

## Appendix 3: SDC Senior Urban Designer – Right of Reply Report

**BEFORE THE SELWYN DISTRICT COUNCIL HEARING PANEL**

**IN THE MATTER** of the Resource Management  
Act 1991

**AND**

**IN THE MATTER** of the DISTRICT PLAN REVIEW

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**SUPPORTING REPORT TO RIGHT OF REPLY OF GABI WOLFER  
ON BEHALF OF SELWYN DISTRICT COUNCIL**

**SIGNS**

**28/06/22**

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## 1. OVERVIEW

- 1.1 I have considered the evidence presented by submitters and the questions and comments from the Independent Commissioners raised during the hearing. Below is my response to the evidence presented and questions/comments raised.
- 1.2 I have provided my response to the following submitters on Signage topic:
- a) Woolworths – evidence presented by Ms. Panther Knight.
  - b) Carter Group entities (Carter Group) - evidence presented by Mr. Jeremy Phillips and Mr. David Compton- Moen.
  - c) Go Media- evidence presented by (Michael Gray, Managing Director) and Mr. Compton-Moen.
- 1.3 I note that the submitters either support in full or part the Council's officer's recommendations for aspects of the proposed amendments to the signs chapter. I have not commented on these submissions and my original assessment and recommendations on these remain.

## 2. OFF-SITE SIGNAGE (SIGN-R5) AND DIGITAL OFF-SITE SIGNAGE (SIGN-R6)

- 2.1 I have reviewed the submitters evidence, which seeks to enable off-site signage in the GIZ and LFRZ through amendments to rule SIGN-R5. They also seek that digital off-site signage is provided for as a permitted activity in the GIZ, TCZ and LFRZ through a new rule SIGN-R6 where digital off-site signage in the GIZ, LFRZ, TCZ and KNOZ are not visible from the RESZ, GRUZ or a State Highway, or as a restricted discretionary activity, if visible from these locations. I note in this context that the definition for off-site signage in the PDP does not distinguish between digital and non-digital off-site signs. I consider there is merit in clarifying the definition of off-site sign, to include the option that digital signage can also fall under this category.

### On-site and off-site signage

- 2.2 The submitters urban design expert concludes that the visual effects of on-site and off-site signage are no different and I agree with this conclusion.
- 2.3 I consider that the primary difference lies in that on-site signage relates to the premises/activities to which it is associated, while off-site signage does not. In my view the establishment and operation of off-site signage naturally leads to an increase in and proliferation of signage. This has also been identified as a potential issue by Mr. Compton-Moen.<sup>1</sup>
- 2.4 I have reviewed the evidence on the matter of potential proliferation of signage and the potential maximum of signage in relation to either site size and/or frontage length, as well as site configuration (e.g., corner sites).

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<sup>1</sup> Mr. Compton-Moen, Statement of evidence, Carter Group, paragraph 8.2

- 2.5 The submitter's proposed amendments enable the following signage per site within the GIZ and LFRZ:
- a) Two off-site digital and one free-standing sign (non-digital); or
  - b) Two off-site signs (non-digital) and one free-standing sign.
- 2.6 While I consider that off-site signage to be the exception and that the majority of signage in the District is likely to be located on the same site as the activity, I acknowledge the submitters identified need to better enable off-site signage in the GIZ and LFRZ.
- 2.7 I consider that the possible 'worst-case' scenario of up to three signs per site is an acceptable outcome, depending on the frontage, length, site configuration, zone and precinct location. I also support the submitter's relief that the distinction between off-site digital and off-site non-digital will be achieved through their proposed amendments to requirements SIGN-REQ1-REQ6 and REQX (as proposed).
- 2.8 While I agree that the PDP needs to be more enabling of off-site signage than what is provided for in the notified provisions, I consider that consent should continue to be required to assess the context of the site and whether the proposal may contribute to a proliferation of off-site signage in the area.

#### **Visibility of off-site and off-site digital signage in the LFRZ and GIZ**

- 2.9 Mr. Compton-Moen highlights that the sensitivity of the receiving zones, not the zones the activity is proposed in, should be the primary matter of concern when evaluating the effects of signage on the receiving environment, which in principle I agree with.
- 2.10 The context of the Selwyn District becomes particularly important when assessing the location of where off-site and off-site digital signage can operate, including where the LFRZ and the GIZ are located and the possibility that residents are affected in the TCZ. In summary:
- a) The LFRZ is represented by only one area situated within I-Port, which is a purpose-built Industrial Park on the northern side of State Highway 1. The I-Zone and I-Port industrial hubs are partially zoned GIZ.
  - b) Six out of seven townships that contain a GIZ are adjacent to a GRUZ and one of the following Residential Zones: LLRZ (Large Lot Residential Zone), GRZ (General Residential Zone) or LRZ (Low Density Residential Zone), which are zones identified by the submitter and which I agree are sensitive zones.
  - c) The remaining GIZ zones in the district are all located within the smaller townships of Selwyn. The GIZ typically form part of a zoning mix and reflective of the urban form of townships that have grown organically. The GIZ are in most cases adjacent to residential zones.
- 2.11 I consider that the potential effects of off-site and digital signage in the GIZ, LFRZ and TCZ include potential adverse effects on the character and amenity values of the adjacent RESZ and GRUZ and determining the level and type of signage is acceptable at the interface with these environments.

- 2.12 The exception to this context is the GIZ-Precinct 6 and the LFRZ in Rolleston. Both the overlay and the zone are in isolated pockets where the receiving environment is less sensitive. It is within these two areas that I am comfortable in a more permissive status if requirements SIGN-REQX and SIGN-REQ7 are complied with<sup>2</sup>. I believe that applying the permitted activity status for the isolated pockets of GIZ-PREC6 and LFRZ reflects the essence of the submitter's request. I also consider that there needs to be an opportunity provided in the PDP to evaluate the effects of off-site and digital signage in the GIZ, PORTZ, TCZ and KNOZ and maintain that this type of signage in the RESZ and GRUZ should continue to have a non-complying activity status.

#### **Visibility of signage from State Highway**

- 2.13 As previously stated, the relevance for having regard to the sensitive nature of zones has been identified by the submitters' Urban Design expert. Mr. Compton-Moen considers that any sensitivity to signage should be limited to the zoned edges where they adjoin a GRUZ and/or RESZ and where they can be viewed from State Highway 1 in Rolleston.
- 2.14 I believe that it was the submitters intention to use the visibility of any signage from State Highway 1 specifically as a threshold to ensure that the amended provisions only apply to the GIZ and LFRZ in Rolleston. However, this would have also captured the GIZ in the township of Dunsandel that adjoins State Highway 1 as well as the RESZ and GRUZ.
- 2.15 While I agree that it is the interface that is the primary consideration, I do not agree that visibility should be the only matter to evaluate the degree of potential adverse effects of proposed signage. In my opinion it would be difficult to justify that there is no visibility within 200m of the proposed sign and that the absence of a metric to determine 'visibility' will make it difficult for the requirement to be monitored by the Councils compliance team.
- 2.16 The joint memorandum of counsel on behalf of Go Media Limited and Carter Group has amended the wording from 'State Highway 1' to the more general term of 'state highway'. This change in wording means that the GIZ in the townships of Rolleston, Dunsandel, Darfield and Coalgate, which are located adjacent to either State Highway 1 or State Highway 77, would be affected by this proposed amendment. In my view this changes the context of the application of the rule, increasing the number of zones that would naturally have to be assessed as a restricted discretionary activity.
- 2.17 From an urban design perspective, signage that is placed adjacent to zones that have been identified as potentially sensitive to receiving environments require an assessment status that is able to uphold the character and amenity expectations of the receiving zone. Therefore, I disagree with the submitter's urban design evidence and consider that there needs to an opportunity for council to evaluate the effects of off-site and digital signage through a resource consent process.
- 2.18 For the above reason I do not support the application of 'visibility from a state highway' as a threshold to determine the activity status.

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<sup>2</sup> Refer to my paragraph 3 of my primary evidence in respect to GRUZ-PREC1.

### **Digital off-site signage in the KNOZ**

- 2.19 Go Media request a permitted status for digital off-site signage within the KNOZ, identifying that digital off-site signage in this zone provide community support to tertiary education providers and research institutes.
- 2.20 The KNOZ is a special purpose zone located in the Lincoln Township that applies to the Lincoln University campus as well as the Crown Research Institutes. Having reviewed the spatial context of the KNOZ it has become apparent that it is adjacent to, and visible from, the RESZ and GRUZ that surround the respective sites.
- 2.21 I acknowledge that the KNOZ can support digital off-site signage within locations that avoid any sensitive receiving environments. I consider that the PDP should provide digital off-site signage in the zone through a more enabling consenting pathway than what is contained in the notified provisions, for example through a RDIS activity status. However, I do not support the submitter's relief and consider that a permitted status is insufficient to evaluate the potential effects associated with digital off-site signage in the KNOZ due to the sensitive nature of the adjoining receiving environments.

### **Matters of discretion**

- 2.22 In this context I acknowledge the submitters identified requirement for certainty on the assessment of any potential sign. I consider that the listed matters in SIGN-MAT 1 and 2 are appropriate to evaluate whether any proposed signage is appropriate in the respective zones and compatible with the character and visual amenity values at the interface with surrounding areas.
- 2.23 I therefore consider that the matters of discretion (SIGN MAT 1 and 2) as proposed by the submitter are appropriate.

## **3. FREE-STANDING SIGNS IN THE TCZ, GIZ AND LFRZ (SIGN-REQ1)**

- 3.1 Woolworths seek an amendment to permit signs of a maximum area of 27m<sup>2</sup> in GIZ, LFRZ and TCZ. The Carter Group propose amendments that enable one free standing sign per tenancy and no limit on the area, width, or height of free-standing signs in the LFRZ and to remove all size requirements for signs in the LFRZ that are not visible from a RESZ, GRUZ and State Highway 1.

### **Freestanding signage in the TCZ**

- 3.2 In considering the submitters relief I note that the Operative Selwyn District Plan has height and size limits within the Business 1, 2 and 3 zones that limit free-standing signs to either a 6m or 8m maximum height, and a 3m<sup>2</sup> maximum size that does not exceed the façade of the building. The maximum 27m<sup>2</sup> area for a free-standing signage that is sought by Woolworths equates to a 50% increase in signage to the notified PDP provisions. The 18m<sup>2</sup> maximum signage area that is provided for in the GIZ and LFRZ within the PDP already represents a 300% increase to the previous maximum sign size limit. I support the 18m<sup>2</sup> maximum area standard as it acknowledges that greater flexibility for signage is required to maintain the scale of the consented signage and the character and built form in the GIZ, LFRZ and TCZ, respectively.

- 3.3 While I agree in principle with the evidence of Ms. Panther Knight that the LFRZ and GIZ have lower amenity expectations than the TCZ and that the built form in these zones is generally larger and utilitarian in scale, I consider that a substantial and appropriate increase in the maximum area for signs has been provided in the notified provisions.
- 3.4 While I agree with Ms. Panther Knight that residents can anticipate a greater scale of built form and presence of signage within the LFRZ and GIZ, I consider that the amenity values, outlook, site context and visual effects of signage at the interface with other more sensitive zones needs to be acknowledged and opportunity provided within the PDP to evaluate potentially adverse effects where the permitted standard is not satisfied.
- 3.5 The TCZ provide numerous functions, including retail opportunities and the provision of attractive and functional public spaces. I consider that signage needs to be integrated into the overall design of buildings and public spaces to ensure that it is legible for pedestrians, is secondary to the built form and does not detract the amenity of the public realm.
- 3.6 I note that residential activities in the TCZ above ground floor levels is anticipated within the PDP, which requires an assessment of any nuisance and visual amenity effects to be considered within the context of the site and proposed signage. I therefore consider that the nature and character of Selwyn's TCZ's require recognition as high amenity areas.
- 3.7 Having read the evidence and the reference to the need to enable corporate branding for consistency and coherence to be 'instantly recognisable'<sup>3</sup> in the TCZ, I maintain that 18m<sup>2</sup> is an appropriate size to effectively manage the potential adverse visual and amenity effects of free-standing signs. I also note that the existing and recently consented signage in the District's Business 1 Zones is consistent with the 18m<sup>2</sup> maximum area standard.
- 3.8 Overall, I maintain that an 18m<sup>2</sup> maximum area for free standing signage within the TCZ is appropriate.

#### **Freestanding signage in the GIZ and LFRZ**

- 3.9 It is important to note that except for the I-Zone and I-Port industrial hubs in Rolleston that are separated from the residential and other business centres by the State Highway 1 and Main Trunk Line rail corridors, all other GIZ in the balance of the district are integrated into the settlement pattern and form part of the fabric of the townships. The Rolleston GIZ and LFRZ are purpose-built Industrial parks with a much larger amount and scale of bulkier built form when compared with the remainder of GIZ in the District.
- 3.10 I consider that an increase of an additional 50% of signage per site as a permitted activity does not reflect the context, and scale of most of the District's townships and the zones within them. I maintain that 18m<sup>2</sup> is sufficient as a permitted standard and that it is appropriate to evaluate free-standing signs to ensure they are complementary to existing signage in the district and of a scale that reflects the nature and location of the proposed GIZ and LFRZ.

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<sup>3</sup> Evidence provided by Ms. Panther Knight



### **Amount, area and size of signage in the LFRZ**

- 3.11 The Carter Group<sup>4</sup> relief seeks that the LFRZ is removed from requirement SIGN-REQ1 where it is not visible from the GRUZ, RESZ or State Highway 1.
- 3.12 I have outlined my position on applying visibility from State Highway 1, which I do not consider as an appropriate threshold (refer to Section 2, paragraphs 2.13 to 2.18). I have also outlined my position on the possible outcomes of increasing the maximum number of on-site and off-site signs context (Section 2, paragraphs 2.2 to 2.8).
- 3.13 While I acknowledge the unique context of the LFRZ, the PDP states that amenity aspects particularly within the public realm and where pedestrians are present (street scene) are relevant and worth protecting. I consider that removing all controls on the number, placement and size of signage in the LFRZ as requested by the submitter<sup>5</sup> would have the potential to generate adverse effects on the overall character and amenity of this zone and potentially eventuate into a conglomeration of signage that makes legibility and wayfinding difficult.
- 3.14 For the above reasons I do not consider that it is appropriate to exempt the LFRZ from requirement SIGN-REQ1.

### **4. SIGNS ATTACHED TO BUILDINGS IN THE GIZ, LFRZ AND TCZ (SIGN-REQ2)**

- 4.1 Having reviewed the evidence provided I agree that there has been an error in the application of the 25% standard as noted by Ms. Panther Knight, which should also apply to the GIZ and LFRZ. I recommend the table to be amended to reflect this.
- 4.2 I note the submitters request to use the term 'frontage' instead of 'façade' and agree with these amendments as 'frontage' is defined in the PSDP. One consideration is whether this percentage should be applied to all frontages or to the frontages facing the primary and secondary public spaces only. I consider that enabling signage on the primary and secondary frontages, and within de-facto public spaces, such as car parking areas, will assist to provide legibility to entrances and service areas. Limiting the erection of signage on the balance of the building frontages in the GIZ, LFRZ and TCZ means that signage is prioritised to the areas where they are needed and avoids the risk that signage may dominate the overall appearance of the building.
- 4.3 Overall, I support the requested change to requirement SIGN-REQ2 and the inclusion of references to the 'primary' and 'secondary' frontages in SIGN TABLE 1.

### **5. DISTRACTING FEATURES (SIGN-REQ6) AND DIGITAL SIGNAGE REQUIREMENTS (SIGN-REQX) IN THE GIZ, LFRZ AND TCZ**

- 5.1 The submitters<sup>6</sup> seek to remove the references to digital or LED displays as a 'distracting feature' in requirement SIGN-REQ6 and to introduce new SIGN-REQX to apply to this type of signage that incorporates industry standards to manage any potentially adverse effects.

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<sup>4</sup> Statement of Evidence by Mr. Jeremy Phillips, Carter Group

<sup>5</sup> Mr. Compton-Moen, Statement of evidence, Carter Group

<sup>6</sup> Legal submission, Go Media

- 5.2 Having reviewed the evidence that outlines the role and nature of digital signage, I agree that it is appropriate to remove the reference of LED and digital from the SIGN-REQ6 (Distracting Features), which I believe reflects the submitters request to better recognise and enable digital signage in the district. I maintain that there needs to be a level of control for digital signage depending on the sensitivity of the environment (refer to Section 2, paragraphs 2.1 to 2.18).
- 5.3 Overall, I support the applicant's recommendation to remove LED and digital signs from SIGN-REQ6 and to include new requirement SIGN-REQX to manage digital signage in the GIZ, LFRZ, TCZ and KNOZ.