

Proposed Selwyn District Plan



Section 32 Report

Signs

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1. Executive Summary

Section 32 of the Act requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Resource Management Act 1991 ('the Act' or 'the RMA'), and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives. The analysis set out in this report is to fulfil the obligations of the Council under section 32 of the Act.

This section 32 evaluation report relates to the signs topic of the proposed Selwyn District Plan. The proposed options assessed within this section 32 evaluation report address the ambiguity, complexity and inconsistency of resource management issues associated with the Operative Plan status quo option by providing a more consistent approach to the future management of all signs in the district. There are no Strategic Objectives that provide explicit direction regarding the management of signs. Rather, signs form part of the wider outcomes sought through the following Strategic Objectives as an integral component of business, community, and infrastructure activities, where the need for, and benefits of, signs need to be balanced with the amenity and character outcomes anticipated in different contexts:

- Sensational Selwyn
- District Well-Being and Prosperity
- Vibrant and Viable Centres
- Effects of Important Infrastructure.

The proposed signs provisions will assist the Council to fulfil its statutory functions and responsibilities as required by the Act through the following proposed objective, policies and rules:

- An objective to enable signs while maintaining transport safety, character and visual amenity values.
- Policies that address management considerations relevant to signs, including enabling signs in industrial and commercial environments, and where associated with important infrastructure and community activities, and where signs are necessary for achieving other statutory purposes, direction, and safety. This enablement is balanced with managing signs in more sensitive environments such as Outstanding Natural Landscapes, the Coastal Environment, and in association with heritage items. There is also policy which addresses the visual amenity effects of signs attached to buildings, temporary signs, and off-site signs, which is an increasingly prevalent matter in the District.
- Rules that:
 - Permit signs where necessary for direction, warning, permitted by other legislation, and where integral to the functions of government agencies and infrastructure providers;
 - Permit signs across all zones, subject to differing limits on the size, number, positioning etc. consistent with the differing amenity outcomes anticipated within the zones;
 - Manage temporary signs associated with temporary activities and temporary real estate advertising;
 - Manage signs located on a site adjoining a state highway or arterial road;
 - Limit off-site signs in commercial, industrial and some special purpose zones and to avoid them in all other more sensitive zones.

- Definitions for ‘area of a sign’, ‘free standing sign’, ‘official sign’ ‘off-site sign’, ‘primary building frontage’, ‘public place’, and ‘sign’.

The proposed key changes to the signs provisions include:

- Consolidated objective, policies and associated rules in a Signs Chapter, consistent with the direction of the National Planning Standards (NPS);
- Change to restricted discretionary activity status in most cases where a rule is breached rather than discretionary;
- New permitted activity rule for signs that are required for functional reasons such as providing directions, or are required by other legislation regarding workplace safety and hazardous substances;
- An increase in the permitted area of free-standing signs in commercial and industrial environments;
- Reliance on the Selwyn District Council Public Places Bylaw to control signs displayed in public places such as footpaths, roads and parks;
- More specific controls on signs associated with temporary activities which sets a definitive time period such signs can be displayed and when they need to be removed, and limits their number in more sensitive zones;
- More consistent real estate signs rules, and a new rule requirement which addresses temporary signs associated with advertising subdivision development;
- Revised and less detailed rules relating to signs adjacent to State Highways and arterial roads to better reflect current NZTA guidance regarding signs and traffic safety;
- Deletion of the operative District Plan ‘notice board’ rules;
- New specific rules related to off-site signs such as billboards and trailer mounted signs to improve clarity and enforceability of off-site signs;
- A new rule requirement which addresses changing digital or LED displays and requires consent;
- Permitting signs associated with emergency services facilities and network utilities in the Energy and Infrastructure Chapter;
- Reliance on the Historic Heritage Chapter to manage signs attached to heritage items;
- Reliance on the Light Chapter to manage illuminated signs subject to lux level, glare and sky glow rule requirements;
- Deletion of the specific West Melton Observatory rules relating to illuminated signs and reliance on the Signs and Light Chapter provisions.

2. Overview and Purpose

This s32 evaluation report should be read in conjunction with the s32 ‘Overview Report’, which also includes an overview of the s32 legislative requirements, the methodology and approach to the s32 evaluations and the process that the Council has undertaken to date through its District Plan Review, including consultation and engagement. It should also be read in conjunction with the Signage Baseline Report which sets out a thorough review of the outcomes and issues being achieved under the Operative Plan framework and makes a series of recommendations as to how the identified issues can be addressed.

2.1 Introduction to the resource management issue(s)

The evaluation of the appropriateness of the proposed management approach to signs is based on the following key issues:

1. The need to recognise and provide for signs due to the wide range of business, community, and health and safety benefits, while managing the extent and effects of signs especially in more sensitive environments due to the potential adverse effects on amenity, character, and traffic safety that can be generated by inappropriately designed and located signs.
2. The need to specifically manage the effects of non-site related signs (including the management of billboards and temporary signs advertising upcoming events), particularly in sensitive environments where there is a high amenity expectation in order to ensure they are compatible with the character and visual amenity values of the surrounding areas and to manage traffic safety.

The Section 32 evaluation report is structured according to the issues identified above, with the relevant objectives, policies and methods intended to address each issue being packaged together to provide a clear 'line of sight' between the issue and relevant provisions.

2.2 Regulatory and policy direction

Part 2 of the RMA

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety. In achieving this purpose, authorities also need to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7, and take into account the principles of the Treaty of Waitangi referred to in s8.

A number of provisions have been included in the signs topic in response to the requirements in Part 2, including: s7(b) - the efficient use and development of natural and physical resources; s7(c) - the maintenance and enhancement of amenity values; and, s7(f) - maintenance and enhancement of the quality of the environment.

The potential and actual effects associated with signs include the potential to adversely affect amenity values and the quality of the environment.

National Instruments

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) relates to the management of existing electricity transmission lines. Clauses 23 and 24 set out permitted and restricted discretionary standards for signs affixed to transmission line support structures. There is a note in the Signs Chapter overview which explains that the NESETA manages the size and area of signs on a transmission line support structure of an existing transmission line to identify the structure or its owner, or to help with safety or navigation.

There are no other relevant National Policy Statements or National Environmental Standards.

National Planning Standards and/or Guidance Documents

The National Planning Standards (NPS) require that signs provisions are addressed in a district-wide Signs Chapter. It is noted that there is a degree of ambiguity whereby the NPS also requires provisions associated with temporary events to be addressed in a separate Temporary Activities Chapter. This s32 and the associated signs provisions address temporary signs associated with temporary activities and real estate advertising. There is a cross-reference in the Temporary Activities Chapter to alert Plan users to the district-wide chapters, which includes signs.

The NPS also contains the following definitions of 'sign' and 'official sign', with the proposed District Plan adopting these definitions:

Sign

means any device, character, graphic or electronic display, whether temporary or permanent, which

(a) is for the purposes of:

- (i) identification of or provision of information about any activity, property or structure or an aspect of public safety;*
- (ii) providing directions; or*
- (iii) promoting goods, services or events; and*

(b) is projected onto, or fixed or attached to, any structure or natural object; and

(c) includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice.

Official sign

means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.

Regional Policy Statement and Plans

The following regional planning documents are relevant to this topic:

1. Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement (CRPS) became operative in 2013 with changes becoming operative since that time. The CRPS provides an overview of the resource management issues in the region and provides a policy framework to achieve integrated management of natural and physical resources, including directions for provisions in district and regional plans which must be given effect to.

The chapters of the CRPS relevant to the signs topic are Chapter 5 (Land-Use and Infrastructure) and Chapter 6 (Recovery and Rebuilding of Greater Christchurch). Neither of these chapters provide explicit direction or guidance on how signs are to be managed. The CRPS direction is instead focused on providing a higher-level framework for the ongoing use and development of strategic infrastructure and a safe and efficient transport network (of which signs may be an enabling component - Policy 6.3.4, 6.3.5), along with the provision for business activities in appropriate locations (Policy 6.3.6) and development form and urban design is of an acceptable quality relative to its context (Policy 6.3.2).

2. Operative Regional Plans - Canterbury Air Regional Plan and Canterbury Land and Water Regional Plan

These operative Regional Plans do not provide any specific direction regarding signs.

Mahaanui Iwi Management Plan

The Mahaanui Iwi Management Plan (IMP), published in 2013, is an expression of the kaitiakitanga and rangatiratanga for the six runanga within the takiwa from the Hurunui River to the Hakatere River and inland to Ka Tiritiri o Te Moana.

The IMP has been reviewed and does not contain any explicit policy guidance or outcomes in respect of managing the effects of signs in the sense of seeking controls or direction on the size, number, and location of signs. The IMP contains broad principles about recognising and expressing manawhenua and tikanga maori, with the use of Te Reo in signs a tangible and visible expression of these principles. The use of Te Reo in signs 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 the District Plan rules do not prevent or create consenting hurdles for the inclusion 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 should be achieved in the signs topic.

Local policies, plans or strategies

There are no other plans or strategies that are relevant to the signs topic. The use of bylaws is discussed in more detail below.

Any other relevant legislation or regulations

Signs is the subject of numerous statutes. The key statutes are discussed in Section 8 of the Signage Baseline Report and are summarised as follows:

- Local Government Act (2002) - includes the ability for councils to enact bylaws;
- Reserves Act 1977 - provides for the preparation of Reserve Management Plans, which can include restrictions on signs located within reserves;
- Hazardous Substances and New Organisms Act (1996) - has associated obligations on signs where such substances are stored or used;
- Health and Safety at Work Act (2015) - includes the need to appropriately identify and manage workplace safety risks;
- Electoral (Advertisements of a Specified Kind) Regulations (2005) - relates to electoral advertising;
- Advertising Standards Authority - a voluntary membership organisation with a code of practice regarding the content of advertising.

Bylaws

Section 145 of the LGA enables Council to enact bylaws to control matters that give rise to public nuisance or safety concerns. The use of bylaws to control signs displayed in public places such as footpaths, parks, and pedestrian malls or squares is common throughout New Zealand. Signs bylaws in particular are often used to control real estate signs 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. Bylaws can also cover the erection of Council-initiated signs located in parks and reserves that are for the purposes of warning, direction, or information.

The absence of a public places bylaw to control signs in public places was noted in the Baseline Report, with such a tool found to be commonplace as a complementary tool to district plan provisions across the Councils that were reviewed.

Since the Baseline Report was prepared, the Council formulated a Public Places Bylaw 2018, with the bylaw coming into effect on 1 October 2018. The bylaw controls commercial activities (including ‘advertising goods, services or events’) where they occur in a ‘public place’, which includes roads, streets, carparks, footpaths, cycleways, accessways, reserve or public reserve reserves (as defined in the Reserves Act 1977), parks, recreation grounds, and state highways. The bylaw puts in place a framework for managing signs in these areas through the Council’s powers under the Local Government Act and as land owner.

The use of bylaws is an important complementary tool and as such it is important that the District Plan provisions do not contradict or duplicate the controls that are already in place through the bylaw as this would be inefficient and ineffective. The proposed District Plan provisions have therefore been designed to dovetail with the control provided through the bylaw. The key matters that the bylaw provides for are small-scale sandwich boards on footpaths or road frontage directly in front of a business, signs associated with not-for-profit community events, and otherwise provides a permit system for authorising other signs in public places.

3. Resource Management Issue Analysis

3.1 Background

The operative District Plan contains a framework for the management of signs, with these provisions embedded within the various zones provisions. This approach has led to signs provisions being scattered through the rural, residential and business chapters of the operative District Plan, with a resulting degree of ambiguity, duplication, and inconsistency with how signs are managed. An extensive assessment of the operative District Plan provisions and their effectiveness is set out in Section 4 of the Signage Baseline Report.

3.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

Research

The Council has reviewed the operative District Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and engagement to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	DW008 - Signage (Baseline Report)
Author	Jonathan Cleese - Planz Consultants

Brief Synopsis	The report 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 was also undertaken, along with a review of the New Zealand Transport Agency's (NZTA) guidance on signage within and adjacent to the State Highway network. The review lays the foundation for providing a potential policy framework and associated rule options for managing signage.
Conclusion	The District Plan approach needs to be enabling to facilitate signs, balanced with the need to manage their adverse effects including visual amenity and character, traffic safety and glare/light spill. The report recommends all signs rules be contained in a single chapter to improve Plan structure and that the provisions follow a similar approach to the Christchurch District Plan. A series of 30 specific recommendations are made with respect to the regulatory approach.
Link to Document	https://www.selwyn.govt.nz/_data/assets/pdf_file/0007/260584/DW008-Signage-Final-version.pdf

Title	Preferred Option Report for Signage
Author	Jonathan Cleese - Planz Consultants
Brief Synopsis	This report to the District Plan Committee summarises the Baseline Report and identifies issues and options for managing signage. The three key issues identified include: the need to consolidate provisions into a single chapter; need to review rules so more enabling; and need to provide better control regarding off-site signs. The proposed preferred option is to update the provisions to improve clarity and effectiveness opposed to the option of the status quo.
Conclusion	The District Plan Committee endorsed the preferred option of updating the provisions.
Link to Document	https://www.selwyn.govt.nz/_data/assets/pdf_file/0009/267696/Endorsed-Preferred-Option-Report-Signage.pdf

Title	Post Engagement Update on Preferred Options for Signage (DW008)
Author	Vicki Barker – Consultant Planner and Signs Topic Lead
Brief Synopsis	This report to the District Plan Committee summarises the key proposed changes to the rules and provides a summary of the partner, stakeholder and public feedback received in relation to the draft provisions.
Conclusion	The preferred option previously endorsed by DPC progresses to the 'Drafting and Section 32 Evaluation Phase'.

Link to Document	https://www.selwyn.govt.nz/_data/assets/pdf_file/0007/260584/DW008-Signage-Final-version.pdf
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This information has been used to inform the District Plan Review and this s32 evaluation.

Consultation and Engagement

Through the development of the proposed provisions, the Council undertook consultation and engagement specifically on this matter with the following:

- Canterbury Regional Council;
- New Zealand Transport Agency;
- Mahaanui Kurataiao Limited (during the preparation of the Baseline Report and were given the opportunity to comment on the Preferred Option Report);
- Industry stakeholders (as part of public consultation process). Written responses were received from IPort, Horticulture New Zealand, and a collective of oil companies (Z Energy Ltd., BP Oil NZ Ltd., Mobil Oil NZ Ltd).

The responses are documented in the Post Engagement Update on Preferred Options for Signage report to the District Plan Committee dated October 2018. The feedback received is generally supportive of the preferred options, subject to further consideration of the detailed drafting of provisions.

RMA First Schedule Consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Christchurch City Council, Environment Canterbury and Department of Conservation. An overview of their feedback and a summary of recommended amendments to draft provisions is contained in a report that was presented to the District Plan Committee on 18 March 2019, as per details below.

Title	First Schedule Consultation (March 2019)
Authors	Justine Ashley, District Plan Review Project Lead, with input from Topic Leads, Selwyn District Council

Brief Synopsis	This report provides a summary of the pre-notification feedback received from RMA First Schedule consultation on the draft Proposed District Plan provisions and the subsequent amendments recommended by Topic Leads.
Link to Document	https://www.selwyn.govt.nz/_data/assets/pdf_file/0008/352196/First-Schedule-Consultation-Report-to-DPC.pdf

No feedback was provided with respect to signs.

Iwi Authority Advice

Clause 4A of Schedule 1 of the RMA sets out the specific requirements for local authorities to consult with iwi authorities before notifying a proposed plan and to have particular regard to any advice received from those iwi authorities. Access to the draft ePlan and Planning Maps was provided to the iwi authority (Te Rūnanga o Ngāi Tahu) on 17 December 2019 and feedback was invited until 28 February 2020. While no formal response was received from the iwi authority during this pre-notification consultation period, Te Rūnanga o Ngāi Tahu had previously indicated that they were satisfied that Mahaanui Kurataiao Limited were providing the necessary input into draft provisions on behalf of Te Taumutu Rūnanga and Ngāi Tūāhuriri Rūnanga. In addition, the detailed feedback that has been provided by Te Taumutu Rūnanga Advisory Group is also acknowledged in this context.

3.3 Operative District Plan Provisions

The operative District Plan provisions that are relevant to signs are identified and assessed in Section 4 of the Baseline Report. The Baseline Report concluded the following regarding the operative objective and policy framework:

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.

The Preferred Options report provides the following summary of the operative District Plan rule framework and associated outcomes:

The Operative Plan signage-related definitions are unclear and have caused challenges for the Council's enforcement team regarding controlling non-site related signage in particular.

Within the three zones, the signage rules are broken down into different categories comprised of general signage, directional signs, health and safety, property sales, noticeboards, and signage adjacent to strategic roads. The Business Zones do not however have separate categories for directional signs, health and safety, or property sales.

The Operative Plan rules (but not the policies) recognise and provide for greater levels of permitted signage in Business zones. Conversely the rules also recognise that Rural and Residential zones and associated levels of amenity are vulnerable to the visual effects of signage, and therefore the Plan applies more restrictive controls on signage in these locations. However, the provisions do not provide adequate guidance on non-site related signage, traffic safety or temporary signage, and conversely do not provide appropriate support for necessary signage.

Overall, the current dispersed structure leads to inconsistency in approach, considerable duplication in signage provisions and some gaps.

3.4 Analysis of best practice – how other councils are addressing the same issue

A review of current practice in respect of this matter has been undertaken in Section 6 of the Baseline Report, together with a review of the following District Plans:

- Ashburton District Plan
- Christchurch District Plan
- Hurunui District Plan
- Waimakariri District Plan.

These plans were chosen because these four district councils are located within the Canterbury region, are neighbours to Selwyn District, all four district plans are operative and three are second generation district plans (Ashburton, Christchurch and Hurunui). In summary, the findings of the review, as set out in the Baseline Report, are:

- *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 varies 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.

3.5 Summary of the Issues Analysis

The analysis through the Baseline and Preferred Option Reports identified the key issues for signs as being the need to recognise and provide for signs due to the wide range of business, community, and health and safety benefits of signs. Such enablement does however need to be balanced against the need to concurrently manage the extent and effects of signs in more sensitive environments due to the adverse effects on amenity, character, and traffic safety that can be generated by inappropriately designed and located signs. The management of effects from non-site related signs, traffic safety, and temporary activity signs was likewise identified as an issue for the District.

4. Scale and Significance Evaluation

The level of detail undertaken for the evaluation of the proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

	Low	Low-Moderate	Moderate	Moderate-High	High
Degree of change from the Operative Plan			x		
Effects on matters of national importance (s6 RMA)		x			

Scale of effects – geographically (local, district wide, regional, national)			x		
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)			x		
Scale of effects on those with particular interests, e.g. Tangata Whenua		x			
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		x			
Likelihood of increased costs or restrictions on individuals, businesses or communities.		x			

The level of detail of analysis in this report is moderate. Signs are an integral and necessary component of many activities across a range of zones or contexts. They have numerous functions that go well beyond advertising, such as signs for direction or warning. Signs are a long-established element in the district, especially in the district's commercial and industrial areas and therefore the potential effects of this activity (primarily in relation to amenity and transport safety) are well understood. It is therefore important to ensure that appropriately designed signs are provided for, whilst also putting in place controls to ensure that the adverse effects of new signs in the district are appropriately managed.

A more detailed consideration of the scale and significance of the provisions is summarised as follows:

- The inclusion of signs provisions in District Plans is a common feature of such plans found throughout New Zealand, with the control of signs also being anticipated as a district-wide matter as per the direction of the NPS. The management of signs through the District Plan is a legitimate response to Council fulfilling its role and function under the Act.
- The effects of signs are primarily related to localised amenity considerations. As such the signs topic does not have regional significance. Whilst signs are found throughout the district, it is not one of the key resource management issues of the district compared with topics such as the management of urban growth or agricultural intensification.

- Signs do not generally have a significant effect on s6 matters. Any effects, should they occur, are likely to be in relation to areas with identified outstanding landscape or natural character values, or historic heritage. The management of signs in such environments is able to be managed through the provisions of both the signs chapter and also those chapters that provide explicit direction on Outstanding Natural Landscapes and heritage.
- Signs can have a beneficial effect on people's health and safety through providing warning and directions. Such signs therefore need to be appropriately enabled to ensure they can adequately fulfill their function. Inappropriately located signs near intersections can conversely obscure transport-related signals or cause a distraction to motorists.
- Significant change in character and amenity can occur if signs are poorly managed. Such signs can result in a proliferation of displays that create visual clutter and can change the amenity of especially more sensitive rural or residential environments to one that has a more overt commercial character. That said, signs are generally a supporting element to the primary activity occurring on sites and therefore do not lead the change in character or amenity but instead are usually an ancillary element in broader changes or urban development that are occurring.
- Those parties with a particular interest in signs tend to be industry groups, strategic infrastructure providers, and large-scale commercial land owners. Provided the signs provisions are designed to appropriately provide for signs, whilst maintaining a level of amenity appropriate to the surrounding context, there should not be any adverse effects on interested parties. Feedback from MKT on behalf of local runanga has been limited and has not identified any major concerns or issues relating to the signs topic.
- Signs are inherently transitory in that they can be readily removed or changed to reflect changing business or advertising needs. Safety and directional messaging can likewise be readily modified to respond to changing circumstances. As such, signs as a topic does not have any long-term or irreversible effects that would limit or preclude the ability of future generations to adopt a different management approach to signs.
- Signs management is not explicitly addressed in any higher order documents, beyond a general requirement in the NPS that signs provisions be located within a district-wide chapter. The CRPS makes explicit reference in Chapter 6 to urban growth being managed in such a way as to achieve acceptable urban design outcomes, of which signs are an implicit element.
- The Baseline Report included a detailed assessment of the existing provisions and the resultant outcomes over the life of the operative District Plan. These observations have led to the Baseline Report making a series of recommendations as to matters that need to be addressed and ways in which the operative provisions could be improved or modified to better achieve sustainable management.
- As noted above, the Baseline Report identified shortcomings with the operative provisions. The proposed signs provisions have been designed to be appropriately enabling of signs, tailored to the anticipated amenity outcomes of different environments. Provided signs provisions are appropriately designed, they should enable an acceptable level of signs without the need for the transaction costs associated with obtaining a resource consent. However, it is recognised that any rule thresholds create a trigger point beyond which proposals will need to obtain a resource consent and the associated process costs. The Baseline Report analysis and associated

recommendations has sought to strike an appropriate balance between minimising unnecessary costs, whilst concurrently enabling the Council to fulfill its resource management functions.

5. Evaluation of Proposed Objectives

5.1 Introduction

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

5.2 Strategic Objectives

The following objectives from the Strategic Objectives chapter of the Proposed District Plan are relevant to this topic are:

- Sensational Selwyn;
- District Well-Being and Prosperity;
- Vibrant and Viable Centres;
- Effects of Important Infrastructure.

The proposed single objective for the signs topic is to achieve these Strategic Objectives.

5.3 Evaluation of Proposed Objectives

General Policy Direction Options and Recommendations
<p>1. Status Quo (Option 1) = retain existing signs objectives;</p> <p>2. Amend and consolidate current provisions (Option 2).</p> <p>Under the status quo (Option 1), the operative District Plan does not include any explicit objectives on signs. Direction provided through objectives are limited to generic objectives on the quality of the environment, such as Township Volume Objective B3.4.1 “The District’s townships are pleasant places to live and work” and Rural Volume Objective B3.4.1 “The District’s rural area is a pleasant place to live and work in”. Such objectives do not provide a strong basis from which to design policies and rules to implement the objectives and likewise provide limited guidance as to how signs are to be managed.</p> <p>Option 2 remains the preferred option as identified in the Preferred Option Report. It is considered most likely to address the key resource management issues identified in Sections 2 and 3 above and to give effect to the relevant statutory planning documents.</p> <p>Under this option the general approach to the management of signs in the operative District Plan would be maintained, but the provisions would be consolidated in a single chapter and updated to ensure they are consistent and clear and effectively address amenity concerns that have arisen where the operative District Plan approach is ambiguous or ineffective.</p>

The key changes in approach are set out in the recommendations of the Baseline Report and are summarised in section 1 above.	
Objective Most Appropriate Way to Achieve the Purpose of the RMA	
Proposed Objective	Summary of Evaluation (relevance, usefulness, achievability, reasonableness)
<p><i>SIGN-01</i></p> <p><i>Signs contribute to the District's economic and community well-being, and transport safety.</i></p>	<p>The objective is considered the most appropriate way to achieve the purpose of the Act because it:</p> <ul style="list-style-type: none"> • Is more effective and efficient means of addressing the primary resource management issues identified within this s32 report than the alternative status quo option of reliance on generic 'quality of the environment' objectives. • More appropriately reflects Council's obligations under s31 of the RMA than the alternative option, and gives effect to the relevant Part 2 matters, namely ss7(b), 7(c) and 7(f). • Gives effect to higher level documents, namely the NPS and CRPS, by enabling signs that contribute to economic and community activity. • Aligns with the relevant Strategic Objectives by enabling signs as an integral component of business and community activities.
Status Quo	Summary of Evaluation
<p>The objectives relevant to signs in the townships and Rural Zones aim to:</p> <ul style="list-style-type: none"> • Ensure that townships and rural areas are pleasant places to live and work (Objective B3.4.1). • A variety of activities are provided for in the townships and rural areas, while maintaining rural character and avoiding reverse sensitivity effects (Objective B3.4.2) 	<p>Based on the findings of the Baseline Report and the direction within the draft NPS that signs be addressed in its own chapter, the existing operative Plan objectives which provide for a variety of activities and ensuring 'pleasantness' are too generic to provide any useful guidance and therefore are not appropriate, effective, or efficient.</p> <p>It is therefore necessary to develop a specific objective that recognises the need to enable signs which contribute to economic and community well-being, and transport safety.</p>

5.4 Summary of Evaluation

The proposed objective, SIGN-01, establishes the resource management aim for managing signs across the District. The goal of this objective is to establish a reasonably permissive approach to providing for this type of land use activity while also ensuring that potential effects of signs do not adversely affect economic and community well-being and transport safety. The proposed objective addresses the resource management issues associated with signs in the district, while being consistent with the Strategic Objectives that are relevant to this topic.

6. Evaluation of Proposed Policies, Rules and Methods

6.1 Introduction

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

The proposed provisions relevant to the signs topic have been assessed in accordance with the following issues:

1. The need to recognise and provide for signs due to the wide range of business, community, and health and safety benefits, while managing the extent and effects of signs especially in more sensitive environments due to the potential adverse effects on amenity, character, and traffic safety that can be generated by inappropriately designed and located signs.
2. The need to specifically manage the effects of non-site related signs (including the management of billboards and temporary signs advertising upcoming events), particularly in sensitive environments where there is a high amenity expectation in order to ensure they are compatible with the character and visual amenity values of the surrounding areas and to manage traffic safety.

For efficiency, this evaluation focuses on the approach and the policies and rules which implement that approach as a package, rather than a detailed analysis of every provision. How this section is approached in terms of level of detail depends on what extent the options are departing from the operative District Plan and the significance of the alternative options. An assessment of the proposed provisions is also incorporated within the Baseline and Preferred Options reports which provide additional commentary on the specific recommendations and resultant rules.

6.2 Quantification of benefits and costs

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Given the assessment of the scale and significance of the proposed changes in Section 4 above, it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes, therefore exact quantification of the benefits and costs in this report was not considered necessary, beneficial or practicable. Rather, this report identifies where there may be additional cost(s).

6.3 Policies and rules relating to Issues 1 and 2.

Provisions (Policy, Rule, Method) Most Appropriate Way to Achieve the Objectives
<p>Relevant objective(s):</p> <p>SIGN-01 enables signs where they contribute to the district's economic and community well-being and transport safety.</p> <p>Summary of the proposed policies, rules, definitions and assessment matters that give effect to the objective relevant to these issues is as follows:</p> <p>Policies:</p> <ul style="list-style-type: none"> • SIGN-P1 to enable signs in appropriate locations and for community activities and important infrastructure • SIGN-P2 to manage signs and their impact on character and amenity values, including signs in sensitive locations; • SIGN-P3 to manage the potential effects of signs attached to buildings; • SIGN-P4 to manage temporary signs; • SIGN-P5 to avoid off-site signs in Residential and Rural zones and to ensure that such signs in other zones are managed to ensure compatibility with character and amenity values. <p>Rules that:</p> <ul style="list-style-type: none"> • Permit signs which are expected and necessary such as street signs, official signs etc.; • Permit general signs subject to meeting built form standards on the area, number, and height of signs, with signs being a restricted discretionary activity where built form rules are not met; • Permit temporary and real estate advertising signs, subject to meeting activity standards; • Rules that manage signs adjacent to State Highways or Arterial Roads; • Rules that control off-site signs as a discretionary activity in all zones except RESZ and GRUZ, and non-complying in RESZ and GRUZ; <p>Rule requirements that manage:</p> <ul style="list-style-type: none"> • Free-standing signs and matters such as their number, area, height etc; • Signs attached to buildings including their area and height; • Signs mounted or fixed to verandahs in relation to matters such as their height and setback from the road reserve; • Signs projecting from the face of a building; • Real estate signs;

<ul style="list-style-type: none"> Distracting features such as flashing, moving components, or digital/ LED displays as restricted discretionary activities; Traffic safety by managing signs that obscure or confuse motorists. Matters of discretion for assessing applications for restricted discretionary activities. <p>Definitions for:</p> <ul style="list-style-type: none"> 'area of a sign'; 'free standing sign'; 'official sign'; 'off-site sign'; 'primary building frontage'; 'public place'; and 'sign'. <p>Appendix 1 sets out the linkages between all signs provisions.</p>	
Efficiency and Effectiveness	
Benefits	Costs
<p>Environmental:</p> <ul style="list-style-type: none"> Maintains character and amenity values, appropriate to zone function and context. Where resource consents are required, ensures that the potential adverse effects of relevance are considered, including effects on character, amenity and transport safety. Ensures no overlap with the Bylaw 	<p>Environmental:</p> <ul style="list-style-type: none"> No environmental costs are identified.
<p>Economic:</p> <ul style="list-style-type: none"> Provides clarity for business, infrastructure providers, and community groups regarding the scale and nature of signs that are expected in various zones. The permitted number and area of signs in commercial and industrial zones has generally increased from the operative Plan, thereby better enabling such activity and reducing compliance costs. For the government agencies, network utility operators, and important infrastructure providers removes or 	<p>Economic:</p> <ul style="list-style-type: none"> Potentially constrains and restricts areas where signs can be established, especially within the Residential and Rural Zones (i.e. off-site signs). Potential consenting costs in some instances.

lessens the costs associated with obtaining signs consents.	
<p>Social:</p> <ul style="list-style-type: none"> Addresses the confusion that currently exists with implementing and interpreting the operative District Plan provisions. Reflects a more common sense approach by providing for the types of signs that people would expect to be established in the various zones. Maintains anticipated levels of amenity in sensitive environments and where people have their homes. Temporary signs for temporary activities such as community events are enabled subject to meeting standards. 	<p>Social:</p> <ul style="list-style-type: none"> No adverse social costs are identified.
<p>Cultural:</p> <ul style="list-style-type: none"> No specific cultural benefits are identified. 	<p>Cultural:</p> <ul style="list-style-type: none"> No adverse cultural costs are identified.
Summary of Efficiency Assessment	
The economic benefits of the selected option (Option 2) outweigh the costs. The economic, social and cultural benefits are greater than those associated with Option 1 as the status quo does not appropriately enable some types of signs and has resulted in adverse amenity effects where signs are not effectively controlled.	
Effectiveness Assessment	
<p>The proposed provisions are considered to be the most effective means of achieving the objective(s) as together they will:</p> <ul style="list-style-type: none"> give effect to the higher order documents, namely the CRPS and the relevant Strategic Objectives for the proposed District Plan. enable the Council to fulfil its statutory obligations, including section 31 of the RMA and gives effect to the relevant Part 2 Matters, namely sections 7(b), 7(c) and 7(f). ensure that adverse effects associated with signs are managed by requiring compliance with applicable activity and built form standards and the assessment of potential effects as part of a resource consent process where the standards are not met. enable the Council to effectively administer its District Plan and to monitor the outcomes of the proposed provisions in a clear and consistent manner. 	
Options less or not as appropriate to achieve the objective(s)	
Option 1: Status quo	Appropriateness

Provides a resource management framework for signs activities, but does not strike an appropriate balance between enablement and control.	The current provisions are not considered the most appropriate way in which to achieve the objective(s) because they are unnecessarily onerous, complex and ambiguous and do not appropriately provide for some types of signs, and do not adequately control temporary and off-site signs in particular. The provisions unduly restrict signs that have an acceptable effect with associated economic costs, whilst concurrently giving rise to environmental effects through not adequately controlling temporary and off-site signs in particular.
Does the objective, rule and policy impose a greater or lesser prohibition or restriction on an activity which a National Environmental Standard applies?	
The only NES of relevance is the NESETA which 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. The proposed rules enable signs provided by network utility operators where the sign is for utility-related purposes and is provided by the network utility operator.	
Risk of acting or not acting	
<p>The risk of not acting and retaining the status quo is that the resource management issues that have been identified in the Baseline Report will continue, meaning that an unnecessarily onerous, complex and ambiguous approach to the management of signs in the District will remain in place.</p> <p>Council has sufficient information available to determine the proposed provisions associated with Option 2 as they have a good understanding of the nature of signs activities and the associated effects on the environment that are within their area of responsibility, including but not limited to the issues associated with the effects of amenity, character and traffic safety. Feedback on the draft provisions supported the proposed approach and did not raise any fundamental issues with acting in the manner proposed. There is therefore a low risk of acting in the manner proposed.</p>	

7. Conclusion

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from the District Plan Review relating to the signs provisions and the appropriateness of the current and proposed methods and rules having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act.

The review of the signs provisions of the operative Plan has identified that retaining the existing provisions does not provide an appropriate resource management approach into the future as the existing provisions are unnecessarily onerous, complex and ambiguous, and do not adequately provide for necessary signs or control the adverse environmental effects of temporary and off-site signs in

particular. The review of available options has concluded that the preferred approach is to establish a generally permissive approach to providing for signs while also ensuring that the potential effects of this activity do not adversely affect character and amenity values anticipated within the various zones across the District. The selected option addresses the identified resource management issues associated with the status quo and is consistent with the Strategic Objectives that are relevant to the signs topic.

Signs are necessary for a wide range of reasons and occur in a wide array of shapes and forms. Signs are generally accepted (and indeed valued) by the community where they are 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 signs is generally where they are used to advertise commercial businesses or events. Again, such concerns are context-related, with increased amounts of signs a normal and anticipated element in commercial or industrial environments, but far less common in residential or rural environments, reflecting the wider underlying land uses.

The Proposed District Plan approach to signs has therefore been designed to be sufficiently enabling so as to facilitate signs where they are both necessary and anticipated, and to likewise control signs in more sensitive environments.

Bibliography

The following publications have been reviewed in the context of this Section 32 Evaluation:

1. ADC 2014. Ashburton District Plan. An operative district plan, including operative plan changes, prepared by Ashburton District Council, July 2017.
2. CCC 2017. Christchurch District Plan. Christchurch City Council's operative district plan including operative amendments, September 2018.
3. CRC 2013. Canterbury Regional Policy Statement 2013 – Revised February 2017. An operative regional policy statement, including operative changes, prepared by Canterbury Regional Council, September 2017.
4. CRC 2017a. Canterbury Air Regional Plan. An operative regional plan, including minor corrections, prepared by Canterbury Regional Council, January 2018.
5. CRC 2017b. Canterbury Land and Water Regional Plan. An operative regional plan, including operative plan changes, prepared by Canterbury Regional Council, October 2018.
6. HDC 2018. Hurunui District Plan. An operative district plan prepared by Hurunui District Council. June 2018.
7. MfE 2018. Draft National Planning Standards. Ministry for the Environment, Publication No. ME 1362, June 2018.
8. MfE 2019. National Planning Standards. Ministry for the Environment, Publication No. ME 1482, November 2019.
9. Ngai Tahu 2013. Mahaanui Iwi Management Plan 2013. An iwi management plan published by Ngai Tahuiriri Runanga, Te Hapu o Ngati Wheke (Rapaki), Te Runanage o Koukourarata, Onuku Runanga, Wairewa Runanga and Te Taumutu Runanga. February 2013.
10. SDC 2016. Selwyn District Plan. An operative district plan including plan changes prepared by Selwyn District Council, June 2018.
11. SDC 2017. Baseline Report – DW008-Signage. Prepared by Planz Consultants on behalf of Selwyn District Council, June 2017.
12. SDC 2018. Preferred Option Report –Signs (DW208). Prepared by Planz Consultants on behalf of Selwyn District Council, 16 May 2018.
13. SDC 2018. Post Engagement Update on Preferred Options for Signage Prepared by Vicki Barker on behalf of Selwyn District Council, 16 October 2018.
14. SDC 2018. Public Places Bylaw 2018.
15. WDC 2005. Waimakariri District Plan. An operative district plan, including operative plan changes, prepared by Waimakariri District Council, October 2018.

Appendix 1: Provision Cascade

Issue	Strategic Objective	Objectives	Policies	Rules	Assessment Criteria	Planning Maps
Issue 1 - Enabling signs while managing potential adverse effects	Sensational Selwyn District Well-Being and prosperity Vibrant and Viable Centres Effects of Important Infrastructure	SIGN-01	SIGN-P1 SIGN-P2 SIGN-P3 SIGN-P4	SIGN-R1 SIGN-R2 SIGN-R3 SIGN-R4 All SIGN REQ's	SIGN-MAT1 SIGN-MAT2	N/A
Issue 2 - Management of off-site signs	Sensational Selwyn District Well-Being and prosperity Vibrant and Viable Centres	SIGN-01	SIGN-P5	SIGN –R5	N/A	N/A