

Proposed Selwyn District Plan



Right of Reply Report

Signs

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Purpose of Report

- 1.1 The purpose of this report is to respond to the questions raised by the Hearings Panel during Hearing 18: Signs, for the Officer to address other matters raised in evidence, and to propose any further amendments to the notified version of the Proposed District Plan (PDP) above those recommended in the Officer's s42A evidence report.

2. Hearing Panel's Questions to the s42A Reporting Officer and Response

[1] Are the Controlled and Restricted Discretionary rules and Matters of Control and Discretion in the Signs Chapter fit for purpose?

- 2.1 The key outstanding matters in relation to the controlled and restricted discretionary rules and matters of control and discretion relate to the evidence tabled by Go Media and the Carter Group entities ('Carter Group') at the hearing regarding off-site signage. This report evaluates the submitter's relief in respect to digital off-site signage more specifically in the response to the Hearing's panel question [3].

SIGN-R5 – Off-site signage

- 2.2 The Carter Group and Go Media request that off-site signs located in the GIZ and LFRZ that do not satisfy rule SIGN-R2 Temporary Signs or new rule SIGN-R6 Digital Signage are allocated a permitted activity status, provided that the proposed pre-requisites relating to the number and size of off-site signs, and their visibility from a RESZ ('Residential Zone'), GRUZ ('General Rural Zone') or State Highway 1, are satisfied. The submitters propose that a failure to satisfy the pre-requisites would require assessment as a restricted discretionary activity, with the discretion being limited to matters listed in SIGN-MAT1. The Carter Group have stated they would also be comfortable with a controlled activity status, which was advanced by Mr. Phillips at the hearing.¹
- 2.3 Council's Senior Urban Designer and Town Planner, Ms. Gabi Wolfer, has evaluated the submitter's hearing statement and matters raised in relation to off-site signage (refer to **Appendix 3**). She acknowledges that the PDP needs to better recognise the context of the GIZ and LFRZ when considering the effects of off-site signage on the receiving environment.² Ms. Wolfer supports the submitter's position that an appropriate distinction is made between off-site and on-site digital signage in the amendments contained in the submitter's joint memorandum. Ms. Wolfer continues to maintain that off-site signage in the GIZ and LFRZ needs to be assessed on a case-by-case basis relative to its site context (zone, precinct location, frontage, length, and site configuration) and taking into account the potential for the proliferation of off-site signage.³
- 2.4 I acknowledge and support in principle the submitter's reasoning that a discretionary activity

¹ Joint Memorandum of Counsel on behalf of Go Media Limited and Carter Group Limited Submitters, paragraph 5(c). Refer Statement of Evidence of Jeremy Phillips on behalf of Carter Group, paragraph 20.1 and Appendix 1.

² Appendix 3 - Section 2, paragraph 2.6.

³ Appendix 3 - Section 2, paragraph 2.8.

status for all off-site signage (except for off-site signage in the RESZ and GRUZ, where it is agreed that a non-complying activity status is appropriate) does not appropriately recognise the contribution this activity provides to the wellbeing of the district. I also agree that the activity status of rule SIGN-R5 should better recognise the context of the GIZ and LFRZ, which by their nature contain more intensive activities and have lower thresholds in respect to amenity and nuisance related effects. A consequence of supporting the amended activity status for rule SIGN-R5 is that requirement SIGN-REQ6 needs to be carried through to ensure that off-site signage is subject to the distracting features requirements.

- 2.5 For the reasons given in Ms. Wolfer's report, I consider that off-site signage has the potential to cause adverse effects and that it is appropriate that the Council retain the ability to evaluate the effects of off-site signage in the GIZ and LFRZ.⁴ Given the lack of connection between off-site signage and the activities taking place in the vicinity of the sign, I do not consider it can be assumed that all off-site signs will be an integral component of the industrial and commercial activities that are occurring in the GIZ and LFRZ.⁵
- 2.6 However, I consider that a permitted activity status for off-site signage in the GIZ and LFRZ that complies with Rule SIGN-R5 is appropriate based on the pre-requisites⁶ that need to be satisfied in the submitters proposed amendments to the notified rule. I consider that the permitted activity standards act as an appropriate 'gateway' that needs to be passed to satisfy the rule, and that compliance with these standards will effectively manage the character and amenity effects of signs in these zones.⁷
- 2.7 In relation to the matters of control and discretion in SIGN-MAT1, I note that a number of these matters are addressed in the proposed permitted activity standards in Rule SIGN-R5.1. These matters are evaluated below:
- **SIGN-MAT1.a** Apart from the Southbridge GRUZ, there are no areas within the GRUZ or LFRZ of the PDP (as notified) that are protected for heritage, cultural or natural purposes. Given the purposes of the GRUZ and LFRZ, I do not consider that additional controls beyond those proposed in the permitted standards are required to control impacts on amenity, visual and character matters. I note that breaches of the prescribed standards, including the visibility of a proposed sign from any RESZ or GRUZ, would trigger a requirement to apply for a restricted discretionary consent.
 - **SIGN-MAT1.d** I do not consider that landscaping mitigation is required for off-site signs in the GRUZ and LFRZ that comply with the permitted standards.
 - **SIGN-MAT1.f** It is evident from reviewing the submitter's proposed permitted activity rules that the Council would not be able to control the content of the sign and hence whether it 'adds visual interest' or 'screens unsightly activities'. I do not consider that it is

⁴ As set out in amended matter of control SIGN-MAT1.

⁵ In accordance with policy SIGN-P1.

⁶ Including that the off-site sign is in either the GIZ or LFRZ, is not visible from a RES, RUZ or State Highway, does not exceed a maximum area of 18m² or height of 9m, the site has a maximum road frontage of 40 and there are no more than two off-site signs per site.

⁷ Consistent with Objective SIGN-O1, Policies SIGN-P1, SIGN-P2 and SIGN-P5.

necessary nor appropriate for the Council to reserve control over the ‘visual interest’ of signage, which is a vague term to determine compliance. I consider that the risk of any sign screening ‘unsightly activities’ is low, noting that signage will generally need to comply with the Advertising Standards Code and that any unsightly activity could have negative impacts on the site and surrounding businesses. The addition to the permitted activity standards could be made to note that any signage does not display any indecent or offence material should this remain a concern to the Panel.

- **SIGN-MAT1.g** I consider that ‘special circumstances’ is too broad a term to be used as a matter of control in this instance, and is unnecessary based on the coverage of the permitted activity standards.
- **SIGN-MAT1.h** I consider that traffic safety matters are partially addressed through the standards related to visibility to the State Highway, maximum number of signs and minimum road frontage per off-site sign. A consequence of supporting the amended activity status for rule SIGN-R5 is that requirement SIGN-REQ7 should be incorporated into the rule to ensure that off-site signage does not compromise traffic safety.

2.8 I consider it is appropriate that any off-site signage in the GIZ and LFRZ that does not satisfy the pre-requisites in SIGN-R5 should be assessed as a restricted discretionary activity. A restricted discretionary activity status would require an application to be evaluated against the matters of discretion in SIGN-MAT1, provide the ability for Council to notify applications (where the relevant statutory tests are met), and enable an application to be declined where the relevant matters of discretion cannot be satisfied. The amendments proposed by the applicant also maintain the need to manage off-site signage where it is both within, or on the interface with, more sensitive environments. This is assisted by the inclusion of a cross reference to new rule SIGN-R6 for managing digital off-site signage, which is evaluated in the response to the hearing panels question [3] below.

2.9 Ms. Wolfer’s evidence notes that the definition of ‘off-site signage’ in the notified PDP does not distinguish between digital off-site and non-digital signage.⁸ Having reviewed the notified definitions I do not consider that further amendments are needed as the definition of ‘sign’ captures digital signage through its reference to “...electronic displays...”, which by default would apply to all digital signage irrespective of whether it is located on or off a site.⁹

2.10 Ms. Wolfer provides a detailed assessment of the context of the various GIZ areas across the district, identifying that the reference to ‘State Highway’ in the submitter’s schedule of amendments does not limit the provisions to Rolleston’s industrial parks.¹⁰ Ms. Wolfer supports a more enabling rules framework for the LFRZ and GIZ-PREC6 based on her analysis of the site context¹¹. In my opinion, the recommendation above is the most efficient and

⁸ Appendix 3 - Section 2, paragraph 2.1.

⁹ PDP Part 1 – Introduction and General Provisions – Interpretation, Definitions, 5 October 2020. The PDP definition of ‘sign’ is consistent with the National Planning Standards 2019.

¹⁰ Appendix 3 - Section 2, paragraphs 2.9 to 2.18.

¹¹ Refer to paragraphs 2.27 & 2.28 below for a more specific assessment of the appropriateness of the ‘visibility from a State Highway’ pre-requisite.

effective way to achieve the outcomes sought in the PDP.¹²

Matters for control and discretion

- 2.11 I generally support the position taken by the submitters in the joint memorandum that SIGN-MAT1 and SIGN-MAT2 can be adapted to apply to the consideration of both controlled and restricted discretionary activity applications.
- 2.12 I agree that it is appropriate to remove the phrase “whether” from SIGN-MAT1.1 and SIGN-MAT2.1, should the Panel support these provisions applying to both controlled and restricted discretionary activities. I consider that “whether” infers the application of a test to determine the overall appropriateness of a proposed sign (and hence an ability to decline where not appropriate), which would not typically be included in a matter of control. I generally agree with the evidence of Mr. Phillips and do not consider that the proposed changes would preclude Council’s ability to meet its duties under section 77B or to refuse a restricted discretionary activity application under section 104C (2).
- 2.13 Similarly, I support the inclusion of the proposed amendments to SIGN-MAT2, which better enable the visibility of signage and potentially adverse effects on the RESZ and GRUZ to be appropriately evaluated and to ensure traffic safety is maintained. However, aside from the removal of the phrase “whether”, I do not consider that the balance of the amendments to SIGN-MAT1 are more effective or efficient than the notified matters of discretion.¹³

[2] Respond to the tabled evidence from Waka Kotahi in respect to the minimum font size for signage that is visible from a State Highway.

- 2.14 The Waka Kotahi hearing statement supports in part amendments to requirement SIGN-REQ7 and addresses the Officer Report that rejects additions to this requirement that are sought to address road safety concerns¹⁴. More specifically, Waka Kotahi reiterates their position that it is appropriate to include proposed requirement SIGN-REQ7.2 that would require all signs that are visible from a State Highway to comply with the minimum lettering sizes detailed in the primary submission.
- 2.15 Having reviewed the evidence and the relief sought I agree that similar controls are applied in the Operative Selwyn District Plan¹⁵ and accept that other district plans apply similar requirements. The Signs Section 32 evaluation identifies that traffic safety is an important consideration when managing signage in the district. The evaluation references the need to manage signs that obscure or confuse motorists, while identifying the following consideration that informed the drafting of requirement SIGN-REQ7:

¹² In particular, Objectives SD-DI-O2, SIGN-O1 and Policies SIGN-P1 and SIGN-P5.

¹³ DPR-0358.320 & 321 RWRL, DPR-0363.309 & 310 IRHL, DPR-0374.315 & 316 RIHL, and DPR-0384.327 & 328 RIDL

¹⁴ Officer Section 42A Report, paragraph 13.49.

¹⁵ SDP Rural Volume C6 Signs and Noticeboards, 6.4 - Outdoor Signs and Strategic Roads, SDP Township Volume C7 LZ Signs, 7.5 - Outdoor Signs and Strategic Roads and SDP Township Volume C19 BZ Signs Noticeboards, 19.2 Outdoor Signs and Strategic Roads

“Revised and less detailed rules relating to signs adjacent to State Highways and arterial roads to better reflect current NTZA guidance regarding signs and traffic safety”¹⁶.

- 2.16 While I maintain concerns with the specificity of the recommended additions to requirement SIGN-REQ7, the Operative District Plan includes provisions that are generally consistent with the outcomes sought in the relief sought by Waka Kotahi in respect to the addition of requirement SIGN-REQ7.2.
- 2.17 Consequently, the amendments in Waka Kotahi’s submission are supported to meet the balance between maintaining traffic safety and ensuring the PDP is effective and efficient to administer¹⁷.

[3] Respond to the tabled evidence from Go Media in respect to digital signage.

- 2.18 Go Media and Carter Group, initially through submissions and subsequently through the joint memorandum, have sought several changes to the Signs chapter to better enable the establishment and operation of digital off-site signage in the district. This includes the provision of new Rule SIGN-R6 Digital Off-site Signs and supporting rule requirement SIGN-REQ8 Digital Off-site Signage. The submitters have also sought changes to requirement SIGN-REQ6 Distracting Features and matters of control/discretion SIGN-MAT1 and SIGN-MAT2¹⁸.

New rule SIGN-R6 Digital Off-site Signs

- 2.19 The submitters seek that digital off-site signage is classified as a permitted activity in the GIZ, LFRZ, TCZ (‘Town Centre Zone’) and KNOZ (‘Knowledge Zone’), provided that several pre-requisites¹⁹ set out in proposed new requirement SIGN-REQX (requirement SIGN-REQ8 based on the structure of the notified provisions) are met.²⁰
- 2.20 Ms. Wolfer has evaluated the submitter’s evidence statements, joint memorandum and the matters raised in relation to digital signage (refer to **Appendix 3**). As outlined in the assessment of rule SIGN-R5 above, Ms. Wolfer considers that the PDP needs to better recognise the context of the GIZ, LFRZ, TCZ and KNOZ when managing the effects of digital off-site signage on the receiving environment.²¹ However, she continues to maintain that digital off-site signage in these zones needs to be assessed on a case-by-case basis relative to its site context (zone, precinct location, frontage, length, and site configuration), and the potential for the proliferation of digital signage.²² In response to the Go Media legal submission²³ and joint legal memorandum, Ms. Wolfer also evaluates the spatial context of the KNOZ, identifying that it is surrounded by RESZ and GRUZ environments and that it is not appropriate to enable digital off-site signage in these locations as a permitted activity²⁴.

¹⁶ Signs - Section 32 evaluation, 1. Executive Summary, Pg. 4 and Section 6.3 Policies and rules relating to Issues 1 and 2, Pg.20

¹⁷ DPR-375.154 Waka Kotahi

¹⁸ Changes sought by the submitters to SIGN-MAT1 and SIGN-MAT2 have been addressed in response to question [1] above.

¹⁹ The digital off-site sign is not visible from a RESZ, GRUZ or State Highway and satisfies the traffic safety requirements in SIGN-REQ7.

²⁰ Including proposed Rule SIGN-R6.

²¹ Appendix 3 - Section 2, paragraph 2.6.

²² Appendix 3 - Section 2, paragraphs 2.7 & 2.8.

²³ Go Media Legal submissions. Anderson Lloyd, 31 March 2022.

²⁴ Appendix 3 - Section 2, paragraphs 2.19 to 2.21.

- 2.21 I acknowledge and agree in principle that the LFRZ, TCZ, GIZ and KNOZ will have a lower sensitivity to the effects of digital off-site signage than the RESZ or GRUZ and agree that the current discretionary activity status does not appropriately recognise the contribution this activity provides to the wellbeing of the district. However, based on Ms. Wolfer's urban design evidence I do not support the amendments that provide for digital off-site signs within the identified zones as a permitted activity.
- 2.22 The amendments contained in the joint memorandum emphasises that the amendments being sought are based on the notified provisions contained in the operative Christchurch District Plan.²⁵ While I recognise that these provisions enable digital signage and may be working effectively in Christchurch City, I consider that the context of the LFRZ, TCZ, GIZ and KNOZ in Selwyn District is different to similar environments within metropolitan Christchurch and the Selwyn district context needs to be reflected in the PDP signage provisions.²⁶
- 2.23 I consider that a controlled activity status for digital off-site signage in the GIZ except for GIZ-Precinct 6, the TCZ, and the KNOZ that complies with Rule SIGN-R6, SIGN-REQ7 and new requirement SIGN-REQ8 is appropriate. I base this on the evidence establishing that these zones have a lower sensitivity in respect to character and amenity expectations, and that the pre-requisite requiring that signage is not visible from any adjoining RES, GRUZ or State Highway will effectively protect those adjacent receiving environments. A controlled activity status would provide the Council the ability to evaluate applications for digital off-site signage in the, TCZ, GIZ and KNOZ the against matters of control detailed in the amended SIGN-MAT1 and SIGN-MAT2. It would also enable consent conditions to be applied to decisions to ensure that any effects relating to the scale, design, colour, and location of the sign, as well as the digital display and operational effects, are compatible with the character and visual amenity of the surrounding area.
- 2.24 I consider that a permitted activity status for digital off-site signage in the LFRZ and GIZ-Precinct 6 that complies with rule SIGN-R6, requirement SIGN-REQ7 and new requirement SIGN-REQ8 is appropriate. These two areas are larger than the zones that are subject to the proposed controlled activity status and are of a size where signage can locate in a way that avoids adverse effects on adjoining zones.²⁷ I consider that compliance with new SIGN-REQ8 will ensure that any adverse effects associated with digital signs in these zones is addressed – with non-compliance requiring a restricted discretionary consent.
- 2.25 I note that the PDP contains a strong framework that seeks to protect the amenity values of the district based on the context of each zone and receiving environment.²⁸ A restricted discretionary activity status where the proposed digital off-site signage does not satisfy the pre-requisites set out in rule SIGN-R6, or a discretionary activity status where it is located within more sensitive zones would enable a consent to be notified, and potentially declined. I

²⁵ Joint Memorandum of Counsel on behalf of Go Media Limited and Carter Group entity submitters, paragraph 6.

²⁶ Noting that urban areas should contribute to the District Identity Strategic Objectives, which provide for a different overarching direction in comparison to the Christchurch objective and policy framework.

²⁷ This is consistent with the evidence of Ms Wolfer in Appendix 3 - Section 2, paragraph 2.12.

²⁸ For example, PDSP Strategic Objective SD-DI-O1, objectives CMUZ-O4 and CMUZ-O5 and policies CMUZ-P2 and CMUZ-P3, objective GIZ-O2 and policies GIZGIZ-P3 and GIZ-P5 and objective TCZ-O1 and policies TCZ-P2 and LFRZ-P2.

consider that the provisions framework detailed above is the most appropriate in achieving the outcomes expressed in objective SIGN-O1 and policies SIGN-P2 and SIGN-P5.

- 2.26 I recognise that this recommendation does not entirely support the relief sought by Go Media, but I consider that there is scope for this recommendation through the submissions and the joint memorandum as the recommended permitted and controlled activity status is more enabling than what is provided for in the notified PDP (and therefore falls between the PDP and the relief sought by Go Media)²⁹.

SIGN-REQ6 Distracting features

- 2.27 Carter Group and Go Media seek to amend requirement SIGN-REQ6 Distracting Features as it applies to the GIZ and LFRZ so that:

- Signs containing distracting features that are not visible from the RESZ, GRUZ or State Highway 1 are a controlled activity; and
- Signs containing distracting features that are visible from the RESZ, GRUZ or State Highway 1 are a restricted discretionary activity.

- 2.28 I understand that the amended requirement would not apply to digital off-site signs regulated under proposed new Rule SIGN-R6, which limits the Council's consideration to the matters in requirement SIGN-REQ7 Traffic Safety, new requirement SIGN-REQ8 Digital Off-site Signage and the matters listed in SIGN-MAT2. Therefore, the amendments put forward by the submitters complement the wider changes they propose to support their relief in respect to off-site and digital off-site signage in the GIZ and LFRZ.

- 2.29 Ms. Wolfer has evaluated the submitter's amendments from an urban design perspective (**Appendix 3**). She acknowledges that the effects relating to the distracting nature of signage are largely visual and supports the applicant's recommendation to remove the reference to LED and digital signage as distracting features in requirement SIGN-REQ6.³⁰ Ms. Wolfer does raise concerns that the absence of a metric to establish when a sign becomes visible from a State Highway may make requirement SIGN-REQ6 difficult to administer.³¹

- 2.30 While I acknowledge Ms. Wolfer's concerns, I am comfortable that the proposed amendments to requirement SIGN-REQ6 are appropriate should the panel choose to support the balance of the relief sought by Go Media and the Carter Group in respect to digital signage in the GIZ and LFRZ and rule SIGN-R6³². This is because the Operative Selwyn District Plan and others across the country apply a non-specific test for establishing whether a sign is visible from a State Highway. I note that Waka Kotahi have not raised any concerns with this test in their evidence, nor in their suggested changes to requirement SIGN-REQ7.

²⁹ DPR-0250.001 to 003 Go Media and Joint Memorandum of Counsel, 24 May 2022, paragraph 5(c).

³⁰ Appendix 3 - Section 5, paragraphs 5.1 to 5.3.

³¹ Appendix 3 - Section 2, paragraph 2.15.

³² DPR-0250.003 Go Media, DPR-0358.318 RWRL, DPR-0363.307 IRHL, DPR-0374-313 RIHL, and DPR-0384.325 RIDL

SIGN-REQX (SIGN-REQ8) Digital Off-site Signage

- 2.31 As with the amendments proposed to requirement SIGN-REQ6 above, Go Media and the Carter Group propose the inclusion of new requirement SIGN-REQ8 Digital Off-site Signage. This requirement applies industry standards to establish whether digital off-site signage within the GIZ, LFRZ, TCZ and KNOZ is a permitted or controlled activity under new rule SIGN-R6 Digital Off-site Signage.
- 2.32 I consider that the substantive merits of requirement SIGN-REQ8 turns on whether the panel accepts the submitter's relief in respect to new rule SIGN-R6. In any event, I support the intent and scope of the pre-requisites listed in the requirement in the Go Media and Carter Group joint memorandum and consider that it can be effectively integrated into the Signs Chapter and that the industry standards put forward are reasonable and appropriate³³. I also agree that it is appropriate to specify industry standards in the PDP to guide the evaluation of applications for digital off-site signage, rather than relying on a discretionary activity status that is silent on what matters should be considered.
- 2.33 As identified in the assessment of new rule SIGN-R6, I consider that a controlled activity status is appropriate for evaluating digital off-site signage and that industry standards detailed in requirement SIGN-REQ8 and the amended matters of discretion SIGN-MAT1 and SIGN-MAT2 would complement this consenting regime. This position is supported by Ms. Wolfer's urban design evidence on the merits of proposed requirement SIGN-REQ8, which identifies the need for Council to maintain an opportunity to evaluate digital signage in the GIZ, LFRZ and TCZ (**Appendix 3**).³⁴

3. Clarification regarding matters raised in evidence

[1] Woolworths

- 3.1 The Woolworths hearing statement records concerns with the provisions recommended in the Section 42A and Officer Right of Reply as they relate to free standing signage and on-building signage within the GIZ, LFRZ and TCZ. More specifically, the submitter maintains that it is appropriate to increase the maximum area of a free-standing sign to 27m² (from 18m²) in the LFRZ, GIZ (requirement SIGN-REQ1.15) and TCZ (SIGN-REQ1.21.b). They also maintain that it is appropriate to remove any limits on the total maximum area of signage that is attached to buildings in the GIZ and LFRZ (requirement SIGN-REQ2 Table 1).
- 3.2 In respect to the maximum area of free-standing signs in the GIZ, LFRZ, and TCZ, Ms. Wolfer evaluates the submitters' relief and concludes that 18m² is appropriate from an amenity perspective and necessary to achieve the anticipated outcomes within the respective zones (**Appendix 3**).³⁵ I do not support the maximum increase in signage area and maintain that the relief sought should be rejected based on Ms. Wolfer's urban design evidence.

³³ DPR-0250.001 to 003 Go Media

³⁴ Appendix 3 - Section 5, paragraph 5.2.

³⁵ Appendix 3 - Section 3, paragraphs 3.2 to 3.8.

- 3.1 In respect to the removal of any limits on the total maximum area of on-building signage in the GIZ and LFRZ, Ms. Wolfer evaluates the submitters relief and confirms that an error has been made and that the 25% built form requirement in SIGN-Table 1 was intended to apply (refer to **Appendix 3**).³⁶ Ms. Wolfer also supports the further amendment to the requirement that is recommended by the submitter that applies the 25% total maximum area to the primary and secondary building frontage to replace the current reference to “...*primary building façade*...”.³⁷ The replacement of the references to “façade” with “frontage” ensures that the term that is defined in the PDP applies to the requirement. On this basis and the submitters evidence, I support the amendments and accept the submitters relief in respect to the structure of SIGN-TABLE1³⁸.

[2] Trustpower

- 3.2 The Trustpower hearing statement confirms an amendment to the relief sought in their submission that adopts the wording from the Officer right of reply for the Energy and Infrastructure (EI) Chapter for inclusion in the Signs Chapter Overview³⁹. The amendments put forward by Trustpower address my concerns that were identified in the Section 42A Report, and I consider that they will ensure the Signs and EI Chapters are effectively integrated. Therefore, I support the submitter’s relief⁴⁰.

[3] Waka Kotahi

- 3.3 Waka Kotahi’s hearing statement identifies a variance in the drafting of policies SIGN-P4 and SIGN-P5, where the phrases “ensure” and “address” transport safety are used interchangeably. The statement queries whether the choice of phrase was intended to signal priorities between the policies. I can confirm that there was no specific intention for the different phrases to be used. I support Waka Kotahi’s suggested amendment to policy SIGN-P5 to replace “address” with “ensure”, which will maintain consistency across the PDP and more specifically with the wording and intent of policy SIGN-P4⁴¹. Although this amendment results in a duplication of the phrase “ensure”, this repetition is considered appropriate when balanced against overall Plan consistency.
- 3.4 The Waka Kotahi hearing statement records support for the position reached in the Officer Section 42A report that rule SIGN-R4 should be amended to replace “and” to “or” to recognise that rules SIGN-R1.1 and SIGN-R3 manage different types of signage. The change and the submitter’s associated relief are supported⁴².

[4] Carter Group

- 3.5 The Carter Group evidence proposes to add the following chapeau to requirement SIGN-REQ1

³⁶ Appendix 3 - Section 4, paragraph 4.1.

³⁷ Appendix 3 - Section 4, paragraphs 4.2 and 4.3.

³⁸ DPR0396.029 Woolworths

³⁹ Hearing 4: Energy and Infrastructure, Officer Right of Reply - [Right of Reply EI \(selwyn.govt.nz\)](https://www.selwyn.govt.nz/right-of-reply-el)

⁴⁰ DRP-0441.141 Trustpower

⁴¹ DPR-0375.141 Waka Kotahi

⁴² DPR-0375.146 Waka Kotahi

Free Standing Signs as it applies to the LFRZ, GIZ, PORTZ ('Special Purpose Port Zone') and DPZ ('Special Purpose Dairy Processing Zone'), immediately prior to SIGN-REQ1.14:

"For free standing signs in the LFRZ that are visible from a RESZ or GRUZ or State Highway 1, or free-standing signs in the GIZ, PORTZ or DPZ:"

- 3.6 I understand that the effect of this proposed amendment is to remove controls on the scale (area, width, and height) of free-standing signage in the LFRZ where they are not visible from the RESZ, GRUZ or State Highway 1.⁴³
- 3.7 Ms. Wolfer has evaluated the hearing statement and the matters raised (refer to **Appendix 3**). The relief sought by the submitter's is not supported by Ms. Wolfer on the grounds that removing all controls on the number, placement, and size of signage in the LFRZ would have the potential to generate adverse effects, including in respect to the overall character and amenity of the zone and in respect to a proliferation of signage that could compromise the function of the area.⁴⁴ I do not support the exemptions to the free standing signage requirements sought by the submitters and maintain that the relief sought should be rejected based on Ms. Wolfer's urban design evidence.

4. Reporting Officer's Proposed Provision Amendments

- 4.1 On review of the submitter's evidence and the matters raised at the Hearing and responses to the Panel's questions the following amendments to the proposed provisions are recommended. The amendments that were recommended in the Section 42A evidence are included but are not shown as underlined text or strikethrough. For a full summary of all the proposed amendments to provisions see **Appendix 2**.

Proposed amendment:

- 4.2 Amend the Signs Chapter Overview as follows:

Any official sign or ~~S~~signs associated with emergency services facilities, and network utilities, or necessary for the safe and efficient operation of electricity generation activities are subject to Rules EI-R23 and EI-R29 in the Energy and Infrastructure Chapter. ...

Submission scope:

- 4.3 Scope is provided for this proposed amendment through the Trustpower submission point, DPR-0441.141.

Reasoning:

- 4.4 The appropriateness of the amended overview will ensure the correct cross references to the EI Chapter are included in the Overview. No Section 32AA evaluation is deemed necessary.

⁴³ Evidence of Jeremy Phillips on behalf of Carter Group at [11.2].

⁴⁴ Appendix 3 - Section 3, paragraphs 3.9 to 3.14.

Proposed amendment:

- 4.5 Amend policy SIGN-P5 as follows:

SIGN-P5 Avoid off-site signs in Residential and Rural Zones and ensure that off-site signs in all other zones ~~address~~ensure transport safety and are compatible with the character and visual amenity values of the surrounding area, particularly where they are visible from any Residential or Rural Zone.

Submission scope:

- 4.6 Scope is provided for this proposed amendment through the Waka Kotahi submission point, DPR-375.141.

Reasoning:

- 4.7 The amendment will improve the readability and administration of the PDP signage provisions where they are proposed to avoid adverse effects of onsite signage, including by maintaining consistency across the PDP and more specifically with the wording and intent of policy SIGN-P4. No additional Section 32AA evaluation is deemed necessary.

Proposed amendment:

- 4.8 Amend rule SIGN-R4 as follows:

SIGN-R4 Signs adjacent to State Highways or Arterial Roads

All zones	Activity status: PER 1. Other than a sign listed in SIGN-R1.1 and <u>or</u> SIGN-R3, any sign located on a site adjacent to a State Highway or Arterial Road listed in APP2 – Roading Hierarchy which has a speed limit of more than 60km per hour. ...
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Submission scope:

- 4.9 Scope is provided for this proposed amendment through the Waka Kotahi submission point, DPR-375.146.

Reasoning:

- 4.10 The amendment will improve the readability and administration of the PDP signage provisions where they are proposed to be established adjacent to State Highways and Arterial Roads by providing certainty that either rule SIGN-R1 or SIGN-R3 apply. No additional Section 32AA evaluation is deemed necessary.

Proposed amendment:

- 4.11 Amend rule SIGN-5 Off-Site Signs as contained in the Go Media and Carter Group joint legal memorandum to provide for digital off-site signage within the GIZ and LFRZ as a permitted activity where compliance with the related requirements has been satisfied.

- 4.12 The following provisions are from the submitter's joint legal memorandum. I have amended this schedule to reference the recommended permitted activity status, matters of discretion and the related consequential changes. These are underlined.

SIGN-R5 Off-site Signs

<u>GIZ</u> <u>LFRZ</u>	<p><u>Activity status: PERCON</u></p> <p>1. <u>Any off-site sign, excluding any temporary off-site sign provided for in SIGN-R2 and any digital off-site sign provided for in SIGN-R6.</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>The off-site sign is not visible from the RESZ, GRUZ or a State Highway;</u> b. <u>The maximum Area of a Sign of any single off-site sign shall be 18m²;</u> c. <u>The maximum height above ground level at the top of the off-site sign shall be 9m;</u> d. <u>The site shall have a minimum road frontage of 40m per off-site sign; and</u> e. <u>There shall be a maximum of two off-site signs per site.</u> <p><u>And this activity complies with the following rule requirements:</u> <u>SIGN-REQ6 Distracting features</u> <u>SIGN-REQ7 Traffic safety</u></p>	<p><u>Activity status when compliance not achieved:</u></p> <p>2. <u>Where compliance with SIGN-R5.1 is not achieved: RDIS</u></p> <p><u>Matters for discretion:</u></p> <p>3. <u>The exercise of discretion in relation to SIGN-R5.2 is restricted to the following matters:</u></p> <ul style="list-style-type: none"> a. <u>SIGN-MAT1</u>
All Zones, except RESZ, GRUZ, <u>GIZ</u>, <u>LFRZ</u>	<p><u>Activity Status: DIS</u></p> <p>4. <u>Any off-site sign, excluding any temporary off-site sign provided for in SIGN-R2 and any digital off-site sign provided for in SIGN-R6.</u></p>	<p><u>Activity status when compliance not achieved: N/A</u></p>
RESZ GRUZ	<p><u>Activity Status: NC</u></p> <p>5. <u>Any off-site sign, excluding any temporary off-site sign provided for in SIGN-R2 and any digital off-site sign provided for in SIGN-R6.</u></p>	<p><u>Activity status when compliance not achieved: N/A</u></p>

Submission scope:

- 4.13 Scope is provided through the Go Media submission points, DPR-0250.001 to 003 and the Carter Group submission points, DPR-0358.312 (RWRL), DPR-0363.301 (IRHL), DPR-0374.307 (RIHL), and DPR-0384.319 (RIDL).

Reasoning:

- 4.14 A permitted activity status for digital off-site signage in the GIZ and LFRZ that complies with rule SIGN-R5 is appropriate based on the pre-requisites that need to be satisfied in the submitters proposed amendments to the notified rule. The prerequisites would ensure that the visual, amenity, character, and traffic safety considerations as appropriate to the GIZ and LRFZ are controlled through the rule, with any non-compliance with these standards triggering

a requirement for a restricted discretionary consent.

- 4.15 The recommended amendments better recognise the contribution digital off-site signage provides the wellbeing of the district, particularly within the GIZ and LFRZ. The changes will also ensure that the PDP more effectively protects the more sensitive environments in the district from any potentially adverse effects associated with the establishment and operation of off-site and digital off-site signage. The amendments will complement new rule SIGN-R6 Digital Off-site Signs and will also more effectively achieve the outcomes identified in objective SIGN-O1 and policies SIGN-P1, SIGN-P2 and SIGN-P5.
- 4.16 No additional Section 32AA evaluation is deemed necessary.

Proposed amendment:

- 4.17 Insert new rule SIGN-6 Digital Off-site Signs as contained in the Go Media and Carter Group joint legal memorandum to provide for off-site signage within the GIZ, LFRZ, TCZ and KNOZ as a permitted or a controlled activity where compliance with the related requirements has been satisfied.
- 4.18 The following provisions are from the submitter's joint legal memorandum. They have been amended to reference the recommended permitted or controlled activity status and the related consequential changes. These are underlined.

SIGN R6 – Digital Off-site Signs

<u>GIZ-PREC 6</u> <u>LFRZ</u>	<u>Activity Status: PER</u> <u>1. Any digital off-site Sign.</u> <u>Where:</u> a. <u>The sign is not visible from a RESZ, GRUZ or a State Highway.</u> <u>And the activity complies with the following rule requirements:</u> <u>SIGN-REQ7 Traffic safety</u> <u>SIGN-REQ8 Digital Off-site Signage</u>	<u>Activity status when compliance not achieved:</u> <u>2. Where compliance with SIGN-R6.1.a is not achieved: RDIS</u> <u>3. When any rule requirement listed in this rule is not achieved: Refer to SIGN-Rule Requirements.</u> <u>Matters for discretion:</u> <u>4. The exercise of discretion in relation to SIGN-R6.23 is restricted to the following matters:</u> a. <u>SIGN-MAT1</u> b. <u>SIGN-MAT2</u>
<u>GIZ</u> <u>(excluding GIZ-PREC 6)</u> <u>TCZ</u> <u>KNOZ</u>	<u>Activity Status: PERCON</u> <u>5. Any digital off-site Sign.</u> <u>Where:</u> a. <u>The sign is not visible from a RESZ, GRUZ or a State Highway.</u>	<u>Activity status when compliance not achieved:</u> <u>7. Where compliance with SIGN-R5.a is not achieved: RDIS</u> <u>8. When any rule requirement listed in this rule is not</u>

	<p><u>And the activity complies with the following rule requirements:</u></p> <p><u>SIGN-REQ7 Traffic safety</u></p> <p><u>SIGN-REQ8 Digital Off-site Signage</u></p> <p><u>Matters of Control:</u></p> <p><u>6. The exercise of control is reserved over the following matters:</u></p> <p>a. <u>SIGN-MAT1</u></p> <p>b. <u>SIGN-MAT2</u></p>	<p><u>achieved: Refer to SIGN-Rule Requirements.</u></p> <p><u>Matters for discretion:</u></p> <p><u>9. The exercise of discretion in relation to SIGN-R6.7 is restricted to the following matters:</u></p> <p>a. <u>SIGN-MAT1</u></p> <p>b. <u>SIGN-MAT2</u></p>
<u>All other zones, except RESZ, GRUZ, GIZ, LFRZ, TCZ, KNOZ</u>	<p><u>Activity Status: DIS</u></p> <p><u>10. Any digital off-site sign.</u></p>	<p><u>Activity status when compliance not achieved: N/A</u></p>
<u>RESZ</u> <u>GRUZ</u>	<p><u>Activity Status: NC</u></p> <p><u>Any digital off-site sign.</u></p>	<p><u>Activity status when compliance not achieved: N/A</u></p>

Submission scope:

- 4.19 Scope is provided through the Go Media submission points, DPR-0250.001 to DPR-250.003.

Reasoning:

- 4.20 A permitted and controlled discretionary activity status for digital off-site signage in the GIZ, LFRZ, TCZ, and KNOZ that complies with Rule SIGN-R6 and new requirement SIGN-REQ8 is appropriate given the lower sensitivity of these environments where the signage is not visible from any adjoining RES, GRUZ of State Highway. This activity status would provide the Council with the ability to evaluate any proposed sign against the matters of control SIGN-MAT1 and SIGN-MAT2. It would also enable consent conditions to be applied to decisions to ensure any effects relating to the scale, design, colour, and location of the sign, as well as the digital display and operational effects, are compatible with the character and visual amenity of the surrounding area.
- 4.21 The recommended amendments better recognise the contribution digital off-site signage provides the wellbeing of the district, particularly within the GIZ, LFRZ, TCZ, and KNOZ. The changes will ensure that the PDP more effectively protects more sensitive environments from any potentially adverse effects associated with the establishment and operation of digital off-site signage. The amendments will also more effectively achieve the outcomes identified in objective SIGN-O1 and policies SIGN-P1, SIGN-P2 and SIGN-P5. No additional Section 32AA evaluation is deemed necessary.

Proposed amendment:

- 4.22 Amend requirement SIGN-REQ2 Built Form - Signs Attached to Buildings - SIGN-TABLE1 Signs Attached to Buildings to apply the 25% total maximum area of signs per building to the GIZ

and LFRZ and to replace the reference to “primary” with “any” in relation to the building façade requirement and “façade” with “frontage”.

Zone	Total maximum area of signs per building	Maximum height above ground level at top of sign
GRUZ (excluding GRUZ-PREC1)	3m ² per building and 9m ² per site, whichever is lower.	6m or Façade <u>frontage</u> height, whichever is lower
GIZ PORTZ LFRZ DPZ GRUZ-PREC1	Building length along primary <u>and secondary</u> building frontage (m) x 2m = permitted area m ² .	Façade <u>Frontage</u>
All zones not otherwise specified including KNOZ where not for education purposes	Signage does not occupy more than 25% of <u>any primary and secondary building frontage</u> façade .	Façade <u>Frontage</u> height

Submission scope:

- 4.23 Scope is provided for this proposed amendment through the Woolworths submission point, DPR-396.029.

Reasoning:

- 4.24 The amendments to Table 1 will ensure that the appropriate requirements are applied to on-building signage that is proposed, commensurate with the zone outcomes and potential adverse effects. The replacement of “façade” with “frontage” ensures that the defined term is used, which will assist in the administration of the PDP. No additional Section 32AA evaluation is deemed necessary.

Proposed amendment:

- 4.25 Amend requirement SIGN-REQ6 Distracting Features as it applies to the GIZ and LFRZ to better enable signage that is not visible from a RESZ, GRUZ and State Highway 1, which is consequential to other proposed amendments relating to off-site and digital off-site signage.
- 4.26 The following provisions are from the submitter’s joint legal memorandum. They have been amended to move the phrase “is not visible from the RESZ, GRUZ or State Highway 1” from the location description column into the list of requirements in the second column to maintain consistency with the drafting of the balance of the PDP. These are underlined.

SIGN-REQ6 Distracting Features

<u>TCZ, NCZ, LCZ, CMUZ, GIZ, PORTZ</u>
<u>All zones, excluding TCZ, NCZ, LCZ, LFRZ, CMUZ, GIZ, PORTZ</u>
<u>GIZ</u> <u>LFRZ</u>	<p>6. <u>The sign is not visible from the RESZ, GRUZ or State Highway 1 and does not contain any of the following features:</u></p> <ul style="list-style-type: none"> a. <u>Flashing, revolving, or intermittently illuminated lights.</u> b. <u>Moving components.</u> c. <u>Changing images, digital, or LED displays excluding digital off-site signs.</u> d. <u>Sound effects.</u> e. <u>Captive balloons or blimps.</u> 	<p><u>Activity status when compliance not achieved:</u></p> <p>7. <u>When compliance with SIGN-REQ6.6 is not achieved: CON</u></p> <p><u>Matters for control:</u></p> <p>8. <u>The matters of control in relation to SIGN-REQ6.7 are restricted to the following matters:</u></p> <ul style="list-style-type: none"> a. <u>SIGN-MAT2</u>
<u>GIZ</u> <u>LFRZ</u>	<p>9. <u>The sign is visible from the RESZ, GRUZ or State Highway 1 and does not contain any of the following features:</u></p> <ul style="list-style-type: none"> a. <u>Flashing, revolving, or intermittently illuminated lights.</u> b. <u>Moving components.</u> c. <u>Changing images, digital, or LED displays excluding digital off-site signs.</u> d. <u>Sound effects.</u> e. <u>Captive balloons or blimps.</u> 	<p><u>Activity status when compliance not achieved:</u></p> <p>10. <u>When compliance with SIGN-REQ6.9 is not achieved: RDIS</u></p> <p><u>Matters for discretion:</u></p> <p>11. <u>The matters of control in relation to SIGN-REQ6.9 are restricted to the following matters:</u></p> <ul style="list-style-type: none"> a. <u>SIGN-MAT2</u>

Submission scope:

- 4.27 Scope is provided for this proposed amendment through the Go Media submission points DPR-0250.001 to 003, and Carter Group submission points, DPR-0358.318 (RWRL), DPR-0363.307 (IRHL), DPR-0374-313 (RIHL), and DPR-0384.325 (RIDL).

Reasoning:

- 4.28 The amendments form a component part of the proposed amendments that better enable digital and digital off-site signage within the GIZ and LFRZ. The proposed changes better recognise the contribution of off-site and digital off-site signage makes to the wellbeing of district than the notified provisions, while ensuring any potentially adverse effects can be appropriately avoided, remedied, or mitigated through the consent process. No additional

Section 32AA evaluation is deemed necessary.

Proposed amendment:

4.29 Insert additions to requirement SIGN-REQ7 as follows:

SIGN-REQ7 Traffic Safety

All Zones	<ol style="list-style-type: none"> 1. A sign, other than a sign provided by the road controlling authority, is: <ol style="list-style-type: none"> (a) Of a colour and design that does not resemble a traffic sign or signal; and (b) Is in a position that does not obscure any traffic sign or signal from a road user's view. 2. <u>All signs visible from a State Highway must comply with the minimum lettering sizes listed in SIGN-TABLE 2.</u>
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SIGNS-TABLE 2 - Design Standards for Signs that are visible from a State Highway			
<u>Speed Limit of adjoining state highway (km/h)</u>	<u>Business/ Property Name - Minimum Lettering Height (mm)</u>	<u>Main Message - Minimum Lettering Height (mm)</u>	<u>Secondary Message - Minimum Lettering Height (mm)</u>
<u>50</u>	<u>100</u>	<u>150</u>	<u>75</u>
<u>60</u>	<u>125</u>	<u>175</u>	<u>90</u>
<u>70</u>	<u>150</u>	<u>200</u>	<u>100</u>
<u>80</u>	<u>175</u>	<u>250</u>	<u>125</u>
<u>100</u>	<u>200</u>	<u>300</u>	<u>150</u>

Submission scope:

4.30 Scope is provided for this proposed amendment through the Waka Kotahi submission point, DPR-375.154.

Reasoning:

4.31 The appropriateness of the additional requirement for managing signage is to better achieve transport safety and efficiency, including in respect to the operation of State Highways. An inconsequential change is also suggested to remove 'Is' from requirement SIGN-REQ.7.1(b), which I consider is superfluous. No Section 32AA evaluation is deemed necessary.

Proposed amendment:

4.32 Insert new requirement SIGN-REQ8 Digital Off-site Signage to incorporate industry standards into the PDP as part of the wider provisions package for managing digital off-site signage. The following provisions are from the submitter's joint legal memorandum.

SIGN-REQ8 Digital Off-site Signage

<p><u>GIZ</u></p> <p><u>LFRZ</u></p> <p><u>TCZ</u></p> <p><u>KNOZ</u></p>	<ol style="list-style-type: none"> 1. <u>The maximum Area of a Sign of any single off-site sign shall be 18m².</u> 2. <u>The maximum height above ground level at the top of the off-site sign shall be 9m.</u> 3. <u>The site shall have a minimum road frontage of 40m per digital sign.</u> 4. <u>There shall be a maximum of two off-site signs per site.</u> 5. <u>Each digital sign shall be subject to a written maintenance programme undertaken by the operator/provider and provided to and certified by the Council.</u> 6. <u>The digital sign shall be located at least 50m metres from any signalised traffic intersection.</u> 7. <u>The digital sign shall result in no more than 10.0 lux spill (horizontal and vertical) of light when measured or calculated 2m metres within the boundary of any adjacent site and road.</u> 8. <u>The digital signage display shall:</u> <ol style="list-style-type: none"> (i) <u>Not include live broadcast or pre-recorded video displayed on the screen.</u> (ii) <u>Only include still images displayed for a minimum duration of 10 seconds.</u> (iii) <u>Not Include movement or animation of the images displayed on the screen.</u> (iv) <u>Not contain any flashing images, and the screen itself shall not contain any retro-reflective material.</u> (v) <u>Not contain transitions between still images apart from cross-dissolve of a maximum of 0.5 seconds.</u> (vi) <u>Not contain sound associated with the screen, and no sound</u> 	<p><u>Activity status when compliance not achieved:</u></p> <p>12. <u>When compliance with SIGN-REQ8 is not achieved: RDIS</u></p> <p><u>Matters for discretion:</u></p> <p>13. <u>The exercise of discretion in relation to SIGN-REQ8.12 is restricted to the following matters:</u></p> <ol style="list-style-type: none"> a. <u>SIGN-MAT 1</u> b. <u>SIGN-MAT 2</u>
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	<p><u>equipment is to be installed as part of the screen.</u></p> <p><u>9. The screen shall incorporate lighting control to adjust brightness in line with ambient light levels. The consent holder shall submit a certification report from an independent lighting practitioner within thirty working days following the commencement of the display going live, confirming that the requirements of this condition are met.</u></p> <p><u>10. In the event of digital screen failure, the digital sign screen shall either default to black or switch off.</u></p> <p><u>11. The digital sign shall not exceed the following luminance values:</u></p> <p>(i) <u>Daytime: 5500 cd/m² maximum; and</u></p> <p>(ii) <u>Night-time: 250 cd/m² maximum and 150 cd/m² maximum average.</u></p>	
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Submission scope:

- 4.33 Scope is provided for this proposed amendment through the Go Media submission points, DPR-0250.001 to 003.

Reasoning:

- 4.34 The amendments form a component part of the proposed amendments that better enable digital off-site signage within the Signs Chapter. The proposed changes better recognise the contribution digital off-site signage makes to the wellbeing of the district than the notified provisions, while ensuring any potentially adverse effects can be appropriately avoided, remedied, or mitigated through the consent process. The industry standards put forward are reasonable and appropriate and will assist in the efficient and effective administration of the PDP. No additional Section 32AA evaluation is deemed necessary.

Proposed amendment:

- 4.35 Amend the matters of control and discretion SIGN-MAT1 and SIGN-MAT2 to ensure alignment with the wider framework for managing off-site and digital off-site signage.

SIGN-MAT1 All Signs and Support Structures

- ~~1. Whether the scale, design, colour, and location and nature of the sign, accounting for: will have~~
 - a. impacts on the architectural integrity, amenity values, character values, or visual coherence of:
 - i. The building or site on which the sign is displayed and its ability to accommodate the sign;
 - ii. The surrounding area (including anticipated changes in the area);
 - iii. Heritage buildings or settings, open spaces, protected trees, or areas possessing significant natural or landscape values.
2. ~~Whether the degree of the effects of the sign are increased or lessened due to~~
 - ~~a. The design, dimensions, nature and colour of the sign or support structure;~~
 - b. The amount and nature of existing signs on the building and/or site, and whether the proposed sign will result in visual clutter;
 - c. The level of visibility of the sign;
 - d. The provision of landscaping or other mitigating features;
 - e. The length of the road frontage;
 - f. The extent to which the sign adds visual interest or screens unsightly activities;
 - g. Whether there are any special circumstances or functional needs relating to the activity, building, site or surroundings, which affect the sign's requirements including operational, safety, directional, and functional requirements; and
 - h. The potential of the sign to cause distraction, or confusion to motorists and/or adversely affect traffic safety due to its location, visibility, and/or content including size of lettering, symbols, or other graphics.

SIGN-MAT2 Flashing, Moving, Changing, Displays

- ~~1. Whether the extent of the effects of the signs are increased or lessened due to:~~
1. The design, dimensions, height, location and colour of the sign or support structure.
2. The nature of the display, including the control of:
 - a. Image duration;
 - b. Image transitions; and
 - c. The extent or use of any flashing, moving, changing, audible or video displays.
3. Sign luminance, including:
 - a. The frequency and intensity of intermittent or flashing light sources, and
 - b. The proposed periods of illumination and frequency of image changes;
 - c. Light intensity and aAmbient lighting controls.

- ~~1. The prominence of the sign due to its illuminated or animated nature and ability to draw the eye;~~
- ~~2. For LED or digital displays whether the display includes movement or animation and if so whether such displays increase the sign's visual prominence and potential for distraction;~~
- ~~4. c. For LED or digital displays whether the sign incorporates lighting controls to automatically adjust the brightness of the screen in line with ambient light levels.~~
4. The proximity and prominence of the LED or digital display to residential and other sensitive activities within any part of the Residential or Rural Zone and whether the display will create any character, amenity or disturbance effects on the surrounding environment;
5. Sign maintenance and the management of digital screen failure.
6. The potential of the sign to cause confusion to motorists and/or adversely affect traffic safety.

Submission scope:

- 4.36 Scope is provided for this proposed amendment through the Carter Group submission points, DPR-0358.320 & 321 (RWRL), DPR-0363.309 & 310 (IRHL), DPR-0374.315 & 316 (RIHL), and DPR-0384.327 & 328 (RIDL).

Reasoning:

- 4.37 The amendments form a component part of the proposed amendments that better enable off-site and digital off-site signage within the Signs Chapter. The proposed changes better recognise the contribution this type of signage makes to the wellbeing of the district than the notified provisions, while ensuring any potentially adverse effects can be appropriately avoided, remedied, or mitigated through the consent process. I consider that the amended matters of control and discretion address the relevant considerations in the context of the amended framework for managing off-site and digital signage that is more effective than the notified provisions. The proposed amendments will not preclude Council's ability to meet its duties under section 77B or to refuse a restricted discretionary activity application under section 104C (2). No additional Section 32AA evaluation is deemed necessary.