

Gore Proposed District Plan

Hearing Stream 5

Part 2: District Wide Matters - Signs

Section 42A of the Resource Management Act 1991

Section 42A Report – Signs Chapter

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Appendix A – Track change amendments to Sign Chapter

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Interpretation

Abbreviations

Resource Management Act 1991	RMA or 'the Act'
Gore District Council	GDC or 'the Council'
Operative District Plan	ODP
Proposed District Plan	PDP
National Planning Standards 2019	PS
Southland Regional Policy Statement 2017	RPS
National Policy Statements	NPS
National Policy Statement on Highly Productive Land	NPS-HPL
National Policy Statement for Freshwater Management	NPS-FM
National Policy Statement for Urban Development	NPS-UD
National Environmental Standards	NES
National Environmental Standard for Freshwater 2020	NES-F
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	NES-CS
Permitted Activity	PA
Controlled Activity	CA
Restricted Discretionary Activity	RDA
Discretionary Activity	DA
Non-complying Activity	NCA

Submitters and Further Submitters Names Abbreviations

Fire and Emergency New Zealand	FENZ
Heritage New Zealand Pouhere Taonga	Heritage NZ
Kāinga Ora – Homes and Communities	Kāinga Ora
KiwiRail Holdings Limited	KiwiRail
Ministry of Education	MOE
New Zealand Transport Agency Waka Kotahi	NZTA
Southland District Council	SDC
Southland Federated Farmers of New Zealand	Federated Farmers
Spark New Zealand Trading Limited	Spark
Transpower New Zealand Limited	Transpower

List of Submitters and Further Submitters

Submitter Number	Submitter Name
S148	Alistair & Bernadette Hunt
S124	Fire and Emergency NZ
S65	Gore District Council
S123	Heritage New Zealand Pouhere Taonga
S108	HWR Property Limited
S68	John Baynes
S115	Kevin Robertson
S132	KiwiRail Holdings Ltd
S60	Ronald Crispin
S143	Rural Ratepayers Group
S146	Southland District Council
S126	Southland Federated Farmers of New Zealand
S101	Transpower New Zealand Limited
S112 & FS14	Waka Kotahi NZ Transport Agency

1. Executive Summary

1. The Proposed District Plan (“PDP”) for Gore District was publicly notified on 31 August 2023. The PDP includes a Signs Chapter within the Part 2: District Wide Matters - District Wide Matters section.
2. The Signs Chapter enables signage to provide for the social and economic well-being of the community whilst managing the potential adverse effects signage may have on the amenity values and health and safety of the district.
3. The provisions recognise that signage contributes to the social, cultural and economic well-being of the district by allowing people and communities to advertise businesses and events as well as community opportunities, health and safety messages and providing direction and way finding. However, the rule framework provides restrictions to ensure signs do not result in visual clutter which may adversely affect amenity values and do not harm or detract from the heritage values of scheduled heritage buildings or items. Furthermore, signs are managed to ensure that they do not have adverse effects on the safety of road users, including pedestrian and cyclists.
4. A total of 55 submissions and 3 further submissions were received on the Signs Chapter. The submissions were generally either in support or seeking minor amendments to improve clarity and plan useability, however, some greater amendments were sought from NZTA in relation to the management of signs visible from the state highway.
5. Other amendments included increasing the number of signs permitted on rural properties and the size of signs in industrial zones as well as deleting a minimum height requirement for freestanding signs and ensuring the objectives and policies provided greater clarity.
6. This report has been prepared in accordance with Section 42A of the RMA and outlines recommendations in response to the issues that have been identified through submissions. The report is intended to assist the Hearings Panel to make decisions on the submissions and further submissions on the PDP, and to provide submitters with an opportunity to understand how their submissions have been evaluated and the recommendations made by officers, prior to the hearing.
7. As a result of submissions, a range of recommended changes have been made which are broadly summarised as follows:
 - Amendments to the overview to clarify that signs are to identify, as well as advertise, businesses, products and services and make it clear that signs located within, or partly within, the state highway would require the permission of NZTA.
 - Increased clarity within the objectives and policies to reference rail corridors, cyclists and heritage values as well as to ensure consideration is given to the safe, efficient and effective function and operation of the transport network.
 - Amendments to the standards to provide greater controls for signs to manage potential adverse effects on the transport network, including the state highway. Allow

for a greater number of signs on rural properties and larger signs within the industrial zones and provide greater direction in relation to illumination of digital signs.

2. Introduction

2.1 Author and qualifications

8. My name is Victoria Emily Jane Woodbridge, I am the author of this report. I am employed by The Property Group as a Principal Planner. I hold a Bachelor of Arts (Honors) English and Media Studies from the University of Glamorgan, UK and a Masters in Urban and Regional Planning from the University of Westminster, UK. I am an Associate member of the New Zealand Planning Institute (NZPI) and I have over 15 years' experience in planning and resource management, including policy development and associated report and evidence preparation.
9. I have been engaged as a contractor by Gore District Council to assist in the District Plan review and prepare the draft and proposed District Plans. I have been the lead planner on the preparation of a number of other Zone and District Wide Matter Chapters and was involved in the preparation and notification of the Signs Chapter.
10. My experience includes Council initiated Plan Changes and variations for Tasman District Council and Far North District Council and private Plan Changes for several private clients.

2.2 Code of Conduct

11. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Having reviewed the submitters and further submitters relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel. The opinions expressed in this evidence are based on my qualifications and experience and are within my area of expertise. If I rely on the evidence or opinions of another my evidence will acknowledge that position.
12. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearing commissioners ("Hearings Panel").

3. Scope of report and topic overview

13. This report considers the submissions and further submissions that were received by the Council in relation to the Signs Chapter of the PDP. In addition, several definitions which particularly relate to the Sign Chapter are also assessed within this report.
14. The assessment of submissions will generally follow this format:
 - Submission information
 - Analysis of submissions
 - Recommendation and any amendments

15. Given the minor nature and low scale of significance for most recommended amendments, combined section 32AA evaluations have been prepared for groups of amendments based on plan provisions.
16. Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions, which are shown by way of strikeout and underlining. **Appendix A** of this report contains a copy of the Signs Chapter with all recommended amendments are shown by way of strikeout and underlining.
17. Clause 10(2)b of the RMA allows decisions on the PDP to include matters relating to consequential alterations to the PDP which are necessary, relevant or arising from submissions. There are several recommended consequential amendments to the Sign Chapter based on previous Section 42A report recommendations, these are detailed in Section 7 of this report.
18. The Section 42A Introduction, General Provisions and Strategic Direction Report includes details of the PDP notification, submission statistics etc. The Section 32 Evaluation Report for Signs provides a comprehensive evaluation and assessment of the provisions. It is not considered necessary to repeat this analysis here.

4. Statutory considerations and planning framework

4.1 Resource Management Act 1991

19. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
 - Section 74 – Matters to be considered by territorial authorities; and
 - Section 75 – Content of District Plans.
20. As set out in the Section 32 Evaluation Report for the Signs Chapter there are a number of higher order planning documents and other relevant plans which have provided direction and guidance for the preparation of the PDP. These documents and a comprehensive assessment of all relevant consultation and statutory considerations prior to public notification of the PDP are outlined in that Section 32 Report. The Section 42A Introduction, General Provisions and Strategic Direction Report also provides an overview of the relevant statutory considerations, higher order planning documents and other relevant plans and policies.
21. It is not considered necessary to repeat the detail of the relevant RMA sections and higher order documents in this report as these are covered within the relevant Section 32 Evaluation Report. However, where a higher order document is considered particularly relevant to the assessment of submissions or where there have been amendments to higher documents relevant to this topic these are discussed below.

4.2 National Planning Instruments and other Relevant Plans and Policies

22. The Section 32 Evaluation Report for Signs provides details of relevant national and regional policies and plans.
23. I do not consider there to be any National Policy Statements which are directly relevant although the National Policy Statement for Urban Development (NPS-UD) is relevant in respect of ensuring urban environments are well-functioning and the acknowledgment that amenity values will be reflective of the planned urban built form anticipated by the RMA, PDP and NPS-UD.
24. The NES for Electricity Transmission Activities Regulations 2009 relates to the management of existing electricity transmission lines. Clauses 23 and 24 set out permitted and restricted discretionary standards for installing or modifying signs on existing transmission line support structures. Such signs are considered to be 'official signs' and will be enabled by proposed Rule SIGN-R1.
25. The Southland Regional Policy Statement (RPS) does not specifically refer to signs although the urban section of the RPS contains objectives which seek to ensure that urban environments are well-functioning and provide a safe, healthy and stimulating environment. The objectives also recognise that development can result in a range of negative effects which includes reduced amenity values.

4.3 Section 32AA evaluation

26. Any recommended amendments to provisions since the initial section 32 evaluation was undertaken are evaluated in accordance with section 32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) further evaluation required under this Act-

- (a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
- (b) must be undertaken in accordance with section 32(1) to (4); and*
- (c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
- (d) must—*
 - (i) published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*
 - (ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

(2) To avoid doubt an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

(3) In this section, proposal means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.

27. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the topics of this report is contained within the assessment of the relief sought in submissions in section 3, as required by s32AA(1)(d)(ii).
28. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.

5. Consideration of submissions

5.1 Structure of the report

29. Submissions on the Signs Chapter have raised a number of issues which have been grouped by Plan provision within this report, and where there are limited submissions on Plan provisions these may be grouped if there are common themes. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
30. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on a provisions-based approach, as opposed to a submission by submission approach. I have generally organised the evaluation in accordance with the layout of chapters of the PDP as notified.
31. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in **Appendix B**.
32. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as **Appendix A**.
33. This report only addresses definitions and submissions on mapping specifically relevant to this topic. Definitions that relate to more than one topic and general mapping submissions have been addressed in the Section 42A Introduction, General Provisions and Strategic Direction Report.

5.2 Overview of submissions

34. A total of 55 submissions and 3 further submissions are addressed in this report. A list of submitters on the Signs Chapter is provided at the start of the report.

35. The submissions were generally either in support or seeking minor amendments to improve clarity and plan useability, however, some greater amendments were sought from NZTA in relation to the management of signs visible from the state highway.
36. Other amendments included increasing the number of signs permitted on rural properties and the size of signs in industrial zones as well as deleting a minimum height requirement for freestanding signs and ensuring the objectives and policies provided greater clarity.

5.3 Format for consideration of submissions

37. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:
- Matters raised by submitters;
 - Assessment;
 - Summary of recommendations; and
 - Section 32AA assessment.
38. The recommended amendments to the relevant chapters are set out in **Appendix A** of this report where all text changes are shown in a consolidated manner.

5.4 General Whole Plan submissions

Matters raised by Submitter

39. General submissions in support of the PDP from Hokonui Rūnanga (s139.093), McNabb Management Ltd (s103.031) and Transpower New Zealand Ltd (s101.103) were received. These submissions support the plan but for their requested changes in the specific submissions.

Assessment and Recommendation

40. I acknowledge the support from the submissions. I accept them in part to the extent that I have recommended changes in this report.

5.5 Definitions and General Submissions

Matters raised by submitters

41. Federated Farmers (s126.026), Kevin Robertson (s115.047), Rural Ratepayers Group (s143.058), Alistair & Bernadette Hunt (s148.059), Ronald Crispin (s60.049) and John Baynes (s68.167) support the definition of 'sign' and seek that it is retained as notified.
42. Southland District Council (s146.069) support the Signs Chapter.

Assessment and Recommendation

43. The support from Federated Farmers (s126.026), Kevin Robertson (s115.047), Rural Ratepayers Group (s143.058), Alistair & Bernadette Hunt (s148.059), Ronald Crispin (s60.049)

and John Baynes (s68.167) for the definition of 'sign' is acknowledged and accepted and no amendments are recommended.

44. The support from Southland District Council (s146.069) is acknowledged and accepted.

45. It is recommended that submissions are accepted as shown in **Appendix B**.

5.6 Submissions on Overview

Matters raised by submitters

46. Federated Farmers (s126.026), Kevin Robertson (s115.047), Rural Ratepayers Group (s143.058), Alistair & Bernadette Hunt (s148.059), Ronald Crispin (s60.049) and John Baynes (s68.167) support in part and seeks an amendment to the overview section. The amendment is sought to recognise that signage can be used to identify farms in rural areas but does not necessarily advertise these businesses, for example a dairy farm where signage is needed for tankers to identify the farm:

Signs contribute to the social, cultural, and economic well-being of the District by providing community, consumer, and destination information, safety messages, traffic controls, and the opportunity to advertise and identify businesses, products and services. Signage is an accepted part of the urban environment.

Assessment

47. In response to Federated Farmers (s126.026), Kevin Robertson (s115.047), Rural Ratepayers Group (s143.058), Alistair & Bernadette Hunt (s148.059), Ronald Crispin (s60.049) and John Baynes (s68.167) I agree that signage may have the purpose of identifying as well as advertising and therefore consider the amendment sought would be appropriate.

48. I agree that the overview section should be amended as sought by the submitters:

Signs contribute to the social, cultural, and economic well-being of the District by providing community, consumer, and destination information, safety messages, traffic controls, and the opportunity to advertise and identify businesses, products and services. Signage is an accepted part of the urban environment.....

Recommendation

49. For the reasons given above I recommend that the overview section is amended as follows:

Signs contribute to the social, cultural, and economic well-being of the District by providing community, consumer, and destination information, safety messages, traffic controls, and the opportunity to advertise and identify businesses, products and services. Signage is an accepted part of the urban environment.....

50. It is recommended that submissions are accepted as shown in **Appendix B**.

5.7 Submissions on Objectives and Policies

Matters raised by submitters

SIGN-O2

51. NZTA (s112.114) supports in part SIGN-O2 and seeks an amendment to make the objective more explicit and maintain consistency with the Government Policy Statement on Land Transport 2021/2022 – 2030/2031:

Signage does not affect the safety, efficiency and effectiveness of users of the transportation network, including pedestrians and cyclists.

52. KiwiRail (s132.103) supports SIGN-O2 and seeks that it is retained as notified.

SIGN-P1 & SIGN-P2

53. NZTA (s112.115 & s112.116) supports SIGN-P1 and SIGN-P2 and seeks that they are retained as notified.

54. KiwiRail (s132.104) seeks an amendment to SIGN-P2 to include reference to rail corridors:

Avoid the location of signage within legal roadways, rail corridors, except for official signage.

SIGN-P3

55. NZTA (s112.117) supports in part but seeks an amendment to SIGN-P3 to include the word 'cyclists' as they are not captured within the definition of pedestrian but can equally be affected by inappropriate signage:

Ensure signs are of a type, scale and design which is appropriate for the location by having regard to the following

1. the safety of road users including pedestrians and cyclists.

56. HNZPT (s123.017) seeks an amendment to SIGN-P3 to reflect that incompatible signs can affect heritage values beyond the character of the area. The amendment will also align with the matters of discretion for the rules. The submitter also considers that the relevant sign Standards should be amended to incorporate consideration for heritage values in line with the recommended amendment for Policy 3:

Ensure signs are of a type, scale and design which is appropriate for the location by having regard to the following:

- ... 2. the amenity and heritage values, local character, cultural relationships and streetscape.

SIGN-P5

57. NZTA (s112.118) supports in part SIGN-P5 and seeks an amendment to reflect that temporary signs, particularly offsite signs, can have an adverse effect on the safety, efficiency and effectiveness of the transport network:

Provide for temporary signs, including off-site temporary signs where their duration, size and number are limited to maintain the character and visual amenity of the surrounding area and to ensure the safe, efficient and effective function and operation of the transport network.

Assessment

SIGN-O2

58. In response to NZTA (s112.114) I agree that the additional wording would be appropriate as it would be consistent with other objectives and policies across the PDP which relate to the transport network, for example TRANS-O1¹. However, the amendment proposed by NZTA means the objective does not have appropriate grammatical syntax because it reads as though signs must not affect the efficiency and effectiveness of users rather than the transport network.

59. To address this issue and respond to the submission I recommend the following amendment:

Signage does not affect the safe, effective and efficient operation of the transport network safety of road users ~~of the transportation network~~, including pedestrians and cyclists.

60. The support from KiwiRail (s132.103) for SIGN-O2 is acknowledged and accepted subject to the above amendments.

SIGN-P1

61. The support from NZTA (s112.115) for SIGN-P1 is acknowledged and accepted and no amendments are recommended.

SIGN-P2

62. The support from NZTA (s112.116) for SIGN-P2 is acknowledged and accepted.

63. In response to KiwiRail (s132.104) I agree that amending SIGN-P2 to refer to avoiding signs being placed within the rail corridor would be appropriate and align with SIGN-S1 which includes requirements for signs adjacent to roads and the rail corridor. I therefore recommend that SIGN-P2 is amended as follows:

¹ Gore Proposed District Plan – Part 2: District Wide Matters – Energy, Infrastructure, Transport – Transport – TRANS-O1 “a transport network is provided that is safe, effective, and efficient in moving people and commodities within, to, through and from Gore District.”

Avoid the location of signage within legal roadways and rail corridors, except for official signage.

SIGN-P3

64. In response to NZTA (s112.117) I agree that amending SIGN-P3(1) to reference cyclists would be appropriate given SIGN-O2 and the matters of discretion for the rules and standards refer to the potential effects on cyclists as well as pedestrians.
65. In response to HNZPT (s123.017) I agree that as there are rules and standards relating to signs on heritage buildings it would be appropriate to reference heritage values within the policy.
66. Therefore, in response to the above submissions, I recommend amending SIGN-P3 as follows:

Ensure signs are of a type, scale and design which is appropriate for the location by having regard to the following:

1. the safety of road users including pedestrians and cyclists.
2. the amenity and heritage values, local character, cultural relationships and streetscape.....

SIGN-P5

67. In response to NZTA (s112.118) I agree that temporary signs could have an adverse effect on the road safety. I also consider that the proposed wording would align with the amendment recommended to SIGN-O2 and other comparable policies throughout the PDP.
68. Therefore, I recommend the following amendment to SIGN-P5 which I consider will align with the drafting style and terminology used throughout the chapter. I also recommend some reformatting of the policy to ensure it reads coherently and clearly:

Provide for temporary signs, including off-site temporary signs where their duration, size and number are limited to:

1. maintain the character and visual amenity of the surrounding area; and
2. ensure the safe, efficient and effective function and operation of the transport network are managed.

Recommendation

69. For the reasons given above I recommend that SIGN-O2, SIGN-P2, SIGN-P3 and SIGN-P5 are amended as follows:

SIGN-O2

Signage does not affect the effective and efficient operation of the transport network or the safety of road users ~~of the transportation network~~, including pedestrians and cyclists.

SIGN-P2

Avoid the location of signage within legal roadways and rail corridors, except for official signage.

SIGN-P3

Ensure signs are of a type, scale and design which is appropriate for the location by having regard to the following:

1. the safety of road users including pedestrians and cyclists.
2. the amenity and heritage values, local character, cultural relationships and streetscape.....

SIGN-P5

Provide for temporary signs, including off-site temporary signs where their duration, size and number are limited to:

1. maintain the character and visual amenity of the surrounding area; and
2. ensure the safe, efficient and effective function and operation of the transport network are managed.

70. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

5.8 Submissions on Rules – Transpower, KiwiRail, FENZ & HWR Property

Matters raised by submitters

71. Transpower (s101.074) and KiwiRail (s132.105) support SIGN-R1 and seek that the rule is retained as notified.
72. HWR Property (s108.002 & s108.003) support SIGN-R3 & SIGN-R4 and seek that they are retained as notified.
73. FENZ (s124.035) supports in part SIGN-R5 but seeks an amendment to have signs that are associated with emergency service facilities exempt from this rule:

Except that: This rule does not apply to signage associated with emergency services facilities, such as fire stations.

74. NZTA (FS14.021) oppose the submission from FENZ (s124.035) as they consider it is not clear from the submission why an exemption should be made in this instance for FENZ signage.

Assessment

75. The submissions in support from Transpower (s101.074) and KiwiRail (s132.105) are acknowledged and accepted.
76. The support from HWR Property (s108.002 & s108.003) for SIGN-R3 & SIGN-R4 is acknowledged and accepted.

77. In response to FENZ (s124.035) it is unclear why an exception to the rules is required for emergency service facilities, and in this regard I agree with NZTA (FS14.021). SIGN-R1 provides for 'official signs' as a permitted activity. Official signs are defined in the PDP as *"all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety."* This would allow emergency service facilities to erect signs that were required under regulations or statutes, however, other than that I do not consider it appropriate to exempt emergency service facilities from the requirements relating to freestanding signs. As with any other activity a proliferation of signage could have a detrimental effect on the amenity values of the area and / or on the safe use of the transport network. For this reason, I reject the submission and accept the further submission from NZTA.

Recommendation

78. For the above reasons I do not recommend any amendments to respond to the above submissions.
79. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

5.9 Submissions on Rules – NZTA

Matters raised by submitters

80. NZTA (s112.120) supports SIGN-R1 and seek that the rule is retained as notified.
81. NZTA (s112.121) supports in part SIGN-R2 and seeks an amendment to the matters of discretion to include consideration of the extent to which the temporary sign will impact on safety, efficiency and effectiveness of the wider transport network including the state highway and the outcomes of consultation with NZTA:

~~.....4. Effects on road safety.~~ The extent to which the temporary sign will impact on the safety, efficiency and effectiveness of the transport network. This includes the outcome of any consultation with Waka Kotahi New Zealand Transport Agency where the sign is visible from any State Highway.

82. NZTA (s112.122) supports SIGN-R3 and seeks that it is retained as notified
83. NZTA (s112.123, s112.124, s112.125, s112.126, s112.127 & s112.128) support in part SIGN-R2, SIGN-R4, SIGN-R5, SIGN-R6 and seek that they are retained as notified subject to amendments to the matters of discretion to include consideration of the outcomes of consultation with NZTA:

This outcome of any consultation with Waka Kotahi New Zealand Transport Agency where the cultural marker is visible from any State Highway.

84. NZTA (s112.129 & s112.130) opposes in part SIGN-R7 and seek an amendment to require digital signs which would be visible from a state highway to require resource consent as a restricted discretionary activity in Commercial, Mixed Use, Field Days and Industrial zones. NZTA supports a non-complying activity status for other zones. An amendment is also sought

to the matters of discretion. The amendments are sought to allow for an assessment of the effects on the safe, efficient and effective use of the state highway.

SIGN-R7

Digital Signs

Permitted Where

.... 3. The sign is not visible from a State highway.

Activity status where compliance is not achieved with:

SIGN-R7(1) and (3): Restricted Discretionary

Matters of Discretions:

.....2. The extent to which the digital sign will impact on the safety, efficiency and effectiveness of the transport network. This includes the outcome of any consultation with Waka Kotahi New Zealand Transport Agency where the sign is visible from any State Highway.

Assessment

85. In response to NZTA (s112.121), the matters of discretion for SIGN-R2 to replace 'effects on road safety' with 'the extent to which the temporary sign will impact on the safety, efficiency and effectiveness of the transport network'. I agree that the amended wording would more closely align with the recommended amendments to Policy SIGN-P5 and therefore accept this part of the submission.
86. In response to NZTA (s112.121, s112.123, s112.124, s112.125, s112.126, s112.127 & s112.128) to include a matter of discretion relating to the outcome of consultation with NZTA, this is not recommended as it could be misconstrued as a requirement to consult or obtain approval from NZTA. Any approval should only be required where NZTA is identified as an affected party through the processing of a resource consent in accordance with the requirements of the RMA.
87. In response to NZTA (s112.129 & s112.130) I agree that in principle some digital signs could have an adverse effect on road safety, particularly the state highway where there may be higher speeds or intersections with higher traffic levels. However, I do not agree with a blanket limit requiring any digital sign visible from the state highway to require resource consent, smaller signs may have less of an effect, particularly if they are only partially visible. Larger signs such as billboards, however, may have a greater adverse effect and so it may be more appropriate to control larger signs. I would recommend that the submitter provide some further evidence on the potential adverse effects from digital signs and consider whether the restriction should apply to all digital signs or only those over a certain size.
88. Standard SIGN-S3 provides requirements for digital signs and it should be noted that digital signs are limited to urban zones (other than Field Days Zone) which is consistent with the activities and levels of amenity anticipated within these zones. Amendments to SIGN-S3 to reflect the NZTA submission requiring standards for luminance levels where digital signs are visible from the state highway is considered to assist in mitigating potential adverse effects on the state highway.

Recommendation

89. For the above reasons I recommend an amendment to SIGN-R2 as follows, I recommend altering the wording from that sought by NZTA to ensure consistent drafting style and to provide a more concise matter of discretion:

.....4. ~~Effects on road safety.~~ The effects on the safety, efficiency and effectiveness of the transport network.

90. No other amendments to rules are recommended in response to submissions from NZTA.

91. It is recommended that submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

5.10 Submissions on Standards - NZTA

Matters raised by submitter

Additional Note

92. NZTA (s112.119) seeks to include an additional note to explain that signs (except official signs) located within the state highway are managed by Waka Kotahi New Zealand Transport Agency under the Signs on State Highways Bylaw 2010 and Traffic Control Devices Manual 2011 - Part 3 Advertising Signs subject to some limitations and exemptions:

Note 2

Signs located within or partly within a State highway are managed and assessed by Waka Kotahi New Zealand Transport Agency in accordance with the New Zealand Transport Agency's 'State Highways Bylaw 2010' and 'Traffic Control Devices Manual 2011 - Part 3 Advertising Signs'. Except that this does not apply to any sign constructed, maintained and displayed behind the kerbline of any State highway in an area where a 50 kilometre per hour, or lesser, speed limit applies, which are regulated by the territorial authority.

SIGN-S1

93. NZTA (s112.133) support in part SIGN-S1 but seek clarification as to whether the area is intended to be encapsulated by a 'transport corridor' which is undefined, a definition would provide increased clarity.

SIGN-S3

94. NZTA (s112.133) support in part SIGN-S3 and raise a concern with the double negative arising from the use of 'not' in clause 1 which affects the interpretation of clause (b) and that the wording of clause (f) is unclear and an amendment is sought to require a minimum of 0.5 seconds dissolve transition between images.

Additional Standards

95. NZTA (s112.131) seeks an amendment to standards to align or partly align with the best practical design principles in Waka Kotahi NZ Transport Agency's 'Third Party Signs on and visible from the State Highway Corridor' Planning & Policy Manual (30th June 2023) Version 1.1 document. NZTA therefore seeks amendments to ensure greater consideration is given to safety requirements for signs (excluding official signs) as they apply to the state highway. The submission seeks to amend the Sign Chapter to include additional standards as outlined below or that the PDP standards are amended to include these requirements:

Signs (excluding official signs) must not be located on a site adjoining any section of a State highway with a speed limit of 70 km/hr or more.

Signs (excluding official signs) must not be shaped or use images or colours, including changeable messages that could be mistaken for an official sign.

Signs on a site adjacent to and visible from any section of a State highway, must comply with the minimum lettering sizes in SIGN-Table 1.

SIGN - Table 1

<u>Posted Speed Limit (km/hr)</u>	<u>Letter Height (mm)</u>	
	<u>Main Message</u>	<u>Secondary Message</u>
<u>50</u>	<u>150</u>	<u>75</u>
<u>60</u>	<u>175</u>	<u>90</u>
<u>70</u>	<u>200</u>	<u>100</u>
<u>80</u>	<u>250</u>	<u>125</u>
<u>100</u>	<u>300</u>	<u>150</u>

Any sign (excluding official signs) located on a site adjoining any section of the State highway must not obscure the visibility of any official road sign, intersection, vehicle crossing, bend, corner and pedestrian facility.

Any sign (excluding official signs) on a site adjoining any section of a State highway must not be located within 100m of any intersection, official signs, curves with chevron signing and pedestrian crossings within the Local Centre Zone, Mixed Use Zone, Town Centre Zone, General and Light Industrial Zone, Neighbourhood Centre Zone, Residential Zones and Settlement Zone and Open Space and Recreation Zone.

Any sign (excluding official signs) on a site adjoining any section of a State highway must not be located within 200m of any intersection, official signs, curves with chevron signing and pedestrian crossings within the General Rural Zone, Rural Lifestyle Zone and Field Days Zones.

Any sign (excluding official signs) on a site adjoining any section of a State highway must comply with the minimum forward sight distance requirements in the SIGN - Table 2 below:

SIGN – Table 2 Minimum forward sight distance to signs adjoining a State highway:

<u>Posted Speed Limit (km/hr)</u>	<u>Minimum Visibility Distance (m)</u>
<u>50</u>	<u>80</u>
<u>60</u>	<u>105</u>
<u>70</u>	<u>130</u>
<u>80</u>	<u>175</u>
<u>100</u>	<u>250</u>

Any sign (excluding official signs) on a site adjoining any section of a State highway must comply with the minimum distances between signs requirements in SIGNS – Table 3 below:

SIGN – Table 3 Minimum separation distances between signs adjoining a State highway:

<u>Posted Speed Limit (km/hr)</u>	<u>Minimum Spacing (m)</u>
<u>50</u>	<u>80</u>
<u>60</u>	<u>55</u>
<u>70</u>	<u>60</u>
<u>80</u>	<u>70</u>
<u>100</u>	<u>80</u>

Signs (excluding official signs) on a site located adjacent to and visible from any section of a State highway must comply with the maximum luminances given in SIGN-Table 4 below:

SIGN – Table 4 Maximum luminance (cd/m²) of digital and illuminated advertising devices (Luminances taken from AS/NZS 4282;2019 Control of the obtrusive effects of outdoor lighting):

<u>Zones</u>	<u>Luminance (cd/m²)</u>
<u>Residential zones</u>	<u>250</u>
<u>Rural zones</u>	<u>0.1</u>
<u>Commercial and Mixed Use zones</u>	<u>350</u>
<u>Industrial zones</u>	<u>350</u>
<u>Open Space & Recreation zones</u>	<u>0.1</u>
<u>Special Purpose zones</u>	<u>0.1</u>

For signs on a site located adjoining any section of a State highway, the sign supports should be designed appropriately for the location to avoid creating a hazard to other transport users, including pedestrians and cyclists.

Signs should be constructed, erected, and maintained to minimise the risk of being blown onto the state highway and creating a hazard to other users.

Matters of Discretion

96. NZTA (s112.132) seeks amendments to the matters of discretion for SIGN-S1 to SIGN-S7 to insert a restricted discretionary activity status for these standards where compliance is not achieved and the new matter of discretion is sought to be included to ensure consideration is

given to the effects of the signs on the safety, efficiency and effectiveness of the state highway network and the outcomes of consultation with NZTA for signs visible from the state highway.

97. The additional matter of discretion sought is:

The extent to which the sign will impact on the safety, efficiency and effectiveness of the transport network. This includes the outcome of any consultation with Waka Kotahi New Zealand Transport Agency where the sign is visible from any State Highway.

Assessment

Additional Note

98. In response to NZTA (s112.119) I agree that it would be useful for Plan users to highlight that signs (except official signs) located within the state highway are managed by Waka Kotahi New Zealand Transport Agency. However, I consider that the outcomes sought by the submitter could be more simply achieved by adding a sentence to the Overview in the Sign Chapter to identify that signs located within the state highway road reserve will require permitted from NZTA as road controlling authority.
99. This approach is consistent with other Councils approaches² and avoids a proliferation of detailed notes in the chapter. In my opinion the level of information sought by the submitter to be added as a note is unnecessarily detailed when the primary outcome is to alert Plan users to the fact that NZTA manage and control signs in the state highway road corridor.

SIGN-S1

100. In response to NZTA (s112.133) on SIGN-S1 I agree that reference to transport corridor, which is not defined, has the potential to result in confusion given it is unclear what this area may be. I do not consider it appropriate to include a definition for transport corridor as this may result in unintended consequences for other provisions across the PDP. However, having reviewed relevant definitions in the PDP and considered the intent of the standard I recommend rephrasing SIGN-S1(1) to refer to road and rail corridor instead of transport corridor. The definition of road would include road reserve areas:

1. Project over or be located within the road or rail corridor ~~or be located within a transport corridor;~~

SIGN-S3

101. In response to NZTA (s112.133) on SIGN-S3 I agree that the double negative in clause (b) could create some interpretation confusion and recommend this is corrected. I also agree that clause (f) would be better reframed as a minimum when read in the context of the 'must not'

² Partially Operative Selwyn District Plan – Sign Chapter and Proposed Timaru District Plan – Signs Chapter.

direction. This will encourage a slower cross dissolve transition rather than a rapid transition which is not desirable.

102. In response to the submission, I therefore recommend the following amendments to SIGN-S3:

Digital *signs* must not:

- (a) display live broadcast or pre-recorded video.
- (b) display still images for a duration of ~~no less~~ more than 10 seconds.
- (c) contain any movement or animation of the images displayed on the screen.
- (d) display any flashing images.
- (e) contain any retro-reflective material on the screen.
- (f) transition between still images apart from cross-dissolve of a ~~maximum~~ minimum of 0.5 seconds....

Additional Standards

103. In response to NZTA (s112.131) SIGN-S1 provides standards for signs erected on or adjacent to a road or railway, this would include the state highway. Some of the matters raised by NZTA to be included in a new standard or to amend the existing standard are already covered in SIGN-S1 which reads as follows:

SIGN-S1	Requirements for <i>Signs</i> (including <i>cultural markers</i>) erected on or adjacent to a <i>road</i> or railway	
All zones	Any <i>signs</i> erected on or adjacent to a <i>road</i> or railway must not: 1. Project over the <i>road</i> or be located within a transport corridor; 2. Obstruct the line of sight of any corner, bend, intersection or vehicle or rail crossing; 3. Obstruct, obscure or impair the view of any traffic or railway <i>sign</i> or signal; 4. Physically obstruct or impede traffic, trains or <i>pedestrians</i>; and 5. Resemble or be likely to be confused with any traffic <i>sign</i> or signal. Except that this standard does not apply to <i>Official signs</i>.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Whether the materials of the <i>sign</i> are appropriate or pose a safety hazard for <i>road</i> users, such as reflective materials that give rise to <i>glare</i>. 2. The extent to which the <i>sign</i> may be an obstruction to sight distances, traffic or railway <i>signs</i> or signals, or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for <i>road</i> users. 3. The extent to which the <i>sign</i> may physically obstruct vehicles, trains, cyclists or <i>pedestrians</i>. 4. The extent that any <i>sign</i> resembles a traffic control <i>sign</i>, warning device, or signal, or may make a traffic control <i>sign</i> or signal difficult to discern, with respect to both colour and shape, when considered from all possible driving angles and the potential <i>effects</i> on driver safety. 5. Proximity to other <i>signs</i>, <i>pedestrian</i> crossings and intersections and <i>effects</i> on the safety of <i>road</i> users including cyclists and <i>pedestrians</i>. 6. The extent to which Ngāi Tahu cultural values or tikanga dictate the form or location of the cultural marker.

104. However, I consider that the standard could be made clearer by incorporating the relief sought by NZTA in relation to not obstructing the visibility of pedestrian facilities, ensuring signs are not mistaken for official signs, requiring distances from intersections and separation distances between signs. In my opinion this will provide for better outcomes to manage adverse effects on road safety and ensure the safe, efficient and effective use of the road network including the state highway.

105. In relation to the requirements for minimum letter height I consider the standards provided by the submitter to be appropriate. I also consider it more appropriate to only have one

standard for letter height, rather than one for roads generally and one for state highways, as this will ensure the chapter is clear and easy to interpret for Plan users and decision makers.

106. In reviewing SIGN-Table 1 there seems to be little justification for a maximum letter height which has the potential to result in higher numbers of non-compliances for signs. The purpose of the requirement is to manage effects on the safety of road users. As smaller letters are more likely to result in distraction from an inability to easily read the sign the focus should be on a minimum rather than maximum letter height. Therefore, I recommend that SIGN-Table 1 is updated to incorporate the minimum letter heights sought through the submission from NZTA.

107. In relation to the request to not permit signs adjoining any section of a state highway where the speed is greater than 70 km/hr, I consider this to be unduly restrictive. There are areas within Gore where there is urban zoning, such as:

- a. East Gore where there is a Mixed Use Zone and Residential Zone alongside the state highway – speed limit starts at 50km/hr and increases to 70km/hr
- b. McNabb – where there is Mataura Valley Milk and Ravensdown – speed limit is 100km/hr
- c. South Gore - where the new Industrial zones are located – speed limit is 100km/hr
- d. Mataura – coming into town from the north, with Industrial and Large Lot Residential zones on the western side of the state highway and the Alliance plant on the eastern side – speed limit 100km/hr slowing to 70km/hr.

108. In these urban zones activities would reasonably expect to be able to display signage and requiring a resource consent for any signage would be contrary to the general purpose, intent and character of the zone. In my opinion the recommended amendments to the standards, including the requirement for a separation distance, coupled with the limit on the number of signs per site, will ensure that signs do not adversely affect the safe and efficient operation of the state highway.

109. Therefore, in response to NZTA (s112.131) I recommend the following amendments to SIGN-S1 and SIGN-Table 1 rather than any new standards:

SIGN-S1 Requirements for signs (including cultural markers) erected on or adjacent to a road or railway

Any signs erected on or adjacent to a road or railway must not:

1. Project over the road or be located within a transport corridor;
2. Obstruct the line of sight and visibility of any pedestrian facility, corner, bend, intersection or vehicle or rail crossing;
3. Obstruct, obscure or impair the view of any official sign, traffic or railway sign or signal;
4. Physically obstruct or impede traffic, trains or pedestrians; and
5. Resemble or be likely to be confused with any traffic sign or signal or official sign.
6. Be located within 100m of any intersection, official sign, the start of a curve with chevron signing and pedestrian crossings within the Local Centre Zone,

Mixed Use Zone, Town Centre Zone, General and Light Industrial Zone, Neighbourhood Centre Zone, Residential Zones and Settlement Zone and Open Space and Recreation Zone.

7. Be located within 200m of any intersection, official sign, curves with chevron signing and pedestrian crossings within the General Rural Zone, Rural Lifestyle Zone and Field Days Zones.

Except that this standard does not apply to Official signs.

SIGN-Table 1 <u>Minimum</u> Lettering Sizes on <u>Signs Intended to be Read</u> <u>visible</u> from a Public Road			
<u>Regulatory Speed Limit of Adjoining Road-Posted Speed Limit (Km/hr)</u>	Main Message	Main Message	Secondary Message
<u>Km/hour</u>	<u>Minimum Lettering Height (mm)</u>	<u>Maximum Lettering Height (mm)</u>	<u>Maximum Lettering Height (mm)</u>
0 – 50	100	150	75
60	175		90
51 – 70	150-200	200	100
71 – 80	175-250	250	125
81 +	200-300	300	150

110. In response to NZTA (s112.131) requesting minimum setback distances between signs adjoining a state highway, I recommend that a new standard and table is included in the chapter as follows:

SIGN-S8 Minimum distances between signs on a site adjoining the State Highway

1. The distance between signs on sites adjoining the state highway must comply with the distances in SIGN-Table 2.

SIGN-Table 2 Minimum distances between signs on sites adjoining the state highway	
<u>Posted Speed Limit (km/hr)</u>	<u>Minimum Visibility Distances (m)</u>
<u>50</u>	<u>80</u>
<u>60</u>	<u>105</u>
<u>70</u>	<u>130</u>
<u>80</u>	<u>175</u>
<u>100</u>	<u>250</u>

(g)

Digital Signs

111. In response to NZTA (s112.131) to include a requirement for maximum levels of luminance for digital and illuminated advertising devices, I agree with the submitter that controlling the

levels of illuminance from digital signs would assist in managing potential and actual adverse effects on the state highway. However, I do not consider this requirement need apply to illumination of all signs because light spill more generally is covered by the provisions within the Light Chapter and the definition of ‘artificial outdoor lighting’ includes lighting for signs.

112. I also consider that providing this guidance within the Sign Chapter will provide clarity for Plan users as to what is expected in relation to luminance levels for digital signs.

113. I therefore recommend an amendment to SIGN-S3 as follows, and inclusion of the table requested by NZTA:

SIGN-S3 Requirements for digital signs

.....

3. Digital signs (excluding official signs) which are visible from and/or located on a site adjacent to a state highway must comply with the maximum luminance levels in SIGN-Table 3.

SIGN-Table 3 Maximum luminance (cd/m ²) levels for digital signs	
Zones	Luminance (cd/m ²)
Residential zones	250
Rural zones	0.1
Commercial and Mixed Use zones	350
Industrial zones	350
Open Space & Recreation zones	0.1
Special Purpose zones	0.1

Matters of Discretion

114. In response to NZTA (s112.132) the standards currently include the following matters of discretion relating to effects on the transport network:

Standard	Matter of discretion relating to effects on the transport network
SIGN-S1 – signs erected on or adjacent to a road or railway	- Whether the materials of the <i>sign</i> are appropriate or pose a safety hazard for <i>road</i> users, such as reflective materials that give rise to <i>glare</i>. - The extent to which the <i>sign</i> may be an obstruction to sight distances, traffic or railway <i>signs</i> or signals, or unnecessarily intrude into a driver’s field of vision or cause a distraction that affects safety for <i>road</i> users. - The extent to which the <i>sign</i> may physically obstruct vehicles, trains, cyclists or <i>pedestrians</i>. - The extent that any <i>sign</i> resembles a traffic control <i>sign</i>, warning device, or signal, or may make a traffic control <i>sign</i> or signal difficult to discern, with respect to both colour and shape, when considered from all possible driving angles and the potential <i>effects</i> on driver safety.

	5. Proximity to other <i>signs</i> , <i>pedestrian</i> crossings and intersections and <i>effects</i> on the safety of <i>road</i> users including cyclists and <i>pedestrians</i> .
SIGN-S2 – temporary signs	6. The <i>effects</i> on the safety of <i>road</i> and <i>footpath</i> users, including cyclists and <i>pedestrians</i> .
SIGN-S3 – digital signs	
SIGN-S4 – freestanding signs	
SIGN-S5 – signs attached to buildings	3. The off-site <i>effect</i> of <i>glare</i> and <i>light spill</i> .
SIGN-S6 – maximum words and/or symbols	1. The <i>effect</i> on driver safety and concentration as a result of increased symbols or lettering.
SIGN-S7 – lettering on signs	1. The <i>effect</i> on driver safety and concentration as a result of reduced lettering sizes; 2. The nature of the text, lettering, fonts and images and whether these could make interpretation of the <i>sign</i> difficult for drivers and/or cause adverse <i>road</i> safety <i>effects</i> .

115. I acknowledge the wording in the PDP standards differs from that sought by NZTA however, in my opinion the outcomes achieved by the PDP wording and that proposed by the submitter are the same. Therefore, in my opinion adding the wording proposed by the submitter would result in a duplication, and the wording in the PDP provides more direction as to the specific effects which should be considered. However, the matters of discretion still align with the higher level objective and policy direction to ensure the safety, efficiency and effectiveness of the transport network is not adversely affected. The objectives and policies within the Sign Chapter have a focus on the safety of users of the transport networks. Therefore, in my opinion the matters of discretion as notified align with and give effect to the objectives and policies in a more specific manner than the broader wording sought by NZTA which has a wider focus.

116. In terms of including reference to the outcomes of consultation with NZTA, as noted at paragraph 86, I do not agree that this is appropriate as it may give the impression that consultation or even written approval is required from NZTA which is not something that is appropriate to determine through a matter of discretion. Instead, the processing officer would make an assessment of affected parties, which may include NZTA, under Section 95D and/or 95E of the RMA as part of the processing of any resource consent application.

Recommendation

117. For the reasons give above I recommend the following amendment to the Signs Chapter:

- a. The Overview section is amended as follows:

Signs located within, or partly within, the State Highway will require the permission of the New Zealand Transport Agency Waka Kotahi as road controlling authority regardless of the provisions in this District Plan. This does not apply to any sign constructed, maintained and displayed behind the kerblane of any State highway in an area where a 50 kilometre per hour, or lesser, speed limit applies, which are regulated by the territorial authority.

b. SIGN-S1 is amended as follows:

Any signs erected on or adjacent to a road or railway must not:

1. Project over or be located within the ~~road~~ or rail corridor ~~or be located within a transport corridor~~;
2. Obstruct the line of sight and visibility of any pedestrian facility, corner, bend, intersection or vehicle or rail crossing;
3. Obstruct, obscure or impair the view of any official sign, traffic or railway sign or signal;
4. Physically obstruct or impede traffic, trains or pedestrians; and
5. Resemble or be likely to be confused with any traffic sign or signal or official sign.
6. Be located within 100m of any intersection, official sign, the start of a curve with chevron signing and pedestrian crossings within the Local Centre Zone, Mixed Use Zone, Town Centre Zone, General and Light Industrial Zone, Neighbourhood Centre Zone, Residential Zones and Settlement Zone and Open Space and Recreation Zone.
7. Be located within 200m of any intersection, official sign, curves with chevron signing and pedestrian crossings within the General Rural Zone, Rural Lifestyle Zone and Field Days Zones.

Except that this standard does not apply to Official signs.

c. SIGN-S3 is amended as follows:

Digital *signs* must not:

- (a) display live broadcast or pre-recorded video.
- (b) display still images for a duration of ~~no less~~ more than 10 seconds.
- (c) contain any movement or animation of the images displayed on the screen.
- (d) display any flashing images.
- (e) contain any retro-reflective material on the screen.
- (f) transition between still images apart from cross-dissolve of a ~~maximum~~ minimum of 0.5 seconds.....

d. A new standard, SIGN-S8 is added as follows:

SIGN-S8 Minimum distances between signs on a site adjoining the State Highway

1. The distance between signs on sites adjoining the state highway must comply with the distances in SIGN-Table 2.

e. SIGN-Table 1 is amended as follows:

SIGN-Table 1 <u>Minimum</u> Lettering Sizes on Signs ~~Intended to be Read~~ <u>visible</u> from a Public Road			
~~Regulatory~~ ~~Speed Limit of~~ ~~Adjoining Road~~ ~~Posted Speed~~ ~~Limit (Km/hr)~~	Main Message	~~Main Message~~	Secondary Message
~~Km/hour~~	~~Minimum Lettering~~ ~~Height (mm)~~	~~Maximum Lettering~~ ~~Height (mm)~~	~~Maximum Lettering~~ ~~Height (mm)~~
0 – 50	100	~~150~~	75
~~60~~	~~175~~		~~90~~
~~51 – 70~~	~~150-200~~	~~200~~	100
~~71 – 80~~	~~175-250~~	~~250~~	125
81 +	~~200-300~~	~~300~~	150

f. A new table, SIGN-Table 2 is added as follows:

SIGN-Table 2 <u>Minimum distances between signs on sites adjoining the state highway</u>	
<u>Posted Speed Limit (km/hr)</u>	<u>Minimum Visibility Distances (m)</u>
<u>50</u>	<u>80</u>
<u>60</u>	<u>105</u>
<u>70</u>	<u>130</u>
<u>80</u>	<u>175</u>
<u>100</u>	<u>250</u>

g. Standard SIGN-S3 is amended as follows and a new table, SIGN-Table 3 added:

SIGN-S3

Requirements for digital signs

.....

3. Digital signs (excluding official signs) which are visible from and/or located on a site adjacent to a state highway must comply with the maximum luminance levels in SIGN-Table 3.

SIGN-Table 3 <u>Maximum luminance (cd/m²) levels for digital signs</u>	
<u>Zones</u>	<u>Luminance (cd/m²)</u>
<u>Residential zones</u>	<u>250</u>
<u>Rural zones</u>	<u>0.1</u>

<u>Commercial and Mixed Use zones</u>	<u>350</u>
<u>Industrial zones</u>	<u>350</u>
<u>Open Space & Recreation zones</u>	<u>0.1</u>
<u>Special Purpose zones</u>	<u>0.1</u>

118. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

5.11 Submissions on Standards – KiwiRail and HNZPT

Matters raised by submitters

119. KiwiRail (s132.106) support SIGN-S1 and seek that it is retained as notified

120. HNZPT (s123.018) seeks an amendment to SIGN-S3 include a note to clarify make it clear that the relevant standards for freestanding signs and signs attached to buildings also apply to digital signs so that the effects on heritage values of individual buildings and the wider heritage streetscape are appropriately managed.

Assessment and Recommendation

121. The support from KiwiRail (s132.106) is acknowledged and accepted in part subject to the amendments recommended elsewhere within this report.

122. In response to HNZPT (s123.018), SIGN-R7 is the rule for digital signs and would be the initial trigger point for any digital sign. SIGN-R7 requires compliance with all sign standards and as such Plan users and decision makers are directed to consider all relevant standards as part of their consideration of digital signs. Plan users must also comply with all rules within the Sign Chapter otherwise resource consent would be required for signage. SIGN-R4 relates to signs attached to a scheduled heritage building or item and a permitted activity criteria is that the sign is not a digital sign. In my opinion the rules and standards already provide sufficient direction and clarity for Plan users and decision makers to allow for consideration of heritage values in association with digital signs.

123. Therefore, it is not recommended to amend SIGN-S3 and the submission from HNZPT is rejected.

5.12 Submissions on Standard - HWR Property & GDC

Matters raised by submitters

SIGN-S4

124. HWR Property (s108.004) oppose in part SIGN-S4 as they consider the requirement for the sign to be greater than 2.6m above ground level has the potential to result in adverse effects.

125. GDC (s65.001) seeks an amendment to SIGN-S4 to delete 1(b) as the purpose of the requirement for a height of 2.6m above ground level is unclear.

SIGN-S5

126. HWR Property (s108.005) seek an amendment to SIGN-S5 to remove the size limit of 7m² which they consider to be too small for a sign within the General Industrial Zone given it is a zone which is intended for larger buildings with low levels of amenity. The submitter considers the 10% building façade restriction is sufficient to manage signage size.

Assessment

SIGN-S4

127. In response to HWR Property (s108.004) and GDC (s65.001) I agree that the requirement to have a sign greater than 2.6m is both impractical and has the potential to result in adverse effects. Coupled with the maximum height limit which in some zones (General Rural) is 3m this would mean signs have a very constrained area and may result impractical and unusual appearance.

128. Freestanding signs on public footpaths would be managed through SIGN-S1, which does not permit signs to be located within the road. The definition of 'road' includes any area vested with Council for the purpose of a road, this would include footpaths. Therefore, I do not consider it necessary to control the height of a sign above ground level because the standard only relates to signs that would be on private property where the landowner could manage effects from people navigating about the site.

SIGN-S5

129. In response to HWR Property (s108.005), SIGN-S5 is for signs attached to buildings, as the submitter notes, the industrial zones are generally intended for larger buildings and a sign which occupies 10% of a building façade could be significant in area. For example, a 15m high building which was 60m in length could have a 90m² sign

130. However, I agree that on a large building, a maximum of 7m² for a sign may be too small to meet the advertising needs of the business, particularly in the context of the building size. The overview and purpose section of the General Industrial Zone recognises that amenity values within these zones will be lower due to the activities enabled within the zone and this could extend to there being a higher degree of signage in the zone compared to other zones.

131. Having reviewed various industrial activities and areas around the Gore district there is a mix of signage and sign size, however, it appears that generally larger buildings have larger signs attached to them, whether this is painted onto the building or physically attached.

132. I have also reviewed other comparable district plans and note the following:

District Plan	Zone	Maximum size of sign attached to a building
Selwyn	General Industrial Zone	25% of primary and secondary building frontage
Timaru	General Industrial Zone	No maximum area except temporary signs are limited to 2m ²
New Plymouth		20% of the area of each road fronting building façade provided the signs are attached for their full width and length or painted directly onto the road fronting façade.
Wellington	General Industrial Zone	10% of area of elevation and where the sign faces the state highway 5m ²

133. I therefore, agree that a maximum sign face area of 10% of the building would be appropriate as this would be consistent with the approach adopted by other Councils, would recognise the amenity values of the industrial zones and be consistent with existing signage on industrial buildings around the district.

134. However, I consider that the rule should be drafted to ensure that the measurement applies only to the façade on which the sign is positioned i.e. it wouldn't be possible to use the entire building façade to establish the 10% size of the sign. Additionally, I note that the rule still limits sites to one sign per site and the submission does not seek to amend this requirement.

135. For the above reasons I recommend that SIGN-S5 is amended as follows in relation to the General and Light Industrial Zones:

1. There is no more than one sign per site.
2. Signs shall not extend above the maximum height of the building.
3. Any internal lighting of the sign must not result in glare or light spill beyond the site on which it is located.
4. No external lighting shall be directed towards the sign.
5. Signs must be a minimum of 2.5m above any footpath.
6. The maximum area of the sign is ~~7m² or~~ 10% of the area of the building façade to which it is attached or painted onto whichever is the lesser.

Recommendation

136. For the reasons given above I recommend the following amendments to SIGN-S4:

All Zones:

1. Any sign must:
 - ~~(a) be setback at least 1.5m from the road boundary; and~~
 - ~~(b) be at least 2.6 metres above the level of ground beneath the sign.~~

137. For the reasons outlined above I recommend the following amendment to SIGN-S5 only in relation to the conditions for the General and Light Industrial Zones.

1. There is no more than one sign per site.
2. Signs shall not extend above the maximum height of the building.
3. Any internal lighting of the sign must not result in glare or light spill beyond the site on which it is located.
4. No external lighting shall be directed towards the sign.
5. Signs must be a minimum of 2.5m above any footpath.
6. The maximum area of the sign is ~~7m² or~~ 10% of the area of the building façade to which it is attached or painted onto whichever is the lesser.

138. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

5.13 Submissions on Standard - Federated Farmers et al.

Matters raised by submitters

139. Federated Farmers (s126.138), Kevin Robertson (s115.139), Rural Ratepayers Group (s143.0150), Alistair & Bernadette Hunt (s148.151), Ronald Crispin (s60.141) and John Baynes (s68.259) oppose in part SIGN-S4 and seek an amendment to recognise that multiple signs are often in place on farms and may include security signage, health and safety signage, signage directing tankers and biosecurity signs:

General Rural Zone

1. Any sign must:
 - (a) be setback at least 1.5m from the road boundary; and
 - (b) be at least 2.6 metres above the level of ground beneath the sign.
2. The sign must not be placed within 15m of any existing directional sign, where adjacent to and visible from a road reserve;
3. Maximum number of signs per site: five ~~one~~; ...

Assessment

140. In response to Federated Farmers (s126.138), Kevin Robertson (s115.139), Rural Ratepayers Group (s143.0150), Alistair & Bernadette Hunt (s148.151), Ronald Crispin (s60.141) and John Baynes (s68.259) I do not agree with the submitters that rural sites should be permitted to have 5 signs per site as this has the potential to result in visual clutter in an area of the district which should be relatively free of signage. I consider 5 signs per site could result in visual clutter along the road frontage of the property and have the potential to create adverse effects on the safe use of the road.

141. However, I acknowledge that larger farms may require more than one sign. The purpose of the rule framework is primarily to manage the effects of signs which are visible from public places³ and as such may have an adverse effect on amenity values or health and safety. There

³ Proposed District Plan Part 1 – Interpretation – “public place means publicly accessible *roads*, reserves and *footpaths/tracks*.”

is a note to this effect below the 'rule' heading "these rules apply to all signage visible from any public place, and any other site or land beyond the site on which the signage is located."

142. Official signs, which are defined as "*all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety*" are permitted and therefore should a farm require signage for management of hazardous substances or health and safety at work purposes for example these would be permitted under SIGN-R1.

143. Based on the submission I consider many of the instances where signage is required by the submitter would be managed through the official signs rule, however, I agree that due to the functional working nature of farms other signs which provide direction for milk tankers etc may be required. Although the rules only relate to signs which are publicly visible or visible from other sites or land whilst it may be possible to position the sign so it is not visible from a public place it may be more problematic to position it so it is not visible from another site, particularly if the farm is comprised of multiple 'sites'⁴ based on the PDP definition.

144. Therefore, I recommend an amendment to SIGN-S4 in the General Rural Zone clause (3) as follows:

(3) Maximum number of signs per site: one

except where *signs* are for the purpose of providing direction or identification and are either:

(a) not visible from a *public place*; or

(b) the maximum *sign face* is no greater than 0.25m²

the maximum number of *signs* per site is five.

145. This amendment would allow for signage such as arrows or naming of farm buildings to be erected within the farm to assist with the operation of farming activities. However, I recommend a limit of five signs per site to place a reasonable restriction on how many signs it would be appropriate to have on a site.

Recommendation

146. For the reasons given above I recommend the following amendments to SIGN-S4:

General Rural Zone only:

(3) Maximum number of signs per site: one

⁴ Proposed District Plan Part 1 – Interpretation – site "means: (a) an area of land comprised in a single record of title under the Land Transfer Act 2017; or (b) an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or (c) the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or (d) despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease."

except where *signs* are for the purpose of providing direction or identification and are either:

(a) not visible from a *public place*; or

(b) the maximum *sign face* is no greater than 0.25m²

the maximum number of *signs* per site is five.

147. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

5.14 Submissions on Standard - FENZ

Matters raised by submitters

148. FENZ (s124.036 & s124.037) support in part SIGN-S4 & SIGN-S5 and seek an amendment to provide an exemption for signage associated with emergency services facilities such as fire stations on the basis that the number of signs and size of signs associated with a fire station would likely exceed the permitted level. NZTA (FS14.022 & FS14.023) oppose the submission and seek that it is disallowed as it is unclear why an exemption should be made for FENZ signage.

Assessment and Recommendation

149. In response to FENZ (s124.036 & s124.037), as noted in paragraph 77, fire stations would be permitted to erect official signs, however, other signage should be controlled in the same manner as any other sign to ensure adverse effects on amenity values, streetscapes and road safety are managed.

150. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

6. Section 32AA Evaluations

6.1 Overview, Objectives and Policies

151. The recommended amendments to the overview, objectives and policies are predominantly technical in nature to provide greater clarity for intended outcomes and to reflect the rule framework within the chapter. Given the minor nature of the recommended amendments I consider a single section 32AA evaluation is appropriate to reflect the scale and significance of the amendments.

Effectiveness and efficiency	- The recommended amendments to provide for increased clarity for Plan users and decision makers and ensure the framework of the provisions is more closely aligned. - The proposed amendments will ensure that sufficient consideration is given to matters such as adverse effects on the rail corridor, heritage values and the transport network, including road users.
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	The proposed amendments will ensure the provisions are effective and efficient at achieving the outcomes sought through the objective and to meet the purpose of the Act.
Costs/Benefits	- There are not considered to be any costs associated with the amendments which more clearly articulate matters that are already managed through the rule framework. - There are considered to be social, economic and health and safety benefits from the proposed amendments.
Risk of acting or not acting	The risk of not acting is relatively low, however, as the amendments ensure greater integration throughout the chapter and provide more clarity to Plan users and decision makers.
Conclusion as to the most appropriate option	The proposed amendments are considered to be the most effective and efficient means of achieving the purpose of the Act and objective than the notified version as they will ensure greater alignment between provisions within the chapter and ensure the range of assessment matters considered are appropriately articulated.

6.2 Rules and Standards

152. The recommended amendments to Rule SIGN-R2 and standards SIGN-S1, SIGN-S3, SIGN-S4 and SIGN-S5 are evaluated against section below. Considering the scale and significance of the amendments and the integrated nature of the amendments a single evaluation is considered appropriate.

Effectiveness and efficiency	- The recommended amendments provide for greater management and consideration of the adverse effects on the safe operation of the transport network, including users of the network and in particular the state highway. - The amendments also ensure rules are clear and able to be easily interpreted to ensure effective and efficient understanding by plan users and decision makers. - Finally, the signs provide greater flexibility for rural sites which may require multiple signs for operational purposes, this amendment will ensure rural landowners are not required to seek resource consent for smaller signs which will not be publicly visible. - Overall, the amendments are considered to result in provisions which have greater levels of effectiveness and efficiency for both plan users and decision makers.
Costs/Benefits	- The proposed amendments will reduce costs for rural landowners and for industrial businesses by providing greater flexibility for signage within their sites. - Furthermore, providing greater clarity by deleting unclear requirements and providing clear direction on separation distances, will result in a more efficient and cost effective implementation. - There will be limited costs associated with the amended provisions which provide greater direction, although, there may be some increased cost associated with the greater restrictions on signage

	adjoining the state highway. However, I consider this would be offset by the management of adverse effects which could result in poor health and safety outcomes for road users.
Risk of acting or not acting	• There is a risk that without the proposed amendments some of the standards are unclear and ineffectively interpreted by plan users and decision makers. • There is also a risk that signage generates unmanaged adverse effects on the state highway in particular.
Conclusion as to the most appropriate option	• Overall, the amendments are considered to result in more efficient and effective standards which more directly give effect to the objectives and policies and recognise the value and importance of signage in certain situations balanced against the potential adverse effects from unmanaged signage, particularly in relation to the state highway.

7. Consequential and Minor Amendments

153. Clause 10(2)b of the RMA allows decisions on the PDP to include matters relating to consequential alterations to the PDP which are necessary, relevant or arising from submissions. The following are recommended consequential amendments to the PDP based on previous Section 42A report recommendations.

154. The Section 42 Introduction, General Provisions and Strategic Direction Report considered and assessed a submission point from Southland Federated Farmers (s126.181), Kevin Robertson (s115.182), Ronald Crispin (s60.184), Rural Ratepayers Group (s143.193), Alastair and Bernadette Hunt (148.194) and John Baynes (s68.302) to amend the wording of “wellbeing” to “well-being” to be consistent with the manner in which the word is expressed in Section 5 of the RMA. The recommendation in the report was to accept the submission point and throughout the PDP amend “wellbeing” to “well-being”. This requires some consequential minor amendments to the Sign Chapter. These amendments are reflected in **Appendix A**.

155. In the Rural Zones Section 42A report it was recommended to include a Note to acknowledge s4 of the RMA, for consistency, as the same assessment is applicable to all Crown activity, it is recommended to add this note to the Sign Chapter:

Note 2 Work or activity of the Crown

Section 4(3) of the RMA allows certain Crown activity to contravene a District Plan in relation to any work or activity on land held under the Conservation Act 1987 that is consistent with a conservation management strategy, a conservation management plan or management plan and does not have a significant effect beyond the boundary of that land. Accordingly, this chapter does not apply to Department of Conservation activities that meet section 4(3), but does apply to activities that do not meet section 4(3) of the RMA.

8. Conclusions and Closing Recommendation

8.1 Conclusions

156. This report has provided an assessment of submissions received on the Sign Chapter and associated definitions of the PDP.

157. There were a range of submissions generally in support of the chapter, however, some minor amendments to the overview, objectives and policies to provide greater clarity and direction. Amendments were also sought to the rules and standards to provide greater flexibility for signs in the rural and industrial zones and manage adverse effects of signage on the state highway.

158. Overall, I recommend that the provisions are amended as shown in **Appendix A** for the reasons set out in this report. The main changes recommended include:

- Amendments to the overview to clarify that signs are to identify as well as advertise businesses, products and services and make it clear that signs located within, or partly within the state highway would require the permission of NZTA.
- Increased clarity within the objectives and policies to reference rail corridors, cyclists and heritage values as well as to ensure consideration is given to the safe, efficient and effective function and operation of the transport network.
- Amendments to the standards to provide greater controls for signs to manage potential adverse effects on the transport network, including the state highway. Allow for a greater number of signs on rural properties and larger signs within the industrial zones and provide greater direction in relation to illumination of digital signs

159. I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken throughout this report.

8.2 Closing Recommendation

160. The Hearing Panel accept, accept in part, or reject all submissions (and associated further submissions) as outlined in **Appendix B** of this report.

Signed:

Name and Title	Signature	Date
Victoria Woodbridge Consultant Planner		19 August 2024