



PROPOSED INVERCARGILL CITY DISTRICT PLAN

Decision No. 8

Signage

Hearings Committee

Councillor Darren Ludlow (Chair)

Councillor Neil Boniface

Councillor Graham Sycamore

Keith Hovell

11 October 2016

[THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY]

INDEX

- Introduction** 1
- The Hearing** 1
 - Section 42A Report..... 1
 - Submitters Attending the Hearing 2
 - Material Tabled at the Hearing 2
- Matters Requiring Particular Consideration** 3
 - Recommended Non-Complying Rule 3
 - Billboards..... 3
 - Permitted Signage in Business 1 and 2 Zones 4
 - Temporary Signage 5
- Section 32 Matters**..... 5
 - Requirements..... 5
 - Assessment..... 6
- Appendix 1 Decisions on Submissions** 9
 - Issues, Objectives and Policies
 - Airport Protection Zone 9
 - Business Zones General..... 9
 - Business 3 Zone 13
 - Hospital Zone 13
 - Seaport Zone 13
 - Rule 3.16 Signage
 - General 14
 - 3.16.1 Rule 16
 - 3.16.2 Rule 17
 - 3.16.3 Rule 18
 - Definitions
 - General 19
- Appendix 2 Amended District Plan Provisions** 21

[THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY]

INTRODUCTION

We have been appointed by the Invercargill City Council to consider and issue decisions on the submissions lodged to the Proposed Invercargill City District Plan. In this Decision we consider the submissions lodged in relation to Signage.

The Resource Management Act 1991 sets out various matters that impact on our considerations and deliberations. The key provisions are Sections 5 - 8, 32, 75 and 76 of the Act, and the Second Part of the First Schedule to the Act. The Section 42A Report prepared for the Committee considered these matters in detail and we have had regard to those matters. Where the statutory provisions are of particular significance we have referred to them within this Decision.

In this Decision, the following meanings apply:

"The Council" means the Invercargill City Council.

"FS" means Further Submission.

"Further Submitter" means a person or organisation supporting or opposing a submission to the Proposed Plan.

"Hearings Committee" or "the Committee" means the District Plan Hearings Committee established by the Council under the Local Government Act.

"NZTA" means the New Zealand Transport Agency.

"Operative Plan" or "Operative District Plan" means the Invercargill City District Plan 2005

"Proposed Plan" or "Proposed District Plan" means the Proposed Invercargill City District Plan 2013.

"RMA" means the Resource Management Act 1991.

"Submitter" means a person or body lodging a submission to the Proposed Plan.

At the commencement of the hearings, Crs Boniface and Ludlow declared an interest as Directors of PowerNet Limited, Cr Sycamore declared an interest as a Director of Invercargill City Holdings Limited and Commissioner Hovell declared a conflict of interest in relation to submissions lodged by Cunningham Properties Limited. The Councillors and Commissioner took no part in deliberations in relation to the submissions of the submitters referred to.

THE HEARING

The hearing to consider the submissions lodged to the matters set out in this decision was held in the Drawing Room of the Civic Theatre on 10 June 2014.

Section 42A Report

The Hearing Committee received a report from William Watt of William J Watt Consulting Ltd. In his report, Mr Watt highlighted that the Proposed Plan provisions were intended to control the nature and scale of signage for safety reasons (e.g. avoiding distraction to motorists) and to protect amenity values. He also noted that 34 submission points were made on the signage provisions. Arising from these Mr Watt recommended changes to:

- Provide consistency between the policies and the non-complying status of billboards in the rules.
- The rules to clarify that the size of signage will not be regulated in some zones.
- Introduce assessment criteria that can be applied to signage applications that are discretionary activities.

Submitters Attending the Hearing

New Zealand Transport Agency

Anthony MacColl, Senior Planning Advisor, appeared on behalf of the NZTA. He advised the Committee that case law has affirmed that the State Highway network is a physical resource of national importance under the RMA.

In relation to the provisions applying to billboards, Mr MacColl stated that the NZTA supported the policy to prohibit billboards in the District, but accepted the change recommended given that billboards were a non-complying activity. He also agreed with the inclusion of a definition for "billboard".

Mr MacColl also advised that he supported the recommendations made in relation to the submissions of the NZTA on Policy 10 of the Business 3 Zone, Rule 3.16.1(A) and Rule 3.16.3(C)(a). However, he did not agree with the recommendation to amend Rule 3.16.3(C) in relation to temporary signage. He considered the list of examples of temporary signage given in the rule to be incomplete, and either this should be expanded or a definition of "temporary signage" included in the Proposed Plan.

Material Tabled at the Hearing

PowerNet Limited

Joanne Dowd of Mitchell Partnerships Limited, advised on behalf of PowerNet Limited that the recommended new Rule 3.16.3(D) required amendment to refer to "signs on National Grid and electricity distribution support structures". Mrs Dowd also referred to the recommended new Rule 3.16.5 which introduced a non-complying status for signs not otherwise provided for in the Proposed Plan. She indicated that if this was not within the scope of submissions lodged then it should be deleted. If such a rule was authorised by a submission, then in her view the status should be discretionary.

Invercargill Airport Limited

Kirsty O'Sullivan of Mitchell Partnerships Limited, advised on behalf of Invercargill Airport Limited that the change recommended to Policy 11 of the Airport Protection Zone was generally supported, but that the word "amenity" should be retained. She also considered the new Rule 3.16.5 was not within the scope of submissions lodged and requested that it be deleted because it was unduly onerous in areas such as the Airport Operations and Airport Protection Zones.

Progressive Enterprises Limited

M J Foster of Zomac Planning Solutions Limited, advised on behalf of Progressive Enterprises Limited, that it disagreed with the recommendation to reject the requested change to Rule 3.16.1 Freestanding Signage. Mr Foster opined that the submission made should be determined at this time on its merits and it was not necessary to have the matter debated as part of a plan change. He also noted that the existing pylon sign at Countdown's Invercargill store has a face area of 14.5 square metres and being of an old style it was appropriate to enable its replacement with "superior signage from a visual perspective".

Transpower

Sarah Shand, Environmental Planner, advised that Transpower accepted the recommendation to insert a new Rule in 3.16.3 that would specifically provide for signage on transmission line support structures, notwithstanding that the wording recommended differed slightly from that sought.

South Port Ltd

Kirsty O'Sullivan of Mitchell Partnerships Limited, advised on behalf of South Port that the submission lodged in relation to the Seaport Zone (Policy 7 and Rule 3.16.1) supported there being no limit imposed on signage within the Seaport Zone and notwithstanding the change in wording to Rule 3.16.1 South Port agrees with the recommendations of the Report. She also considered the new Rule 3.16.5 was not within the scope of submissions lodged and requested that it be deleted because it was unduly onerous in areas such as the Seaport Zone where signage is a necessary component of its efficient operation (instructions, directions, advertising etc).

MATTERS REQUIRING PARTICULAR CONSIDERATION

Recommended Non-Complying Rule

At the hearing, the Committee received evidence from Mrs Dowd and Mrs O'Sullivan of Mitchell Partnerships Limited on behalf of its clients, Power Net Limited, Invercargill Airport Limited and South Port Limited, which referred to the recommended new Rule 3.16.5 that assigned non-complying status for signs not otherwise provided for in the Proposed Plan. It was suggested that this addition was not within the scope of submissions lodged and as a consequence it should be deleted.

At the hearing, the author of the Section 42A Report, Mr Watt, was asked to comment on this issue. It was his advice that the inclusion of the rule was authorised by a submission of the Invercargill City Council. The Hearings Committee noted that submission 65.101 by ICC Environmental and Planning Services requested that the order of the rules be amended.

In assessing this matter, the Hearings Committee had regard to Rule 3.16.1 as notified, noting that no limit applied to signage in the Airport Operations Zone, Seaport Zone and Smelter Zone, while various limits applied in other zones. In addition, compliance was also required with various provisos (A) - (H) for the signage to be permitted. If signage did not comply with these provisos:

- (i) Within the Residential and Otatara Zones the signage is a non-complying activity.
- (ii) Within other zones:
 - (a) Where the stated size limit was exceeded by up to 20%, and the provisos (A) - (H) were complied with, the signage is a discretionary activity.
 - (b) Where the stated size limit was exceeded by more than 20%, or any of the provisos (A) - (H) were not complied with, the signage is a non-complying activity.

The Committee is satisfied that the recommended changes to the rules do not alter the status of signage as set out in the Proposed Plan as notified. The Committee accepts the explanation of Mr Watt and agrees that it is desirable to amend the layout and order of the rules in this section of the Plan. The request from Mitchell Partnerships on behalf of its clients to delete Rule 3.16.5 is therefore declined.

Billboards

A number of submitters drew attention to the policy framework in the Proposed District Plan which sought to "discourage" billboards in the Business 1 Zone and "prohibit" them in the Business 2 - 5 Zones, noting that the "prohibited activity" status was not carried through in these latter cases into the Rules. It was requested that the wording of the policies be amended.

Mr Watt in his Section 42A Report considered that it was unnecessarily restrictive to prohibit billboards in any zone, noting that a prohibited status in the rules would prevent any application being lodged seeking approval for a billboard. Given that a billboard, advertising an event or product unrelated to the activities occurring on that site, would not comply with proviso (A) in Rule 3.16.1 it would be a non-complying activity. Mr Watt considered this status appropriate and advised that a strong policy framework was needed. He recommended that those policies referring to "prohibit" be revised to use the words "generally avoid".

The Hearings Committee accepted Mr Watt's views in relation to the status of billboards, that they should be a non-complying activity throughout the District. In considering the wording of the policies, the Hearings Committee noted that in the Business Zones there were explicit policies applying to billboards and also general policies seeking to limit signage which was not related to activities on the site. The Committee also noted that in other zones only general policies apply. It considered the absence of policies dealing explicitly with billboards to be an anomaly in that billboards are likely to be less acceptable in residential and rural areas than in the Business Zones.

The Committee also had regard to the recommendation of Mr Watt that the relevant policies should seek to "generally avoid" billboards. The Committee did not consider the words "generally avoid" appropriate, concluding that much debate could ensue in determining the meaning of the word "generally" and when it should apply.

Having regard to the matters above and the submissions lodged, the Committee concluded that a consistent approach is desirable across all zones, and the framework that appeared to be intended by the Plan can be achieved by having a single policy in those zones where two policies currently apply. In the Committee's view, there is no need to have explicit policies on "billboards".

Permitted Signage in the Business 1 and 2 Zones

The Proposed Plan provides for the following signage in these zones:

Business 1 Zone	<ul style="list-style-type: none"> (a) Signage painted on to, or attached parallel to, buildings: No limit; (b) Free standing signage: <ul style="list-style-type: none"> (i) Maximum area: 14m²; (ii) Maximum height: 9m; OR (c) Signage attached at an angle to the building: 14m²; OR (d) Any combination of (b) and (c) not exceeding a total of 14m²
Business 2 Zone	<ul style="list-style-type: none"> (a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1m² per metre of street frontage (b) Free standing signage: <ul style="list-style-type: none"> (i) Maximum area: 8m² (ii) Maximum height: No higher than the building to which it relates; OR (c) Signage attached at an angle to the building: 8m²; OR (d) Any combination of (b) and (c) not exceeding a total of 8m²

Progressive Enterprises Ltd requests a change in the allowable size of freestanding signage to permit its standard pylon signage of 29.7 square metres on each side. Mr Watt in his Section 42A Report in response to Submissions 81.8 and 81.9 suggested that "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 submission, in order to enable public consultation". Mr Foster

on behalf of Progressive Enterprises Ltd highlighted a procedural issue, stating that the submission to the Proposed Plan did enable public input by way of a further submission.

The Committee agreed with Mr Foster with regard to the procedural issue that a Plan Change was not necessary to enable consideration of the size of signage. It disagreed however that the size of freestanding signage should be increased in the rules. The submitter gave no reasons for the increase sought, other than it would permit the standard pylon size by Progressive Enterprises Ltd. The Hearings Committee noted that considerable signage was permitted on buildings in the Business 1 and 2 Zones, and in such circumstances the limit proposed for freestanding signage was reasonable and appropriate. The Committee had some concern at the scale of the signage sought, considering it out of character with the amenity of the areas zoned Business 1 and 2, giving rise also to adverse cumulative effects if allowed as a permitted activity.

The Committee also agreed with other comments by Mr Watt in his Section 42A Report, that signage of the size proposed should be assessed by way of resource consent.

Temporary Signage

The NZTA considers that the proposed eight-month time limit relating to temporary signage is excessive. It requests that this be amended to one month and linked 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. NZTA also considered the list of examples of temporary signage given in the rule to be incomplete, and either this should be expanded or a definition of "temporary signage" included in the Proposed Plan. The Committee agreed with Mr Watt that one month is too short (e.g. for a builder's or real estate agent's sign), and that the Rule should provide for "temporary" signage for an activity or situation that is short term, and that the signage be removed on completion of the project, or in the case of real estate signs, on the completion of a sale of a property. The Committee concluded that changes to the rule removed the need for any new definition to be included in the Plan.

SECTION 32 MATTERS

Requirements

The Committee was advised by Mr Watt that Section 32 of the RMA establishes the framework for assessing objectives, policies and rules proposed in a Plan, and that a Report was released at the time of notification of the Proposed Plan in compliance with those provisions. The Committee was also advised that Section 32AA of the RMA requires a further evaluation to be released with decisions outlining the costs and benefits of any amendments made after the Proposed Plan was notified, with the detail of the assessment corresponding to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the changes made to the Proposed Plan.

As the Committee understands its obligations, it is required to:

- (i) Assess any changes made to objectives to determine whether they are the most appropriate way to achieve the purpose of the RMA.
- (ii) Examine any changes made to the policies and rules to determine whether they are the most appropriate way to achieve the objectives of the Proposed Plan. This includes:

- Identifying the costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions (including effects on employment and economic growth)
- Identifying other reasonably practicable options for achieving the objectives; and
- Assessing the efficiency and effectiveness of the provisions in achieving the objectives.

The Committee, however, is not required to assess in accordance with Section 32 of the RMA any changes to the issues and or explanatory text of provisions.

Assessment

Arising from the submissions lodged, this decision makes minor alterations to the wording, but not the intent of the provisions considered in this decision. Mr Watt in his Section 42A Report advised the Committee as follows:

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.

For those decisions that reflect the recommendations made by Mr Watt in his Section 42A Report, the Committee agrees with that approach and adopts it.

This decision also alters the approach taken to managing billboard signage in the Proposed District Plan. Originally, the Proposed Plan sought to discourage billboard signage in the city centre and prohibit it in all other Business zones. The decision of the Committee removes these billboard specific policies and provides for the management of all signage through amended signage policies. This differs from Mr Watt's recommendations and as such requires further assessment under Section 32.

These amendments are considered to be of a minor scale and significance, and therefore do not necessitate quantifying the employment and economic effects of the amendments for the following reasons:

1. The Plan's objectives are still achieved by having a single policy in those zones, as opposed to the two that currently apply.
2. The amended policy provisions still require that signage which does not relate to an activity occurring on the site, or that is likely to generate adverse environmental effects, is avoided.
3. The rule framework that manages billboard-type signage has not been significantly altered, meaning resource consent approval is still required as a non-complying activity.

This decision does not propose amendments to any objectives. Each individual zone in the Proposed Plan has its own zone specific objectives and policies, including the objective of identifying, maintaining and enhancing the amenity values of each zone. None of the Committee's decisions have significantly altered these objectives.

These amended provisions will clarify the approach the Proposed Plan takes in managing the effects of billboard type signage on the environment and ensure consistency across all

zones. The amendments will enable the people and communities of Invercargill to provide for their social, economic and cultural well-being by providing for reasonable signage that does not generate significant adverse environmental effects.

Dated at Invercargill this 11th day of October 2016



Councillor Darren Ludlow (Chair)



Councillor Neil Boniface



Councillor Graham Sycamore



Keith Hovell

[THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY]

APPENDIX 1 - Decisions by Submission

SUBMISSION	DECISION
SECTION 2 - ISSUES, OBJECTIVES, AND POLICIES	
AIRPORT PROTECTION ZONE - 2.20.3 Policies	
<p>103.50 Invercargill Airport Ltd. - Policy 11 Signage 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>Decision 8/1 This submission is accepted.</p> <p>Amendments to District Plan Amend 2.20.3 Policy 11 to read:</p> <p>To protect the amenity <u>and operational requirements</u> of the <u>Invercargill Airport Protection Zone</u> by controlling the size and nature of signage <u>within the Airport Protection Zone</u>.</p> <p>Reason The purpose of the Airport Protection Zone is to safeguard operational requirements of the Invercargill airport. In addition to protecting amenity of the area, given the role of the airport as a gateway to the District, it is appropriate to also refer to operational requirements.</p>
BUSINESS ZONES GENERAL	
<p>80.1 and 80.2 Twisted World Ltd The submitter seeks an additional Objective for each business zone:</p> <p><i>Objective (X) A range of signs which contribute positively to an area and/or do not compromise amenity and traffic safety, are provided for.</i></p>	<p>Decision 8/2 This submission is rejected.</p> <p>Amendments to District Plan None required.</p> <p>Reasons</p> <ol style="list-style-type: none"> 1. An "objective" represents an aspiration to be strived for and the addition sought is not appropriate in that context. 2. The Zone objectives and policies seek to maintain and enhance the amenity values and adequately provide for that without additional reference to compromising amenity. 3. Signage is ancillary to the activities in the zones and regard to signage at an objective level within the zone provisions is not warranted.

APPENDIX 1 - Decisions by Submission

SUBMISSION	DECISION
<p>80.3, 80.5 and 80.7 Twisted World Ltd - Signage Policies Delete:</p> <p><i>(A) Relates to the activity being undertaken on the premises on which the sign is situated</i></p> <p>From Business 1 Zone Policy 11 and Business 2 Zone Policy 9, and</p> <p><i>(A) To require that signage relates to the activity being undertaken on the premises to which the sign is attached</i></p> <p>From Business 4 Zone Policy 7</p> <p>The submitter also seeks that the Explanations be deleted in their entirety.</p>	<p>Decision 8/3 These submissions are rejected.</p> <p>Amendments to District Plan None Required</p> <p>Reasons</p> <ol style="list-style-type: none"> 1. It is appropriate to treat signage that is unrelated to an activity taking place on the site on which it is located in a different manner to that which has a functional need to locate there or which is related to activities on the site. 2. While it is discretionary under the RMA to include explanations to policies in a district plan, they assist in interpreting and applying those policies. 3. The submitter has only sought to delete the explanation to a small number of policies. It would be inconsistent to do that, while retaining the explanations to many others.
<p>80.4, 80.6 and 80.8 Twisted World Ltd - Business Zone 1 Policy 12 and Business Zone 2 Policy 10 and Business Zone 4 Policy 8 – Billboards. Delete as these policies do not have planning rationale and believes that private billboards can have public appeal and interest as much as public billboards.</p> <p>65.59, 65.63, 65.65 and 65.68 ICC Environmental and Planning Services - Business Zone 2 Policy 10, Business Zone 3 Policy 11, Business Zone 4 Policy 8 and Business Zone 5 Policy 9 - Billboards.</p> <p>The submitter opposes these policies, considering the wording is too strong. The submitter suggests replacing “prohibit” with another verb such as “restrict”.</p>	<p>Decision 8/4 These submissions are accepted in part.</p> <p>Amendments to District Plan</p> <p>(i) The following policies are deleted:</p> <ul style="list-style-type: none"> • Business 1 Zone Policy 12 • Business 2 Zone Policies 9 and 10 • Business 3 Zone Policies 10 and 11 • Business 4 Zone Policies 7 and 8 • Business 5 Zone Policies 8 and 9 <p>(ii) The following policies are amended to read:</p> <p>Business 1 Zone Policy 11: To <u>recognise and provide for signage as ancillary that contributes to a vibrant and attractive city centre which, while avoiding signage that:</u></p> <p>(A) <u>Relates-Is not related to the activity being undertaken-activities on the site premises-on which the sign is situated.</u></p> <p>(B) <u>Has the potential to Does not create a nuisance.</u></p> <p>(C) <u>Detracts from the amenities of the area, either because of its size, character or content.</u></p>

APPENDIX 1 - Decisions by Submission

SUBMISSION	DECISION
	<p><u>Hospital Zone Policy 8</u> <u>To provide for clear directional signage and identification of the hospital and individual hospital buildings, particularly emergency facilities while avoiding signage that:</u> (A) <u>Is not related to activities within the Hospital Zone.</u> (B) <u>Detracts from the amenities of the area either because of its character or content.</u></p> <p>(iii) The following policies are added:</p> <p><u>Business 2 Zone Policy 9</u> <u>To recognise and provide for signage that contributes to a vibrant and attractive centre while avoiding signage that:</u> (A) <u>Is not related to activities on the site on which the sign is situated.</u> (B) <u>Has the potential to create a nuisance.</u> (C) <u>Detracts from the amenities of the area, either because of its size, character or content.</u></p> <p><u>Business 3 Zone Policy 10</u> <u>To provide for signage associated with businesses and activities within the Business 3 Zone, while avoiding signage that:</u> (A) <u>Is not related to activities on the site on which the sign is situated.</u> (B) <u>Has the potential to:</u> (i) <u>create a nuisance to users of the airport and the railway; or</u> (ii) <u>give rise to adverse safety impacts and distraction for users of the State Highways and other roading networks.</u> (C) <u>Detracts from the amenities of the area either because of its size, character or content.</u></p> <p><u>Business 4 Zone Policy 7</u> <u>To provide for signage that establishes the identity of businesses within the Business 4 Zone, while avoiding signage that:</u> (A) <u>Is not related to activities on the site on which the sign is situated.</u> (B) <u>Has the potential to:</u> (i) <u>create a nuisance to users of the airport and the railway; or</u> (ii) <u>give rise to adverse safety impacts and distraction for users of the State Highways and other roading networks.</u> (C) <u>Detracts from the amenities of the area either because of its size, character or content.</u></p> <p><u>Business 5 Zone Policy 8</u> <u>Within the Business 5 Zone to provide for clear and prominent signage giving an enterprise a presence in the area, and clear directional signage, while avoiding signage that:</u> (A) <u>Is not related to activities on the site on which the sign is situated.</u></p>

APPENDIX 1 - Decisions by Submission

SUBMISSION	DECISION
	<p>(B) <u>Has the potential to:</u></p> <p style="padding-left: 20px;">(i) <u>create a nuisance; or</u></p> <p style="padding-left: 20px;">(ii) <u>give rise to adverse safety impacts and distraction for users of the State Highways and other roading networks.</u></p> <p>(C) <u>Detracts from the amenities of the area either because of its size, character or content.</u></p> <p><i>[Note: Some policy numbers may have changed as a result of other decisions]</i></p> <p>Reasons</p> <ol style="list-style-type: none"> 1. As discussed on page 3 of this Decision, the generic policies in each Zone on signage enables all relevant issues to be included, effectively removing the need for separate and explicit policies on billboards. However, consequential changes are required to other policies to ensure all relevant matters included in the notified policies referring to billboards are included in the revised policies, and consistency is provided between the revised policies. 2. As a corollary to deleting the policies in Business 1, 2 and 4 Zones, and for consistency, deletion is also appropriate in other zones where billboards are referred to.
<p>53.36 and 53.39 NZ Transport Agency - Business 2 Zone Policy 10 and Business Zone 3 Policy 11 - Billboards.</p> <p>The submitter supports the prohibition proposed in the policies, however notes that there is no definition of 'billboard' in the Plan. The submitter seeks either amend the wording to refer to hoardings, which are defined in the Plan, or insert a definition of 'billboard'.</p>	<p>Decision 8/5 This submission is noted.</p> <p>Amendments to District Plan None required.</p> <p>Reason Decision 8/4 deleted these provisions.</p>

APPENDIX 1 - Decisions by Submission

BUSINESS 3 ZONE - 2.24.3 POLICIES	
<p>53.38 NZ Transport Agency - Policy 10 Signage 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. The submitter considers that this policy should be reworded to define what the effects of concern are in this regard as follows:</p> <p>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.</p>	<p>Decision 8/6 This submission is accepted in part.</p> <p>Amendments to District Plan As provided for in Decision 8/4.</p> <p>Reasons The wording of the policy as notified was not clear and the policy has been deleted. A new policy has been included and that is consistent with the matter raised by the submitter.</p>
HOSPITAL ZONE - 2.27.3 POLICIES	
<p>65.69 ICC Environmental & Planning Policy 8 Signage The submitter points out a drafting error in the Plan and suggests an amendment to read:</p> <p>... to assist people to <u>locate</u> the area of the hospital they are looking for”</p>	<p>Decision 8/7 This submission is accepted.</p> <p>Amendments to District Plan Amend the Explanation in 2.27.3 Policy 8 to read:</p> <p><i>Explanation: 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> <p>Reason The amendment corrects a drafting error.</p>
SEAPORT ZONE - 2.42.3 POLICIES	
<p>24.54 South Port Policy 7 - Signage The submitter supports Policy 7 and seeks its retention.</p>	<p>Decision 8/8 This submission is noted.</p> <p>Amendments to District Plan None required.</p> <p>Reason The submitter supports the provisions in the Proposed Plan and does not seek any changes to them.</p>

APPENDIX 1 - Decisions by Submission

SECTION THREE - RULE 3.16 SIGNAGE											
3.16 General											
<p>65.101 ICC Environmental and Planning Services The submitter considers that the order of provisions is not consistent with the rest of the Plan, with permitted activities stated first, then discretionary, then non-complying. Move 3.16.3 up to before 3.16.2.</p>	<p>Decision 8/9 This submission is accepted.</p> <p>Amendments to District Plan Reformat the order and wording of the rules in Section 3.16 without changing their intent, as set out in Appendix 2 attached.</p> <p>Reason The reformatting provides consistency with other sections in the Proposed Plan without changing the effect of those rules.</p>										
<p>71.56 NZAS Ltd 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. This is to ensure consistency with 2.43.3 – Policy 7. As noted in Policy 7 there are some dimensions of amenity that do not require regulatory controls in the Smelter Zone, given the large and isolated nature of the site, and the self-contained and extensive nature of the smelter itself. 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.</p>	<p>Decision 8/10 This submission is accepted in part.</p> <p>Amendments to District Plan Amend the table in Rule 3.16.1 to read:</p> <table style="margin-left: 20px;"> <tr> <td>Airport Operations Zone:</td> <td>No limit <u>to size of signage</u></td> </tr> <tr> <td>Business 1 Zone</td> <td>No limit <u>to size of signage</u></td> </tr> <tr> <td>Hospital Zone:</td> <td>No limit <u>to size of signage</u></td> </tr> <tr> <td>Seaport Zone:</td> <td>No limit <u>to size of signage</u></td> </tr> <tr> <td>Smelter Zone:</td> <td>No limit <u>to size of signage</u></td> </tr> </table> <p>Reasons</p> <ol style="list-style-type: none"> 1. The purpose of the table in Rule 3.16.1 is to set out the size of signage allowed as of right in each zone, and where no size limit is intended the wording used is not clear. 2. It is intended that the provisos following the table in Rule 3.16.1 should apply to all signs regardless of location. It is not intended to exempt signage in the Smelter Zone or any other zone where no size limit applies from these provisos. It is therefore not appropriate to delete reference to the Smelter Zone from Rule 3.16.1. 3. Consequential to amending the rule in relation to the Smelter Zone, amendment is also required to the Airport Operations, Hospital and Seaport Zones. 4. Policy 7 is amended as a consequence of Decision 23/8 to provide 	Airport Operations Zone:	No limit <u>to size of signage</u>	Business 1 Zone	No limit <u>to size of signage</u>	Hospital Zone:	No limit <u>to size of signage</u>	Seaport Zone:	No limit <u>to size of signage</u>	Smelter Zone:	No limit <u>to size of signage</u>
Airport Operations Zone:	No limit <u>to size of signage</u>										
Business 1 Zone	No limit <u>to size of signage</u>										
Hospital Zone:	No limit <u>to size of signage</u>										
Seaport Zone:	No limit <u>to size of signage</u>										
Smelter Zone:	No limit <u>to size of signage</u>										

APPENDIX 1 - Decisions by Submission

	consistency with Rule 3.16.1 in relation to the Smelter Zone.
<p>80.9 Twisted World Ltd The submitter considers that the performance standards set out in (A) and (C), requiring that signage directly relates to the activity on the site and excluding signage that exceeds the height of buildings, should not apply in the Business 1 or Business 2 Zones.</p>	<p>Decision 8/11 This submission is rejected.</p> <p>Amendments to District Plan None required.</p> <p>Reason It is appropriate to treat signage that is unrelated to an activity taking place on the site on which it is located in a different manner to that which has a functional need to locate there or which is related to activities on the site.</p>
<p>65.100 ICC Environmental and Planning Services The submitter supports this section 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.</p>	<p>Decision 8/12 This submission is accepted in part.</p> <p>Amendments to District Plan Include the following additional rule:</p> <p><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></p> <ul style="list-style-type: none"> (a) <u>The need for the signage in excess of that permitted under Rule 3.16.1</u> (b) <u>The compatibility of the proposed signage with the scale of development and character of the local area</u> (c) <u>The ability to mitigate any adverse effects of the increased signage</u> (d) <u>The effect of the increased signage on safety and the general amenity of the area.</u> <p>Reasons</p> <ol style="list-style-type: none"> 1. The addition rectifies an omission in the Proposed Plan. 2. 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.

APPENDIX 1 - Decisions by Submission

Rule 3.16.1	
<p>24.64 South Port NZ Ltd The submitter supports the provisions of Rule 3.16.1 as it pertains to the Seaport Zone.</p> <p>28.5 Harvey Norman Properties (NZ) Ltd and Harvey Norman Stores (NZ) Pty Ltd The submitter supports Rule 3.16.1 as it reflects the role and amenity of the proposed Business 3 Zone and the importance of signage to commercial activities and seeks its retention.</p>	<p>Decision 8/13 These submissions are noted.</p> <p>Amendments to District Plan None required.</p> <p>Reason The submitters support the provisions in the Proposed Plan and do not seek any changes to them.</p>
<p>53.76 NZ Transport Agency 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.</p>	<p>Decision 8/14 This submission is accepted.</p> <p>Amendments to District Plan None required.</p> <p>Reason The submitter supports the provision and does not seek any changes.</p>
<p>74.13 Bunnings Ltd and 75.18 McDonalds Restaurants (NZ) Ltd The submitters support no limits on signage painted on to, or attached parallel to, buildings in the Business 1 Zone, and consider that this should also be extended to the Business 3 Zone which seeks to provide for destination retailing. Amend 3.16.1 as it applies to the Business 3 Zone:</p> <p>“(a) Signage painted on to, or attached parallel to, buildings” Maximum area: 4m² per metre of street frontage <u>No limit</u>”</p>	<p>Decision 8/15 This submission is accepted.</p> <p>Amendments to District Plan Amend 3.16.1 as it applies to the Business 3 Zone:</p> <p>(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 4m² per metre of street frontage <u>No limit to size of signage.</u></p> <p>Reason Consistency between the Business 1 and 3 zones is appropriate.</p>
<p>81.8 and 81.9 Progressive Enterprises Ltd 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 and 2 Zones 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 29.7m² (each side).</p>	<p>Decision 8/16 These submissions are rejected.</p> <p>Amendments to District Plan None required.</p> <p>Reasons</p>

APPENDIX 1 - Decisions by Submission

	<ol style="list-style-type: none"> 1. As discussed on page 4 of this Decision, the Committee had some concern at the scale of the signage sought, considering it out of character with the amenity of the areas zoned Business 1 and 2, and giving rise also to adverse cumulative effects if allowed as a permitted activity. 2. The standards in the Proposed Plan are suitable within the context of Invercargill and any proposal to exceed the standards should be assessed by way of resource consent.
<p>Rule 3.16.2</p>	
<p>80.10 Twisted World Ltd The submitter opposes the provisions (B) and (C) that take the activity status from a permitted activity to non-complying, in the Business Zones. The submitter suggests that in the Business Zone billboards should be a restricted discretionary activity with criteria refined to address matters of visual amenity and traffic safety only.</p> <p>Amend 3.16.2 so that billboards in the Business Zones are a restricted discretionary activity with discretion restricted to matters such as:</p> <ol style="list-style-type: none"> (i) 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; (ii) 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; (iii) Where not complying with illumination standards for signs, the effect of the illuminated signage on motorists and adjoining properties; (iv) The extent to which the signage creates visual clutter by exceeding the permitted standards of signage for a site, particularly along major arterial roads; (v) The opportunity for signage to enhance business environments and local amenity and character; (vi) The extent to which signage is compatible with the scale and style of any identified heritage building viewed in the same 	<p>Decision 8/17 This submission is rejected.</p> <p>Amendments to District Plan None required.</p> <p>Reason</p> <ol style="list-style-type: none"> 1. As discussed on pages 3 and 4 of this Decision, the Council does not wish to facilitate the erection of billboards within the Business Zones and as a consequence it is appropriate to provide for them as a non-complying activity. 2. While the submitter has identified various factors that could be considered in assessing any application for a billboard, other matters arising from a non-complying status, as set out in Section 104D of the RMA, are also considered relevant.

APPENDIX 1 - Decisions by Submission

context as the sign”.	
Rule 3.16.3	
<p>87.50 Transpower NZ Ltd 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>Amend Rule 3.16.3 with any consequential amendments as follows:</p> <p>The following signage is a permitted activity:</p> <p>(D) Signs on National Grid support structure intended to</p> <p style="margin-left: 20px;">(a) Identify the structure, its owner, or circuit details must cover an area of not more than 1m².</p> <p style="margin-left: 20px;">(b) Help with safety or navigation must cover an area of no more than 6m². “</p> <p>FS 12.13 PowerNet Ltd supports Submission 87.50 insofar as it agrees that the provisions should be made within the Proposed Plan to provide for safety and navigational signage associated with network utilities.</p>	<p>Decision 8/18 This submission is accepted.</p> <p>Amendments to District Plan Add to Rule 3.16.3 (now 3.16.2 as amended by decisions) as a permitted activity:</p> <p><u>(D) Signs on National Grid and other electricity distribution support structures intended to</u></p> <p style="margin-left: 20px;">(i) <u>Identify the structure, its owner, or circuit details, subject to the sign being no larger than 1 m²</u></p> <p style="margin-left: 20px;">(ii) <u>Assist with safety or navigation, subject to the sign being no larger than 6 m²</u></p> <p>Reasons</p> <ol style="list-style-type: none"> 1. The addition is warranted to recognise the importance of safety signage. 2. A slight change in wording from that suggested by the submitter is needed to keep the change within the vernacular of the Proposed Plan. 3. PowerNet at the hearing highlighted the need for such a rule to apply to all electricity transmission support structures, and the Committee agrees that ownership does not impact on the effects of the signage described in the rule.
<p>53.77 NZ Transport Agency In Rule 3.16.3(C)(a) the submitter considers the eight 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 eight month time limit.</p> <p>The submitter seeks to change the eight-month time limit to one 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>Decision 8/19 This submission is accepted in part by adopting Decision 8/20.</p> <p>Amendments to District Plan No further amendments required.</p> <p>Reasons</p> <ol style="list-style-type: none"> 1. As discussed on page 5 of this Decision, it is desirable to remove temporary signage when its purpose has been met, even if it is erected only for a short period of time. 2. A one-month period is too short for activities such as construction works. 3. While the eight-month time limit is arbitrary, it gives a reasonable time for the

APPENDIX 1 - Decisions by Submission

	completion of a building project or other work.
SECTION FOUR - DEFINITIONS	
<p>53.85 NZ Transport Agency 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>	<p>Decision 8/20 This submission is accepted in part.</p> <p>Amendments to District Plan Amending Rule 3.16.3(C) (now 3.16.2(C) as amended by decisions) to read:</p> <p><u>(C) Temporary signage provided that:</u></p> <ul style="list-style-type: none"> <u>(a) The signage is to be in place for no longer than eight months.</u> <u>(b) The signage is limited to a maximum area of 1m² per sign.</u> <u>(c) The sign is removed at the cessation of the activity or situation with which it is associated.</u> <u>(d) The signage is not illuminated.</u> <u>(e) The signage relates directly to the site itself or an activity taking place on the site.</u> <u>(f) The signage is stationary with no mobile or rotating parts.</u> <p>Reasons</p> <ol style="list-style-type: none"> 1. As discussed on pages 4 and 5 of this Decision, it is desirable to remove temporary signage when its purpose has been met, even if it is erected only for a short period of time. 2. While the eight-month time limit is arbitrary, it gives a reasonable time for the completion of a building project or other work. 3. Amending the rule removes the need for a separate definition.

APPENDIX 1 - Decisions by Submission

[THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY]

APPENDIX 2 - Amended District Plan Provisions

SECTION 2 ISSUES, OBJECTIVES AND POLICIES

2.20 Airport Protection Zone

Policy 11 Signage: To protect the amenity and operational requirements of the Invercargill Airport Protection Zone by controlling the size and nature of signage within the Airport Protection Zone.¹

Explanation: Signage has the potential to adversely affect the safe and efficient operation of the airport. Controls are required to ensure the effects of signage are managed.

2.22 Business 1 (Central Business District) Zone

Policy 11 Signage: To recognise and provide for signage as ancillary that contributes to a vibrant and attractive city centre ~~which while avoiding signage that:~~

- (A) ~~Relates~~ Is not related to the activity being undertaken activities on the site premises on which the sign is situated.
- (B) Has the potential to ~~Does not~~ create a nuisance.
- (C) Detracts from the amenities of the area, either because of its size, character or content.²

Explanation:

- (A) Signage is a necessary part of a business and retail centre, to assist people to identify premises or businesses they may be looking for and also to help give those businesses “presence” in the public realm.
- (B) Signage loses its point when it does not relate to the activities carried on in the premises on which the sign is attached or displayed. Signage of a purely advertising nature can detract from the effectiveness of directional signage or signage which identifies an establishment.
- (C) If signage is too large or intrusive it detracts from the effectiveness of other signage in the vicinity. Flashing illuminated signage can be annoying, especially to people who must work or live nearby.

~~**Policy 12 Billboards:** 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.~~

~~**Explanation:** Electronic billboards may add to the vibrancy and attractiveness of the city centre as a venue when they are intended for use for public information or entertainment (e.g. coverage of a sporting event) and where the placement of the billboard relates sensibly to a defined civic space like a square or plaza. Other kinds of billboards are likely to detract from the quality of public spaces.~~³

2.23 Business 2 Zone

~~**Policy 9 Signage:** To provide for signage as ancillary to a vibrant and attractive centre which:~~

- ~~(A) Relates to the activity being undertaken on the premises on which the sign is situated.~~
- ~~(B) Does not create a nuisance.~~

¹ Decision 8/1

² Decision 8/4

³ Decision 8/4

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - Amended District Plan Provisions

To recognise and provide for signage that contributes to a vibrant and attractive centre-while avoiding signage that:

- (A) Is not related to activities on the site on which the sign is situated.
- (B) Has the potential to create a nuisance.
- (C) Detracts from the amenities of the area, either because of its size, character or content.⁴

Explanation:

- (A) *Signage is a necessary part of a business and retail centre, to assist people to identify premises or businesses they may be looking for and also to help give those businesses “presence” in the public realm.*
- (B) *Signage loses its point when it does not relate to the activities carried on in the premises on which the sign is attached or displayed. Signage of a purely advertising nature can detract from the effectiveness of directional signage or signage which identifies an establishment.*
- (C) *If signage is too large or intrusive it detracts from the effectiveness of other signage in the vicinity. Flashing illuminated signage can be annoying, especially to people who must work or live nearby.*

~~**Policy 10 Billboards:** To prohibit billboards (both fixed and electronic) in the Business 2 Zone.~~

~~**Explanation:** Electronic billboards are a visual intrusion in the context of the Business 2 Zone.~~⁵

2.24 Business 3 Zone

Policy 10 Signage:

- ~~(A) To provide for signage associated with business 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 transportation network.~~
- ~~(B) To manage the effects of signage on adjoining Residential Zones.~~
To provide for signage associated with businesses and activities within the Business 3 Zone, while avoiding signage that:
 - (A) Is not related to activities on the site on which the sign is situated.
 - (B) Has the potential to:
 - (i) create a nuisance to users of the airport and the railway; or
 - (ii) give rise to adverse safety impacts and distraction for users of the State Highways and other roading networks.
 - (C) Detracts from the amenities of the area, either because of its size, character or content.⁶

Explanation: *Signage is necessary to properly identify businesses and activities, and because of the vehicle oriented nature of the zone, large signs may be appropriate. It is necessary to establish maxima with respect to size and nature of signs so that signage is meaningful in terms of helping people find the services and products they require. Too many signs that are too large have the cumulative effect that any one sign becomes hard to distinguish and read.*

⁴ Decision 8/4

⁵ Decision 8/4

⁶ Decision 8/4

APPENDIX 2 - Amended District Plan Provisions

Signage unrelated to activities taking place within the Business 3 Zone can create a visual intrusion.

~~**Policy 11 Billboards:** To prohibit billboards (both fixed and electronic) in the Business 3 Zones.~~

~~**Explanation:** Electronic billboards are a visual intrusion in the context of the Business 3 Zone.⁷~~

2.25 Business 4 Zone –

Policy 7 Signage:

- ~~(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.~~

To provide for signage that establishes the identity of businesses within the Business 4 Zone, while avoiding signage that:

- (A) Is not related to activities on the site on which the sign is situated.
- (B) Has the potential to:
 - (i) create a nuisance to users of the the airport and the railway; or
 - (ii) give rise to adverse safety impacts and distraction for users of the State Highways and other roading networks.
- (C) Detracts from the amenities of the area, either because of its size, character or content.⁸

Explanation:

- ~~(A) Signage is a necessary part of a retail business, to assist people to identify premises or businesses they may be looking for and also to help give those business “presence” in the public realm.~~
- ~~(B) Signage loses its point when it does not relate to the activities carried on in the premises on which the sign is attached or displayed. Signage of a purely advertising nature can detract from the effectiveness of directional signage or signage which identifies an establishment.~~
- ~~(C) If signage is too large or intrusive it detracts from the effectiveness of other signage in the vicinity. Flashing illuminated signage can be annoying, especially to people who must work or live nearby.~~
- ~~(D) Billboards are out of scale with the suburban environment.~~

~~**Policy 8 Billboards:** To prohibit billboards (both fixed and electronic) in the Business 4 Zones.~~

~~**Explanation:** Electronic billboards are a visual intrusion in the context of the Business 4 Zone.⁹~~

⁷ Decision 8/4

⁸ Decision 8/4

⁹ Decision 8/4

APPENDIX 2 - Amended District Plan Provisions

2.26 Business 5 Zone

Policy 8 Signage:

- ~~(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.~~

Within the Business 5 Zone to provide for clear and prominent signage giving an enterprise a presence in the area, and clear directional signage, while avoiding signage that:

- (A) Is not related to activities on the site on which the sign is situated.
- (B) Has the potential to:
 - (i) create a nuisance; or
 - (ii) give rise to adverse safety impacts and distraction for users of the State Highways and other roading networks.
- (C) Detracts from the amenities of the area, either because of its size, character or content.¹⁰

Explanation: *Clear and prominent signage establishing the locality and identity of individual enterprises, and how to get about their sites, is an expected amenity of the zone. Signage should not be a distraction or a nuisance to users of the transportation network, especially the State Highway. Excessive signage can detract from the effectiveness of directional or locational signage. Signage unrelated to the purpose or activity of the site detracts from the appearance of the immediate area and of the District generally.*

~~**Policy 9 Billboards:** To prohibit billboards (both fixed and electronic) in the Business 5 Zones.~~

~~**Explanation:** *Electronic billboards would be a visual intrusion in the context of the Business 5 Zone and a possible hazard to users of the State Highway.¹¹*~~

2.27 Hospital Zone

Policy 8 Signage: To provide for clear directional signage and identification of the hospital and individual hospital buildings, particularly emergency facilities while avoiding signage that:

- (A) Is not related to activities within the Hospital Zone.
- (B) Detracts from the amenities of the area either because of its character or content.¹²

Explanation: *Signage is a necessary part of a hospital facility to assist people to locate¹³ 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.

¹⁰ Decision 8/4

¹¹ Decision 8/4

¹² Decision 8/4

¹³ Decision 8/7

APPENDIX 2 - Amended District Plan Provisions

If signage is ~~too large or~~ ¹⁴intrusive it detracts from the effectiveness of other signage in the vicinity.

Smelter Zone

Policy 7¹⁵ Wind, signage site coverage, height of structures, ~~private open space and density~~, landscaping, planting and screening, ~~public open space~~, weather protection: To acknowledge that these dimensions of amenity do not require regulatory controls in the Smelter Zone.

Explanation: *Because of the large and isolated nature of the site and the self-contained and extensive nature of the smelter operation, these dimensions of amenity are not relevant in the zone.*

SECTION THREE - RULES

3.16 Signage

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

Zone	Provisions
Airport Operations Zone	No limit <u>to size of signage</u> ¹⁶
Airport Protection Zone	(a) Signage painted on, or attached parallel to, buildings: Maximum area: 0.25m ² ; OR (b) Freestanding signage and signage attached at an angle to buildings: (i) Maximum combined area: 0.25m ² (ii) Maximum height: 2m
Business 1 Zone	(a) Signage painted on to, or attached parallel to, buildings: No limit <u>to size of signage</u> ¹⁷ (b) Free standing signage: (i) Maximum area: 14m ² ; (ii) Maximum height: 9m; OR (c) Signage attached at an angle to the building: 14m ² ; OR (d) Any combination of (b) and (c) not exceeding a total of 14m ²
Business 2 Zone	(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1m ² per metre of street frontage (b) Free standing signage: (i) Maximum area: 8m ² (ii) Maximum height: No higher than the building to which it relates; OR (c) Signage attached at an angle to the building: 8m ² ; OR (d) Any combination of (b) and (c) not exceeding a total of 8m ²
Business 3 Zone	(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1m² per metre of street frontage <u>No limit to size of signage</u> ¹⁸ (b) Free standing signage: (i) Maximum area: 14m ² (ii) Maximum height: 9m; OR

¹⁴ Minor amendment made under Clause 16(2) of the RMA First Schedule

¹⁵ Decision 23/8

¹⁶ Decision 8/10

¹⁷ Decision 8/10

¹⁸ Decision 8/15

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - Amended District Plan Provisions

Zone	Provisions
	(c) Signage attached at an angle to the building: 14m ² ; OR (d) Any combination of (b) and (c) not exceeding a total of 14m ²
Business 4 Zone	(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1m ² per metre of street frontage (b) Free standing signage: (i) Maximum area: 8m ² (ii) Maximum height: no higher than the building to which it relates; OR (c) Signage attached at an angle to the building: 8m ² ; OR (d) Any combination of (b) and (c) not exceeding a total of 8m ²
Business 5 Zone	(a) Signage attached on or attached parallel to building: 1m ² per metre of street frontage (b) Free standing signage and signage attached at an angle to buildings: (i) Maximum combined area: 14m ² (calculated per tenancy). (ii) Maximum height: 9m
Hospital Zone	No limit to size of signage ¹⁹
Industrial 1, 2, 3 and 4 Zones	(a) Signage painted on, or attached parallel to, buildings: Maximum area: 1m ² per metre of street frontage (b) Freestanding signage and signage attached at an angle to buildings: (i) Maximum combined area: 14m ² (ii) Maximum height: 12m
Otatara Zone Residential 1, 1A, 2 and 3 Zones Airport Protection Zone	(a) Signage painted on, or attached parallel to, buildings: Maximum area: 0.25m ² ; OR (b) Freestanding signage and signage attached at an angle to buildings: (i) Maximum combined area: 0.25m ² (ii) Maximum height: 2m
Rural 1 and 2 Zones	(a) Signage painted on to, or attached parallel to, buildings: Maximum area: 1.5m ² ; OR (b) Free standing signage: (i) Maximum area: 1.5m ² (ii) Maximum height: No higher than 2m; OR (c) Signage attached at an angle to the building: Maximum area: 1.5m ²
Seaport 1 and 2 Zones ²⁰	No limit to size of signage ²¹
Smelter Zone	No limit to size of signage ²²

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.

¹⁹ Decision 8/10

²⁰ Consequence of Decision 22/11 and 22/13

²¹ Decision 8/10

²² Decision 8/10

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - Amended District Plan Provisions

- (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 4 ~~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.

3.16.2²³ 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 signage 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 1m² per sign.
 - (c) The sign is removed at the cessation of the activity or situation with which it is associated.
 - (d) The signage is not illuminated.
 - (e) The signage relates directly to the site itself or an activity taking place on the site.
 - (f) The signage is stationary with no mobile or rotating parts.²⁴
- (D)²⁵ Signs on National Grid and other electricity distribution support structures intended to:
 - (a) Identify the structure, its owner, or circuit details, subject to the sign being no larger than 1m² or

²³ Decision 8/9 reorders the Rule

²⁴ Decision 8/20

²⁵ Decision 8/18

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - Amended District Plan Provisions

(b) Assist with safety or navigation, subject to the sign being no larger than 6m²

3.16.23²⁶

The following signage is a discretionary activity:

Within the following Zones:

- Business 1, Business 2, Business 3, Business 4, Business 5, Business 6
- Industrial 1, Industrial 2, Industrial 2A, Industrial 3, Industrial 4
- Rural

~~(A) 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 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.~~

3.16.3 ~~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 the 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 1m² per sign.~~

~~(c) The signage meets Rule 3.16.1(A) – (G) above.~~

3.16.4²⁷ 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.

²⁶ Decision 8/9 reorders the Rule

²⁷ Decision 8/12

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - Amended District Plan Provisions

(D) The effect of the increased signage on safety and the general amenity of the area.

3.16.5²⁸ 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.

²⁸ Decision 8/9 reorders the Rule

Note: Underline indicates additions, strikethrough indicates deletions.