUES, OBJECTIVES, POLICIES AND METHODS OF IMPLEMENTATION</b>			
<b>Objectives</b>			
<b>Business 1,2,3,4,5 Zones</b>			
<b>80.1</b> <b>80.2</b> <b>Twisted World Ltd</b>	2.22, 2.23, 2.24, 2.25, 2.26	The submitter seeks an additional Objective for each business zone: <i>Objective (X) A range of signs which contribute positively to an area and/or do no compromise amenity and traffic safety, are provided for.</i>	<p><b>Reject</b></p> <p>The way the Plan is written, the Objectives are principally high-level statements of intent for the different business zones, setting out their reason for being.</p> <p>The objectives also, in every case, seek to maintain and enhance the amenity values of the zone. The Policies and Methods that follow in each zone relate to this objective of amenity identification, maintenance and enhancement.</p> <p>However the business zones do not exist to provide for signage in itself. Signage is ancillary to the other activities which are provided for by the objectives, policies and rules of this zone.</p> <p>For these reasons 'signage' does not warrant a separate objective.</p>
<b>Policies</b>			

Submitter	Provision	Submission	Recommendation
<b>Airport Protection Zone</b>			
<b>103.50</b> <b>Invercargill</b> <b>Airport Ltd.</b>	2.20.3 Policy 11 Signage	<p>The submitter supports this policy in part, but suggests that it needs to be redrafted to clarify its intent.</p> <p>The submitter asks - does it intend to maintain the Airport surrounds as an attractive gateway or does it relate to airport safety (i.e. Reducing illuminated signage that could adversely affect night-time lighting)?</p>	<p><b>Accept.</b></p> <p>The intent of Policy 11 as it stands is unclear.</p> <p>Lighting associated with airport operations (and freedom from nuisance from other lighting) is an important quality of the airport environment (or 'amenity') that enables the airport to operate safely, and is properly the subject of regulation in a district plan. The Airport Protection Zone was created primarily to safeguard operational requirements of the airport and that is the thrust of the other zone policies. The wording of Policy 11 should be clarified.</p> <p>It is recommended that at 2.20.3. (Airport Protection Zone – Policies) Policy 11 be amended to read:</p> <p><b><i>Policy 11 Signage: To protect the <u>operational requirements</u> of the Airport by controlling the size and nature of signage within the Airport Protection Zone.</i></b></p>

Submitter	Provision	Submission	Recommendation
<b>Business 1 Zone</b>			
<b>80.3</b> <b>Twisted World Ltd</b>	2.22.3 Policy 11 Signage	<p>The submitter seeks the following change:</p> <p><b>Policy 11 Signage:</b> <i>To provide for signage as ancillary to a vibrant and attractive city centre which</i></p> <p><del>(A) Relates to the activity being undertaken on the premises on which the sign is situated</del></p> <p>(B) <i>Does not create a nuisance.</i></p> <p>The submitter seeks that the Explanations be deleted in their entirety.</p>	<p><b>Reject</b></p> <p>The main purpose of a sign is to communicate - to convey information such that its receiver can make cognitive decisions based on the information provided. To be meaningful in the context of place-making, signage must relate in some way to the premise to which it is attached. It may display the name and nature of the premise. It may also portray some element of the business of the premise (e.g. a particular type or line of product on sale).</p> <p>The 'explanation' indicates the way the policy is intended to be interpreted and provides a rationale that can be used in preparing and assessing any application for signage that is not a permitted activity.</p>
<b>80.4</b> <b>Twisted World Ltd</b>	2.22.3 Policy 12 Billboards	<p>The submitter considers this policy does not have planning rationale and believes that private billboards can have public appeal and interest as much as public bill boards The submitter seeks to delete Policy 12 in its entirety.</p>	<p><b>Reject</b></p> <p>Policy 12 does not distinguish between private and public billboards. The policy is "To discourage billboards...except where they complement design features in the public realm or are otherwise part of a public event or exhibition". The Explanation to the Policy acknowledges that electronic billboards might be an exception where they "...are intended for public information or entertainment ...and where the placement of the billboard relates sensibly to a defined civic space like a square or plaza." Other kinds of billboards, the Explanation notes,</p>



Submitter	Provision	Submission	Recommendation
			<p>are “likely to detract from the quality of public spaces”</p> <p>This is consistent with Objective 1 (2.22.2) which reads: “Maintenance and enhancement of the primacy of the Invercargill (CBD) as the primary centre for retailing, business, culture and entertainment services for Invercargill City and the wider Southland region”.</p> <p>The Explanation to Policy 12 goes on to note that billboards and billboard signage are likely to detract from the quality of public spaces.</p> <p>This submission was the only one received that suggested that <i>‘private billboards often have significant public appeal and interest’</i> and in my view it is reasonable to conclude that there is community support for a policy structure that generally avoids the erection of billboards, except in the circumstances noted in the City Centre.</p>

Submitter	Provision	Submission	Recommendation
<b>Business 2 Zone</b>			
<b>80.5 Twisted World Ltd</b>	2.23.3 Policy 9 Signage	<p>The submitter seeks the following change:</p> <p><b>Policy 9 Signage:</b> <i>To provide for signage as ancillary to a vibrant and attractive centre which</i></p> <p><del>(A) Relates to the activity being undertaken on the premises on which the sign is situated</del></p> <p><b>(B) Does not create a nuisance.</b></p> <p>The submitter seeks that the Explanations be deleted in their entirety.</p>	<p><b>Reject</b></p> <p>On the same basis and for the same reasons as submission 80.3.</p>
<b>80.6 Twisted World Ltd</b>	2.23.3 Policy 10 Billboards	<p>The submitter considers this policy does not have planning rationale and believes that private billboards can have public appeal and interest as much as public bill boards The submitter seeks to delete Policy 10 in its entirety.</p> <p>(Policy 10 is to prohibit billboards)</p>	<p><b>Accept in part</b></p> <p>It is considered that billboards and billboard signage are likely to contribute little to the vibrancy and attractiveness of the Suburban Shopping and Business Zones and in general they should be discouraged. Unlike the Business 1 (Central Business District) Zone, there is not an ‘entertainment’ focus to the Business 2 Zone policies.</p> <p>However, ‘prohibition’ at Policy level is too strong in that, if carried through into the Methods, it would flow logically to “Prohibited Activity” status in the Rules section of the Proposed District Plan. This would mean that an application could not be entertained.</p> <p>It is recommended that Policy 10 be re-worded to read:</p> <p><b>Policy 10 Billboards:</b> <i>To generally avoid the erection of billboards (both fixed and</i></p>

Submitter	Provision	Submission	Recommendation
			<i>electronic) in the Business 2 Zones.</i>
<b>65.59 ICC Environmental and Planning Services</b>	2.23.3 Policy 10 - Billboards	The submitter opposes Policy 10, considering the wording of this policy is too strong. The submitter suggests replacing “prohibit” with another verb such as “restrict”	<b>Accept</b> On the same basis and for the same reasons as Submission Point 80.6 (Twisted World) above.
<b>53.36 NZ Transport Agency</b>	2.23.3 Policy 10- Billboards	<p>The submitter supports the prohibition proposed in Policy 10, however notes that there is no definition of ‘billboard’ in the Plan. The submitter seeks either</p> <p style="padding-left: 40px;">(a) Amend the wording to refer to hoardings, which are defined in the Plan, or</p> <p>Insert a definition of ‘billboard’</p>	<p><b>Reject in part, Accept in part.</b></p> <p><b>Rejected in that:</b> It is considered that billboards and billboard signage are not likely to contribute to the vibrancy and attractiveness of the Suburban Shopping and Business Zones and in general they should be discouraged. As with the Business 2 Zones, there is not an entertainment focus. However, ‘prohibition’ at Policy level is too strong in that, if carried through into the Methods, it would flow logically into “Prohibited Activity” status in the Rules Section of the Proposed District Plan. This would mean that an application could not be entertained.</p> <p><b>Accepted in that:</b> It is recommended that the following addition be made to the “Definitions” section of the Plan:</p> <p><b><u>Billboard: Means ‘Signage’ which does not relate directly to the activity that is occurring on the site</u></b></p>

Submitter	Provision	Submission	Recommendation
<b>Business 3 Zone</b>			
<b>53.38 NZ Transport Agency</b>	2.24.3 Policy 10 Signage	<p>The submitter considers that the intent of Policy 10 (A) is insufficiently clear as to what the nuisance effects of signage are to the State highway.</p> <p>The submitter considers that this policy should be reworded to define what the effects of concern are in this regard. The submitter seeks to <b>reword</b> Policy 10 (A) as follows:</p> <p><u>“To provide for signage associated with business and activities within the Business 3 Zone, while avoiding nuisance to users of the airport and the Railway, and avoiding safety impacts and distraction for users of the State Highway.”</u></p>	<p><b>Accept</b> It is recommended that Policy 10 (A) be reworded to read:</p> <p><b>Policy 10 Signage:</b></p> <p>(A) <i>To provide for signage associated with businesses and activities within the Business 3 zone, while avoiding nuisance to users of the airport, <del>the State Highway,</del> and the railway, and avoiding adverse safety impacts and distraction for users of the transportation network.</i></p> <p>(B) (Use of the words ‘transportation network’ is preferable because it allows the consideration of impacts both on the state highway and on any other transport corridor or (in the case of air transport) vector.)</p>
<b>53.39 NZ Transport Agency</b>	2.24.3 Policy 11 Billboards	<p>(Policy 11 is to prohibit billboards) The submitter supports this Policy. However, the submitter notes that no definition of billboard appears to have been incorporated in the Plan. ‘Billboard’ as a term can relate to either the content of the sign, or its size, and this requires clarification. The submitter seeks to either:</p> <p>(a) Amend the wording to refer to hoardings, which are defined in the Plan; or</p> <p>(b) Insert a definition of billboard.</p>	<p><b>Accept in part</b></p> <p>The response to Submission Point 53.36 contains a recommended definition of “Billboard”.</p> <p>The policy focus of these zones is on commercial activities and service-oriented industrial activities that require a central location. There is no focus on ‘entertainment’.</p> <p>However, in response to other submissions,</p>

Submitter	Provision	Submission	Recommendation
			it is being recommended that the word "prohibit" is too strong and the phrase <u>generally avoid</u> is better.
<b>65.63 ICC Environmental and Planning Services</b>	2.24.3 Policy 11 Billboards	<p>The submitter opposes this policy, and considers the wording is too strong.</p> <p>The submitter seeks to replace "prohibit" with another verb such as "restrict".</p>	<p><b>Accept</b></p> <p>On the same basis and for the same reasons as Submission Point 80.6 (Twisted World) above.</p> <p>It is recommended that Policy 11 be reworded to read:</p> <p><b>Policy 11 Billboards:</b> <i>To <u>generally avoid the erection of billboards (both fixed and electronic) in the Business 3 Zones.</u></i></p>

Submitter	Provision	Submission	Recommendation
<b>Business 4 Zone</b>			
<b>80. 7</b> <b>Twisted World Ltd</b>	2.25.3 Policy 7 Signage	<p>The submitter seeks the following change:</p> <p><b>Policy 7 Signage:</b></p> <p>(A) <i>To provide for signage as necessary to establish the identity of a retail enterprise</i></p> <p>(B) <del><i>To require that signage relates to the activity being undertaken on the premises to which the sign is attached</i></del></p> <p>(C) <i>To prevent signage becoming a nuisance</i></p> <p>The submitter seeks that the Explanations be deleted in their entirety.</p>	<p><b>Reject</b></p> <p>On the same basis and for the same reasons as in response to submission point 80.3 above.</p>
<b>80. 8</b> <b>Twisted World Ltd</b>	2.25.3 Policy 8 Billboards	<p>The submitter seeks to delete Policy 8 in its entirety. (Policy 8 is to prohibit billboards)</p>	<p><b>Accept in part</b></p> <p>It is considered that billboards and billboard signage are likely to contribute little to the vibrancy and attractiveness of the Neighbourhood Shop Zones and in general they should be discouraged.</p> <p>The policy focus of these zones is on 'convenience' retailing or charitable organisations offering services to the public. There is no 'entertainment' focus.</p> <p>However, 'prohibition' at Policy level is too strong in that, if carried through into the Methods, it would translate into "Prohibited Activity" status which would mean that an application could not be entertained.</p> <p>It is recommended that Policy 8 be re-worded to read:</p> <p><b>Policy 8 Billboards:</b> <i>To generally avoid the</i></p>

Submitter	Provision	Submission	Recommendation
			<i>erection of billboards (both fixed and electronic) in the Business 4 Zone.</i>
<b>65.65 ICC Environmental and Planning Services</b>	2.25.3 Policy 8 Billboards	<p>The submitter opposes this policy, and considers the wording is too strong.</p> <p>The submitter seeks to replace “prohibit” with another verb such as “restrict”.</p>	<p><b>Accept</b></p> <p>On the same basis and for the same reasons as Submission Point 80.6 (Twisted World) above.</p> <p>It is recommended that Policy 8 be reworded to read:</p> <p><b>Policy 8 Billboards:</b> <i>To <u>generally avoid the erection of billboards (both fixed and electronic) in the Business 4 Zones.</u></i></p>

Submitter	Provision	Submission	Recommendation
<b>Business 5 Zone</b>			
<b>65.68 ICC Environmental and Planning</b>	2.26.3 Policy 9 - Billboards	<p>The submitter opposes this policy, considering considers the wording is too strong.</p> <p>The submitter seeks to replace “prohibit” with another verb such as “restrict”.</p>	<p><b>Accept</b></p> <p>On the same basis and for the same reasons as Submission Point 80.6 (Twisted World) above.</p> <p>The Policy focus of the Business 5 Zone is catering to the needs of the rural sector. There is no ‘entertainment’ focus.</p> <p>However, the use of the words ‘to restrict’ would imply a further question “to what?” – that the submitter does not answer. A different choice of words may be preferable.</p> <p>It is recommended that Policy 9 be re-worded to read:</p> <p><b>Policy 9 Billboards:</b> <i>To <u>generally avoid the erection of billboards in the Business 5 Zones.</u></i></p>
<b>Hospital Zone</b>			
<b>65.69 ICC Environmental &amp; Planning</b>	2.27.3 Policy 8 Signage	<p>The submitter points out a drafting error in the Plan and suggests an amendment :</p> <p><i>“...to assist people to <u>locate</u> the area of the hospital they are looking for....”</i></p>	<p><b>Accept</b></p> <p>The submitter has identified a drafting error. It is recommended that the explanation to Policy 8 be re-worded to read:</p> <p><b>Explanation:</b> <i>Signage is a necessary part of a hospital facility to assist people to <u>locate</u> the area of the hospital they are looking for.....</i></p>



Submitter	Provision	Submission	Recommendation
<b>Seaport Zone</b>			
<b>24.54 South Port</b>	2.42.3 Policies Policy 7 - Signage	The submitter supports Policy 7 and seeks its retention	<b>Accept.</b> In so doing, it should be noted that a relaxation of the rule in relation to size of signage is being recommended in relation to Rule 3.16 (below).
<b>SECTION THREE - RULES</b>			
<b>3.16 Signage</b>			
<b>65.101 ICC Environmental and Planning Services</b>	3.16 – General	The submitter suggests the presence of a drafting error.  Throughout the Proposed Plan permitted activities are stated first with discretionary and non-complying activities following. The order of provisions in 3.16 should be changed to reflect this. The submitter suggests that paragraph 3.16.3 should be placed before paragraph 3.16.2.	<b>Accept</b>  It is recommended that Section 3.16 be reformatted, giving effect to this and some of the other submissions. The full text of the amended Section 3.16 is included in Appendix 2 of this report starting on page 44.
<b>71. 16 56 NZAS Ltd</b>	3.16 1 3.16.2 3.16.3	The submitter opposes these sections in part. The submitter would like a rule that clarifies that the signage limits do not apply to signage within the Smelter Zone. The submitter seeks to amend 3.16 by adding the following:  <u>“Rules 3.16.1 - 3.16.3 do not apply to signage located within the Smelter Zone.”</u>  AND  Delete reference to the Smelter Zone within Rule 3.16.1	<b>Accept</b>  The table on page 3-27 and 3-28 of the Proposed District Plan as published indicates ‘no limit’ within the Airport Operations Zone, the Seaport Zone and the Smelter Zone and from this it was clearly the intent of the drafters of the Plan that there would be no limit on the size of signage in these zones. In each case the scale of the activities in the zone and the internalised character of the zone mean that it is beyond the realm of probability that large signage could have an adverse effect within the zone or on adjoining zones. The same logic can be applied to the Hospital Zone, and I am recommending accordingly.

Submitter	Provision	Submission	Recommendation
			<p>However provisions (A – H) follow the table, some of which could reasonably apply within the Airport Operations, Hospital, Seaport and Smelter Zones. (e.g. no flashing or rotating signs). These provisions remain applicable to the Airport Operations, Hospital, Seaport and Smelter Zones.</p> <p>(Renumbered) Rule 3.16.2 permits health and safety, traffic control and temporary signage</p> <p>(Renumbered) Rule 3.16.3 (it was 3.16.2) .has been re-worded to make it quite clear in which zones signage that exceeds the specified size by up to 20% is a discretionary activity, and signage that exceeds the specified size by more than 20% is non-complying.</p> <p>The (new) Rule 3.16.4 is triggered by 3.16.3, setting out matters which will be taken into account in determining applications for discretionary activities.</p> <p>The effect of the (new number) Rule 3.16.5 within the Airport Operations, Hospital, Seaport and Smelter Zones is that there would be no limit on size of signage but the other matters (A to G inclusive) at the bottom of the table in 3.16.1) would apply.</p> <p>It is recommended that the following be added to the table Rule 3.16.1:  <i>Airport Operations Zone: No limit to size of signage</i></p>

Submitter	Provision	Submission	Recommendation
			<i>Hospital Zone: No limit to size of signage</i> <i>Seaport Zone: No limit to size of signage</i> <i>Smelter Zone: No limit to size of signage</i>
<b>24.64 South Port NZ Ltd</b>	3.16.1	The submitter supports the provisions of Rule 3.16.1 as it pertains to the Seaport Zone.	<b>Accept</b>  The change recommended with respect to submission point 71.16 56 does not change the regulatory intent of the rule.
<b>28.5 Harvey Norman Properties (NZ) Ltd and Harvey Norman Stores (NZ) Pty Ltd</b>	3.16.1	The submitter supports Rule 3.16.1 and seeks its retention.	<b>Accept</b>  The change recommended with respect to submission point 71.16 56 does not change the regulatory intent of the rule.
<b>53.76 NZ Transport Agency</b>	3.16.1(A)	The Submitter supports Rule 3.16.1 (Provision A - that signage must relate directly to the activity occurring on site.)  The submitter suggests this rule will discourage a proliferation of signage which could adversely affect the safety of the State highways	<b>Accept.</b>
<b>65.100 ICC Environmental and Planning Services</b>	3.16.1	The submitter supports this Policy in part, noting that there are no matters of discretion included within this rule.  The submitter seeks to amend the rule to include matters of discretion for discretionary and non-complying activities	<b>Accept in part</b> It is recommended that a new clause be inserted to include matters of discretion for discretionary activities. However, other Rules in the Plan do not list matters of discretion for non-complying activities and it would be unnecessary and inconsistent to do so here.  It is recommended that the following be added to Rule 3.16:  <i><u>3.16.4 Applications made under Rule 3.16.3 above shall address the following matters which will be among those taken into account by the Council:</u></i>

Submitter	Provision	Submission	Recommendation
			<p>(a) <u>The need for the signage in excess of that permitted under Rule 3.16.1</u></p> <p>(b) <u>The compatibility of the proposed signage with the scale of development and character of the local area</u></p> <p>(c) <u>The ability to mitigate any adverse effects of the increased signage</u></p> <p>(d) <u>The effect of the increased signage on safety and the general amenity of the area.</u></p>
<p><b>74.13 Bunnings Ltd</b></p>	<p>3.16.1</p>	<p>(The submitter incorrectly references this submission to Rule 3.20.1)</p> <p>The submitter supports: No limits on signage painted on to, or attached parallel to, buildings in the Business 1 Zone, and considers that this should also be extended to the Business 3 Zone which seeks to provide for destination retailing. The submitter seeks to amend 3.16.1 as it applies to the Business 3 Zone, “(a) Signage painted on to, or attached parallel to, buildings” Maximum area: <del>4m<sup>2</sup> per metre of street frontage</del> <u>No limit</u>”</p>	<p><b>Accept</b></p> <p>The logic of extending this provision, already in place for the Business 1 (City Centre) Zone, into the Business 3 Zone (Specialist Commercial) Zone is accepted.</p> <p>It is recommended that the appropriate provision in the table at 3.16.1 be amended to read:</p> <p>(a) <i>Signage painted on to, or attached parallel to, buildings: <u>No limit</u></i></p>
<p><b>75.18 McDonalds Restaurants (NZ) Ltd</b></p>	<p>3.16.1</p>	<p>The submitter supports no limits on signage painted on to, or attached parallel to, buildings in the Business 1 Zone, and considers that this should also be extended to the Business 3 Zone which seeks to provide for destination retailing</p> <p>The submitter seeks to amend 3.16.1 as it applies to the Business 3 Zone, “(a) Signage painted on to, or attached parallel to, buildings” Maximum area: <del>4m<sup>2</sup> per metre of street frontage</del> <u>No limit</u>”</p>	<p><b>Accept</b></p> <p>On the same basis and for the same reasons as submission 74.13</p>

Submitter	Provision	Submission	Recommendation
<b>80.9 Twisted World Ltd</b>	3.16.1 Business 1 Zone	<p>The submitter seeks that the following provisions be deleted:</p> <p><i>(Permitted Activity):</i></p> <p><i>(a) Signage painted on to, or attached parallel to, buildings: No limit</i></p> <p><i>(d) Any combination of (free standing signage) or (signage attached at an angle to the building) not exceeding a total of 14 m<sup>2</sup>.</i></p>	<p><b>Reject</b></p> <p>Signage rules in a District Plan are about a community setting parameters around the size and characteristics of signage that is to be permitted in various areas of the district. Overall, there has been reasonable acceptance of the signage rules in the Business 1 and 2 zones in the Proposed District Plan.</p>
<b>80.9 Twisted World Ltd</b> (Note: this is a separate submission point from that numbered 80.9 above: One submission point for the Business 1 Zone and another for the Business 2 Zone)	3.16.1 Business 2 Zone	<p>The submitter seeks that the following provisions be deleted:</p> <p><i>(Permitted Activity):</i></p> <p><i>(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1 m<sup>2</sup> per metre of street frontage.</i></p> <p><i>((d) Any combination of (free standing signage) or (signage attached at an angle to the building) not exceeding a total of 8 m<sup>2</sup>.</i></p>	<p><b>Reject</b></p> <p>On the same basis and for the same reasons as 80.9 above.</p> <p>Furthermore, the Business 2 zone by definition is suburban in character, is not seen as a focus for 'entertainment', and this needs to be reflected in the size and nature of signage permitted.</p>
<b>81.8 Progressive Enterprises Ltd</b>	3.16.1	<p>The submitter opposes this rule in part. The submitter considers that the size limit for free-standing signage is too small in the Business 1 Zone to enable their standard pylon signage, as used throughout the country. The submitter seeks to amend 3.16.1 in the Business 1 Zone to allow a maximum area of 29.7m<sup>2</sup> (each side)</p>	<p><b>Reject</b></p> <p>As notified, the Proposed District Plan allows for free standing signage, maximum area 14m<sup>2</sup>, maximum height 9 m. The remedy sought by the submitter would allow as of right signage of more than double this size. In my opinion this should be rejected because a change of this magnitude would be a substantial change from the plan provision as notified and would more properly be introduced as part of a Plan Change, rather than in response to a</p>

Submitter	Provision	Submission	Recommendation
			submission, in order to enable public consultation. Further, a sign of 29.7 m <sup>2</sup> is a large sign. A sign of this size should be considered on its merits as a resource consent.
<b>81.9 Progressive Enterprises Ltd</b>	3.16.1	<p>The submitter opposes this rule in part.</p> <p>The submitter considers that the size limit for free-standing signage is too small in the Business 2 Zone to enable their standard pylon signage, as used throughout the country. The submitter seeks to amend 3.16.1 in the Business 2 Zone to allow a maximum area of 29.7m<sup>2</sup> (each side)</p>	<p><b>Reject</b></p> <p>On the same basis and for the same reasons as submission 81.8</p>
<b>80.10 Twisted World Ltd</b>	3.16.2	<p>The submitter seeks a change to the sense of this rule.</p> <p>The Proposed District Plan, outside the residential zones, provides for signage which exceeds the district plan limits, as a <b>discretionary activity</b> up to 20%. Beyond that and it becomes <b>non-complying</b>.</p> <p>The submitter wants any signage which exceeds the District Plan Limits in the Business Zones to be <u>“subject to restricted criteria refined to address matters of visual amenity and traffic only, such as:</u></p> <p>(i) <u>The extent to which the scale and nature of the signage is compatible with the surrounding environment, including its impact on the appreciable amenity values of any neighbouring residential, special character or open space zoned land;</u></p> <p>(ii) <u>The extent to which signage is likely to give rise to a distraction to motorists and pedestrians, or to create situations which are hazardous or dangerous to road users;</u></p> <p>(liii) <u>Where not complying with illumination standards for signs, the effect of the illuminated signage on motorists and adjoining properties;</u></p>	<p><b>Reject.</b></p> <p>The philosophy of the rules regarding signage in the Proposed District Plan provides for a ‘sliding scale’ of regulatory intervention. Accepting the submission would compromise this sliding scale of regulatory intervention.</p> <p>The submission seems to seek that any signage which exceeds the District Plan limits in the Business zones to be a restricted discretionary activity, yet the matters of discretion suggested by the submitter are imprecise.</p>

Submitter	Provision	Submission	Recommendation
		<p>(iv) <u>The extent to which the signage creates visual clutter by exceeding the permitted standards of signage for a site, particularly along major arterial roads;</u></p> <p>(v) <u>The opportunity for signage to enhance business environments and local amenity and character;</u></p> <p>(vi) <u>The extent to which signage is compatible which the scale and style of any identified heritage building viewed in the same context as the sign”</u></p>	

Submitter	Provision	Submission	Recommendation
<b>87.50 Transpower NZ Ltd</b>	3.16.3	<p>The submitter considers that the signage provisions are insufficient to provide for safety and navigational signage on its pylons and towers and seeks to align the proposed Plan with the provisions of the NES for Electricity Transmission Activities 2009 by inserting a new rule to specifically provide for health and safety signage on transmission line support structures.</p> <p>The submitter seeks the following amendment:</p> <p>That Rule 3.16.3 be amended as follows:</p> <p><b>Rule 3.16.3</b> The following signage is a permitted activity: “.... <u>(D) Signs on National Grid support structure intended to</u></p> <p style="padding-left: 40px;">(a) <u>Identify the structure, its owner, or circuit details must cover an area of not more than 1m<sup>2</sup>.</u></p> <p style="padding-left: 40px;">(b) <u>Help with safety or navigation must cover an area of no more than 6m<sup>2</sup>. “</u></p> <p>And any consequential amendments.</p>	<p><b>Accept</b> It is a useful addition to the regulatory regime for signage to make specific provision for safety signage as suggested by the submitter. A slight change in wording from that suggested by the submitter is needed to keep the change within the vernacular of the Proposed Plan.</p> <p>It is recommended that rule 3.16.2 (note the renumbering, in response to another submission) be amended with the addition of the following:</p> <p><i>The following signage is a permitted activity</i> ... (D) <u>Signs on National Grid support structure intended to</u></p> <p style="padding-left: 40px;">(i) <u>Identify the structure, its owner, or circuit details and covering an area of not more than 1 m<sup>2</sup></u></p> <p style="padding-left: 40px;">(ii) <u>Assist with safety or navigation and covering an area of not more than 6 m<sup>2</sup></u></p>
<b>FS 12.13 Powernet Ltd</b>	3.16.3	<p>The further submitter supports the submission in so far as it agrees that the provisions should be made within the Proposed Plan to provide for safety and navigational signage associated with network utilities. The further submitter seeks to align the proposed Plan with the provisions of the NES for Electricity Transmission Activities 2009 by inserting a new rule to specifically provide for health and safety signage on transmission line support structures:</p> <p><i>3.16.3 The following signage is a permitted activity</i></p>	<p><b>Accept</b> On the same basis and for the same reasons as submission 87.50</p>



Submitter	Provision	Submission	Recommendation
		<p>...</p> <p>(E) Signs on National Grid support structure intended to</p> <p>(a) Identify the structure, its owner, or circuit details must cover an area of not more than 1 m<sup>2</sup></p> <p>(b) Help with safety or navigation must cover an area of no more than 6 m<sup>2</sup>.</p>	
<p><b>53.77 NZ</b> <b>Transport Agency</b></p>	<p>3.16.3(C)(a)</p>	<p>The submitter considers the 8 month time limit for temporary signage excessive and is likely to give rise to difficulties in plan implementation in terms of determining when a temporary sign was initially erected and whether it is within the 8 month time limit. The submitter seeks to change the 8 month time limit to 1 month and introduce wording to tie it to the cessation of the temporary activity i.e. the completion of construction works on the site, the sale or rental of the property etc.</p>	<p><b>ACCEPT IN PART, REJECT IN PART</b></p> <p>It is recommended that this submission be accepted in that it is reasonable to require the removal of temporary signage at the completion or cessation of the transient activity or situation with which it is associated.</p> <p>However it is recommended that the time limit suggested by the submitter be rejected. 'Temporary' signage is associated with a situation or condition which is expected to change. This can be a few hours (as in an emergency situation) to several months or even years (the duration of a building project.) The eight month time limit is arbitrary but gives a reasonable time for the completion of a building project or other work. After eight months or so temporary signage often looks scruffy and if the need for it continues, temporary signage can be replaced.</p> <p>It is recommended that the following clause be added to (new) 3.16.2:</p> <p><i>(C ) Temporary non-illuminated signage such as real estate agents' notices, builders' signs, provided that:</i></p>

Submitter	Provision	Submission	Recommendation
			<p>...</p> <p><u>.....(d ) The sign is removed at the cessation of the activity or situation with which it is associated.</u></p>
<b>SECTION FOUR - DEFINITIONS</b>			
53.85 NZ Transport Agency	Definition – introduce new definitions	The submitter notes there is no definition for <i>Temporary Signage</i> and submits that either this should be introduced, or the definition of Temporary Activities be amended to incorporate signage.	<p><b>Accept in Part</b></p> <p>It is accepted that the Proposed District Plan could be clearer as to what is meant by “temporary signage”, however the relief recommended in relation to submission 53.77 should address this matter adequately.</p>

## Appendix 2 Recommended Changes to the Proposed District Plan

(Underline indicates recommended additions, strikethrough indicates recommended deletions.)

### SECTION TWO – ISSUES, OBJECTIVES AND POLICIES

#### 2.20 Airport Protection Zone

##### 2.20.3 Policies

**Policy 11 Signage** (page2-73) To protect the operational requirements ~~amenity~~ of the Airport ~~Protection Zone~~ by controlling the size and nature of signage within the Airport Protection Zone.

*Explanation:* (page2-73) - No change.

#### 2.22 Business 1 (Central Business District) Zone

##### 2.22.3 Policies

**Policy 11 Signage:** (page 2-80) - No change  
**Explanation:** (page 280) - No change

**Policy 12 Billboards:** (page 2-80) - No change  
**Explanation:** (page 280) - No change

#### 2.23 Business 2 (Suburban Shopping and Business) Zone

##### 2.23.3 Policies

**Policy 9 Signage:** (page 2-87) - No change

*Explanation:* (page2-87) - No change

**Policy 10 Billboards:** (page 2-87) ~~To prohibit~~ generally avoid the erection of billboards (both fixed and electronic) in the Business 2 Zones.

*Explanation:* (page2-87) - No change

#### 2.24 Business 3 (Specialist Commercial) Zone

##### 2.24.3 Policies

**Policy 10 Signage:** (page 2-94)  
(A) To provide for signage associated with businesses and activities within the Business 3 zone, while avoiding nuisance to users of the airport, ~~the State Highway,~~ and the railway, and avoiding adverse safety impacts and distraction for users of the State Highway

(B) (page 2-94) No change

*Explanation:* (page2-94) - No change

**Policy 11 Billboards:** (page2-94) To ~~prohibit~~ generally avoid the erection of billboards (both fixed and electronic) in the Business 3 Zones.  
**Explanation:** (page2-94) - No change

## 2.25 Business 4 (Neighbourhood Shop) Zone

### 2.25.3 Policies

**Policy 7 Signage:** (page2-98) - No change  
**Explanation:** (page2-98) - No change

**Policy 8 Billboards:** (page2-98) To ~~prohibit~~ generally avoid the erection of billboards (both fixed and electronic) in the Business 4 Zones.  
**Explanation:** (page2-98) - No change

## 2.26 Business 5 (Rural Service) Zone

### 2.25.3 Policies

**Policy 8 Signage:** (page2-102) - No change  
**Explanation:** (page2-102) - No change

**Policy 9 Billboards:** (page2-102) To ~~prohibit~~ generally avoid the erection of billboards(both fixed and electronic) in the Business 5 Zones.  
**Explanation:** (page2-102) - No change

## 2.26 Business 5 (Rural Service) Zone

### 2.25.3 Policies

**Policy 8 Signage:** (page2-106) - No change

**Explanation:** (page2-106) Signage is a necessary part of a hospital facility to assist people to locate the area of the hospital they are looking for. This is particularly important for emergency facilities.

Signage of a purely advertising nature can detract from the effectiveness of directional signage or signage which identifies an establishment.

If signage is too large or intrusive it detracts from the effectiveness of other signage in the vicinity.

## 2.29 Industrial 1 (Light) Zone

### 2.29.3 Policies

**Policy 10 Signage:** (Page 1-112) - No change  
**Explanation:** (Page 1-112) - No change

- 2.31 Industrial 2 (Urban) Zone**
- 2.31.3 Policies**
- Policy 7 Signage:** (Page 1-119) - No change  
**Explanation:** (Page 1-119) - No change
- 2.32 Industrial 3 (Large) Zone**
- 2.32.3 Policies**
- Policy 8 Signage:** (Page 1-124) - No change  
**Explanation:** (Page 1-124)
- 2.34 Otatara Zone**
- 2.34.3 Policies – 2-136)**
- Policy 10 Signage:** (Page 1-135) - No change  
**Explanation:** (Pages 1-135 – 2-136) - No change
- 2.36 Residential 1 Zone**
- 2.36.3 Policies**
- Policy 15 Signage:** (Page 1-146) - No change  
**Explanation:** (Page 1-146) - No change
- 2.39 Residential 3 (Large Lot) Zone**
- 2.39.3 Policies**
- Policy 15 Signage:** (Page 1-161) - No change  
**Explanation:** (Page 1-161) - No change
- 2.40 Rural 1 Zone**
- 2.40.3 Policies**
- Policy 14 Signage:** (Page 1-166) - No change  
**Explanation:** (Page 1-166) - No change
- 2.41 Rural 2 (Rural Transition) Zone**
- 2.41.3 Policies**
- Policy 13 Signage:** (Page 1-172) - No change  
**Explanation:** (Page 1-172) - No change
- 2.42 Seaport Zone**
- 2.42.3 Policies**

**Policy 7**     **Signage:** (Page 1-176) - No change  
**Explanation:** (Page 1-176) - No change

**2.43**            **Smelter Zone**

**2.43.3**        **Policies** (Page 1-179)

**Policy 7**     **Wind, signage, height of structures, private open space and density, landscaping, planting and screening, public open space, weather protection:** (Page 1-179) - No change

**Explanation:** (Page 1-179)

**SECTION THREE – RULES**

**3.16**            **Signage** (pages 3-27 – 3-30)

**3.16.1**        It is a permitted activity to erect signage that complies with the following maximum levels:

Airport Operations Zone	No limit <u>on size of signage</u>
Airport Protection Zone	(a) Signage painted on, or attached parallel to, buildings: Maximum area: 0.25m <sup>2</sup> ; OR (b) Freestanding signage and signage attached at an angle to buildings: (i) Maximum combined area: 0.25m <sup>2</sup> (ii) Maximum height: 2m
Business 1 Zone	(a) Signage painted on to, or attached parallel to, buildings: No limit (b) Free standing signage: (i) Maximum area: 14m <sup>2</sup> ; (ii) Maximum height: 9m; OR (c) Signage attached at an angle to the building: 14m <sup>2</sup> ; OR (d) Any combination of (b) and (c) not exceeding a total of 14m <sup>2</sup>
Business 2 Zone	(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1m <sup>2</sup> per metre of street frontage (b) Free standing signage: (i) Maximum area: 8m <sup>2</sup> (ii) Maximum height: No higher than the building to which it relates; OR (c) Signage attached at an angle to the building: 8m <sup>2</sup> ; OR (d) Any combination of (b) and (c) not exceeding a total of 8m <sup>2</sup>

Business 3 Zone	<p>(a) Signage painted on to, or attached parallel to, buildings: <del>Maximum area: 1m<sup>2</sup> per metre of street frontage</del> <u>No limit</u></p> <p>(b) Free standing signage:  (i) Maximum area: 14m<sup>2</sup>  (ii) Maximum height: 9m; OR</p> <p>(c) Signage attached at an angle to the building: 14m<sup>2</sup>; OR</p> <p>(d) Any combination of (b) and (c) not exceeding a total of 14m<sup>2</sup></p>
Business 4 Zone	<p>(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1m<sup>2</sup> per metre of street frontage</p> <p>(b) Free standing signage:  (i) Maximum area: 8m<sup>2</sup>  (ii) Maximum height: no higher than the building to which it relates; OR</p> <p>(c) Signage attached at an angle to the building: 8m<sup>2</sup>; OR</p> <p>(d) Any combination of (b) and (c) not exceeding a total of 8m<sup>2</sup></p>
Business 5 Zone	<p>(a) Signage attached on or attached parallel to building: 1m<sup>2</sup> per metre of street frontage</p> <p>(b) Free standing signage and signage attached at an angle to buildings:  (i) Maximum combined area: 14m<sup>2</sup> (calculated per tenancy).  (ii) Maximum height: 9m</p>
Hospital Zone	<u>No limit on size of signage</u>
Industrial 1, 2, 3 and 4 Zones	<p>(a) Signage painted on, or attached parallel to, buildings:  Maximum area: 1m<sup>2</sup> per metre of street frontage</p> <p>(b) Freestanding signage and signage attached at an angle to buildings:  (i) Maximum combined area: 14m<sup>2</sup>  (ii) Maximum height: 12m</p>
Otatara Zone Residential 1, 1A, 2 and 3 Zones Airport Protection Zone	<p>(a) Signage painted on, or attached parallel to, buildings:  Maximum area: 0.25m<sup>2</sup>;  OR</p> <p>(b) Freestanding signage and signage attached at an angle to buildings:  (i) Maximum combined area: 0.25m<sup>2</sup>  (ii) Maximum height: 2m</p>
Rural 1 and 2 Zones	<p>(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1.5m<sup>2</sup>; OR</p> <p>(b) Free standing signage:  (i) Maximum area: 1.5m<sup>2</sup>  (ii) Maximum height: No higher than 2m; OR</p> <p>(c) Signage attached at an angle to the building: Maximum area: 1.5m<sup>2</sup></p>
Seaport Zone	<u>No limit on size of signage</u>

Smelter Zone	No limit <u>on size of signage</u>
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Provided that:

- (A) All signage must relate directly to the activity that is occurring on the site.
- (B) All signage, other than that attached to verandahs or to a building façade, must be contained within the legal boundaries of the site.
- (C) Any signage attached under a verandah shall not exceed the width of the verandah and must provide a minimum of 2.6m clearance to the footpath.
- (D) Any signage attached to a building shall not exceed the height of that building.
- (E) No signage is to be mobile or rotate.
- (F) Illuminated signage is permitted within all zones except the following:
  - (a) Otatara Zone.
  - (b) Residential 1, 1A, 2 and 3 Zones.
  - (c) Rural 1 and 2 Zones.
- (G) Flashing signage is permitted only along the pedestrian-friendly frontages identified in the Business 1 Zone.
- (H) In measuring the area of any signage:
  - (a) The area of any double-sided signage with less than 200mm between each face is to be calculated on the basis of a single sided sign.
  - (b) The area of any three-dimensional signage is to be calculated as the sum of up to four visible perpendicular faces.

**3.16.32** The following signage is a permitted activity:

- (A) Signage erected for health and safety reasons under other legislation.
- (B) Signage described in Part 2 of Land Transport Rule 54002: Traffic Control Devices 2004.
- (C) Temporary non-illuminated signage such as real estate agents' notices, builders' signs, provided that:
  - (a) The signage is to be in place for no longer than eight months.
  - (b) The signage is limited to a maximum area of 1m<sup>2</sup> per sign.
  - (c) The signage meets Rule 3.16.1(A) - (G) above.



- (d) The sign is removed at the cessation of the activity or situation with which it is associated
- (D) Signs on National Grid support structures intended to:
  - (a) Identify the structure, its owner, or circuit details and covering an area of not more than 1m<sup>2</sup>; or
  - (b) Assist with safety or navigation and covering an area of not more than 6m<sup>2</sup>

**3.16.23** (A) The following signage is a discretionary activity:

Within the following Zones,

- Business 1, Business 2, Business 3, Business 4, Business 5
- Industrial 1, Industrial 1A, Industrial 2, Industrial 3, Industrial 4
- Rural 1, Rural 2

any signage that exceeds the maximum area and/or height permitted under Rule 3.16.1 by less than 20% is a discretionary activity, provided that the signage also meets Rule 3.16.1 (A) to (G).

- ~~(B) Within all zones other than the Residential 1, 1A, 2 and 3 Zones and the Otatara Zone any signage that exceeds the maximum area and/or height permitted under Rule 3.16.1 by 20% or more and/or any signage that does not comply with the matters listed in Rule 3.16.1 (A) to (G), is a non-complying activity.~~
- ~~(C) Within the Residential 1, 1A, 2 and 3 Zones and the Otatara Zone any signage which does not comply with Rule 3.16.1, including (A) to (G) above, is a non-complying activity.~~

**3.16.4** Applications made under Rule 3.16.3 above shall address the following matters which will be among those taken into account by the Council:

- (A) The need for the signage in excess of that permitted under Rule 3.16.1
- (B) The compatibility of the proposed signage with the scale of development and character of the local area.
- (C) The ability to mitigate any adverse effects of the increased signage.
- (D) The effect of the increased signage on safety and the general amenity of the area.

**3.16.5** Any signage which is neither a permitted activity nor a discretionary activity under Rules 3.16.1, 3.16.2 and 3.16.3 above is a non-complying activity.

**Note:** Signage shall comply with the Rooding, Parking and Traffic Bylaw 2008.

## SECTION FOUR – DEFINITIONS

**Billboard:** *Means Signage” which does not relate directly to the activity that is occurring on the site*

**Signage:** (page 4-15) - No change