

District Plan Review Selwyn District Council



DW008 – Signage
Final Draft

Planz Consultants

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REVIEW OF DISTRICT PLAN EFFECTIVENESS FOR MANAGING SIGNAGE

1.0 Introduction and Scope

This proposal is to assist the Selwyn District Council establish the most appropriate planning mechanisms to appropriately provide for signage in a range of different contexts, whilst concurrently maintaining acceptable levels of amenity and traffic safety.

The brief seeks to identify the various types and functions of signage, emerging signage trends, and the effectiveness of the operative Selwyn District Plan provisions in managing such signage. A review of signage provisions in the Plans of other nearby Canterbury Districts is also required, along with reviewing the New Zealand Transport Agency's (NZTA) guidance on signage within and adjacent to the State Highway network. The review is to lay the foundation for providing a potential policy framework and associated rule options for managing signage.

Any opinions expressed in this report are the author's own and are based on their twenty years' experience as a planner and urban designer.

2.0 Methodology

2.1 Identify the types and functions of signage:

Signage is used for a wide range of purposes. The first step is to identify the various types of signage and their functional uses.

2.2 Identify operative Selwyn District Plan approach to managing signage

Summarise the operative Selwyn District Plan approach in terms of the extent and nature of signage controls.

2.3 Field visits to review signage outcomes

Having identified the range of signage types and functions, the next proposed step is to undertake field trips to the main townships and rural hinterland in Selwyn to review on-the-ground 'real world' signage outcomes in a variety of contexts. The field trips will be informed by discussions with Council's monitoring and consenting teams to identify any known problematic locations.

This review would provide a brief qualitative urban design assessment of the resultant amenity outcomes and in particular would be tailored to context, for example the quantum of appropriate signage and attendant acceptable amenity outcomes will be quite different in IZone compared with an established residential neighbourhood.

As requested in the scope of works, the field trip and associated evaluation will consider the appropriateness of the signage provisions for public community and recreational facilities to consider whether such facilities would benefit from an increased proportion of signage and if so whether such an increase would result in unacceptable effects on the amenity of the adjacent area.

In terms of traffic safety, the key at-risk contexts are typically those in close proximity to intersections where signage can create either a driver distraction and/or can visually obscure or mimic traffic signals. Signage that is located adjacent to site vehicle entrances can also give rise to transport safety concerns if it obscures driver sight lines. The field work will therefore include particular attention to contexts where signage is located in close proximity to intersections.

It is anticipated that where potential effects on traffic safety are identified, that feedback will be sought from the Council engaged Transport Consultant to confirm whether a safety hazard is present.

2.4 Assess alignment with NZTA guidelines

Undertake a review of the operative Selwyn District Plan provisions against NZTA's guideline for signage in close proximity to the State Highway network. Liaise with NZTA to obtain feedback on the effectiveness of the current signage provisions. It is noted that such consultation is to be facilitated through the Council's technical contact.

2.5 Review the Mahaanui Iwi Management Plan

Review the Mahaanui Iwi Management Plan and identify the relevant policy guidance or outcomes anticipated in respect to signage.

2.6 Review the signage provisions of other Canterbury Districts

Undertake a review of the signage provisions and approaches contained within the Ashburton, Waimakariri, Hurunui, and Christchurch District Plans. Provide a summary of the approaches taken and provide commentary as to the extent (or not) of consistency across territorial boundaries and an assessment as to whether achieving consistency is beneficial or appropriate given the differing District contexts.

2.7 Identify other tools used by Council in managing signage

In considering the effectiveness of operative Selwyn District Plan provisions, and avoiding unnecessary regulation or duplication, it is important that a review of operative Selwyn District Plan provisions is mindful of these other available tools and legislation. Signage is typically also controlled through:

- (A) Council Bylaws, especially for signage erected in public areas. Such bylaws can be effective in particular with managing poster bollards and temporary signage such as sandwich boards and temporary election and real estate signage that is generally erected within road reserves;
- (B) The Hazardous Substances and New Organisms Act and Health and Safety at Work legislation are parallel tools that require signage to be in place in certain situations. It is therefore important that District Plan provisions do not run counter to that required by other legislation.

2.8 Develop an outline of potential approaches and provisions

Using the findings derived from the above methodology, provide advice on signage matters that should inform or be reflected in policies. Develop an outline of possible signage standards (and options therein) for managing signage in a range of different zones and contexts. In developing these options it is noted that liaison will be required with a number of other topic leads to ensure an integrated

approach to signage is undertaken. These outline provisions are to enable Council to undertake an informed consideration of a preferred approach on signage.

3.0 Identify types of signage

Signage is used for a wide range of purposes and can be both temporary and permanent. Signage is a subset of advertising techniques or modes, and therefore District Plans generally have a very broad definition of signage to ensure that features such as flags, blimps, 3-dimensional objects etc. that are used for advertising purposes are subject to controls. Signage can be illuminated either internally or via directed spotlights, with displays subject to changing technologies such as LED screens that can be programmed to change the sign content.

The first step is to identify the various types of signage which occurs in the district. This includes:

- Advertising on-site commercial activities;
- Advertising off-site activities e.g. billboards, trailers or event marketing;
- Identifying building, company/organisation names and street numbers;
- Traffic directions and safety;
- Tourist information ('brown signs') and township visitor information boards;
- Signage required by other legislation, in particular Hazardous Substances and New Organisms Act and Health and Safety at Work provisions;
- Temporary advertising, i.e. election, real estate and events;
- Recreational safety, directional, and educational signage such as trail markers and information boards.

Signage has always been a component of commercial and industrial areas, and likewise signs for direction or safety reasons have been and are likely to remain commonplace throughout the District. Emerging trends and pressures are discussed in more detail below, but in particular include commercial advertising in rural and living zones, signage advertising temporary events, and changing signage technologies including the use of LED lighting and display units.

4.0 Operative District Plan Signage Controls

4.1 Overview

Unlike most District Plans, the operative Selwyn District Plan does not have a single, dedicated chapter or section addressing signage on a District-wide basis. The operative Plan instead has three different sections relating to signage, with these sections incorporated into the provisions for the Rural, Living, and Business zones. Whilst signage is addressed in a zone-specific manner, there is nonetheless considerable commonality between the signage provisions of the three zones. The various approaches are summarised below, with common elements noted.

Within the three zones, the signage rules are then further broken down into different categories comprised of general signage, directional signs, health and safety, property sales, noticeboards, and signage adjacent to strategic roads. However, it is noted that the Business Zones do not appear to have separate categories for directional signs, health and safety, or property sales.

Within Business Zones it is also important to note that in addition to the District plan framework, individual developers can also enforce their own development-specific signage requirements through either covenants on property titles or through lease agreements. Such non-RMA tools are typically used to ensure an adequate level of amenity is maintained within the development to retain property values across the development as a whole.

4.2 Definitions

Both of the Rural and Township Volumes of the operative District Plan define 'sign' as follows:

Means any device or structure which is visible from any public space and is used to: identify any site or building; provide directions or information; or promote any goods, services, or forthcoming event. A sign does not include any window display, or any property identification signs which do not exceed an area of 0.2 m² (including rural numbers, dairy company numbers, street/road numbers/property names and property owners' names as long as those property identifiers do not include any advertising).

It is important to note that the definition of 'signage' explicitly excludes window displays, and any sign that is not visible from a 'public space' (which is not a defined term). The rules likewise are explicit that they relate to 'outdoor signage'. The operative Plan therefore is only concerned with outdoor signage firstly, and secondly only outdoor signage where such is visible from a public space. In practice, the 'public space' aspect is generally taken to mean from roads and parks, and does not extend to privately owned land that the public has access to e.g. internal to shopping centres, or internal to community facilities such as schools or hospitals.

Both Volumes of the operative District Plan also include a definition of 'temporary sign' as follows:

"includes any sign erected to advertise an upcoming event of interest to the community, or any sign which advertises the products or services of a business or organisation which is associated with an activity on these sites on which the sign is erected. Any temporary sign shall not be erected on any site for more than 6 consecutive calendar months at any one time, or for a collective period of more than 6 calendar months in any 2 year period, except that for any school or church anniversary event the temporary sign may be displayed for up to 12 months prior to the event".

It is also of note that the Ministry for the Environment is proposing that the National Planning Standards include a range of defined terms, including 'sign'. These definitions will need to be reviewed by the Council in due course to establish their consistency or otherwise to the Selwyn context.

4.3 Operative Plan Policy Framework

The Operative Plan provides relatively limited policy direction regarding signage. There are two policies in the Townships Volume and two in the Rural Volume as follows:

Policy B3.4.8 (Rural Volume)

Require signs and noticeboards to be located on the site to which the sign or notice board relates except for:

- *Temporary signs; and*
- *Signs and noticeboards located close to townships on the Plains area*

Policy B3.4.21¹ (Township Volume)

Ensure signs in all zones are designed and positioned to avoid:

- *Adverse effects on the visibility or safety of pedestrians, cyclists or motorists;*
- *Impeding access to or past sites;*
- *Nuisance effects from sound or motion features on signs or from glare or reflectivity;*
- *Adverse effects on the amenity values of the zone; or*
- *Dominance of the 'skyline' or view, caused by large signs protruding above the roofs of buildings.*

Policy B3.4.22

Ensure signs in Living zones are of a size, design and number which maintain the quality of the environment and amenity values of the zone, but recognises the need for retail activities located in Living zones to have extra signs on the site.

Overall the Operative Plan policies provide little recognition of the need for signage or the benefits that signage brings (and therefore the need to enable appropriate signage). There is likewise little policy recognition that signage is a normal and anticipated element of commercial and industrial environments. Feedback from Council's resource consent Planners is that in assessing resource consent applications the policies are not considered to be particularly effective at providing guidance to either applicants or decision makers as to the outcomes that the District Plan is seeking to achieve.

The current structural separation of the Rural and Township Volumes of the operative Selwyn District Plan means that the policy approach to signage is split between the two different environments. This split results in duplication and policy gaps between the two volumes. A coherent district-wide approach to signage policy would avoid duplication and any inconsistencies and gaps.

4.4 Operative Plan Rule Package

Any sign is a permitted activity if the following rules are met, and is a fully discretionary activity if they are not met:

	Business	Living	Rural
General Signage			
Site-related (doesn't apply to temporary or free standing signs)	Yes	Yes	Yes
Max number of signs per site	No limit	2	3

¹ Policy B3.4.9 in the Rural Volume provides similar direction

No flashing or revolving lights or sound effects	Yes	Yes	Yes
No balloons or blimps	Yes	Yes	Yes
Complies with light spill rules	Yes	No (although glare rules should still apply)	Yes
Doesn't obstruct traffic signals or intersections	Yes	Yes	Yes
Doesn't resemble a traffic signal	Yes	Yes	Yes
Maximum height of building it's attached to	Yes	Yes	Yes
Max height if not attached to a building	6m (B1 & B2 zones) 8m (B3 zone)	2m	6m
Maximum size	3m ² per sign (free standing) ² ; B1 zone - no more than 25% of the building elevation ³ ; B2 & B3 - No limit where attached to a building	1m ²	3m ² per sign and 6m ² total per site
Min 2.5m above ground if an overhanging attached sign	Yes	Yes	No
Complies with general building rules if attached to a building	No	Yes	No
If attached to a building does not	Yes	No	No

² In the B1 zone the maximum total free standing signage per site is 3m² for sites with road frontage of less than 50m, or 6m² otherwise.

In the Business and Rural zones signs are not to project beyond the framework of the building.

³ For the purpose of calculating the area of signs painted on a building, the area of the sign is that enclosed by a line drawn around the perimeter of the sign lettering and associated artwork

protrude beyond the building edge			
Directional Signage			
Height limit above ground	No rules so defaults to 'general signage'	3m	1m
Maximum size 0.6m ²		0.6m ²	0.6m ²
Message limited to arrows, 'entry' or 'exit'		Yes	Yes
Health & Safety			
Content limited to organisation undertaking the work or safety information	No rules so defaults to 'general signage'	Yes	Yes
Site-related		Yes	No
Removed when no longer required		Yes	No
Property Sales			
Site-related	No rules so defaults to 'general signage'	Yes	Permitted if removed within one month of sale. Otherwise no limits
Max number of 3 signs/ site		Yes	
Max size of 3m ²		Yes	
No illumination, sound, moving parts, balloons, resemblance of traffic signals		Yes	
Doesn't obstruct traffic movements		Yes	
If on a building doesn't extend beyond the building edge		Yes	
Sign removed from site within 1 month of sale		Yes	
Strategic Roads (speed limit 70kph+)			
Site-related	Yes	Yes	No
Max 1 sign directed towards the road	Yes	Yes	Min separation distance between signs: 70m, where 80kph 80m, where 100kph

Minimum lettering of 160mm	Yes	Yes	<table><tr><td>Speed Limit</td><td>Main Message</td><td>Secondary Message</td></tr><tr><td>80 km/hr</td><td>250mm</td><td>125mm</td></tr><tr><td>100 km/hr</td><td>300mm</td><td>150mm</td></tr></table>	Speed Limit	Main Message	Secondary Message	80 km/hr	250mm	125mm	100 km/hr	300mm	150mm
Speed Limit	Main Message	Secondary Message										
80 km/hr	250mm	125mm										
100 km/hr	300mm	150mm										
Max 6 words or symbols and max 40 characters	Yes	Yes	Max 5 words or 6 words & symbols									
Unrestricted view to the motorist of 180m	Yes	Yes	175m/ 80kph 250m/ 100kph									
Illuminated only when the premises is open for business	Yes	Yes	Yes									
Sign positioned at right angles to the road and angled off the direction of traffic by 5 ⁰	Yes	Yes	Yes									
Notice Boards ⁴												
Not within road reserve	Yes	Yes	Yes									
Content weather protected	Yes	Yes	Yes									
Site frontage road <70kph	Yes	Yes	Yes									
Provision for cars to park alongside (on or off road)	Yes	Yes	Yes									
1 noticeboard/ site	Yes	Yes	Yes									
Max height 2m; max area 6m ²	No	No	Yes ⁵									
Temporary Signs ⁶												
Events or sponsorship max 6 months	Subject to definition and general signage rules	Subject to definition and general signage rules	Yes									
Church or school anniversaries Max 12 months			Yes									

⁴ 'Noticeboard' is defined as "means a structure or device upon which notices can be placed or attached that are of community interest, which are intended to be read by people stopping at the noticeboard rather than by people passing by".

⁵ These limits do not apply if the notice board is on reserves within the meaning of the Reserves Act 1977 and placed there by the administering authority.

⁶ Refer to the definition at the start of this section.

In addition to the above rules, there are additional signage controls that are specific to the Rural Zones that add additional rules for signs located within Outstanding Natural Landscapes, sites of significance to Tangata Whenua, adjacent to waterbodies, and within the West Melton Observatory Lighting Area.

There is overall reasonable consistency between the signage rules for the three different zones. There is therefore considered reasonable justification for consolidating the signage rules into a single District-wide rule package, with any differences in approach between the various zones noted.

The effectiveness of the operative Selwyn District Plan approach to signage is assessed below through feedback from the Council's monitoring and enforcement team, site visit observations, and a review of other District Plan approaches.

5.0 Council Monitoring and Planning Feedback and Site Visit Observations

Feedback was obtained from Council's Monitoring and Enforcement officers and resource consent processing Planners. Complaints about signage are one of the most common matters raised with Officers, with such complaints focused on signage located in Living and Rural Zones.

Enforcement practice tends to be reactive to complaints, rather than officers independently seeking out signage that may or may not be compliant. In Planz' experience, because the erection of signage does not generally require a Building Consent, it is often erected or painted onto buildings in Business Zones without obtaining the necessary consents and without Council being made aware that such signage has been established. As such, the on-the-ground outcomes in Business Zones often present a higher volume of signage than that permitted by District Plans. Adverse cumulative amenity effects in Business Zones are therefore not necessarily indicative of inappropriately set Plan thresholds, but can instead be reflective simply of the ad-hoc manner in which signage is implemented without the necessary consents being in place. That said, if such ad-hoc signage over and above that permitted by the District Plan does not generate any complaints or adverse feedback, it is potentially indicative that the District Plan rules are set at unnecessarily restrictive levels in Business Zones and that the community at large is comfortable with higher levels of visible signage.

Monitoring and Compliance and Planning feedback was complemented by on-the-ground site visit observations, with the issues arising summarised as follows:

5.1 Business Zones

5.1.1 Council Officer Feedback

- Relatively few complaints or enforcement issues have arisen in either the Business 1 or Business 2 zones;
- Within the Business 2 and 2A zones the most common enforcement-related concerns have been in regards to free-standing signs obscuring visibility from site accesses i.e. the concern is traffic safety rather than amenity based;
- Within the Business 1 zone, signage on buildings has generated few complaints. Signage issues more commonly arise from free-standing sandwich boards obstructing footpaths and contributing to visual clutter in retail areas. It was noted that unlike many councils, Selwyn District Council does not have any by-laws controlling signage in public places or road reserves.
- To date there has not been much pressure for LED-based signs or for billboards.

5.1.2 Site visit observations

- Site visits were conducted to the majority of the Business 1 and 2 zones in the District.
- Business 2 and 2A signage is considered appropriate to the industrial context of these zones based on site visit observations. It typically comprises of business naming signage at higher elevations on the front and/or side of warehouses, with additional signage often located adjacent to ancillary offices which tend to be located along site road frontages. Overall the size and number of signs are considered to be appropriate and do not give rise to undue amenity concerns.
- In the Business 2 and 2A zones signage was generally site-related, with very little off-site signage identified. In addition to business identification signs, the industrial nature of activities also resulted in signage required under Hazardous Substances & New Organisms ('HSNO') or WorkSafe legislation concerning the storage and handling of hazardous substances and warning or security signage.
- In the Business 1 zones signage again was generally site-related and included business naming signage as well as advertising products or services available on the site. There was very little off-site signage and likewise was little signage required by other legislation.
- Main street retail environments in the smaller settlements were visually 'busy' with multiple small signs on footpath areas as free standing sandwich boards and flags. These small free standing signs, in combination with shopfront signs, result in a degree of visual clutter. From a design-perspective, signage could be rationalised to present more attractive road frontages whilst still maintaining an appropriate level of advertising for site-related activities. That said, the extent and nature of signage was typical of retail areas generally and as such did not present as being particularly discordant or unexpected.
- Sandwich boards on footpaths have a disproportionate contribution to visual clutter as they comprise stand-alone signs rather than being attached to or integrated with building frontages. They are also more directly in the eye-line of pedestrians and if inappropriately located can create a physical obstruction on the footpath.
- A reasonable degree of visible signage in retail areas is located on the inside of shop fronts i.e. forms part of window displays or is attached to the inside of the glass as a sticker. Such signage is considered to form part of the window display and because of its low cost and temporary nature, tends to be changed at regular intervals. As such while it contributes to the overall quantum of visible signage, the costs of regulating such through the District Plan are considered to outweigh the benefits of such regulation. Such regulation could also work against the wider urban design outcomes of encouraging the provision of large glazed 'shop front' windows. It is noted that such signage is currently excluded from the 'signage' definition.
- In the newer Business 1 areas that are under the control of a single developer or that are subject to more recent resource consents, the overall quantum of signage was noticeably lower e.g. West Melton, Rolleston town centre, Farringdon. Such signage still clearly communicates who the businesses are and the products on offer, however signage tends to be better integrated into the overall building design.
- Whilst signs on shop fronts were often externally lit, there were very few examples of LED/ digital signs.

5.2 Rural Zones

5.2.1 Council Officer Feedback

- Complaints relating to signage were often linked to bigger concerns about the underlying scale of non-rural business activities being undertaken i.e. when the business was 'out of sight, out of mind' neighbours were not concerned, however street-facing signage was seen as a signal that the business was looking to expand or move beyond a small home-based operation;
- There is ongoing pressure for non-site related signs erected in paddocks at intersections or along arterial roads in locations that are visible to larger numbers of passing motorists. These include both fixed free-standing signs and advertising trailers that are parked in fields. Such signage can be for a mix of community, events, and business advertising.
- In particular there have been ongoing issues with trailer-based temporary signs displays in paddocks adjacent to arterial roads. These signs generally exceed the District Plan limit of 3m³ per sign and therefore are able to be enforced, along with such signage generally not being site-related.
- There is an issue with the operative District Plan regarding the site relationship requirement i.e. how 'related' does an activity need to be to the site. Is it sufficient to simply have an employee living on site or a business owner taking work-related calls on their mobile to justify having a business sign on a rural or residential property.
- Temporary signs for events are permitted up to six months prior to the event. This can cumulatively result in considerable clutter at prominent intersections. There is a question as to whether the six month time period is overly generous, especially given web-based social media and alternative advertising methods that are now available.
- It was noted that there are no rules relating to real estate signs in Rural Zones.

5.2.2 Site visit observations

- Site-related advertising for rural businesses was generally of an appropriate size and number based on site visit observations, and appeared to be generally compliant with the District Plan limits on size and number. Such signage typically comprised of a signboard at the site entrance and advertised rural businesses such as kennels, studs, riding schools, B&B farm stays etc.
- The issue is therefore not with site-related signage, but with the use of rural paddocks for erecting non site-related advertising. This includes a wide range of community and business advertising and ranges from single signs to visually prominent clusters around arterial road intersections.

5.3 Living Zones

5.3.1 Council Officer Feedback

- There were similar enforcement issues in Living Zones as there were for Rural Zones in terms of site-relationship requirements and neighbour complaints often being based as much on the scale of activity signal that is sent by signage as they are by the sign per se.
- Feedback from Council compliance officers in response to complaints identified that the operative District Plan signage allowance of two signs was excessive for Living Zones, especially when combined with the permitted size of 1m² size per sign.

- Real estate signage had until recently been a particular enforcement problem, however most agents were now familiar with the operative Plan requirements, and these requirements seemed to be resulting in acceptable outcomes.

5.3.2 Site visit observations

- Signage in Living zones tends to be related to on-site businesses and real estate advertising (both normal site-by-site 'for sale' signs and much larger 'subdivision' marketing signs at the entrance to larger subdivisions that are partially built-out). Subdivision 'naming signs' were also prominent as a local feature at the entrance to subdivisions.
- The quantum of site-related signage that is appropriate in residential areas varies depending on whether a property is primarily used as a residential dwelling with a small work-from-home business, or does not have a residential component but instead the entire site is used for non-residential activities e.g. pre-schools or medical practices.

5.4 Overall summary of Council Officer feedback and site visits

Complaints about signage constitute a significant proportion of overall complaints to Council about RMA planning matters. Such complaints are however generally enforceable through either the operative District Plan rules or through Council as landowner where signs are located within road reserves or other publicly held land. To date there have not been any enforcement issues with the definition of signage being 'where visible from a public place'. There has likewise been little trouble with interpreting the number and size limits in the rules. The key rule interpretation matter is considered to be regarding 'site relationship' and the threshold or degree of connection necessary to legitimately establish that such a relationship exists.

Site visit observations were that the overall quantum and nature of signage currently displayed in the industrial Business 2 and 2A zones is appropriate to those contexts and appeared to be generally compliant with District Plan requirements.

In the Business 1 zones there was a degree of visual clutter created by signage in main street retail environments, although such signage was typical of that experienced in smaller rural towns in New Zealand and therefore appeared to be generally accepted by the community with few complaints generated. Sandwich boards had a disproportionate impact in terms of contributing both visual and physical clutter to these retail environments. Given that they are generally located within road reserve, they are enforceable through Council as asset owner and through District Plan controls.

In the Rural zones site-related signage was generally appropriate in terms of size and number. The bigger issue was with the use of paddocks for non-site related advertising, with such ad-hoc signage particularly prominent at busy intersections and arterial roads close to township entrances.

In the Living zones signage is generally modest in scale and number, with the operative Plan provisions generally effective in managing signage to appropriate levels and observed signage generally compliant with District Plan requirements.

It is important to emphasise that site-related signage in both Rural and Living zones is inherently linked to the business activity occurring on the site. There is therefore a degree of cross-over between this topic and the underlying zone rule packages relating to the nature and extent of business activities that are appropriate in these environments.

6.0 Review of Other District Plan Approaches

Signage rules are generally complex and tailored for various zone contexts and as such do not lend themselves to easy summarisation. As such this review of the four council plans (Ashburton District,

Waimakariri District, Hurunui District and Christchurch City) is for general guidance only and does not include various zone-specific details or exceptions. The various approaches adopted by the reviewed District Plans are collated as a series of topic-specific tables and are attached as **Appendix 2**.

6.1.1 Overall findings

All Plans include controls on signage, however there is a reasonable level of diversity across the reviewed Plans in terms of their detailed approaches to signage.

Structurally all Plans address signage for all zones in a single chapter or sub-chapter that forms part of a District-wide set of provisions on topics such as noise and glare. The Plans generally differentiate their signage provisions by topic depending on signage function and/or zone. Typical signage rules address the number and size of signs in Living, Rural, and Business zones, signs adjacent to arterial roads, real estate signage, temporary signage, off-site signage, and signage required by other legislation.

As a general observation, the three rural-based Plans have relatively short and simple controls on signage, which can be contrasted with the Christchurch District Plan's rule package that is easily the most complex. This complexity reflects both the greater diversity of zones and contexts within a large City, and the more complex structure adopted in the Christchurch District Plan regarding the layout of the rules chapter and the division between activity status and built form standards. The Christchurch Plan is the only plan that specifies an overall quantum/ limit of signage on buildings within Industrial and Commercial Zones, with the other Plans generally limiting controls on signage in these zones to height (not above the top of the building) to ensure signs do not create an obstruction to passing pedestrians (controls on projecting signs or verandas), and free-standing pole signs.

All Plans have strong controls on avoiding off-site signage, with Christchurch the only Plan that makes limited provision for such signage where it is located in Industrial and Commercial zones. All Plans include controls on trailer or vehicle-based signage where its primary purpose is as a medium for advertising rather than being incidental to the every-day use of that vehicle. The Christchurch Plan is the only one that includes explicit provision/ restrictions on billboards, with the other Plans instead relying on general controls managing off-site signage.

All Plans adopt a restrictive approach to signage in living and rural zones, reflecting the more sensitive nature of these environments.

All Plans include provision for temporary signage associated with one-off events. The nature of these controls however vary considerably between Plans in terms of the limits on number, size, and duration.

The policy approaches set out in the reviewed District Plans generally focus on the need to control signage in sensitive locations/ achieve certain amenity outcomes, and to maintain traffic safety. The Christchurch District Plan provides a useful policy framework that recognises the beneficial functions of signage, the need to balance these against amenity outcomes especially in sensitive environments, and that offers specific guidance on transport safety and non-site related signage.

6.1.2 Importance (or not) of cross-boundary consistency

The key environmental effects that controls on signage seek to manage are generally limited to amenity/ character matters and transport safety. As such signage is not a big strategic topic that has potentially significant implications across District boundaries, unlike matters such as urban growth or the management of natural hazards. As such consistency in signage provisions between neighbouring District Plans is not considered to be vital, with it quite appropriate for different Plans to contain differing approaches to reflect both differing environmental contexts and differing community aspirations in terms of signage control.

Consistency of approach between neighbouring Districts does have some benefits for organisations that work across the Districts, where a consistent approach to regulation can improve efficiency in process and design costs. Such gains are however more to do with process efficiency rather than environmental outcomes per se. Such gains are likewise likely to be most strongly realised for network infrastructure providers (i.e. a consistent approach to providing for signage that is necessary for health and safety or operational reasons as opposed to advertising), and for transport safety where the NZTA guidelines seek a consistent approach across the arterial road network.

As noted above, whilst there are common themes in terms of zones where signage controls are more restrictive or more liberal, there is little fine-grained consistency in terms of specific dimensions or rule details. This lack of consistency in the design of detailed provisions supports the approach that in developing a Selwyn-specific response, there is freedom in designing a set of provisions tailored to Selwyn's context without fear of creating significant cross-boundary issues.

6.1.3 Use of By-laws by other Districts

All of the reviewed Districts except for Hurunui manage signage on Council land through the use of by-laws. These by-laws typically control the placement of signage within road reserves and in particular include controls on sandwich boards, veranda or projecting signs that extend over public footpaths, temporary event signage, real estate signage, and election signage. The broad approach is that the by-law manages signage placed on Council land through Council's functions as landowner, with the District Plan managing signage located on private property.

The advantage of such a split is that it provides a clear and efficient mandate for enforcement through Council as landowner and avoids duplication or confusion between Council's ownership functions and regulatory functions. The other big advantage of using by-laws is that they are relatively easy to amend via the Local Government Act (LGA) as opposed to plan change processes under the Resource Management Act (RMA), thereby enabling quick responses to new issues as they arise, or adaption if problems emerge regarding their wording or interpretation.

A copy of the various Council by-laws is attached as **Appendix 3**, with examples from Christchurch, Ashburton, Waimakariri, and Timaru Districts.

7.0 Mahaanui Iwi Management Plan

The Mahaanui Iwi Management Plan ('IMP') has been reviewed. The IMP does not contain any explicit policy guidance or outcomes in respect of managing the effects of signage in the sense of seeking controls or direction on the size, number, and location of signage. The IMP contains broad principles about recognising and expressing manawhenua and tikanga maori, with the use Te Reo in signage a tangible and visible expression of these principles.

The use of Te Reo in signage is related to the content of signs, rather than the amenity effects resulting from size and number which are the matters that District Plans typically control. That said, it is important that District Plan rules do not prevent or create consenting hurdles for the inclusion of Te Reo, and the associated policies could encourage the use of Te Reo, especially for public/ civic buildings as a tangible expression of Ngai Tahu values and tikanga. Feedback received from Mahaanui Kurataio Ltd on behalf of Ngai Tahu has confirmed that such outcomes are important to achieve.

The Operative District Plan has the following rule which applies to signage in the Rural Zones:

6.6 Outdoor signs and sites of significance to Tanagata Whenua

6.6.1 Erecting any outdoor sign shall be a permitted activity if all of the following conditions are met:

6.6.1.1

Within any area listed in Appendix 5 and shown on the Planning Maps as a Silent File Area, any earthworks associated with any sign is limited to the disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks;

6.6.1.2

In the area listed in Appendix 5 and shown on the Planning Maps as Wāhi Taonga Management Area C39(a), any earthworks associated with any sign is limited to the disturbance of soil over areas where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks. Any disturbance within those areas shall be limited to a maximum depth of 20cm;

6.6.1.3

Within any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or any Wāhi Taonga Management Area not listed in 6.6.1.2, any earthworks associated with any sign does not involve the disturbance, damage to, removal or destruction of, any object, artefact or other symbol of pre-European settlement, occupation or use of that site; and

6.6.1.4

Within any area listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai site, any damage to or removal of indigenous vegetation associated with a sign is limited to that undertaken by Tāngata Whenua for Mahinga Kai purposes.

Whilst the Operative Plan rule relates to signage, the effects sought to be controlled are not about the sign per se, but rather are aimed at managing the ancillary effects of erecting signs in relation to earthworks and the clearance of indigenous vegetation on sites with identified cultural values. As such the effects may be more appropriately managed through other District Plan chapters that have an explicit focus on earthworks, indigenous vegetation clearance, and sites that are specifically identified for their cultural values rather than through the signage chapter provisions.

8.0 Non-District Plan Tools

In addition to the District Plan controls that are implemented under the RMA, there are a number of other statutes and legislative options that have an impact on signage. It is important that the District Plan does not duplicate or frustrate the requirements established through other pieces of legislation. Whilst signage is influenced or controlled by some 50 pieces of legislation, the key statutes of particular relevance are as follows:

8.1 Council by-laws (Local Government Act 2002)

Section 145 of the LGA enables Council to enact by-laws to control matters that give rise to public nuisance or safety concerns. The use of by-laws to control signage displayed in public places such as footpaths and pedestrian malls or squares is common throughout New Zealand. Signage by-laws are in particular often used to control real estate signage where they are located in road reserves, sandwich boards on footpaths in commercial areas, and 'trailer signs' where they are parked for advertising purposes in road reserves. By-laws can also cover the erection of Council-initiated signs located in parks and reserves that are for the purposes of warning, direction, or information.

Selwyn District Council does not currently have any by-laws relating to signage and as such is not making use of this common tool. As noted above and in section 6.1.3, the use of by-laws to control

the erection of signage on Council controlled land (typically within road reserves) is a very common tool across Councils including Ashburton, Waimakariri and Christchurch City, and enables easier enforcement and easier updating of provisions to ensure management is able to readily keep abreast of any emerging trends concerning signage on council land.

8.2 Hazardous Substances and New Organisms Act (1996)

The Hazardous Substances and New Organisms Act (HSNO) controls the storage and use of hazardous substances, with the use of such substances widespread in both industry and rural farming businesses. There is a Code of Practice for signage for premises storing and using hazardous substances and dangerous goods. This Code places obligations to alert visitors and staff to the presence of hazardous substances through appropriate signage. In particular HSNO legislation requires signage to be erected at site and building entrances and on fixed bulk storage tanks.

8.3 Health and Safety at work Act 2015

The Health and Safety at Work Act (HSWA) requires ‘persons conducting a business or undertaking’ to ensure, so far as is reasonably practicable, that the workplace is without risks to the health and safety of any person. Inherent in these aims is the need to identify hazards and to take appropriate steps to manage them. Unlike HSNO legislation there are no explicit signage requirements, however in many work places or site entrances, the need to clearly display signage will be a necessary component of identifying and managing workplace safety risks. A common example of such signage is at the entrance to building sites where signs are placed that clearly identify the potential hazards present on the site.

8.4 National Environmental Standards for Electricity Transmission Activities 2009

The National Environmental Standards for Electricity Transmission Activities (NESETA) relates to the management of existing electricity transmission lines. Clauses 23 and 24 set out permitted and restricted discretionary standards for signs affixed or adjacent to support structures.

8.5 Electoral (Advertisements of a Specified Kind) Regulations 2005

The Electoral Act 1993 and associated 2005 regulations place restrictions on the design and duration of signage used for electoral purposes. The Electoral Act controls signage 9 weeks prior to polling day. Such signage is limited to a maximum size of 3m³ and is subject to controls to ensure it does not pose a traffic safety hazard. Of note, such signage is exempt from the need to comply with ‘any prohibition or restriction imposed in any other enactment or bylaw, or imposed by any local authority, that applies in relation to the period when an advertisement of a specified kind may be displayed’⁷ i.e. the Electoral Act overrides the District Plan signage rules for the 9 week period leading up to elections.

8.6 Advertising Standards Authority

The Advertising Standards Authority is a voluntary membership organisation. The ASA has a Code of Practice that includes a code of ethics which specifies criteria for offensiveness and decency of advertising. The ASA is focussed on the content of advertising rather than the size or number of signs, with the focus being to ensure that it is not offensive or misleading. The ASA adjudicates in cases where there are alleged breaches of the Code of Practice.

⁷ S.221B Electoral Act

9.0 Alignment with NZTA requirements

9.1 Land Transport Management Act 2003 (and as amended 2008)

The Land Transport Management Act sets out the responsibilities of the NZTA and has a focus on the safe and efficient functioning of New Zealand's land transport system. NZTA set the requirements for the consistent use and design of road signs (street naming, regulatory, and for tourist information purposes).

Where a non-traffic related sign is proposed to be erected within State Highway road reserve, then the permission of NZTA as landowner is required in addition to any District Plan consenting requirements. NZTA also has by-laws which manage the erection of signs (both road signs and other signs) within road reserve. In addition, NZTA produces non-regulatory guidance for the erection of signs on private land adjacent to the State Highway road network, with this guidance often being a matter that is reflected in District Plan provisions.

9.2 District Plan provisions

With the exception of the Christchurch Plan, the reviewed District Plans and the Operative Selwyn District Plan, all contain rules controlling the number and size of lettering for signs displayed adjacent to higher speed arterial roads. The specific content of these rules vary from Council to Council, reflecting the time at which the Plan provisions were developed. The rules are nonetheless generally based on NZTA's guidance on signage that is readily visible from the State Highway network.

The recent Christchurch District Plan review considered the management of signage adjacent to arterial roads, with NZTA a participant at mediation which arrived at an acceptable provision as follows:

Traffic Safety – applies to all signs⁸

- a. *Any sign shall be located so as not to obscure or to detract from the interpretation of any traffic sign or controls.*
- b. *No sign shall be located adjacent to a state highway or arterial road where all of the following criteria are met:*
 - i. *The road has a speed limit of 70km per hour or greater; and*
 - ii. *The sign is located within a road boundary building setback required by a built form standard for the relevant zone; and*
 - iii. *The sign is located within 100 metres (in urban zones) or 200 metres (in rural or open space zones) in front of any official regulatory or warning sign or traffic signal.*

Note: Official regulatory signs exclude street naming signs and brown information signs.

In essence the provision does two things. First it controls signage in all areas where it will obscure or hinder interpretation of traffic signs. The second part of the rule relates to signage adjacent to higher speed arterial roads. The rule is only triggered where all three criteria set out in (i-iii) are met. The rule is again aimed at managing signage to ensure that it does not obscure or detract from seeing traffic controls signs. The rule is focussed on traffic safety and does not seek to control the visual effects of signage, with the underlying zone provisions managing character and amenity outcomes.

⁸ Christchurch district Plan, Chapter 6, rule 6.8.4.2.2

It is considered that the Christchurch City provision is also appropriate for the Selwyn context and a recommendation to this effect is outlined in Section 10.

10.0 Assessment and Recommendations

10.1 General overview

Signage is necessary for a wide range of reasons and occurs in a wide array of shapes and forms. Signage is generally accepted (and indeed valued) by the community where it is for:

- Property identification e.g. street numbering, rural rapid numbers, farm identification numbers;
- Direction e.g. street naming signs, tourist ‘brown signs’, entry and exit signs;
- Safety e.g. hazard warning signs;
- Temporary activities e.g. for elections or real estate sales (and perhaps less so for events); or
- Information e.g. community noticeboards.

Where concerns arise regarding signage is generally where it is used to advertise commercial businesses or events. Again such concerns are context-related, with increased amounts of signage a normal and anticipated element in commercial retail environments, but far less common in residential or rural environments, reflecting the wider underlying land uses.

The District Plan approach to signage therefore needs to be sufficiently enabling so as to facilitate signage where it is both necessary and anticipated, and to likewise control signage in more sensitive environments.

The key concerns regarding the potential adverse environmental effects resulting from signage are generally limited to the following matters:

- Visual amenity and character (with acceptable limits varying considerably between different zones/ contexts);
- Traffic safety (obscuring sight-lines, creating driver distraction, being confused with genuine transport signage);
- Glare/ light spill (generally controlled by District –wide glare rules). Illumination can however also have a visual amenity component where it is the visibility of the sign at night that is the issue rather than the nuisance or safety effects of light spill onto adjacent properties;
- Secondary concerns related to the construction of signs e.g. earthworks or removal of indigenous vegetation, with such concerns best addressed through District-wide controls on these matters;
- Signs as a visible signal that commercial businesses are taking place in environments where such are not anticipated i.e. the sign is a ‘symptom’ of a wider concern with activities that are not anticipated by the underlying zoning.

10.2 Recommended Structural Approach

There are many common elements to signage over both rural and urban areas. The Operative Plan has adopted an approach of splitting out and repeating signage provisions for rural and urban areas (in large part due to the wider Plan structure of having separate Rural and Township Volumes).

It is understood that the new District Plan is to have a single volume that avoids the current split between rural and urban areas. Signage provisions for the District are to be consolidated into a single chapter. Such a structuring approach is common in other District Plans where 'District wide' matters such as glare, noise, and signage are grouped into a single chapter. This proposed structuring approach is supported and will assist in usability and will reduce duplication in Plan provisions.

10.3 Recommended Policy Approach

The Christchurch District Plan has recently been reviewed, with the signage provisions subject to considerable examination by submitters and ultimately the Independent Hearings Panel. As such the Christchurch Plan policy framework for signage is helpful and provides a useful model as to the key matters to be addressed at a policy level. A full copy of the Christchurch Plan policy framework for signage is attached as **Appendix 1**. In summary the Christchurch District Plan policy framework is as follows:

- 1) A single objective that recognises the role of signage for: supporting business, infrastructure, and community activities; maintaining public safety; and enhancing visual amenity values and character.
- 2) A policy of enabling signage in appropriate locations (commercial and industrial areas) and where necessary for public health, safety, and direction;
- 3) A policy of controlling signage in sensitive locations (living, rural, and open space zones), and with particular reference to amenity values and controlling non site-related signage;
- 4) A policy on managing the effects of signage with direction as to size, number, and location;
- 5) Policy of transport safety;
- 6) Policy on temporary signage
- 7) Policy on non-site-related signage

Recommendation: *Develop a single set of objectives and policies to provide guidance for the management of signage across the district. Whilst it is not suggested that the Christchurch Plan's policy approach be adopted verbatim for the Selwyn context, it is considered to provide a useful template in terms of length, complexity, topics covered, and the extent of direction provided to Plan users.*

10.4 Recommended regulatory approach

10.4.1 Functional signage

The key type of signage that requires control is where signage is used for advertising. All other signage types are either required by separate legislative requirements or have clear functional needs in terms of their size and location.

Recommendation 1: *The Plan should explicitly permit signs that have a direction, safety, warning, or property address/numbering function. This could either be done by an explicit statement that such signage is not subject to control through the District Plan, an explicit exclusion from the definition of 'signage', or through a rule that explicitly provides for such signage as a permitted activity. The preferred approach will depend on wider decisions as to Plan structure and approach to rule formatting and definitions.*

10.4.2 Visible signage

Selwyn's Operative District Plan and the other district plans reviewed all seek to provide exemption for signage where it is not visible from a public place. This is to ensure that signage located within sites or within buildings is not subject to control, given that such signage will not result in unacceptable amenity effects on third parties. Plans also generally provide an explicit exemption to signage located on the inside of shop front windows i.e. as part of window displays, on the basis that such window displays are to be encouraged and that such signage is frequently changed and is generally acceptable in retail main street environments in terms of amenity.

Recommendation 2: *That the Operative Selwyn District Plan definition exemptions relating to signage that is not visible from a public space be retained and made explicit in order to avoid unnecessary costs of regulation in situations where there are few benefits of such regulation.*

10.4.3 Off-site signage

Most District Plans have strong controls in relation to off-site or non-site related signage. Such controls are aimed at controlling a proliferation of signage in the District, and especially in highly visible locations such as adjacent to arterial road corridors. Off-site signage tends to come in three forms:

- 1) Billboards, typically managed by advertising companies and generating income from companies paying to advertise on them;
- 2) Trailers or sign-written vehicles that are parked in highly visible locations for the express purpose of advertising, and as such can be differentiated from sign-written company vehicles where the advertising is incidental to the primary use and purpose of the vehicle;
- 3) Smaller signs advertising specific companies, where the sign is erected by the company concerned and is not income-generating in its own right.

General signage is ancillary to, and integral with, the primary activity occurring on the site. The amount of signage can therefore be somewhat self-limiting as signage is only needed to the extent necessary to identify the business and advertise its products to passing customers.

Whilst it can be argued that all signage visually looks the same, and therefore provided the overall quantum of signage on a building complies with the general zone standards there is no need to differentiate between on-site and off-site signage. I consider however that this line of reasoning rather oversimplifies the amount and design of signage that occurs in reality.

Off-site signage, and billboards in particular, are in essence a separate business activity being run from the site. There is nothing improper about businesses or building owners seeking to diversify their income stream by installing a billboard and deriving an additional rental, however it does represent a separate business activity from the primary activity occurring on the site. It therefore means that the quantum of signage provided on the site is greater than that which is necessary to support the primary business. In essence billboards can result in a greater number of sites adding signage up to their permitted limit, which cumulatively results in higher volumes of signage than would otherwise be necessary for supporting businesses. Billboards in particular also comprise large blocks of signage⁹, whereas business advertising tends to comprise of the company name and the nature of the business and therefore has a different shape, design, and appearance.

⁹ The smallest billboard tends to be 6m x 3m/ 18m².

Whilst billboards can be appropriate (or their visual effects absorbed) in large commercial or industrial areas, in the Selwyn context such areas are relatively small and are invariably located immediately adjacent to residential areas. The interface between commercial (Business 1 zones) and industrial (Business 2, 2A, and 2B zones) has been explored through a separate District Plan review background paper. This interface report involved site visits to the majority of the Business 1 and Business 2 zones in the District. It found that with the exception of the I:Zone/ Rolleston Business 2/2A area all other commercial and industrial centres are small and are comprised of either township 'main streets' with single or two storey buildings, or are older industrial sites or streets that are mostly located directly over the road from living or rural zones.

As such in a Selwyn context an enabling approach to billboards in commercial and industrial zones is not considered appropriate due to the small scale and locational characteristics of these zones.

All reviewed District Plans contained similarly worded rules controlling signage that was not 'in association with' the activity occurring on the site. The Christchurch Plan includes a definition of 'off-site sign as meaning a sign "*which is used to advertise activities, goods, services, products or events that are not directly related to the use or activities occurring at the site on which the sign is physically located. It includes posters and poster boards and any other associated supporting device whether permanent, temporary or moveable*". Other District Plans used similar wording. It is acknowledged that there will always be a 'grey area' element with business advertising on employee homes where employees of business owners take work-related calls, however it is considered that with careful rule drafting a distinction can be made between genuine 'work from home' businesses where the primary place of business is the home, versus business activities that are primarily undertaken outside residential areas.

Recommendations 3-6:

- 3) *Off-site signage can be differentiated from site-related signage and therefore a different management approach is appropriate;*
- 4) *The majority of commercial and industrial business zones in Selwyn have an immediate interface with rural or residential neighbours. As such off-site signage is not appropriate due to the sensitivity of these adjacent zones;*
- 5) *Off-site signage should be controlled at a non-complying level in all zones except the Rolleston Business 2/2A zone where restricted discretionary status would be appropriate, noting that the Rolleston industrial zones are the only zones of scale in Selwyn District where there is extensive frontage with other industrial activities;*
- 6) *In rural and living zones, limit site-related signage to sites where that is the primary location business activity is undertaken.*

10.4.4 Signs in road reserves and parks

Such signage typically includes the erection of temporary signs in road reserves for advertising real estate 'for sale' purposes or upcoming events. In retail areas free standing moveable sandwich boards are typically located on the pavement/road reserves. Such signage could also extend to include Council-initiated signage such as township information boards (which tend to be located on Council land), advertising on Council-controlled structures such as bus shelters or poster bollards, and signage in parks and recreation facilities which are located on gazetted recreation reserve land.

The signage approach depends on whether an Open Space Zone(s) are introduced to the District Plan that cover recreation facilities and parkland. In the event that an Open Space Zone is introduced through the District Plan review, then an enabling approach should be undertaken for signage that is associated with recreational facilities located within parks. Such facilities are generally of a reasonable

scale and are set within extensive areas of open space and therefore are able to readily absorb the visual effects of site-related signage attached to buildings or located at the entrance to parks. Such signage also tends to be associated with naming and information for park/ facility users rather than advertising. The quantum of permitted signage could also be tailored to reflect differing environmental outcomes sought for major sports facilities, local parks, and conservation areas (if say the Open Space suite of zones provided such differentiation). Such a zoning approach could also incorporate privately-held recreation land e.g. golf courses, so that a consistent approach to signage was available regardless of ownership.

The alternative is that the operative Plan approach is retained whereby recreation facilities and parks simply have the same zone as surrounding areas i.e. rural or living. If this approach to zoning is continued, then a more enabling approach for such facilities becomes more challenging as the size and number of signs will need to vary according to purpose/ ownership rather than being based on the underlying environment/ zoning. Under this scenario by-laws managing signage on Council-owned parks and reserves may be a more effective means of providing a differentiated approach to signage management. The general zone provisions could be retained with an exemption made for any signage that is otherwise permitted in accordance with a by-law. If by-laws are not considered acceptable then the alternative is to draft a category-specific set of signage provisions for Council parks and recreation facilities, with the permitted quantum of signage tailored to reflect different types of facilities e.g. local parks compared with major sports facilities.

In essence, whether there are a suite of Open Space Zones, or a topic-specific set of exceptions for the Living and Rural Zones, the same outcome should be sought of an enabling set of signage provisions that avoid unnecessary consenting procedures and that recognise the public benefit of having clearly identifiable naming, safety, and directional information. The quantum of such signage should also reflect differing contexts with a smaller quantum for local parks and conservation areas.

It is also noted that in addition to such signage, the above recommendation that signage that is for direction, information, or safety be permitted, with these categories encapsulating the content of much of the signage commonly found in parks and reserves.

Recommendations 7-9:

- 7) *Investigate further whether signage located on Council-held road and recreation reserves could be more efficiently and effectively controlled through Council's functions as land owner via by-laws established under the LGA than through rules in the District Plan. An alternative to a by-law is simply for Council to adopt a policy on how it will treat signage on land under its own control, with the rule package being explicit that it does not apply to signs on Council-controlled land.*
- 8) *In the event that Open Space zone(s) are proposed, then adopt an enabling approach to signage in such zones where used for naming and information purposes given the public good of such signage and the generally large size of these parks and facilities which means that recreation-related signage can be readily absorbed from an amenity perspective. Depending on the number of Open Space zones, differentiate between local parks and conservation areas (with a lower quantum of signage) and major sports facilities (with a larger quantum).*
- 9) *In the event that the current approach to parks and facilities having the underlying rural or living zoning is retained, investigate first the option of by-laws set out under (a). If the use of by-laws is not found to be acceptable, then develop a specific set of exceptions to better enable recreation related signage in the Living and Rural zones where located on Council-held land.*

10.4.5 Real Estate Signage

Feedback from the Council's enforcement team was that real estate signage had been problematic in the past, however the Operative Plan rules appear to be generally effective and understood by the local real estate industry.

Temporary 'open home' signs could be controlled through by-laws mentioned above. For example, could require that such signs are put out on road reserves no earlier than 30 minutes prior to the open home and are removed immediately afterwards, with maximum size requirements.

In the reviewed District Plans, 'for sale' signs in residential areas are typically limited to around 2m² in area, and a single sign per site, with set limits on duration (limited to the period where the property is for sale and to be removed within a week following completion of the sale). For rural and commercial (B1 zone) properties the size could be increased to 3m², and 1 sign per road frontage given the generally large size of landholdings (in rural areas) and less sensitive context for commercial areas. Industrial zones are not so sensitive to size and number restrictions, with duration controls appropriate.

Real estate for sale signs typically advertise individual properties that are set within a much larger subdivision or development. A different context occurs with large Greenfield subdivisions where a large billboard-style sign is often erected at the subdivision entrance or primary frontages during construction and section sale phases. Given that these sites are often multiple hectares in size, generally do not have established residential neighbours, and that such signage is temporary in nature, provisions for larger signs is appropriate.

Recommendations 10-13:

- 10) *Retain the Operative Selwyn District Plan approach to real estate signage, including time limits; and subject to the following three recommendations:*
- 11) *Controlling temporary 'open home' signs and 'for sale' signs through by-laws where such signage is located within the road reserve;*
- 12) *Limiting the size of 'for sale' signs to no more than 2m² in area and one per site in Living Zones; 3m² and one sign per road frontage in Rural and Commercial (Business 1) Zones; No limit on size and number in Industrial zones.*
- 13) *Provide for one 18m² sign at each road entrance to new Greenfield subdivisions for marketing the subdivision during development and sales phases.*

10.4.6 Temporary Signage

Temporary signage that is located within the road reserve or is for real estate purposes is discussed above.

Temporary signage generally arises where it is advertising an upcoming event. Whilst it can be located on the site where the event will be held e.g. advertising an upcoming race meeting at a race course, such site-related signage tends to be more permanent in nature. That is, whilst the message changes over time, the sign itself is a permanent structure that is used for advertising upcoming events.

Temporary event-related signage therefore tends to be located off-site. It will therefore be subject to the above recommended regulatory approach to non-site related signage unless explicit provision is made for temporary signage. There is a tension between enabling such signage as an important method of communicating upcoming community events, and the need to avoid a proliferation of such signage. Enforcement feedback and observed outcomes during site visits has identified that such

signage can become a visual amenity issue, particularly at prominent intersections in both rural and urban areas. By-laws can manage this to a certain extent where it is located within road reserve, although it is also necessary to provide a District Plan direction regarding the management of temporary signage where it is located on private land.

There is little consistency with how the reviewed District Plans address the issue of temporary signage, perhaps reflecting the challenges in appropriately managing this type of signage. Again there is little commonality on this matter between the reviewed Plans, with permitted timeframes varying from 6 weeks to 6 months prior, with the mid-point being 3 months. There's little conclusive evidence for any particular timeframe, however 3 months would appear to strike a reasonable balance between enabling marketing and awareness raising for an event whilst avoiding 'temporary' signage from being erected for long periods of time.

Recommendation 14:

Temporary signage should be provided for where it is advertising a community, educational, or recreational event, or during construction. Such signage should be limited to one per site to prevent the proliferation of 'clusters' of such signage on prominent intersections. The size of such signage should also be consistent with that permitted in the underlying zone. Finally the Plan should specify the maximum time prior to the event that the signage can be erected for.

10.4.7 LED/ Digital signs, illumination, flashing and moving parts

Signs can be lit through several methods, either via a spotlight facing the sign, internally lit, or LED screens. The purpose of such illumination is to make the sign more visible and eye-catching, primarily at night but also during the day. Illuminated signs can also be a visible and intuitively understood method of signifying that a premises is 'open for business' in the evenings.

The other effect that can arise from illumination is one of amenity, whereby at night illumination makes signage much more visually prominent. Such visual prominence is generally not an amenity issue in large commercial or industrial areas, however as noted above, such areas in Selwyn tend to be small and are often directly opposite residential areas.

Both the Operative District Plan and all the reviewed Plans from other Districts contain controls on flashing signs or signs with moving parts, due to the increased distraction and visual amenity effects that such signage features can have. It is recommended that such controls are retained.

LED signage is a relatively new technology, with site visits revealing there are currently very few LED signs in Selwyn. However, Council's Transport Consultants (Abley Transportation Consultants Ltd.) have advised that in Christchurch such signage is starting to become more common for site-related signs in addition to the already more established advertising billboards. The decreasing cost of LED technology is making these types of signs more common and therefore Abley's consider there is a real likelihood that suppliers will see opportunities in Selwyn for both advertising billboards and site-related LED signage.

Abley's have also advised that discussions with Christchurch City Council should be carried out when developing the rules for such signage given their recent experiences. In particular, Abley's have advised there is differing research regarding the issue of driver distraction and the impact on safety. Therefore subjective assessment matters such as "the potential for the billboard to cause distraction or confusion to motorists in their observance of traffic conditions, directions or controls" are difficult to assess and it would be useful to avoid such subjectivity in the drafting.

NZTA have advised they are concerned about the appropriateness of LED signage in close proximity to the State Highway network and consider such signs with frequently changing images are more appropriate in low speed environments (below 60km/h) and should be restricted to such. NZTA seeks

an appropriate definition that captures signs with changing images and appropriate district plan standards to control digital billboard signs. NZTA have provided an example of the standard they generally impose on digital signs and example resource consent conditions, which may be a useful references when drafting (attached as **Appendix 4**).

The use of LED technology for site-related signage is also becoming increasingly common internationally and as such it is recommended that the District Plan provide explicit direction as to the locations where such signage is appropriate. Whilst LED signage can be more visually prominent, it can also enliven and add visual interest and can present a 'higher value' signage experience. The content of LED signs can also be readily changed so that the one sign can over the course of a day display multiple messages which can be an especially valuable feature for centres containing more than one retailer.

LED signage technology does not generally result in light spill effects, rather the effects are amenity related in terms of the sign's visual prominence, especially at night. Controlling the zones where illuminated signs and LED displays are appropriate is therefore important in terms of achieving the anticipated character and amenity outcomes for these more sensitive zones.

It is noted that ASNZS 4282 standard relating to lighting is currently under review, with a draft expected to be released for feedback late 2017. It will be important to check if this proposed Standard includes guidance on LED lighting as a helpful document in informing any section 32 assessment and crafting of appropriate rules on this new technology as it relates to signage.

Overall, the drafting of any provisions regarding LED signage will need to be carefully considered and should be informed by discussions with Christchurch City and NZTA to ensure the provisions are both efficient and effective.

Recommendations 15-20:

- 15) *As a general approach, the light spill effects from illuminated signage are no different from light spill from any other source and therefore are considered best addressed via the standard District-wide provisions on glare and light spill. The inclusion of cross-reference to these provisions included in the signage rules would help to alert Plan users to the need to also refer to the District wide light spill rules when lit signage is contemplated;*
- 16) *Separate from light spill effects, illuminated signage can also have an effect on amenity and character. It is therefore recommended that signage in Living and Rural zones should not include LED displays. Where the site is either within a Rural or Living zone, or is directly opposite these zones, signage illumination should be turned off when the premises is closed for business;*
- 17) *Retain the Operative Selwyn District Plan controls on flashing and moving signage;*
- 18) *LED signs should be limited to commercial and industrial zones due to their greater visibility. As with illuminated signage, LED signs should be turned off when the premises is not open for business, where the site is directly opposite a Rural or Living zone. The Plan should also be explicit that changing images on a LED sign does not constitute a 'moving part', however displaying TV style footage would.*
- 19) *Specific activity standards should be developed for site-related LED signs in Commercial and Industrial zones. Examples of matters to be considered include the proximity to the roading and the speed environment, image dwell time (e.g. minimum 8 seconds), the transition time from one image to the next (e.g. 0.5 second dissolve between images), and luminance controls.*

- 20) *The drafting of any provisions regarding LED signage will need to be carefully considered and should be informed by discussions with Christchurch City and NZTA to ensure the provisions are both efficient and effective.*

10.4.8 Transport Safety matters

The need to control signage where it poses a risk to traffic safety, along with alignment with NZTA guidance is discussed above in section 9.0.

Recommendations 21-22:

- 21) *Given that the above Christchurch Plan rule set out in section 9.0 has been the subject of recent mediation and was subsequently confirmed by the Independent Hearings Panel it is recommended that the above provision be considered as being appropriate for managing the traffic safety-related aspects of signage.*
- 22) *That this approach be discussed with NZTA as part of the rule development process to ensure that it is appropriate to the Selwyn context.*

10.4.9 Living Zones

Living zones are the most sensitive to the visual effects of signage, both in terms of anticipated character, and in terms of signage being a very visible signifier that non-residential activities are occurring on a site. As such it is recommended that such signage be limited to no more than 1 per site, with a maximum size of 0.5m² where there is a residential activity occurring on the site, and increasing to 1m² where there is no residential activity i.e. to distinguish between signage associated with work from home businesses where the residential use (and character) of the property are predominant, compared with preschools, healthcare, churches etc. that are located in Living zones, but where their character and function is not residential. The proposed maximum size of 0.5m² is consistent with the approach adopted in Christchurch and is considered adequate for identifying that a home-based business is located on the site without being visually dominant in a residential context.

Recommendation 23:

Signage be limited to no more than one per site, with a maximum size of 0.5m² where there is a residential activity occurring on the site, and increasing to 1m² where there is no residential activity.

10.4.10 Rural Zones

The Operative Plan provisions for site-related signage in Rural Zones appear to be generating appropriate outcomes 'on the ground' and therefore it is recommended they be retained.

The issues identified by Council's monitoring team and observed during site visits with signage in Rural Zones are derived from off-site signage and temporary event signage rather than site-related signage identifying rural businesses. The above recommendations on temporary and off-site signage are therefore important in addressing the observed signage issues in the Rural Zones.

Recommendation 24:

Retain the Operative Selwyn District Plan approach for general site-related signage in the Rural Zones.

10.4.11 Business Zones – signage on buildings

With the exception of Christchurch, the other plans reviewed did not generally control the extent/overall quantum of signage in commercial or industrial areas. Likewise the Selwyn District Plan does not set overall quantum limits on signage. Despite the lack of such controls, the observed on-the-ground signage outcomes were generally appropriate to their context.

The Operative Plan provisions for site-related signage in Business Zones attached to buildings appears to be generating appropriate outcomes ‘on the ground’ and therefore it is recommended they are generally retained. Further, it is recommended that the dimensions of signage attached to verandas and shop fronts is controlled where they overhang the footpath to ensure that they do not pose a safety/obstruction hazard to pedestrians. As with sandwich boards, given that such signage is located within road reserve it is recommended that further investigation be undertaken with respect to these dimensional requirements being addressed via by-laws.

For new developments in commercial zones it is recommended that rather than specifying a quantum formula which can be problematic to set at appropriate levels, that the location of signage instead be an urban design assessment matter, where the development triggers a qualitative urban design assessment. This recommendation is linked to the separate work stream examining urban design controls and to that extent is dependent on the final approach to urban design controls adopted in the Proposed District Plan. It is also acknowledged that specific signage designs are often not known at the point that commercial developments are consented and as such cannot be confirmed until tenants have been secured. It is nonetheless possible to indicate on plans the general location, size and integration of signage within the proposed façade design.

All reviewed District Plans set controls on the height of signage, with all requiring that signage does not extend above the roofline of the building that it is attached to. It is recommended that signage height controls be retained.

Recommendations 25-28:

- 25) *Retain the Operative Selwyn District Plan provisions for site-related signage on buildings in commercial and industrial zones;*
- 26) *Limit signage on buildings to being no higher than the façade that it is displayed on. The rule should be crafted so that it relates to façade height rather than roof height, as the key design outcome is to not have signage projecting above facades/ walls, rather than the top of the roof;*
- 27) *Investigate the use of by-laws to control signage attached to verandas and sandwich boards displayed within or over the road reserve. If by-laws are not accepted then include rules controlling heights and dimensions to ensure veranda signs do not create an obstruction hazard. It is noted that in some cases veranda and projecting signs will be over private land e.g. laneways or between buildings and customer carparks, and therefore a complementary set of rules is likely to remain necessary in the District Plan for controlling such signage where it is located over private land;*
- 28) *Include the integration of signage within the overall design as an assessment matter for developments that trigger an urban design assessment (all development with Lincoln and Rolleston and large developments in the other townships).*

10.4.12 Business zones – free standing signs

Free-standing signs can have a disproportionate visual impact compared with signage on buildings for two reasons. The first is that free-standing signs are generally located adjacent to the road reserve, whereas buildings are set back from the road with car parking or landscaping in between, especially in industrial and suburban commercial contexts. This layout means that free-standing signs are very

visible to passing motorists (which is their point) and cumulatively have a significant influence on the quality of the streetscape.

The second reason is that they constitute structures in their own right. Signage on a building still visually reads as a building first and foremost i.e. the building dominates with the signage an ancillary element, whereas free-standing signage is perceived only as a sign.

Due to their highly visible nature and the increased potential for cumulative effects along road corridors, it is considered appropriate to limit their size and number. The height and area of such signage has some overlap with the underlying zone bulk and location rule package in terms of whether or not free standing signs (as buildings in their own right) trigger road boundary setback requirements.

Recommendations 29-30:

- 29) *Free-standing signs be limited to one per site, with an additional sign permitted where a site has more than one road frontage, or where the frontage is more than 50m in length in which case an additional sign is appropriate. Feedback from NZTA is that more discretion should be considered in relation to the effects of more than one sign along a site with road frontage where it faces the State Highway;*
- 30) *As recommended above, restrictions on free-standing signs would not apply to signage that is necessary for compliance with HSNO legislation (which requires warnings signs at all site entrances) or for property numbering.*

APPENDIX 1. CHRISTCHURCH DISTRICT PLAN SIGNAGE OBJECTIVE AND POLICY APPROACH

6.8.2.1 Objective - Signage

Signage collectively contributes to Christchurch's vitality and recovery by:

1. supporting the needs of business, infrastructure and community activities;
2. maintaining public safety; and
3. enhancing the visual amenity values and character of the surrounding area, building or structures.

6.8.2.1.1 Policy - Enabling signage in appropriate locations

Enable signage:

1. as an integral component of commercial and industrial environments, strategic infrastructure and community activities throughout the Christchurch District; and
2. that is necessary for public health and safety and to provide direction to the public.

6.8.2.1.2 Policy - Controlling signage in sensitive locations

Ensure the character and amenity values of residential, open space and rural zones are protected from adverse visual and amenity effects from large areas or numbers of signs, or off-site signs within these zones.

6.8.2.1.3 Policy - Managing the potential effects of signage

In considering Policies 6.8.2.1.1 and 6.8.2.1.2, ensure that the size, number, height, location, design, appearance and standard of maintenance of signs:

1. do not detract from, and where possible contribute to, the character and visual amenity of the surrounding area and public realm;
2. integrate within the façade of the building, do not detract from the integrity of the building design, and maintain the building as the primary visual element;
3. are in proportion to the scale of buildings and the size of the site; and
4. enhance the Central City.

6.8.2.1.4 Policy - Transport safety

Ensure that signs do not cause obstruction and/or distraction for motorists and pedestrians and other road users.

6.8.2.1.5 Policy - Temporary signage and signage managed by other agencies

1. Enable temporary signage subject to meeting basic activity and built form standards.
2. Enable signage required or controlled through other legislation or government agencies.

6.8.2.1.6 Policy - Managing off-site signage

Limit off-site signage in the sensitive zones specified in Policy 6.8.2.1.2 and to enable such signage where it:

1. is compatible with the surrounding environment and is located within a commercial or industrial context;
2. is appropriately maintained;
3. will not cause or contribute to visual clutter and other cumulative adverse effects; and
4. is consistent with the outcomes sought in Policy 6.8.2.1.3

APPENDIX 2. REVIEW OF NEIGHBOURING DISTRICT PLANS

General Provisions

	Christchurch	Ashburton	Waimakariri	Hurunui
Site-related	Yes. Site-related requirement for all zones except some exemptions for Industrial and commercial zones and small signs	Yes. Site-related requirement for all zones	Yes. Site-related requirement for all zones	Yes. Site-related requirement for all zones
Illumination	Rely on glare rules, otherwise permitted in commercial and industrial zones and discretionary in other zones	Signs visible from an arterial road with 100kph speed limit shall not be illuminated unless the premises are open for business. Otherwise rely on glare rules	Rely on glare rules	Rely on glare rules
Flashing & moving	Yes to rules	Yes to rules	Yes to rules	Yes if outside urban areas
Directions & Street naming	Permitted	Permitted	Permitted	Permitted if less than 0.6m ²
Blimps & Balloons	Subject to 'sign' definition to include tethered balloons more than 0.5m in diameter. If larger then subject to zone sign rules plus explicit control in Industrial and commercial zones	Yes to rules	Yes to rules	Not explicitly controlled. Subject to zone sign rules
Vehicles & trailers	Subject to 'sign' definition. 'Sign' displayed on a parked vehicle or trailer for the express purpose of directing attention to any activity, site, or building. Subject to zone sign rules	Yes where parked in a public place. Does not apply to vehicle signage that is incidental to the primary use of the vehicle or trailer	Yes where parked in a public place. Does not apply to vehicle signage that is incidental to the primary use of the vehicle or trailer	Yes where used for the purpose of displaying signs. Does not apply to vehicle signage that is incidental to the primary use of the vehicle or trailer
Explicitly excludes window displays	Yes (except where directly applied to the inside of the glass)	Yes	Yes	No

Real Estate Signage

	Christchurch	Ashburton	Waimakariri	Hurunui
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Maximum number	General zone standards	No limit	3 per frontage	Comply with zone sign standards
Maximum size	3m ² in Residential zones, otherwise subject to general zone standards re size and number	2m ²	1.2m ²	
Time limit	For duration of sales activity and removed immediately after sale or completion of development	Removed within 2 weeks of the property no longer being offered for sale	No limit	
Site-related	Yes	Yes	Yes	Yes

Temporary events

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Temporary signs advertising the following not for profit events: 1. community gatherings; 2. celebrations; 3. non-motorized sports; and 4. performances.	Community, educational, elections, or recreational events, or during construction	No limits	In conjunction with a temporary or one-off activity
Maximum number	Only sign per site if in a Residential Zone	One per site	No limit	No limit
Maximum size	Subject to general zone standards	5m ²	3m ² and 2m in height	2.4m ²
Time limit	4 weeks prior and removed 1 week after event	6 months prior and removed 1 week after event	6 weeks prior and removed 1 week after event	2 months prior and removed 48 hours after

Notice/ community information boards

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Not specifically provided for	Not specifically provided for	Not specifically provided for	Not specifically provided for

Health & Safety

	Christchurch	Ashburton	Waimakariri	Hurunui
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Purpose	All signs permitted by Council bylaws, NZTA regulations and standards, all signs controlled by the Electoral (Advertisements of a Specified Kind) Regulations 2005, and all signs mandated under other legislation or regulation including the NESETA.	Not specifically provided for	Any sign required in order to 'discharge a statutory function' is permitted	Not specifically provided for
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Open space & reserves

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Small signs for track marking, warning, and direction are permitted. Otherwise subject to zone sign rules	Community facilities, conservation areas, recreation tracks, public reserves	Not specifically provided for	Site-related
Maximum number	No limit on buildings, 1 free standing sign per vehicle or pedestrian entrance	Separated by 100m if on the same site		1 per site
Maximum size	2m ² total signage where attached to buildings Max height 4m	1m ² (increased to 3m ² if in Open Space or Rural zones)		0.6m ² (increases to 3m ² adjoining state highways). 2m ² if freestanding
Limitations		Direction, site/ facility identification, displaying public information or safety		

Residential Zones

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Site-related	Site-related	Site-related	Site-related
Maximum number	1 per site	1 per road frontage	1 per site	1 per site
Maximum size	0.5m ² (if on buildings) 0.2m ² free standing	0.5m ²	0.6m ² (3m ² if facing a strategic or arterial road)	0.6m ² (increases to 3m ² adjoining state highways). 2m ² if freestanding
Maximum height	4m or façade height, whichever is lower	No limit	Free standing not to exceed 2m	No limit

Rural Zones

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Site-related	Site-related	Site-related	Site-related
Maximum number	No limit on buildings 1 free standing per vehicle or pedestrian entrance	1 per road frontage	1 per site (2 if frontage more than 200m and more than one road frontage)	1 per site
Maximum size	4m ² total site signage on buildings 1m ² free standing Max height 4m	2m ²	3m ²	0.6m ² (increases to 3m ² adjoining state highways). 2m ² if freestanding

Commercial Business Zones

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Site-related	Site-related	Site-related	Site-related
Maximum number	No limit on buildings	No limit	No limit	No limit
Maximum size	0.5m ² x length of building 'primary frontage' on buildings – total quantum 9m ² for smaller centres and 18m ² for larger centres for free standing signs	No limit	No limit on buildings 6m ² total display area if free standing	No limit on buildings 12m ² if free standing
Veranda restrictions	Yes	Yes	Yes	Yes
Free standing	1 free standing per vehicle or pedestrian entrance		1 per site	1 per site
Maximum height	6m or façade height, whichever is lower (increases to 9m for larger centres) Max height 6m smaller centres and 9m larger centres for free standing	3m or eaves of the building	Top of the roof	7.5m free standing Top of the roof

Industrial Business Zones

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Site-related	Site-related	Site-related	Site-related

Maximum number (on buildings)	No limit	No Limit	No Limit	No limit
Maximum size	1.2m ² x length of building primary frontage total quantum Free standing 18m ² per sign	No Limit, but are to be lower than 3m or the eaves of the building to which they relate	12m ² per sign	No limit on buildings 12m ² if free standing
Free standing	1 free standing per vehicle or pedestrian entrance	No Limit	1 per site (increases to 3 per site where more than 20m of frontage or more than one road frontage).	1 per site
Maximum height	9m or façade height, whichever is lower (both buildings and free standing)	No Limit	7.5m for free standing	7.5m free standing Top of the roof

Billboards

	Christchurch	Ashburton	Waimakariri	Hurunui
Purpose	Detailed rule package for both billboards and LEDs. Enabling if in industrial and commercial zones on arterial or collector roads and restrictive elsewhere	No specific rules. General rule that all signage be site-related	No specific rules. General rule that all signage be site-related	No specific rules. General rule that all signage be site-related

Transport safety

	Christchurch	Ashburton	Waimakariri	Hurunui
<p>The Christchurch District Plan contains the following rule. All three other District Plans have similar controls to a. below. These other District Plans also have controls on lettering size relative to frontage road speed limit and controls on minimum distances between signs in rural zones. Where visible from a State Highway the sign's message must be limited to a maximum of 6 words or symbols. Hurunui Plan requires signs to be located more than 50m from State Highway road reserve where located in rural areas.</p> <p><i>Rule 6.8.4.2.2</i></p> <p><i>a. Any sign shall be located so as not to obscure or to detract from the interpretation of any traffic sign or controls.</i></p> <p><i>b. No sign shall be located adjacent to a state highway or arterial road where all of the following criteria are met:</i></p> <ul style="list-style-type: none"> <i>i. the road has a speed limit of 70km per hour or greater; and</i> <i>ii. the sign is located within a road boundary building setback required by a built form standard for the relevant zone; and</i> <i>iii. the sign is located within 100 metres (in urban zones) or 200 metres (in rural or open space zones) in front of any official regulatory or warning sign or traffic signal.</i> 				

Explanatory Note: Official regulatory signs exclude street naming signs and brown information signs.

APPENDIX 3. USE OF BYLAWS TO CONTROL SIGNAGE

WAIMAKARIRI DISTRICT COUNCIL SIGNAGE BYLAW 2012

OBJECTIVE

To enhance road safety in the Waimakariri District by avoiding dangerous placement of signs that could impair visibility or access for road users or pedestrians.

To seek to avoid public nuisance by ensuring advertising displays and signage on footpaths does not obstruct the passage of pedestrians and/or disabled people.

Adopted at a Council Meeting held on
4 December 2012

Chief Executive

Administration Manager



WAIMAKARIRI
DISTRICT COUNCIL

WAIMAKARIRI DISTRICT COUNCIL SIGNAGE BYLAW 2012

1. Short Title, Commencement and Application

- (1) This Bylaw is the Waimakariri District Council Signage Bylaw 2012.
- (2) This Bylaw shall come into force on 1 January 2013.
- (3) This Bylaw applies to the Waimakariri District.
- (4) This bylaw is made under Section 145 of the Local Government Act 2002.

2. Purpose

The purpose of this bylaw is to ensure that signs are erected, maintained and displayed in such a manner that they do not create a nuisance or present a danger to pedestrians or vehicles.

3. Objectives

This bylaw has the objective of enhancing road safety in the Waimakariri District by avoiding dangerous placement of signs that could impair visibility or access for road users or pedestrians.

This bylaw has the further objective of seeking to avoid public nuisance by ensuring advertising displays and signage on footpaths does not obstruct the passage of pedestrians and/or disabled people.

4. Scope

- 4.1 This bylaw covers signage located on Council owned premises and the Council road reserve.
- 4.2 This bylaw does not apply to signage located within the State Highway Road Reserve.
- 4.3 This bylaw requires any sign located on any privately owned premises within the district to comply with Section 12, but otherwise the bylaw does not apply to any sign on any privately owned premises. The District Plan controls placement, design and other requirements for signage located on privately owned premises in the district.
- 4.4 This bylaw does not apply to any traffic safety or directional signs that are erected by the Council, its authorised officer or agent, or the New Zealand Transport Agency.
- 4.5 This bylaw does not apply to sign writing on licensed vehicles.

5. Interpretations

Definitions are set out in Section 6 unless the context requires otherwise. A reference to a repealed enactment should be read as a reference to its replacement.

6. Definitions

Approved means approved in writing by the Council, either by resolution of the Council or by any officer of the Council authorised for that purpose.

Authorised officer or agent means any person appointed or authorised in writing by the Chief Executive or by the Council to act on its behalf and with its authority.

Berm means a grassed, soil or metal area between the road carriageway and the property boundary, and includes road verges in rural areas.

Commercial event means an event that is intended to generate a profit and that is hosted for commercial purposes.

Council road reserve means any part of the legal road including formed road areas designed for the carriage of vehicles, and adjacent footpath and berm areas, usually adjoining the property boundaries (including privately owned premises) on either side of the road.

Council means the Waimakariri District Council or any officer authorised to exercise the authority of the Council.

Display means an exhibition or presentation of goods or materials, or a presentation of information or graphics that can be easily seen from or within a public place.

District means the Waimakariri District as constituted by the Local Government (Canterbury Region) Reorganisation Order 1989.

Event means a planned public or social occasion, including educational, social or recreational occasions to be held within the Waimakariri District.

Frangible means able to be broken into fragments; brittle or fragile.

Footpath means so much of any road as is laid out or constructed by authority of the Council primarily for pedestrians, and includes the edging but excludes the kerbing and channelling.

Garage sale means the sale of private household and personal items from any privately owned premises.

Household means members of a family or other non related persons living together as occupants of a separate housing unit.

Nuisance means anything that disturbs the reasonable use of property or endangers life and health or is offensive.

Offence includes any act or omission in relation to this bylaw or any part thereof for which any person is liable for prosecution.

Owner of any property, or as applied to any land, building, or premises, means any person for the time being entitled to receive the rent of such property, and where any such person is absent from New Zealand, shall include their attorney or agent.

Person means a natural person, corporation sole or a body of persons whether corporate or otherwise.

Premises means

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect of which a building consent has been or may be issued; or
- (b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or
- (c) Land held in public ownership (e.g. reserve) for a particular purpose.

Real estate sign means a sign including information about the proposed or pending sale of any premises or business.

Sign means any display or device intended to attract attention for the purposes of directing, identifying, informing or advertising and includes any frame or supporting structure but does not include signs erected by the New Zealand Transport Agency or the Waimakariri District Council.

7. General Provisions

- 7.1 No person shall display or erect any sign in the district except in conformity with this bylaw.
- 7.2 Unless the provisions of this bylaw are complied with no person shall erect any sign on any of the following:
 - a) any Council owned premises; or
 - b) the Council road reserve, other than as provided for in this bylaw.
- 7.3 With the exception of section 12 of this bylaw, signs that are located on any privately owned premises within the district are not required to comply with this bylaw.
- 7.4 No person shall attach, in any way, any sign to any power or telephone pole, lamp post, fence, building, wall, veranda post, statue, gate, public utility, fireplug notice plate, public convenience, rubbish receptacle, or upon anything whatsoever that is erected in or constructed or standing on or abutting any public place, including any part of a Council owned premises, any Council sign or its support structure, or any part of the Council road reserve.
- 7.5 Any person that has erected a sign shall maintain that sign at all times in good condition, so that it does not become a nuisance to the public, or a hazard to any pedestrian or vehicle using footpaths or roads in the District.

- 7.6 Any sign erected on or within the Council road reserve must meet all of the requirements of the Traffic Control Devices Manual and the Manual of Traffic Signs and Markings, published by the New Zealand Transport Agency.

8. Real Estate Signage

- 8.1 A person may only erect a real estate sign within the Council road reserve in the following circumstances:
- a) where the temporary sign is advertising an open home; and
 - b) where the real estate sign is only in place on the road reserve for the duration of that open home.

9. Community and Non-Profit Event Signage

- 9.1 A sign pertaining to an event on any part of the Council road reserve shall only be permitted where:
- a) it is not in excess of 2 metres in height or does not have a display area that exceeds 3 square metres; and
 - b) it is not within 50 metres of any intersection or roundabout; and
 - c) it has a frangible support structure.
- 9.2 Any sign in the district pertaining to an event shall not be erected more than 6 weeks prior to the date of that event and shall be removed within a week of the date of that event, and must relate to an event that is to be located within the district.
- 9.3 No person shall erect any sign on any part of the Council road reserve that pertains specifically to any of the following:
- a) a commercial event; or
 - b) any private function pertaining to any family or household group including any birthday or household party.
- 9.4 Any garage sale sign is only permitted on the Council road reserve for the duration of that garage sale.

10. Footpath Signage and Advertising

- 10.1 Any business may place one sign and/or one display of goods for sale on the footpath area adjacent to their premises along any road or street that has a speed limit of 70 kilometres per hour or less, if that road or street has a formed kerb, channel and footpath.
- 10.2 The display of any business goods for sale on a footpath is subject to a license to occupy that may be granted at the discretion of the Council.
- 10.3 No sign or display of any business goods on any footpath shall be placed in a position that would obstruct pedestrian movement along the footpath, or present an obstacle for any person using the footpath including any disabled person, or obstruct movement of a vehicle using any formed vehicle crossing over any footpath.

Display of Signs

- 10.4 Any sign placed by a business premises on any footpath under clause 10.1 shall:
- a) not exceed 1 metre in height and 0.6 metres in width;
 - b) be located so as to retain a clear pedestrian access way along the footpath that is no less than 2 metres wide in a continuous line, with all signs placed upon any one length of footpath between two intersections to be placed on the same side of that footpath;
 - c) not be placed closer than 0.6 metres to the adjacent kerb or otherwise must be placed immediately adjacent to the frontage or facade of the building at that premises;
 - d) not interfere with street furniture or fittings, or with the opening of car doors.
- 10.5 Notwithstanding clauses 10.1 and 10.4, the Council may approve the placement of a larger sign that includes advertising for more than one premises in the following situations:
- (a) where the sign is required by, and includes advertising on behalf of, more than one premises; and
 - (b) where there are a number of premises occupying a limited road frontage area; and/or
 - (c) where there are several premises located in an area that is remote from the road frontage.
- 10.6 Any sign placed by any business premises on a footpath at the start of any trading day must be removed from that footpath by that premises at the end of that same trading day.

Display of Advertising Goods for Sale

- 10.7 Any business premises choosing to place an assembly of business goods, as part of a single display under clause 10.1, on the adjacent footpath shall ensure the following conditions of this placement are met:
- a) the display is placed immediately adjacent to the frontage or facade of the building at that premises;
 - b) the display is contained on racks or benches;
 - c) the display is no greater than 1.5 metres in length;
 - d) the display protrudes no further than 0.5 metres from the building or facade frontage out onto the footpath;
 - e) the display shall be removed from the footpath when the business closes for trading at the end of each day.

11. Signage Overhanging Footpaths or Roads

- 11.1 No person shall erect any sign in such a position as to project out over any road carriageway unless the prior written permission of the Council or, in the case of State Highways, the New Zealand Transport Agency, has been obtained. Any such sign must be located at least 5.5 metres above any road carriageway which it overhangs.

- 11.2 No person shall cause or permit any sign to be erected overhanging any footpath unless every part of such sign is at least 2.2 metres above the footpath and the height of such sign is no greater than 0.9 metres.
- 11.3 Any sign erected overhanging a footpath shall be set back at least 0.5 metres from the kerb in a vertical line.

12. Signs Affecting Traffic

- 12.1 No person shall display, erect or maintain any sign so close to any part of a road, motorway, or to any corner, bend, safety zone, traffic sign, traffic signal, or intersection, in such a manner as, when assessed by an authorised officer or agent, is seen to:
 - (a) Obstruct the vision of or access for persons driving on a roadway or entering a roadway; or
 - (b) Constitute or be likely to constitute in any way a danger to the public.
- 12.2 No person shall illuminate any sign in such a way that the light is directed onto a footpath and/or roadway in such a manner as, when assessed by an authorised officer or agent, is seen to obstruct the vision of persons on that footpath or roadway.
- 12.3 An authorised officer or agent will assess whether a sign complies with Section 12 of the Bylaw using the criteria outlined within Schedule 1.

13. Exemptions from this bylaw

- 13.1 Any person may apply to the Council for an exemption to this bylaw. Applications for exemption must be in writing and may be subject to a fee as prescribed in the Council's fees and charges manual.

14. Delegations and Approvals

- 14.1 In this bylaw where any written permission or approval of the Council is required, that approval may be given by the Chief Executive, and the Chief Executive may delegate all or part of that function to any other officer of the Council.

15. Notices

- 15.1 The Council may give notice to any person in breach of this bylaw to carry out any remedial action in order to comply with the bylaw and every such notice shall state the time within which the remedial action is to be carried out, and may be extended from time to time.

16. Offences and Breaches

- 16.1 Every person breaches this bylaw and commits an offence who:
 - a) Does, or allows anything to be done, which is contrary to this bylaw or any part of it; or

- b) Fails to do, or allows anything to remain undone, which ought to be done by him or her within the time and in the manner required by this bylaw or any part of it; or
- c) Does anything which this bylaw prohibits; or
- d) Fails to comply with any notice given to him or her under this bylaw or any part of it or any condition that is part of any notice granted by the Council; or
- e) Obstructs or hinders any Council authorised officer or other Council appointed person or agent in performing any duty or in exercising any power under this bylaw.

17. Penalties

- 17.1 Subject to anything to the contrary, every person who commits an offence against this bylaw shall be subject to the penalties set out in Section 242(4) of the Local Government Act 2002.
- 17.2 Under Section 163 of the Local Government Act 2002 the Council or an authorised agent appointed by it, may remove or alter a work or thing that is, or has been, constructed in breach of this bylaw.
- 17.3 The Council may recover the costs of removing or altering the work or thing that is in breach of this bylaw from the person who committed the breach. This does not relieve that person of liability for the breach.
- 17.4 Under Section 162 of the Local Government Act 2002 the Council may apply to the District Court for the grant of an injunction restraining a person from committing a breach of this bylaw.
- 17.5 The Council may seize and impound property materially involved in the commission of an offence, under and in accordance with sections 164 and 165 of the Local Government Act 2002.
- 17.6 The Council will deal with any property seized and impounded in accordance with sections 167 and 168 of the Local Government Act 2002.

18. Serving of Notices and Documents

- 18.1 Except as otherwise expressly provided for in any Act, where any notice, order or other document is required to be served on any person for the purposes of this bylaw, the Council may serve notice by:
 - (a) Delivering it personally
 - (b) Sending it by messenger
 - (c) Sending it by registered post to the person's last known place of residence or business
- 18.2 If that person is absent from New Zealand, the notice may be sent to his or her agent instead of to that person.
- 18.3 If that person has no known name or address or is absent from New Zealand and has no known agent, and the notice relates to any land or building, the notice may be served on the occupier, or if there is no occupier the notice may be put on some conspicuous part of the land or building without the notice naming the owner or occupier.

- 18.4 If that person has died, the notice may be served on his or her personal or legal representative or executor.
- 18.5 Where a notice is sent by registered post it will be sent to arrive in the normal course no later than when the notice is required to be served and will be deemed to have been served at the time when the registered letter would be delivered in the ordinary course of post.

19. Review of Bylaw

- 19.1 The Bylaw shall be reviewed by December 2017.
This Bylaw can be reviewed at any other time before that date at the discretion of the Council.

Schedule 1

The following criteria will be used by an authorised officer or agent to assess whether or not a sign complies with Section 12 of the Bylaw. The authorised officer or agent may also find the information about signage published by the New Zealand Transport Agency (as referenced in clause 7.6), useful in making decisions under this Schedule and Section 12 of this Bylaw.

A. Placement and Location

The appropriateness of the sign in terms of its size, type, location and form in relation to the surrounding environment and the zone in which it occurs. In particular:

1. The scale, style and simplicity of the sign:
 - The location of the sign in relation to other signs and adjacent structures and buildings and the size of the site on which the sign will be placed;
 - Its relationship with the streetscape, landscape and open space areas in the vicinity of the proposed sign.
2. Whether the size of the sign is appropriate for the target audience (e.g. pedestrians or car drivers);
3. The cumulative visual effect of the sign in conjunction with any other signs in the surrounding environment;
4. The impact of any lighting associated with the sign – in particular intensity, glare, duration of use, location, direction and lighting spill;
5. How the sign:
 - Maintains safe and clear sight and movement lines;
 - Is separated from other signs.
6. Whether the sign eliminates the need for other signs on the property;
7. If the sign is freestanding, the placement of the sign having regard to whether it creates obstruction of pedestrian paths, sight and movement lines;
8. The opportunity for the sign to be used by multiple tenancies, thus reducing the need for additional signage.

B. Safety

The appropriateness of the sign in terms of its potential to cause danger to public safety. In particular:

1. The impact of the sign in obstructing the view of corners, intersections, vehicle or pedestrian crossings, or any information or naming signs;
2. The potential adverse impact of flashing lights or variable images on traffic safety or navigational safety if located near the coast;
3. The potential effect of glare from any illuminated sign on pedestrian and road users safety;
4. The potential for the sign to be confused with or obscure any traffic signal or sign;
5. The ease at which the sign can be read where traffic safety may be an issue near major roads or motorways;
6. The potential for the sign to affect public access to a site or a public place; the safety of pedestrians (including whether or not the sign might create a hiding place or an entrapment area), or the safety of road users.

ASHBURTON DISTRICT COUNCIL BYLAWS

CHAPTER 2 - ADVERTISING SIGNS, PLACARDS, AND FOOTPATH ADVERTISING CONTROLS

SCOPE

The purpose of this chapter of the bylaw is to ensure that advertising signs are erected, maintained, and displayed in such a manner that they do not create a nuisance, cause offence or present a hazard or a danger to public safety.

INTERPRETATION

200 In this part of the bylaw, unless the context requires otherwise -

A SIGN includes every advertising device or advertising matter of whatever kind whether consisting of a specially constructed device or structure, painted, fixed to or upon any premises, wall, fence, rock, stone, structure, stationary vehicle, or erection of any kind whatsoever if such advertising device or matter is visible from any public place, but does not include signs that are required for the direction of the public by a roading authority such as Transit New Zealand or the Ashburton District Council.

TEMPORARY SIGN means a sign for a community, educational, election campaign or recreational event, and during building construction, within the Ashburton District; being of a total maximum area of 5 square metres. Signs are permitted to be erected 6 weeks prior to the event and removed within one week of the completion of the promoted activity.

Provided that signs authorised as shop sandwich boards shall not be classified as temporary signs.

GENERAL REQUIREMENTS FOR SITING OF SIGNS

201 No person shall display or erect any sign except in conformity with this part of the bylaw and any provision set out in the District Plan.

201.1 All signs must conform to the following dimensions if they overhang streets and/or are connected to verandas:-

- (a) Minimum height to underside of sign from footpaths 2.5 m.
- (b) Set back, 500mm from a vertical line from the kerb.
- (c) Maximum veranda fascia sign 900mm in height.
- (d) Signs erected above a veranda shall not extend beyond the profile and height of the building.

SIGNS AFFECTING TRAFFIC

- 202** No person shall display, erect, or maintain any sign so close to any part of a road, motorway, or to any corner, bend, safety-zone, traffic sign, traffic signal, or intersection as in the opinion of the Council would:
- (a) Obstruct or be likely to obstruct the vision of persons driving on a roadway or entering a roadway; or
 - (b) Distract unduly or be likely to distract unduly the attention of road users; or
 - (c) Constitute or be likely to constitute in any way a danger to the public.
- 202.1** No person shall place or display any sign containing any reflective material which tends to reflect vehicle lights, or contains any material dependent for illumination upon the lights of traffic in such a position as in the opinion of the Council would distract or be likely to distract the attention of the driver of any motor vehicle.
- 202.2** No person shall illuminate any sign in such a way that the light is directed onto a footpath and/or roadway in such a manner as to distract or obstruct the vision of persons on that footpath and/or roadway.

SIGNS OVER FOOTPATHS AND PUBLIC PLACES

- 203** No person shall cause or permit any sign to be erected over any public place unless every part of such sign is at least 2.5m above the footpath or 5.5m above the carriage way.
- 203.1** No person shall erect any sign in such a position as to project over any road, street, or public place unless the prior written permission of the Council or, in the case of State Highways, Transit New Zealand has been obtained.

GENERAL REQUIREMENTS FOR CONSTRUCTIONS AND MAINTENANCE OF SIGNS

- 204** No sign shall be made, erected, or constructed otherwise than in a safe manner securely fastened to a permanent structure. Signs on the faces of buildings, sky signs and pole signs shall, if required by Council, be designed by a structural engineer and shall be located in a position approved by Council.
- 204.1** Every sign shall at all times be maintained in good repair and condition.
- 204.2** If any sign shall at any time not be in good order and condition, or if it shall at any time be unsightly or dangerous, the Council may, by notice in writing require such owner or lessee to repair or secure or otherwise put in order or remove such sign within a period stated in such notice.

REMOVAL OF OFFENDING SIGNS

- 205** If any sign, whether or not approved by the Council, fails to conform with all of the provisions of this part of the bylaw it shall be the duty of the occupier for the time being of the premises on which such sign shall have been displayed, erected or affixed or to which it relates, after being served with a notice in writing from the Council requiring him so to do, to take down and remove such sign or so much thereof as does not conform with the provisions of this part of the bylaw within the period of time specified in the notice.
- 205.1** If the person on whom such notice has been served fails to comply with the terms of such notice within the time stated therein they shall be liable for prosecution for an offence against this part of the bylaw.
- 205.2** If such sign be an approved sign pursuant to this part of this bylaw, on failure to comply with the terms of such notice, the approval may be revoked by Council.
- 205.3** The Council reserves the right to remove without notice any sign that is illegal or in the Council's opinion is considered to be hazardous, dangerous or offensive to the public. In such cases the Council will, where possible, notify the person or persons responsible. The Council may recover the cost of dealing with signs that breach this bylaw from the sign owner and/or operator.
- 205.4** Where any poster, or other document, or writing, or other disfigurement or defacement, has been placed or made the Council reserves the right to remove or cancel the material and recover the cost of such remedial action from the person(s) responsible.
- 205.5** Council may also place stickers on offending signs to the effect that it is cancelled and/or illegal.

TEMPORARY SIGNS

- 206** Temporary signs advertising the sale of property on which the sign is not situated shall be restricted to a maximum of 1.0 square metre in any location.
- 206.1** No election signs will be permitted on reserves or roadsides without prior written permission of the Council.
- 206.2** No temporary signs may be attached in any way to power or telephone poles or to fences on any public property.
- 206.3** No temporary sign shall be erected for a period greater than three months.
- 206.4** The Council may grant an extension to the time limit specified by Clause 206.3 for special circumstances upon prior written application.

CONSENT REQUIRED TO ERECT SIGN

- 207** Before any person erects a sign that requires Council approval he/she shall make written application and obtain the appropriate consent or consents and pay any fee that Council may from time to time set by ordinary resolution.

DISPENSATION OR WAIVER

- 208** Where an applicant wishes to erect a sign that is not in conformity with this bylaw, he/she may make application for a dispensation or waiver. Nothing in this bylaw shall negate the requirement of a person wishing to erect a sign to also comply with the requirements of the District Plan or be in accordance with the Resource Management Act 1991.

PLACARDS & MARKINGS ON BUILDINGS, POSTS, UTILITIES, PAVEMENTS AND FOOTPATHS

- 209** No person shall -
- (a) Place any poster, or other document on, or write, or otherwise disfigure or deface, any building or any wall, fence, statue, lamp post, veranda post, gate, telegraph or telephone post, or electric light or power post, or any public utility, waiting-shed, convenience, rubbish receptacle, fireplug notice plate, or upon anything whatsoever erected in or constructed or standing on or abutting any public place;
 - (b) Stamp, stain, paint, write, print, or post any advertisement or notice upon any public place or kerbstone, footpaths, public utility or steps, except with the prior written authority of Council and then only in conformity with the terms of any permit that may be granted; or
 - (c) Upon or over any footpath of any public place display or carry any placard, board, flag, screen, or frame by way of advertisement, unless permission in writing shall have been obtained from Council. Provided that Council may by resolution from time to time specify conditions with regard to the control of such advertising signs.

SANDWICH BOARD SIGNS AND OTHER OFF-SITE ADVERTISING SIGNS

- 210** The reason for this clause is to allow retailers and business premises to advertise their business by means of portable display boards in the immediate vicinity of their premises without in each individual case having to seek the permission in writing of Council. Such advertising should not obstruct public thoroughfares or present an obstacle to the public, including disabled persons.
- (a) General exemption is granted to allow signs to be displayed up to 600mm from the legal boundary or up to 600mm from the adjacent kerb. In all cases a clear pedestrian access way not less than 2 metres wide is to be retained. Signs displayed on public thoroughfares shall not exceed 1.2m in height or 650mm in width and shall be so located as not to interfere with street furniture or fittings or with the opening of car doors in parking metered areas.

- (b) Signs may only be displayed immediately outside the premises to which they or the goods or services they advertise relate.
- (c) Council officers are authorised to give written notice requiring the removal of signs which do not comply with this Council bylaw. Such notice may require the removal of signs forthwith, failing which the signs may be impounded by Council and released only upon payment of a fee set by the Council from time to time.
- (d) Any person who repeatedly displays a sign without Council consent or in contravention of this bylaw shall receive only one (1) 24 hour warning notice and thereafter it shall not be a requirement that a Council Officer serve written notice prior to the sign being seized and forfeit to the Council.

Signboards in public places policy

Adopted by Council on 22 July 1998.

1. Low volume pedestrian areas

- (a) Signboards shall not protrude more than 200 millimeters [millimetres] into the public place parallel to the premises frontage.
- (b) In addition to (a) one only free standing signboard may be placed on the kerbside per business, outside that business.
- (c) Upstairs shop(s) with a street entrance, may have one free standing signboard (multi advertising if necessary) per building placed on the kerbside outside the entrance to that business.

2. Central Business District and other high volume pedestrian areas (other than malls) e.g. Riccarton Road

- (a) Signboards shall not protrude more than 200 millimeters [millimetres] into the public place parallel to the premises frontage.
- (b) As an alternative to (a) one only free standing signboard may be placed on the kerbside per business, outside that business.
- (c) Upstairs shop(s) with a street entrance, may have one free standing signboard (multi advertising if necessary) per building placed on the kerbside outside the entrance to that business.

3. Pedestrian malls (e.g. City Mall, Worcester Boulevard, Cathedral Square)

- (a) Signboards shall not protrude more than 200 millimeters [millimetres] into the public place parallel to the premises frontage.
- (b) As an alternative to (a) only one free standing signboard may be placed against the shop frontage per business, outside that business.
- (c) Upstairs shop(s) with a street entrance may have one free standing signboard (multi advertising if necessary) per building placed against the entrance to those premises.
- (d) Shops in Arcades fronting, or alleyways opening, onto malls (ground floor and upstairs) may have one mobile multi signboard placed by entrance way to each arcade.

4. All signboards whether in high or low pedestrian areas or pedestrian malls shall

(a) Not obstruct the view of traffic, and in no case will be permitted on roadways, medians, traffic islands, planted areas, grass berms or extended footpath area.

(b) Not have a surface area exceeding 0.5 square metres, on any one side, with a height of not more than 900mm or a width of not more than 600 millimeters [millimetres] except for mobile signboards at entranceways to arcades fronting, or alleyways opening, onto malls.

(c) On any wind-assisted signboard have not less than 30 millimeters [millimetres] between the sail of the signboard and the stand.

(d) Have no reflective materials or internal or external illumination.

(e) Be removed during the period the premises are closed.

(f) Be adequately secured (may require to be fixed to the premises or weighted).

(g) In the case of wind-assisted or rotating signboards the height of the frame shall not exceed 1400 millimeters [millimetres] provided there is clear space between the frame and any signage within it.

5. For an 'open home' or real estate promotion there shall be permitted only one signboard for the sale of a property or a house in accordance with 4(b) above and [this] shall be removed after the promotion has finished. In addition two only 'Open House' signs of approved design may be placed at the entrances to the street in which the "open home" promotion is occurring for a period of not longer than the house is open for general inspection on the day the event is occurring.

6. Erection of signboards outside the above conditions may be considered on application, and if approved will be subject to appropriate charges and conditions.

7. Signboards found in contravention of the above policy may be seized and removed after written notification to the business/owner requesting compliance.

8. All signs and their supporting structures shall be constructed, fixed, placed and maintained in a manner so they do not pose a danger to property or the public.

NB: 'Free standing sign' includes flags and rotating signs.

Special cases for signs

Signs on trailers

Advertising signs fixed to trailers are only permitted when the trailer is being towed behind a vehicle or is parked on the property of the business premises being advertised.

If the trailer is parked on the side of the road it will require a resource consent for each and every parking site.

Signs on vehicles

Advertising signs on vehicles in public places generally require permission as a 'commercial activity'. However, the following vehicles are exempted from this requirement:

- passenger services vehicles
- business vehicles.

Mobile 'sandwich boards'

The maximum size allowed for mobile signs is 1200mm vertical and 600mm horizontal. No permit is required but both the owner and the carrier must ensure that the board does not cause any danger to pedestrians.

TIMARU DISTRICT CONSOLIDATED BYLAW 2013

CHAPTER 2 – PUBLIC PLACES

THIRD SCHEDULE BYLAW POLICY

Advertising Signs

SUBJECT

Clause 213 - Placards on Buildings, Posts and footpaths

Signs in, on or over a public place must comply with the performance standards of this policy.

This policy is in two parts. Part 1 addresses portable advertising signs outside shops. Part 2 addresses signs which protrude into or hang over a public place/space.

PURPOSE

Part 1 The reason for this policy is to allow retailers and business premises to advertise their business by means of portable display boards without in each individual case having to seek the permission in writing of Council.

The policy also details the manner in which Council staff shall address the problem of signs that are displayed in contravention of the policy.

Part 2 This policy provides information and performance standards for other advertising signs which hang or are located in a position where there is potential for the sign to obstruct, obscure or cause injury to users of the public place.

No sign which by its location or construction presents a danger, or which may cause injury to the public, is authorised or permitted by this chapter of the bylaw or policy.

POLICY

Part 1 Portable advertising signs outside shops or places of businesses in the areas zoned Commercial in the Timaru District Plan

- (a) That general exemption be granted to allow portable display board type signs to be displayed up to 600 millimetres from commercial property holders' boundaries;
- (b) The maximum size of portable display board signs shall be 1000mm x 600mm;
- (c) That signs may only be displayed outside the premises to which they apply during the hours which the premises are open for business;

- (d) That officers be authorised to give written notice for the removal of signs which do not comply with this Council policy. Such notice may require the removal of signs within 24 hours or such lesser time as is deemed appropriate, failing which the signs are to be impounded and released on payment of an appropriate fee;
- (e) That should any person contravene this policy, that person shall receive only one 24 hour warning or such lesser time as is deemed appropriate, thereafter it shall not be required that officers serve written notice prior to the sign being impounded;
- (f) Neither clause 213.1(c) nor this policy shall apply to retailers and business premises outside the areas zoned Commercial in the Timaru District Plan. Officers shall in cases where clause 213.1(c) does not apply, use the general obstruction provisions of clause 203.

Part 2 Signs on or over public place

Interpretation: A sign has the meaning given in the District Plan. Providing that temporary signs covered by Part 1 of this policy are excluded.

General requirements for construction and maintenance of signs

- (a) No sign shall be made, erected, or constructed otherwise than in a safe manner and securely fastened to a permanent structure. Signs on the faces of buildings, sky signs and pole signs shall, if required by Council, be designed by a structural engineer and shall be located in a position approved by Council.
- (b) Every sign shall at all times be maintained in good repair and condition.
- (c) Where a sign is not maintained in good order and condition, or if it at any time becomes unsightly or dangerous, the Council may, by notice in writing require the owner or lessee to repair or secure or otherwise put in order or remove the sign within a period stated in the notice.
- (d) All signs must conform to the following dimensions if they overhang footpaths, span carriageways and/or are connected to verandahs:
 - (i) Minimum height to underside of sign from footpaths 2.4m;
 - (ii) Set back, 600mm from an imaginary vertical line from the kerb;
 - (iii) Verandah fascia sign maximum 450mm in depth;
 - (iv) Minimum height to underside of sign where the sign spans the carriageway shall be 5.5 metres.

Signs affecting traffic

- (a) No person shall display, erect, or maintain any sign on or adjacent to any part of a road, motorway, or to any corner, bend, safety-zone, traffic sign, traffic signal, or intersection that will:
 - (i) Obstruct the line of sight of any corner, bend, intersection or vehicle crossing;
 - (ii) Obstruct, obscure or impair the view of any traffic sign or signal;
 - (iii) Resemble or be likely to be confused with any traffic sign or signal;
 - (iv) Use reflective materials that may interfere with a road users vision;
 - (v) Use intermittent or revolving lights.
- (b) No person shall place or display any sign containing any reflective material which tends to reflect vehicle lights, or contains any material dependent for illumination upon the lights of traffic in such a position as in the opinion of the Council would distract or be likely to distract the attention of the driver of any vehicle.

Signs on parked vehicles

In the event of a complaint being received, and/or if the Council considers a problem is caused by a sign on a parked vehicle then the removal of such a sign shall be required.

Temporary signs

- (a) Temporary signs advertising the sale of land on which the sign is situated shall be restricted to a maximum of 0.7 square metres in any location.
- (b) Temporary signs advertising a forthcoming event shall be restricted to a size of 3.0 square metres in any rural location and Council may detail a lesser size in other locations.
- (c) No temporary signs are permitted on reserves or roadsides with the exception of the Church Street over bridge and then only in accordance with Council policy for that over bridge.
- (d) No temporary signs may be attached in any way to power or telephone poles or to fences on any public property.
- (e) Signs for elections are not permitted on any reserves or roadsides.

Removal of offending signs

- (a) If any sign, whether approved or not, fails to conform to all the provisions of this schedule it shall be the duty of the owner of the sign to take down and remove or to repair the sign or so much thereof as does not conform to the provisions of this schedule.

- (b) The Council may remove any sign that does not comply with this policy or is considered to be hazardous or dangerous and to recover the costs of doing so. In such cases the Council will, where possible, notify the person or persons responsible prior to any removal.

APPENDIX 4. NZTA EXAMPLE CONDITIONS FOR LED SIGNAGE

Images shall not contain animation or emit flashing lights

Each image shall have a minimum time of display of eight seconds (no maximum display time is necessary)

Images shall transition from one to the next via a 0.5 second dissolve

Images shall use lettering that is a minimum of 200mm high

The billboard will be controlled via a sensor to ensure that the luminance is limited to match the surrounding ambient light environment during hours of darkness and daylight hours; and

Images shall not use graphics, colours or shapes in combination in such a way that would resemble or distract from a traffic control device