

SUBMISSION FORM FOR PROPOSED PLAN CHANGE 45 AND SIGNS BYLAW



Have your say

Please submit this form no later than **5.00 pm Wednesday, 18 July 2018.**

Please note that your submission will be made public—including your name and physical address (unless you want them withheld).

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FREEPOST AUTHORITY NUMBER 71019



Upper Hutt City Council
Private Bag 907
UPPER HUTT 5140

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* Terms of making a submission

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TITLE FIRST NAME SURNAME
WOOLWORTHS NEW ZEALAND LTD
AGENT OR ORGANISATION REPRESENTATIVE ZOMAC PLANNING SOLUTIONS LTD (MIKE FOSTER)
ADDRESS FOR SERVICE P.O. BOX 103, WHANGAPARAUA
POSTCODE 0932 EMAIL mike@zomac.co.nz
TELEPHONE (DAYTIME) 094282101 TELEPHONE (EVENING) —

DO YOU WANT YOUR NAME AND ADDRESS TO BE WITHHELD FROM OUR PUBLIC SUBMISSION DOCUMENTS (SEE TERMS ABOVE)? YES / NO

Proposed Plan Change 45 – Signs

Tell us what you think of the provisions in the proposed Plan Change (PC45).

THE SPECIFIC PROVISIONS OF PC45 THAT MY SUBMISSION RELATES TO ARE AS FOLLOWS:

AS PER THE ATTACHED SHEET

I SUBMIT:

AS PER THE ATTACHED SHEET

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE ATTACH ADDITIONAL PAPER IF REQUIRED.

I SEEK THE FOLLOWING DECISION FROM UPPER HUTT CITY COUNCIL:

AS PER THE ATTACHED SHEET

PLEASE USE PRECISE DETAILS AND USE ADDITIONAL PAPER IF REQUIRED

DO YOU WANT TO PRESENT TO COUNCIL ON PC45 IN PERSON? YES / ~~NO~~ (IF "YES" WE WILL CONTACT YOU TO SCHEDULE A HEARING TIME)

IF OTHERS MAKE A SIMILAR SUBMISSION ON PC45, DO YOU WANT TO MAKE A JOINT CASE AT THE HEARING? YES / ~~NO~~

COULD YOU GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION? ~~YES~~ / NO IF "YES" PLEASE COMPLETE THE STATEMENT BELOW.

I AM / I AM NOT DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT:

(A) ADVERSELY AFFECTS THE ENVIRONMENT; AND (B) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION

SIGNATURE

DATE

26/6/2018

(SIGNATURE OF SUBMITTER OR PERSON AUTHORISED OF BEHALF OF SUBMITTER)

A SIGNATURE IS NOT REQUIRED IF MAKING YOUR SUBMISSION ELECTRONICALLY. FOR MORE INFORMATION, GO TO CONSULTATION.UPPERHUTTCITY.COM

Proposed changes to the Bylaw

Tell us what you think of the proposed changes to the Control of Advertising Signs Bylaw.

DO YOU SUPPORT THE ADOPTION OF THE CONTROL OF TEMPORARY SIGNS BYLAW 2018? YES / ~~NO~~

I SUBMIT:

PLEASE ATTACH ADDITIONAL PAPER IF REQUIRED

DO YOU WANT TO PRESENT TO COUNCIL ON THE BYLAW IN PERSON? YES / ~~NO~~ (IF "YES" WE WILL CONTACT YOU TO SCHEDULE A HEARING TIME)

SUBMISSION ON PLAN CHANGE 45: UPPER HUTT CITY COUNCIL
SUBMITTER: WOOLWORTHS NEW ZEALAND LIMITED (WNZL)

Background

WNZL (previously Progressive Enterprises Limited) operates two Countdown supermarkets in Upper Hutt City as follows:

- Maidstone at 14 Russell Street; and
- Central at 13 – 19 Queen Street.

Both supermarkets are likely to need refurbishing over the next 5 to 10 years. Such refurbishment can involve the following:

- Internal refurbishment involving layout changes, new racking, freezer and cooling upgrades and the like;
- External refurbishment involving repainting and rebranding;
- Supermarket floor area extensions; and
- Signage refurbishment, replacement, sign additions and pylon renewals.

A number of these activities are likely to require resource consent under the operative district plan.

WNZL actively participates in district plan reviews and plan changes throughout New Zealand. The Council's intention within this plan change of consolidating all district plan signage provisions into one chapter is strongly supported.

WNZL has a few concerns with some aspects of the plan change and these are set out below in tabular format.

Submission

Provision this submission relates to	My submission is	Decision WNZL seeks	Reasons for WNZL's views
1. Objective 8A.3.2 & Policy 8A.3.3	WNZL supports the objective and policy.	Adoption of the objective and policy without change.	WNZL considers these provisions are appropriate from a resource management perspective.
2. Activity Status Table 8A.3.4	WNZL supports this table as notified.	Adoption of the activity table without change.	The activity table status for signage is appropriate.
3. Free-standing Signs 8A.3.4.10(c) and (d)	WNZL opposes the maximum face area and width of free standing signs. Further the Appendix 1 diagram of a free-standing sign does not recognise the more modern monolith pylon signage which is quite common in commercial and retail areas.	The maximum face area for a permitted free standing sign should be increased to 20m ² while the permitted width should be increased to 3m.	The current face area and width standards are set at an unrealistically low level. The sizes do not represent Countdown pylon signage consistently approved throughout New Zealand. This standard seems to encourage the older type of pylon signage which has been replaced by many brands to a more modern, sleek and integrated monolith sign with or without internal illumination.

4. Signs on Buildings 8A.3.4.11(b) and (c).	WNZL opposes the maximum area of any single sign on a building.	The maximum area of any permitted single sign on a building should be increased to 15m ² .	The current maximum area of any permitted sign on a building is also set at an unrealistically low level. There is also a disconnect between the area of a single sign on a façade and the 30% of a façade which may be covered by signs. This standard would seem to encourage a proliferation of signage without consideration to the visual elements associated with such. For example, depending on the size of a building ten single complying signs could be erected on a façade or building and providing they do not occupy more than 30% of the building or façade, they would be permitted. At the same time the normal Countdown signage associated with a front façade would require a resource consent despite only being one sign.
5. Directional Signs 8A.3.4.12(a) and (b)	WNZL opposes the sign dimension and face area	The vertical dimensions should be 1.2m while the face area should be 0.8m.	Typical consented WNZL directional signs are 1.2m high by 600mm wide with a face area of 0.79m ² . In a supermarket customer carpark easily read wayfinding signs are critically important.
6. Traffic Safety 8A.3.4.13	WNZL supports the wording of this standard.	Adoption of the standard without change.	These provisions are appropriate and sensible.
7. Matters for Discretion 8A.3.4.14	WNZL supports the matters of discretion.	Adoption of the matters of discretion without change.	These matters are appropriate for the consideration of non-compliant signage.
8. Appendix 1 Business Zones Diagram	WNZL opposes aspects of this diagram.	Amendment of the diagram to reflect the changes being sought by WNZL in items 3 and 4 above.	Some of the sign areas depicted do not reflect modern trends for supermarkets in particular. The type of free standing sign depicted in the diagram encourages poor urban design outcomes and makes no allowance for monolith type signs which are well designed and integrated with other signage.

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TITLE Ms FIRST NAME Allison SURNAME TINDALE
AGENT OR ORGANISATION REPRESENTATIVE _____
ADDRESS FOR SERVICE 8 Duncraig Street, Silverstream, Upper Hutt
POSTCODE 5019 EMAIL allitin@hotmail.com
TELEPHONE (DAYTIME) _____ TELEPHONE (EVENING) _____

DO YOU WANT YOUR NAME AND ADDRESS TO BE WITHHELD FROM OUR PUBLIC SUBMISSION DOCUMENTS (SEE TERMS ABOVE)? YES ☒ NO

Proposed Plan Change 45 – Signs

Tell us what you think of the provisions in the proposed Plan Change (PC45).

THE SPECIFIC PROVISIONS OF PC45 THAT MY SUBMISSION RELATES TO ARE AS FOLLOWS:

see attached

I SUBMIT:

Overall support to purpose of plan change.
Suggestions to wording are suggested to improve clarity

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE ATTACH ADDITIONAL PAPER IF REQUIRED.

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PLEASE USE PRECISE DETAILS AND USE ADDITIONAL PAPER IF REQUIRED.

DO YOU WANT TO PRESENT TO COUNCIL ON PC45 IN PERSON? YES / NO

Undecided - see note

(IF "YES" WE WILL CONTACT YOU TO SCHEDULE A HEARING TIME)

IF OTHERS MAKE A SIMILAR SUBMISSION ON PC45, DO YOU WANT TO MAKE A JOINT CASE AT THE HEARING? YES / NO

COULD YOU GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION? YES / ☒ NO IF "YES" PLEASE COMPLETE THE STATEMENT BELOW.

I AM / ☒ AM NOT DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT:

(A) ADVERSELY AFFECTS THE ENVIRONMENT; AND (B) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.

SIGNATURE

M. Z. [Signature]

DATE

5/7/18

(SIGNATURE OF SUBMITTER OR PERSON AUTHORISED OF BEHALF OF SUBMITTER)

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DO YOU SUPPORT THE ADOPTION OF THE CONTROL OF TEMPORARY SIGNS BYLAW 2018? ☒ YES / NO

I SUBMIT:

PLEASE ATTACH ADDITIONAL PAPER IF REQUIRED.

DO YOU WANT TO PRESENT TO COUNCIL ON THE BYLAW IN PERSON? YES / ☒ NO (IF "YES" WE WILL CONTACT YOU TO SCHEDULE A HEARING TIME)

Submission on Upper Hutt Council's Plan Change 45 – Signs

The following is my formal submission on the above plan change. In addition to being an Upper Hutt resident, I am a full member of the New Zealand Planning Institute. Although I am not directly affected by the proposed plan change, I have decided to make a submission in the interests of promoting good planning practice.

I am undecided as to whether I wish to make a verbal submission. I would not wish to require the Council to hold a hearing with its associated costs, just to hear my own submission. However, should a hearing need to be arranged as a result of submissions from other parties, I would consider making a verbal submission.

It is also possible that my issues may be satisfied at a later date, through the Council's response to submissions.

General comment

The Council's intentions in relation to the proposed plan change is supported.

The creation of a new chapter within the District Plan for signage is supported.

The split of regulatory functions for signage between the District Plan and Bylaws is supported.

The creation of specific policies and objectives for signage, which apply in multiple zones is supported.

The engagement of an urban designer to assist in the Council's review of signage is commended.

Nevertheless, it is requested that consideration be given to a revised layout and rewording of specific provisions to improve their clarity and precision. As well as making it easier for the public to use the District Plan. Some additional planning standards and matters of consideration are also recommended.

I acknowledge that signage provisions have generated a low number of resource consents and that few signs have been identified as having an unacceptable effect. Nevertheless, the rolling review process for updating District Plan provisions, does provide an opportunity to improve upon existing provisions. The Council needs to consider the future potential of harm under the existing and proposed provisions, not just whether existing provisions have led to harm. This is because, few landowners undertake permitted activities to the full extent that they are allowed.

Whilst Territorial Authorities in the Wellington region have a variety of approaches to signage, it is considered that the compatibility of the proposed provisions with the decisions of Kapiti Coast District Council in November 2017 regarding signage in the Proposed Replacement Kapiti District Plan, should be specifically reviewed with commentary given as to why a similar approach is or is not appropriate. My understanding is that this represents the most recently reviewed signage provisions in the Wellington region.

It is suggested that matters of consideration or discretion for Restricted Discretionary activities, that is, signs which do not comply with permitted standards be relocated to a separate heading titled Restricted Discretionary Activities. It is more common to find a list of matters of consideration under the relevant activity status, rather than under permitted standards.

Specific comments

Objective 8A.3.2.1

This objective is supported. It refers to key issues related to signage.

Policies 3A.3.3.1 and 3A.3.3.2

The intent of the policies is supported.

Policy 8A 3.3.3

The general intent of the policy is supported. Reference to the following is particularly supported:

- Appropriate scale of signage;
- Does not result in additional visual clutter;
- Does not dominate the skyline;
- Integrates with the façade of buildings (where signs are attached to buildings); and
- Limits signs which are not sited on the site to which they relate.

Reason: It is considered beneficial to provide details as to the types of outcomes sought, which go beyond the more generic references to the maintenance or enhancement of amenity.

Subsection (d)

Requested relief – the word ‘residential’ is deleted.

“manages any moving, digital or changing signage, and illuminated signage to protect residential amenity and to not comprise the safety of road users; and”

Reason: The proposed provisions appear to seek to protect more than just residential amenity and seek to manage wider visual impacts on the streetscene in a variety of zones.

Subsection (e)

Requested relief – Relocate matters of consideration for resource consents for signs which are not sited on the site to which they relate out of the policy section and into the rule section of the plan.

Reason: It is confusing to list matters of consideration for particular types of resource consent, in the policy section of District Plans. It is more appropriate for the policy section to refer to the outcomes sought or effects to be avoided and move matters of consideration to the rule section of the District Plan. Such as under the heading of matters of consideration for resource consents with a Restricted Discretion or Discretionary activity status.

The following policy wording is suggested.

limits signs which are not situated on the site to which they relate, except where,

- there is a need for off-site signage; and
- the design and location of signs contributes to the maintenance of the character and amenity values of the surrounding area
- ~~- and when considering proposals for such signs have regard to the following:~~
- ~~(i) — The need for the sign to be located away from the site, including any constraints relating to the location of the businesses, which creates a need for off-site signage, and~~
- ~~(ii) — The capacity for the site and surrounding environment to accommodate the sign, and for character and amenity values to be maintained; and~~
- ~~(iii) — Any adverse effects on transport safety or efficiency, or transport benefits in providing for the sign to be located away from the site.~~

There are multiple types of signage which are commonly located away from the site to which they relate. It is arguable that all see a need to be located off-site¹, although some arguments are stronger than others. For example, there is generally less concern over advance or directional signage for a specific business (e.g. café entrance 50m).

The Council may wish to be more specific about the types of signage it wishes to minimise or discourage. It is assumed that signage of higher concern would be for the advertisement of general products, rather than a specific business – e.g. billboard advertisement of a type of ice-cream/drink which is available for purchase at multiple locations. However, even some of these signs can have positive effects, such as rental income from the display of adverts at public bus stops and contributing to a sense of colour and activity in commercial areas. The ability to display general advertising at sport and recreation facilities could represent an important source of funding to a local sports club.

Policy 8A.3.3.4

Requested relief: Minor changes of wording to:

- (a) Enable temporary signs which meet ~~a limited set of~~ standards as a permitted activity; and
- (b) Provide for the consideration of temporary signs of longer than two months ~~a larger~~ duration or above (3m2) in size through the resource consent process, where amenity values are maintained and the safety of road users is not compromised.

Reason: the words 'limited set' are superfluous. Larger duration is poor grammar. It is preferably to specify the criteria which trigger resource consent for temporary signs.

Policy 8A.3.3.5

The policy is supported. It is important that signs maintain road safety.

¹ It makes no sense to submit a consent for a sign which is not needed. However, need could cover the need for sales revenue and higher public awareness.

Rules 8A.3.4.

It is suggested that consideration be given to the placement of limitations on illuminated signs which are 'static' in design, particularly in Residential and Rural zones where illumination is less expected. Under the proposed activity list, 'static' illuminated signs are a permitted activity.

Section 3.1 of the UrbanEdge Planning Ltd. Urban Design Report commissioned by Upper Hutt City for the proposed plan change, states under Section 3: Urban Design Principals for Signage that

"Flashing, illuminated, reflective or animated signs should not adversely affect the amenity values of neighbouring areas, especially residential areas and at night." (emphasis added).

Section 5 of the report recommends that "No illuminated, flashing or animated signs" be used in the residential zones.

Proposed policy 8A.3.3.3 also specifically refers to managing illuminated signs.

Requested relief: Illuminated signs (including static and flashing signs which are either externally and internally illuminated) are a Restricted Discretionary or Discretionary activity in Residential and Rural zones.

Consideration is given to requiring resource consent for illuminated signs in Open Space, Business and Industrial zones which are sited less than 10m from a residential zone.

Comment on Discretionary Activity Status

Whilst no in-principle objection is raised to the use of a Discretionary activity status for signs which incorporate movement, changing content, digital content or are located away from the site to which they relate; it is unclear why the matters of discretion listed for signs with a Restricted Discretionary activity status or those suggested in policy 8A.3.3.3 are not sufficient to cover the relevant matters of discretion for these types of signs.

A Discretionary Activity Status principally differs from the Restricted Discretionary status, because the Council is able to consider a wider range of matters than that specifically referred to in the plan, including the full list of policies in a District Plan. It is not inherently a tougher test for resource consent applications than the Restricted Discretionary status. Applications likely to pass the assessment criteria for restricted discretionary matters for signage are also likely to pass the test for Discretionary matters.

Nevertheless, there may be a valid argument that these types of signs have been relatively uncommon in the Upper Hutt District and that few signs of this nature are anticipated. Consequently, it may be more cost-effective to deal with these as a Discretionary activity, rather than spending more resources on developing a more specific management regime for these types of signs at the current time.

Permitted standard 8A.3.4.9

Concern is raised that the permitted limit on signs in the residential and open space zones is overly restrictive, for those sites where non-residential activities (particularly commercial or community use) have been lawfully established. For example, it is common for residential zones to contain uses such

as community halls and child-care centres. It is reasonable for a childcare centre to have multiple signs which are visible from the road frontage, such as a sign attached to the fence and a sign on the front elevation of the building.

It is also reasonable for some types of home-occupations (e.g. hairdresser/accountant), B&B's/guest houses and commercial uses in rural zones (e.g. boarding kennels, equestrian activities and paintball) to also have more than one sign.

Concern is also raised over the term "visible in any one direction" in subsection a) and c). It is considered that this phrasing is imprecise and invites debate as to whether multiple signs are visible in more than one direction or not. 'Direction' has the potential to be narrowly or more widely interpreted, for example it could describe facing or non-facing traffic travelling along a road or each angle on a compass.

It is preferable to group all permitted standards which relate to the same type of sign or signs in the same zone together, even when this leads to some repetition. It is recommended that provisions for signs in Open Space zones be separated from Residential and Rural zones. The suggested rewording and format is considered to be simpler for District Plan users to read. It also clearly identifies that particular types of signs are not permitted activities.

The suggestion provides for a more realistic number of signs on properties within the Residential and Rural zone, whose principle purpose is non-residential, such as child-care centres.

It is unclear what is the need to place a permitted limit of 2m² on the size of signs in the Open Space one which are used for interpretation or identification, given other proposed limits on the size of signs attached to buildings and free-standing signs. Council's also have alternative means of control over advertising in Open Space zones, such as through reserve management plans and lease agreements, and are often the landowner of this type of land.

The reference to signs on buildings not covering windows in the residential zone is confusing. Is this intended to prevent the loss of residential features (e.g. board placed over the entire window frame) or is it intended to prevent the advertisement of products/events in windows visible to the public? As the placement of signage in shop front windows is commonplace in commercial areas, it is unclear what is the harm that the Council is seeking to prevent. The provision appears to prevent a community hall/theatre in the residential zone from placing notices of future events within windows. The provision as worded is overly restrictive.

The size limits for signs in Open Spaces which are directly visible from public roads or residential zoned areas, also appear reasonable for those which are not. The resource consent process would provide an avenue for approving larger sizes, which have acceptable impacts. It is also noted that page 14 of the urban design report identifies that:

"The existing District Plan provisions allow painted signs on a wall, fence or roof of a building to cover 10% of the wall, fence or roof area. There is also no restriction on signs that are internal to the site and are not visible from any public roads or residential boundaries. These provisions are considered to be overly generous, given the aesthetic value of open space areas..." (emphasis added).

The following wording is suggested

Signs in Residential and Rural Zones are permitted activities for:

- (a) ~~In Residential Zones and Rural Zones, a maximum of one sign per site, unless the principal use of the site is non-residential visible in any one direction.~~
- (b) A maximum of three signs per site, where the principle use of the site is non-residential

Permitted standards

- (i) one free-standing sign per site;
- (ii) No larger than 1.5m² in Residential zones
- (iii) No larger than 3.0m² in Rural zones
- (iv) Free-standing signs up to 3 metres above ground level or have a width up to 2m.
- (v) Signs attached to buildings, do not extend beyond the facade and are no higher than the roofline of the building, to which it is attached.
- (vi) Non-illuminated;
- (vii) Have no changing content;
- (viii) Are not in a digital format
- (ix) Are situated on the site to which the sign relates

Suggested Permitted standards for Signs in Open Space Zones

- i. Have no changing content;
- ii. Are not in a digital format
- iii. Are situated on the site to which the sign relates
- iv. Are not illuminated within 10m of a Residential zone
- v. No larger than 3m² for signs attached to buildings
- vi. No larger than 0.5m² for signs used for marking tracks
- vii. No more than one free-standing sign per 100m of road frontage
- viii. No larger than 4.5m² for free-standing signs or signs attached to walls/fences
- ix. Free-standing signs up to 3 metres above ground level or have a width up to 2m.
- x. Signs attached to buildings, do not extend beyond the facade and are no higher than the roofline of the building, to which it is attached.

Note: Calculations of maximum signage area is based on each side of a sign, rather than the addition of one or more sides of a sign.

Requested relief: Consideration is given to the suggested rewording and reformatting and any consequential adjustments are made to the proposed provisions.

Permitted standard 8A.3.4.10

It is suggested that the wording of the provision be amended to improve clarity. It is unclear what is the difference between free-standing signs and signs for the direction of traffic. That is, it is anticipated that signs for the direction of traffic are a type of free-standing sign. Consequently, it is suggested that permitted standards in this standard be combined with 8A.3.4.12.

It is considered that a limit should be placed on the use of illuminated signs within close proximity to a residential zone. This would allow for the assessment of any effects on neighbour amenity from the use of illumination.

The following is suggested

Free-Standing Signs in Business Commercial Zones, Business Industrial Zones, and Special Activity Zones

- (a) one free-standing sign for sites with a road frontage less than 50m;
 - (b) two free-standing signs for sites with a road frontage of more than 50m;
 - (c) maximum height of free-standing signs above ground level is
 - (i) 8m in Business Commercial Zones.
 - (ii) 9m in Business Industrial and Special Activity Zones.
 - (d) Free-standing sign of up to 2m width.
 - (e) Maximum area used for advertising on a free-standing sign is no more than 7.5m².
 - (f) Free-standing signs higher than 4m above ground level in the Business Industrial Zone are located a minimum of 15m apart.
 - (g) Signs located over a pedestrian pathway have a minimum clearance of 2.5 metres above ground level.
 - (h) The above limits on the number of free-standing signs along the road frontage, does not apply to signs for the direction of traffic, providing:
 - (i) The maximum height of the sign (excluding frame) is 1m
 - (ii) The maximum area used for advertising on the sign is 0.5m².
 - (iii) The content of the sign is limited to directions
 - (i) Have no changing content;
 - (j) Are not in a digital format
 - (k) Are situated on the site to which the sign relates, except for signs for the direction of traffic.
 - (l) Are not illuminated within 10m of a Residential zone
- m) In the Business Industrial zone on Eastern Hutt Road identified in Appendix 3 of Chapter 20 – Business Zones Rules:
- (i) no sign shall be located within 6m of Eastern Hutt Road, except for one free-standing sign at the road entrance
 - (ii) Maximum area used for advertising on a free-standing sign is no more than 20m².

Note: Calculations of maximum signage area is based on each side of a sign, rather than the addition of one or more sides of a sign.

Requested relief: Consideration is given to the suggested rewording and reformatting and any consequential adjustments are made to the proposed provisions.

Permitted standard 8A.3.4.11

Signs on buildings and other structures in Business Commercial Zones, Business Industrial and Special Activity Zones

It is suggested that the provision is reworded as follows.

- a) Signs are no higher than building/structure to which they are attached
- b) The maximum area of any sign is
 - i) 5m² for Business Commercial and Special Activity Zones;
 - ii) 10m² for Business Industrial Zone.
- (c) the total area of all combined signs does not exceed 30% of the total area of that building façade or structure.
- (d) A minimum horizontal separation distance of 5 metres between signs on the same floor level, except for the ground floor.
- (e) Any sign located on the parapet of a building shall not exceed an area of 5m², or an area of 30% of the total area of the parapet, whichever is the lesser.
- (f) Any sign which is projecting from the façade of a building must be:
 - (i) positioned at 90 degrees to the façade of the building; and
 - (ii) must not extend from the wall by more than 1m.
- (g) The maximum height of any sign located on the fascia of a veranda must not exceed 0.6 metres.
- (h) Signs below verandas which overhang pedestrian pathways, have a minimum clearance of 2.5m above ground level.
- (i) Have no changing content;
- (j) Are not in a digital format;
- (k) Are situated on the site to which the sign relates.
- (l) Are not illuminated within 10m of a Residential zone
- (m) On land identified in the Business Commercial Zone at Riverstone Terrace in Appendix Business 2 of Chapter 20, the area of any signs attached to buildings shall not exceed a total area of 7.5m².

Reason: The suggested wording is considered to provide better clarity.

It is not clear why a sign above 10m² would be needed on side and rear elevations of the Business Industrial Zone, and the exemption suggested for these elevations is of awkward wording. If this exemption is needed, the exemption should be more explicitly worded.

A standard requiring a maximum horizontal separation between first floor signs makes little sense. Although this provision is taken from page 12 from the design report, the last paragraph on this page is considered to be internally inconsistent. The comment:

“As such, when viewing the building from a moving vehicle, a separation distance between signage allows the driver to process each sign more clearly and safely. It also reduces the visual clutter on the building when viewed from a distance, where the level of detail is less likely to be seen.”

makes more sense for minimum rather than maximum separation distances. It should be checked if the author had intended to use the word ‘minimum’ rather than ‘maximum’.

The proposed provision regarding height of signs on fascia is considered unclear and simplification is suggested.

Subsections a) and f) are inconsistent. A sign is either allowed to project from the façade of the building or it is not.

It is unclear what is the need to prevent signage on the façade of buildings facing Eastern Hutt Road in Appendix 3, as signage on business/industrial premises is generally expected. Provisions relating to free-standing signs on this site, should be relocated to 8A.3.4.10.

Requested relief: Consideration is given to the suggested rewording and reformatting and any consequential adjustments are made to the proposed provisions.

8A.3.4.13 – Traffic safety

Whilst no objection is raised to the content of the standards, the standards generally apply to signs in road corridors/verges.

It is therefore suggested that the heading be changed to ‘standards for signs in road corridors’. If it is considered that one or more of these provisions also needs to apply on private land (such as height clearances for signs below verandas), it is suggested that the relevant standard be incorporated with other standards relevant for that zone.

Matters of Discretion 8A.3.4.14

Matters of discretion are generally supported. They are considered to be relevant considerations. They allow for the consideration of positive and negative effects.

Subsection (b) could be alternatively worded to a more neutral fashion e.g.

Effect of the sign on the appearance of the building to which it is attached due to:

- (i) The proportion of the sign to the building façade; and
- (ii) The location and design of the sign, including the colour, display, materials, and how the sign relates to any architectural features on the building; and
- (iii) The number of signs on the building.

It is suggestion that subsection (e) be divided into two points, as it raises two separate issues.

For example

- (e) Whether there are any special circumstances or functional need for proposed signage including operational, directional or safety reasons;
- (f) Whether vegetation or landscaping is proposed to improve the appearance of the site.

Requested relief: Consideration is given to the suggested rewording and reformatting and any consequential adjustments are made to the proposed provisions.

8A.3.4.15 Matters for consideration for transport safety

The matters for consideration are supported. These are relevant considerations. They allow for the consideration of positive and negative effects.

8A.3.4.16 Matters of consideration for temporary signs

It suggested that matters of consideration include the impact of signage on streetscene character and amenity, rather than just residential amenity. Signs are more likely to affect the visual quality of streets, than directly harm the amenities of neighbouring properties. These could be similar to those used for permanent signs.

For example:

Whether the sign is compatible with the visual character of the area in which it is situated.

Whether the sign results in additional clutter of signs on the site or road corridor.

New matters of consideration for signs not located on site to which they relate

It is suggested that the following considerations are relocated from the policy section to the matters of discretion section.

- i) The need for the sign to be located away from the site, including any constraints relating to the location of the businesses, which creates a need for off-site signage, and
- ii) The capacity for the site and surrounding environment to accommodate the sign, and for character and amenity values to be maintained; and
- iii) Any adverse effects on transport safety or efficiency, or transport benefits in providing for the sign to be located away from the site.

**NOTICE OF SUBMISSION BY THE OIL COMPANIES: Z ENERGY LIMITED, MOBIL OIL NEW
ZEALAND LIMITED AND BP OIL NEW ZEALAND LIMITED TO THE UPPER HUTT CITY
COUNCIL PROPOSED PLAN CHANGE 45: SIGNAGE**

To: Upper Hutt City Council
Private Bag 907
Upper Hutt

Via email: planning@uhcc.govt.nz.

Submitter: Z Energy Limited
PO Box 2091
WELLINGTON 6140

BP Oil NZ Limited
PO Box 99 873
AUCKLAND 1149

Mobil Oil NZ Limited
PO Box 1709
AUCKLAND 1140

Hereafter, collectively referred to as “the Oil Companies”

Address for Service: BURTON PLANNING CONSULTANTS LIMITED
Level 1, 2-8 Northcroft Street
PO Box 33-817, Takapuna,
AUCKLAND 0740

Attention: John McCall

Phone: (09) 917-4316

Fax: (09) 917-4311

Email: jmccall@burtonconsultants.co.nz

A. INTRODUCTION

1. The Oil Companies receive, store and distribute refined petroleum products.
2. The Oil Companies core business relates to the operation and management of their individual service station networks, commercial refuelling facilities and bulk storage (Terminal) facilities at ports and airports. The Oil Companies also supply petroleum products to individually owned businesses. Hydrocarbons are the principal substance managed by the Oil Companies.
3. Within Upper Hutt City, the Oil Companies own, operate and/or supply service stations and truckstop and supply various commercial activities.
4. Proposed Plan Change 45 to the Upper Hutt District Plan (*PPC45*) seeks to update and consolidate the signage provisions for the District. In general the Oil Companies support the control of signage through the District Plan, and restricted or discretionary activity status for signage not meeting the permitted activity controls. This submission is focused on those issues the Oil Companies perceive may inappropriately restrict or limit their existing and future operations.

B. THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN CHANGE THAT THE OIL COMPANIES SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS:

5. This submission relates to PPC45 (Signs).
6. The specific provisions submitted on, the rationale for the Oil Companies submission on each of these matters, and the relief sought is contained in the following table. Changes sought to the provisions are indicated by deletions being shown in strikethrough and additions in underline. Such changes are provided as one means of addressing the identified concern: in all cases, necessary consequential changes or alternative ways of achieving the same outcome are supported.

7. THE OIL COMPANIES WISH TO BE HEARD IN SUPPORT OF THIS SUBMISSION

8. IF OTHERS MAKE SIMILAR SUBMISSIONS THE OIL COMPANIES MAY BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING.

9. THE OIL COMPANIES COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.

10. THE OIL COMPANIES ARE DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF SUBMISSION THAT –

- (I) ADVERSELY AFFECTS THE ENVIRONMENT; AND
- (II) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.

Dated at AUCKLAND this 17th day of JULY 2018

Signature on behalf of the Oil Companies:

A handwritten signature in black ink, appearing to read 'John McCall', written over a faint horizontal line.

John McCall

Authorised to Sign on Behalf of the Oil Companies

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
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Chapter 2 – Definitions			
Definition – Sign/Signage	Support in part / Oppose in part	<p>The proposed definition of ‘Sign/Signage’ is appropriate and is supported in part, except to the extent that the definition is exceptionally broad and could be read to include any face of a building or structure that is painted in recognisably “corporate colours” and also any sign necessary for traffic direction or instruction within a site (e.g. a sign identifying accessibility parking, opening hours inscribed onto a shop door or signs limiting parking to, say 120 mins, or internal traffic signs). While there could be an argument that some such signage is “health and safety signage” the extent to which that is the case is not clear (please see separate submission on the definition of “health and safety sign”). Furthermore the test of “visibility” from outside the site is too restrictive: the test should relate to whether the signage is directed to and clearly legible to people outside the side.</p>	<p>Retain the definition of signage subject to an amendment so that it does not include corporate colour schemes on buildings and/or signage that is designed to provide instruction to persons within the site. This could be achieved by making amendments along the following lines:</p> <p><i>Means any device or facility, graphics or display that is visible <u>directed to and legible to person from outside the site, for the purposes of: identification of, or provision of information about any building, activity, site; providing directions; or promoting goods, services or events. Signage may be part of, attached, or projected onto any building, site, or structure, or other object. Any sign may be illuminated and may contain moving content, including changing content and digital signage. <u>A building or structure that is painted in corporate colours does not, of itself, constitute signage.</u></u></i></p>

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
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Chapter 8A.3 – Signs			
Objective 8A.3.2.1	Support	Objective 8A.3.2.1 recognises the potential adverse effects of signage on amenity values and the safety and efficiency of the land transport network, whilst appropriately recognising the benefits signage provides to communities and businesses.	Objective 8A.3.2.1 should be retained without modification, as follows: <i>Signage in the district:</i> (a) supports the needs of the community and business to identify and advertise businesses and activities; and (b) maintains the local character and amenity values, and the safe and efficient functioning of the transport network.
Policy 8A.3.3.1	Support	Policy 8A.3.3.1 recognises that the placement of signs can have adverse effects on zones that are generally considered more sensitive to amenity effects, and therefore seeks to manage new signage in these zones.	Policy 8A.3.3.1 should be retained without modification, as follows: <i>Manage the number, size and design of signs in the Open Space Zones, Rural Zones, and Residential Zones to maintain the character and amenity values of these zones.</i>
Policy 8A.3.3.2	Support in part	Policy 8A.3.3.2 recognises the potential for adverse amenity effects to be generated by signage on sites located at the interface with a more sensitive zone, but does not clarify what an adverse effect might be. Mere visibility of signs does not in itself, for example, equate to an	Retain Policy 8A.3.3.2 subject to an amendment to clarify how, and to what degree, the ‘amenity value of the adjoining residential zone’ might be adversely affected (or alternatively protected). This could be achieved by making amendments as follows:

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
		adverse effect. Policy 8A.3.3.2 needs to be amended to clarify how, and to what degree, the 'amenity value of the adjoining residential zone' might be adversely affected (or alternatively protected).	<p><i>Provide for a range of signs in the Business Zones, and Special Activity Zones that support business identification and advertising, while:</i></p> <p><i>(a) maintaining the character and amenity values of these zones; and</i></p> <p><i>(b) ensuring that signs on sites adjoining residential zones do not detract from the character and amenity values of those adjoining residential zones <u>through inappropriate placement, size, illumination or imaging</u> are not adversely affected by signs in these locations; and</i></p> <p><i>(c) allowing the consolidation of signs to convey information about multiple businesses to tenancies</i></p>
Policy 8A.3.3.3 (b)	Support in part.	Policy 8A.3.3.3(b) requires proposed signage to maintain the character and visual amenity of the site to which it will be erected. The inclusion of the word 'maintains' in Policy 8A.3.3.3(b) implies that the visual amenity and character of a site will not be altered / changed as a result of the proposed location and design of signs erected at	Retain Policy 8A.3.3.3(b) subject to an amendment to acknowledge that the erection of signage will alter the visual amenity and character of a site, but that any such change should not detract from the character and amenity of the site and surrounding area. This could be achieved by making amendments as

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
		<p>that site. However, it is considered that any signage erected at a site will inherently alter the visual amenity and / or character of that site.</p> <p>Accordingly, the Oil Companies consider it more appropriate to amend the policy to minimise the potential adverse effects on by not detracting from the character and visual amenity of the site and surrounding area, rather than to 'maintain' the existing level of amenity at the site.</p>	<p>follows:</p> <p><i>Ensure that the location and design of signs is provided for in a way that:</i></p> <p>...</p> <p>(b) maintains <u>minimises the potential to detract from</u> effects on <u>the character and visual amenity of the site and surrounding area, and does not result in additional visual clutter or dominate the skyline; and</u></p>
Rule 8A.3.4.1	Support	The Oil Companies support a dedicated permitted activity rule for health and safety signage without any associated performance standards.	<p>Rule 8A.3.4.1 should be retained without modification, as follows:</p> <p><i>Any health and safety sign = Permitted</i></p>
Rule 8A.3.4.5	Support	The Oil Companies support a restricted discretionary status for signs (other than temporary signs) which do not comply with one or more of the permitted activity standards.	<p>Rule 8A.3.4.5 should be retained without modification, as follows:</p> <p><i>Any sign (other than a temporary sign) which does not comply with one or more of the permitted standards at 8A.3.4.9 – 8A.3.4.13</i></p>
Rule 8A.3.4.7	Support	The Oil Companies support a discretionary	Rule 8A.3.4.7 should be retained without

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
		activity status for a sign (other than a temporary sign) which is not situated on a site to which the sign relates.	modification, as follows: <i>Any sign (other than a temporary sign) which is not situated on a site to which the sign relates.</i>
Rule 8A.3.4 (b) <i>Exemptions</i>	Support in part	The Oil Companies support the exemption of signs indicating hazardous substances used at a hazardous facility. However, the Oil Companies consider that such signage (and all signage required by HSNO / WorkSafe, for example) will fall under the permitted activity Rule 8A.3.4.1 - which the Oil Companies support and seek to be retained without modification. If further clarification of what is considered as 'health and safety' signs is required then a definition that includes any signs required by other legislation, should be adopted.	Delete exemption (b) insofar as signage indicating hazardous substances used at a hazardous facility is considered to already be a permitted activity pursuant to Rule 8A.3.4(b). This could be achieved by making amendments as follows: <i>Exemptions:</i> (b) Signs indicating hazardous substances used at a hazardous facility. If necessary, include a new definition of "health and safety" sign which includes any signs required by legislation. This could be achieved by making changes along the following lines: <i>Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO / Worksafe).</i>

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
Rule 8A.3.4.10 <i>Free-Standing Signs in Business Commercial Zones, Business Industrial Zones, and Special Activity Zones</i>	Support in part / Oppose in part	<p>The Oil Companies support in part the rules pertaining to free-stranding signs in Business Commercial zones, Business Industrial zones and Special Activity zones.</p> <p>Additionally, the Oil Companies seek an amendment to clause (d) of Rule 8A.3.4.10 to permit prime signs at service station sites. The proposed amendment seeks to increase the maximum permitted area from 7.5m² to 16m² at service stations only. Clause (b)(ii) and (c) of Rule 8A.3.4.10 permits free standing signs in Business Commercial Zones and in Business Industrial and Special Activity Zones to a height of 8m and 9m respectively and a width of 2m (i.e. 16m² and 18m²). Therefore the Oil Companies consider it appropriate to extend this permitted area to sanction prime signs at service station sites – noting a prime sign is a standard feature of those sites, that they are a integral to and consistent with the development on site and that they are important to ensuring the safe and efficient movement of traffic.</p>	<p>Retain Rule 8A.3.4.10 subject to an amendment to increase the maximum permitted area from 7.5m² to 16m² or 18m² (zone dependent) at service stations only. This could be achieved by making an amendment along the following lines:</p> <p><i>Free-Standing Signs in Business Commercial Zones, Business Industrial Zones, and Special Activity Zones</i></p> <p>(a) <i>The number of free-standing signs on a site visible in any one direction shall not exceed:</i></p> <p style="margin-left: 40px;">i. <i>One sign per site on sites with road frontages less than 50m; or</i></p> <p style="margin-left: 40px;">ii. <i>two signs per site where the road frontage exceeds 50m</i></p> <p>(b) <i>The maximum height of any part of a free-standing sign above ground level shall not exceed:</i></p> <p style="margin-left: 40px;">(i) <i>8m in Business Commercial Zones</i></p> <p style="margin-left: 40px;">(ii) <i>9m in Business Industrial and Special Activity Zones</i></p>

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
			<p>(c) <i>The maximum width of any free-standing sign shall not exceed 2m.</i></p> <p>(d) <i>The maximum area of any free-standing sign, visible in any one direction shall not exceed 7.5m². <u>In the case of service stations, the maximum area shall not exceed 16m² in Business Commercial Zones and 18m² in Business Industrial and Special Activity Zones.</u></i></p> <p>(e) <i>In Business Industrial Zones, free-standing signs greater than 4 metres in height on any site must be located a minimum distance of 15m from any other free-standing sign that is greater than 4m in height on an adjoining site; and</i></p> <p>(f) <i>Signs on land identified in the Business Zone in Appendix Business 2 of Chapter 20 one free-standing sign per site visible in any one direction with a maximum area of 7.5m².</i></p>
Rule 8A.3.4.12 <i>Signs for direction of</i>	Support <u>in part</u>	The Oil Companies support Rule 8A.3.4.12 relating to signs for direction of traffic in Business Commercial zones, Business Industrial zones and Special Activity zones. However, the Oil	The Oil Companies seek that Rule 8A.3.4.10 is retained, subject to a minor grammatical correction to ensure consistent referencing within the rule, and an increase to the

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
<i>traffic on a site in Business Commercial, Business Industrial Zones and Special Activity Zones</i>		<p>Companies seek a minor grammatical amendment to align the Rule with Rule 8A.3.4.1 (insofar as to include the word 'zones').</p> <p>Additionally, the Oil Companies seek an amendment to the maximum permitted area of a directional sign. It is considered 1m² is an appropriate size to clearly convey direction to vehicles navigating a service station site.</p>	<p>maximum permitted area of a directional sign to 1m² visible in any one direction. This could be achieved by amendment the rule along the following lines:</p> <p><i>Signs for direction of traffic on a site in Business Commercial <u>Zones</u>, Business Industrial Zones and Special Activity Zones</i></p> <p><i>(a) The maximum vertical dimensions of the sign shall not exceed 1m.</i></p> <p><i>(b) The maximum area of the sign, visible in any one direction, shall not exceed 0.51m²</i></p> <p><i>(c) The content of the sign must be limited to directional purposes.</i></p>
<p>Rule 8A.3.4.13(f)</p> <p><i>Traffic safety – All signs</i></p>	Support in part	<p>The Oil Companies support condition (f) of Rule 8A.3.4.13 relating to signage visible from State Highways. The Oil Companies note the condition is consistent with the New Zealand Transport Agency Signs Bylaw (2010), Second Schedule.</p> <p>However, the Oil Companies propose an amendment to clause (iii) of Rule 8A.3.4.13(f) to clarify the nature of the 'view' that shall be</p>	<p>Rule 8A.3.4.13(f) should be retained, subject to an amendment to clarify that the intent of clause (iii) is to ensure the placement of signage does not obstruct motorists' view of the road. This could be achieved by making changes as follows:</p> <p><i>Traffic safety – All signs</i></p>

**SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)**

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
		unrestricted for motorists. It is considered the intent of clause (iii) is to ensure the placement of signage does not obstruct motorists' view of the road, and an amendment to clarify that is required.	... <i>(f) Where any sign is visible from the State Highway and the speed limit is 70km/hr or greater, the sign shall:</i> <i>i. Have a minimum letter height of 160mm;</i> <i>ii. contain no more than six words and no more than 40 characters; and</i> <i>iii. Be located so as to provide an unrestricted view <u>of the road</u> to the motorists for a minimum distance of 180 metres.</i>
Rule 8A.3.4.14(e) <i>Matters of discretion</i>	Support	The Oil Companies support Rule 8A.3.4.14.(e) insofar as it appropriately retains the Council's discretion to consider whether there is a functional need for a sign to exceed the permitted size and / or location.	The Oil Companies seek Rule 8A.3.4.14(e) is retained without modification, as follows: <i>All signs other than temporary signs</i> ... <i>(d) Whether there are any special circumstances or functional need for an increase in sign size, or different location of the sign including for</i> <i>i. operational, directional or safety purposes; or</i> <i>ii. any mitigating features of the site which would lessen the impact of the</i>

SUBMISSION ON BEHALF OF THE OIL COMPANIES
TO THE UPPER HUTT DISTRICT PLAN: PROPOSED PLAN CHANGE 45 (SIGNS)

Provision	Position of Oil Companies	Reason For Support / Opposition	Relief Sought (additions underlined, deletions in strikethrough). Note: any necessary consequential changes or alternative ways of achieving the same outcome are also sought.
			<i>sign, such as vegetation or landscaping.</i>

SUBMISSION FORM FOR PROPOSED PLAN CHANGE 45 AND SIGNS BYLAW



Have your say

Please submit this form no later than **5.00 pm Wednesday, 18 July 2018.**

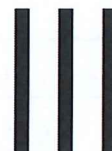
Please note that your submission will be made public—including your name and physical address (unless you want them withheld).

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Upper Hutt City Council
Private Bag 907
UPPER HUTT 5140

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* Terms of making a submission

Upper Hutt City Council is collecting personal information on this form as part of the consultation process. Your name and address will be made public alongside your submission unless you request that your information remain private. Personal information collected will be securely stored by Upper Hutt City Council and only accessed by Council officers who need to access it for the purposes of their role. By submitting this form you agree to these terms.

TITLE	FIRST NAME	SURNAME
	Simon	ROCHE
AGENT OR ORGANISATION REPRESENTATIVE		
POWERCO		
ADDRESS FOR SERVICE		
PRIVATE BAG 2065, NEW PLYMOUTH		
POSTCODE	EMAIL	
4340	simon.roche@powerco.co.nz	
TELEPHONE (DAYTIME)		TELEPHONE (EVENING)
06 9681779		

DO YOU WANT YOUR NAME AND ADDRESS TO BE WITHHELD FROM OUR PUBLIC SUBMISSION DOCUMENTS (SEE TERMS ABOVE)? YES / NO

Proposed Plan Change 45 – Signs

Tell us what you think of the provisions in the proposed Plan Change (PC45).

THE SPECIFIC PROVISIONS OF PC45 THAT MY SUBMISSION RELATES TO ARE AS FOLLOWS:

See attached PDF

I SUBMIT:

See attached PDF

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE ATTACH ADDITIONAL PAPER IF REQUIRED.

I SEEK THE FOLLOWING DECISION FROM UPPER HUTT CITY COUNCIL:

see attached PDF

PLEASE USE PRECISE DETAILS AND USE ADDITIONAL PAPER IF REQUIRED.

DO YOU WANT TO PRESENT TO COUNCIL ON PC45 IN PERSON? YES / NO (IF "YES" WE WILL CONTACT YOU TO SCHEDULE A HEARING TIME)

IF OTHERS MAKE A SIMILAR SUBMISSION ON PC45, DO YOU WANT TO MAKE A JOINT CASE AT THE HEARING? YES / NO

COULD YOU GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION? YES / NO IF "YES" PLEASE COMPLETE THE STATEMENT BELOW.

I AM / I AM NOT DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT:

(A) ADVERSELY AFFECTS THE ENVIRONMENT; AND (B) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.

SIGNATURE

Seamus Roche

DATE

18/07/2018

(SIGNATURE OF SUBMITTER OR PERSON AUTHORISED OF BEHALF OF SUBMITTER)

A SIGNATURE IS NOT REQUIRED IF MAKING YOUR SUBMISSION ELECTRONICALLY. FOR MORE INFORMATION, GO TO CONSULTATION.UPPERHUTTCITY.COM

Proposed changes to the Bylaw

Tell us what you think of the proposed changes to the Control of Advertising Signs Bylaw.

DO YOU SUPPORT THE ADOPTION OF THE CONTROL OF TEMPORARY SIGNS BYLAW 2018? YES / NO

Neutral

I SUBMIT:

—

PLEASE ATTACH ADDITIONAL PAPER IF REQUIRED.

DO YOU WANT TO PRESENT TO COUNCIL ON THE BYLAW IN PERSON? YES / NO (IF "YES" WE WILL CONTACT YOU TO SCHEDULE A HEARING TIME)



**SUBMISSION BY POWERCO LIMITED ON PROPOSED PLAN CHANGE 45 OF THE
UPPER HUTT CITY COUNCIL DISTRICT PLAN**

To: Chief Executive Officer
Upper Hutt City Council
Private Bag 907
Upper Hutt
Email: planning@uhcc.govt.nz

From: Powerco Limited ("Powerco")
Private Bag 2061
New Plymouth
(Note that this is not the address for service.)

Feedback on the Plan Change 45 closes on the 18th of July 2018

1. This is a submission by Powerco limited on the Proposed Plan Change 45 of the Upper Hutt City Council District Plan.
2. The reasons for Powerco's submission are set out in the attached schedule (Schedule 1). In summary, this submission seeks to support the proposed plan change on signage which permits health and safety signage in all zones.
3. Powerco **does wish to be heard** in support of this submission.
4. Powerco could not gain an advantage in trade competition through this submission.

5. If others make a similar submission, Powerco would consider presenting a joint case at any hearing.

Dated at New Plymouth this 18th day of July 2018

Signature of person authorised to sign on behalf of Powerco Limited:



Simon Roche

ADDRESS FOR SERVICE: **Powerco: Private Bag 2065,
New Plymouth 4340
Attention: Simon Roche
Phone: 64 06 9681779
Email: simon.roche@powerco.co.nz
Ref: SUB/2018/30**

Schedule 1 – Submission by Powerco

SCHEDULE 1

REASON FOR POWERCO'S SUBMISSION

1. INTRODUCTION TO POWERCO LIMITED

- 1.1 This submission has been prepared on behalf of Powerco Limited (*Powerco*). Powerco is New Zealand's largest electricity and second largest gas distributor in terms of network length, and has been involved in energy distribution in New Zealand for more than a century. The Powerco network spreads across the upper and lower central North Island servicing over 400,000 consumers. This represents 46% of the gas connections and 16% of the electricity connections in New Zealand.
- 1.2 Powerco's gas distribution networks are split into six regions – Manawatu, Taranaki, Wellington, Hutt Valley/ Porirua and Hawkes Bay. Within Upper Hutt City, Powerco operates a gas distribution network, which distributes natural gas to households, businesses and industries throughout the district. Powerco, therefore, has an interest in Proposed Plan Change 45. Attachment A of this submission shows the various types of signage that may be required around Powerco's assets in Upper Hutt City.
- 1.3 Powerco does not have any electricity networks within the Upper Hutt City district.

2. POWERCO'S SUBMISSION

- 2.1 Powerco is supportive of the proposed plan change and seeks to ensure that when required we can display health and safety signs and asset identification signs on all its gas assets, including those assets located in reserves. These signs are generally small in scale but assist with providing information to the public about potential health and safety risks. Powerco seeks to ensure appropriate provision is made for such signs, which has been provided in the plan change, by making Health and safety signage a permitted activity in all zones.
- 2.2 Powerco supports the objective 8A3.2.1(a), which outlines the needs of the community and businesses to identify and advertise businesses and activities. However, Powerco seeks network utility operators are added to objective (a) so it is clear they are included. This is outlined below in bold and underlined.

- 2.3 Powerco supports rule 8A.3.4.1 in the activity status table, which lists health and safety signage as a permitted activity, along with the advice note outlining that this rule applies in all zones. Powerco seeks the current wording be retained as drafted.
- 2.4 The proposed definitions do not include a definition for a “*Health and Safety Sign*”. This may lead to confusion over what meets the criteria to be a permitted activity under rule 8A.3.4.1. Therefore, Powerco propose the following addition to the definitions chapter:

Health and Safety Sign:

A sign affixed to a network utility, or any other asset or structure for the purpose of providing a health and safety warning, identification or as a requirement of other legislation.

Powerco is open to revised wording of this definition, which achieves the same outcome.

Relief Sought:

Amendments

Additions in bold and underlined.

8A.3.2 Objective

8A.3.2.1 Signage in the district:

*(a) supports the needs of the community, **network utility operators** and businesses to identify and advertise businesses and activities; and*

Chapter 2 - Definitions:

Health and Safety Sign:

A sign affixed to a network utility, or any other asset or structure for the purpose of providing a health and safety warning, identification or as a requirement of other legislation;

Retain without modification as follows:

Chapter 8A.3.4 Rules table relating to health and safety signage:

<i>Rule</i>	<i>Activity</i>	<i>Activity Status</i>
8A.3.4.1	Any health and safety sign.	P

Advice Notes:

- The rules apply in all zones unless otherwise stated. Activities are also subject to rules in the relevant chapter.*



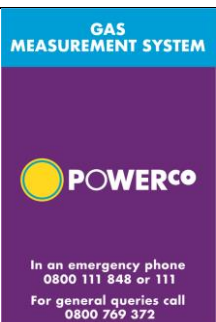
3. CONCLUDING COMMENT

- 3.1 Powerco appreciates the opportunity to provide input on this plan change. As detailed above, Powerco has existing gas assets in the area and seeks to be able to install the









appropriate small scale health and safety signage around these assets, without the need for resource consent. Should you wish to discuss signage around Powerco's gas assets, please contact Powerco's customer service team on ph: 0508 427 428 or by email: info@thegashub.co.nz.

- 3.2 Powerco would be pleased to discuss any of the matters raised above, and comment on any documents produced as a result of this consultation. If you have any queries or require additional information please do not hesitate to contact Simon Roche (06) 9681779.





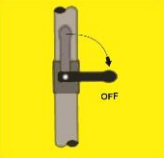



APPENDIX A– GAS SIGNAGE, LABELS AND TAGS

Sign	Powerco Code	Description	Size
 <p>GAS DISTRICT REGULATOR STATION</p> <p>POWERco</p> <p>In an emergency phone 0800 111 848 or 111 For general queries call 0800 769 372</p>	PG0001	DRS Station Sign	150x100mm
	PG0002	DRS Station Sign	200x300mm
 <p>GAS PRESSURE REGULATOR STATION</p> <p>POWERco</p> <p>In an emergency phone 0800 111 848 or 111 For general queries call 0800 769 372</p>	PG0003	PRS Station Sign	150x100mm
	PG0004	PRS Station Sign	200x300mm
 <p>GAS STREET REGULATOR</p> <p>POWERco</p> <p>In an emergency phone 0800 111 848 or 111 For general queries call 0800 769 372</p>	PG0005	Street Regulator Sign	150x100mm
 <p>GAS MEASUREMENT SYSTEM</p> <p>POWERco</p> <p>In an emergency phone 0800 111 848 or 111 For general queries call 0800 769 372</p>	PG0006	Gas Measurement System Sign	150x100mm
	PG0007	Gas Measurement System Sign	200x300mm







Sign	Powerco Code	Description	Size
	PG0008	No Smoking Sign	150x100mm
	PG0009	No Smoking Sign	200x300mm
	PG0010	Warning Gas Main Sign	150x100mm
	PG0011	Warning Gas Main Sign	200x300mm
	PG0012	Footpath Warning Gas Main Sign	65mm diameter
	PG0013	Natural Gas Sticker	400x50mm
	PG0014	Authorised Entry Sign	150x100mm
	PG0015	Authorised Entry Sign	200x300mm
	PG0016	River Crossing Sign	1100x600mm
Sign	Powerco Code	Description	Size

	PG0017	Danger do not operate valve tag	60x140mm
	PG0018	Live Gas Tag	50x90mm
	PG0019	Danger High Pressure Gas Kerb Sign	125x80mm
	PG0020	Danger High Pressure Gas Sign	200x300mm
	PG0021	Danger High Pressure Gas Sticker	150x100mm
	PG0022	Low Pressure Gas Valve ID Label	100x50mm
	PG0023	Intermediate Pressure Gas Valve ID Label	100x50mm
	PG0024	Medium Pressure Gas Valve ID Label	100x50mm
	PG0025	Electrical Hazard Warning Sign	100x100mm
	PG0026	Electrical Hazard Warning Sticker	100x100mm

Sign	Powerco Code	Description	Size
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	PG0027	Danger High Voltage Sign	225x180mm
	PG0029	Gas Safety Message sticker	100x60mm
	PG0030	Emergency Control Valve Sign	100x150mm
	PG0031	Emergency Shut Off Valve Sign	150x100mm
	PG0032	Emergency Shut Off Valve Sticker	30x30mm
	PG0033	Gas Asset Sticker	150x100mm
	PG0034	Gas Asset Sticker	200x300mm
	PG0035	Pressure Setting Tag	90x50mm
	PG0036	Gas Service Identification Sticker	120x50mm

Sign	Powerco Code	Description	Size
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	PG0037	Red Defect Tag	50mmx60mm
	PG0038	Amber Defect Label	50mmx60mm
	PG0039	Working Stream Label	150x100mm
	PG0040	Standby Stream Label	150x100mm
	PG0041	Do Not Operate Tag	120mmx80mm
	PG0042	Identification Tag (QR Coded)	40mmx50mm

18 July 2018

Proposed Plan Change 45
Upper Hutt City Council
Private Bag 907
UPPER HUTT

By email to: planning@uhcc.govt.nz

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PLAN, CHANGE OR
VARIATION (FORM 5)
Upper Hutt City – Proposed Plan Change 45: Signs**

NAME OF SUBMITTER:
KiwiRail Holdings Limited (KiwiRail)

ADDRESS FOR SERVICE:
Wellington Railway Station
PO Box 593
WELLINGTON 6140

Attention: Pam Butler

KiwiRail Submissions on Proposed District Plan

KiwiRail Holdings Limited (KiwiRail) is the State-Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail Holdings Limited is also the Requiring Authority for land designated "Railway Purposes" (or similar) in District Plans throughout New Zealand. Locally this includes the Wairarapa Line.

KiwiRail's submissions on the Proposed Plan Change on Signs are set out in the attached table. Insertions we wish to make are marked in **bold** and **underlined**, while recommended deletions are shown as ~~struck out~~ text.

KiwiRail wishes to speak to our submission and will consider presenting a joint case at the hearing with other parties who have a similar submission. KiwiRail could not gain an advantage in trade competition through this submission.

Regards

A handwritten signature in blue ink, appearing to be "Pam Butler", written over a horizontal line.

Pam Butler
Senior RMA Advisor
KiwiRail

Number	Section/clause reference	Support/ Oppose/Seek Amendment	Submission/Comments/Reasons	Relief Sought (as stated or similar to achieve the requested relief)
New Chapter 8A.3: Signs				
1	8A.3.1 Introduction to signs	Support	KiwiRail are supportive of the introductory text for the new signs Chapter in the first paragraph of 8A.3.1 Introduction to Signs where it notes that the new signs rules are designed to address traffic safety matters. KiwiRail operates, maintains and enhances its railway lines in the District. KiwiRail has both a temporary need (when works are taking place on or near the corridor) and permanent need (at level crossings and at approaches to stations) to ensure that traffic safety is maintained.	Retain as notified.
2	Objective 8A.3.2	Support	The Objective is supported as it seeks to promote traffic safety. Further, reference to the transport network rather than solely to roads is supported as it would also apply to the railway network.	Retain 8A.3.2.1 (b) as notified
3	Policy 8A.3.3.3 (d)	Amend	KiwiRail considers that restricting the policy to <u>road users</u> only potentially excludes other transport modes, including the railway corridor. It would be prudent to widen the scope of the policy to reflect the term already used in Objective 8A.3.2, and alter the clause to apply to the 'transport network'. This would have the added benefit of allowing a consideration of any signs which may distract train drivers (i.e. flashing/moving signs which might mimic or distract from signals).	Amend Policy 8A.3.3.3 (d) as follows: (d) manages any moving, digital or changing signage, and illuminated signage to protect residential amenity and to not compromise the safety of road transport network -users
4	8A.3.4 Rules: Exemptions	Support and amend	KiwiRail supports the proposed exemptions. In exemption (d) (which should be (c) as there are only 4 exemptions listed) railway network signs have a functional safety need and are sometimes installed to respond to site works projects, disruptions or incidents. To be consistent with the Signs Objectives and Policies exemption (d) should be widened so that it includes the railway network (including directional signs at stations).	Retain the exemptions (a) (b) and (e) as notified. Amend (d) to read; (d) Any official regulatory or traffic transport network sign

18 July 2018

Richard Harford
Director of Planning and Regulatory Services
Upper Hutt City Council
Private Bag 907
UPPER Hutt 5140
planning@uhcc.govt.nz

Dear Richard

RE: PROPOSED PLAN CHANGE 45 – SIGNS– NZ TRANSPORT AGENCY SUBMISSION

Thank you for the opportunity to provide feedback on proposed Plan Change 45 to the Upper Hutt District Plan.

This submission provides input from the NZ Transport Agency (**Transport Agency**), reflecting its land transport policy role as well as its perspective as the operator of New Zealand's national state highway network. This feedback takes into account the Transport Agency's objectives and statutory obligations, as well as its prior experience with integrated land use planning across the country.

Please find attached our feedback.

Yours faithfully



Aaron Hudson
Acting Senior Planner
Consents and Approvals

DDI 04 894 6230
aaron.hudson@nzta.govt.nz

Pursuant to Clause 6 of the first Schedule of the Resource Management Act 1991

Submission on Operative Upper Hutt City Council District Plan – Proposed Plan Change 45 – Signs

To: Richard Harford
Director of Planning and Regulatory Services
Upper Hutt City Council
Private Bag 907
UPPER Hutt 5140
planning@uhcc.govt.nz

Name of Submitter: NZ Transport Agency
Address for Service: Majestic Centre
Level 5
100 Willis Street
PO Box 5084
WELLINGTON 6011
Attn: Aaron Hudson
Ph: (04) 894 6230
Email aaron.hudson@nzta.govt.nz

Dated 18th July 2018

1. This is a submission on:

Proposed Plan Change 45 (PC 45) to the Upper Hutt District Plan; district's objectives, policies and rules.

2. The NZ Transport Agency could not gain an advantage in trade competition through this submission.

3. The NZ Transport Agency's submission is in general support but seeks a number of specific amendments, or those to like effect, to better address the Transport Agency's concerns.

3.1. We broadly support the Council's strategy of consolidating the district's signage objectives, policies and rules into a single chapter within the Upper Hutt City District Plan (District Plan). This provides greater clarity and simplicity for plan users.

3.2. We support Council's proposed objectives and policies that seek to manage the design and location of signage throughout the district, including where it faces a road.

3.3. We also support Council's recognition of the safety concerns that digital, moving, illuminated and changing signage creates for road users including cyclists and pedestrians through assessment of such signage as a discretionary activity.

3.4. We seek amendments to PC45 to ensure the plan provides appropriate performance standards, guidance and assessment criteria for managing the effects of all (including temporary) digital, moving, animated, flashing and illuminated signage. This is to ensure the safety and efficiency of State Highway 2 is maintained at a high level and any risk of driver distraction and/or other traffic safety matters created by adjoining land use development is stringently managed. It is appropriate that PC45 recognises these issues as technological advances in the media industry will increase the prevalence of both temporary and permanent digital signage visible from the state highway and wider roading system.

4. The Transport Agency's submission is that:

4.1. Role of the Transport Agency

The Transport Agency is a Crown entity that takes an integrated approach to transport planning, investment and delivery. The Transport Agency's statutory objective is to undertake its functions in a way that contributes to an affordable, integrated, safe, responsive, and sustainable land transport system.

The Transport Agency has a mandate under the Land Transport Management Act 2003, the Government Roadway Powers Act 1989 (GRPA), and the Government Policy Statement on Land Transport 2018/19 – 2027/28 (GPS) to carry out its functions in a way that delivers the transport outcomes set by the Government.

The Government recently released the GPS to be effective from 1st July 2018. This GPS both outlines New Zealand's strategic transport priorities and guides investment. The GPS lays out four new priorities and six objectives, which include safety; improved transport access to economic and social opportunities as well as providing more resilience and choice; better environmental outcomes; and infrastructure which delivers the best value for money.

The priority of safety is particularly relevant to PC45 as the potential impact that poor sign design and location can have on the safe and efficient operation of the land transport system, including State Highway 2.

Within Upper Hutt City, the Transport Agency is the Requiring Authority for the NZTA 1, NZTA 2 and NZTA 3 designations. We also regulate the construction, maintenance and display of signage on or over any part of a state highway through the New Zealand Transport Agency (Signs on State Highways) Bylaw 2010.

4.2. Specific comments applying to Proposed Plan Change 45 –Signs

The Transport Agency's specific submission points are set out in the attached table. Insertions we wish to make are marked in bold and underlined, while recommended deletions are shown as struck out text.

We look forward to working with Council during the subsequent development phases of PC 45.

5. The Transport Agency does wish to be heard in support of this submission and we may wish to have a joint submission with other parties that have a similar submission.



Aaron Hudson

Acting Senior Planner

Pursuant to a delegation from the Chief Executive of the NZ Transport Agency.

Dated at Wellington the 18th day of July 2018.

Submission Number	Plan Provision	Submission/Comments	Relief Sought
1	8A.3.1 Introduction to Signs	<p>We support in part section 8A.3.1 of PC45. Firstly we support the guidance for plan users to ensure any signage complies with other legislation and regulations such as the New Zealand Transport Agency (Signs on State Highways) Bylaw 2010 and the Upper Hutt City Council Control of Advertising Signs Bylaw 2005. Secondly we support guiding plan users to ensure signage complies with these bylaws which apply beyond the provisions of the district plan, including any signs located on or over a state highway.</p> <p>For clarity we seek a minor amendment to the third paragraph of section 8A.3.1 to ensure the text aligns with the application of the New Zealand Transport Agency (Signs on State Highways) Bylaw 2010. The third paragraph of section 8A.3.1 is drafted as follows –refer recommended relief for the amendment sought by the Transport Agency.</p> <p><i>For signs located in road corridors, approvals may be needed from the Road Controlling Authority (including the Council), or the New Zealand Transport Agency for signs on or over the State Highway. These approvals may need to be sought regardless of whether the sign complies with the provisions of the District Plan.</i></p>	<p>Support and retain 8A.3.1 – Introduction to Signs as drafted with the following amendment to the third paragraph (below) to ensure PC45 aligns with the New Zealand Transport Agency (Signs on State Highways) Bylaw 2010.</p> <p>Relief Sought:</p> <p>This chapter recognises the role of signs in communicating information for businesses and the community. It provides a framework to manage the effects of signs in the different zones across the district, while recognising the purpose, character and amenity of these zones, and transport safety matters.</p> <p>Outside of the District Plan, there is other legislation and regulations that manage signs, for example New Zealand Transport Agency regulations and Council by-laws. For signs located in road corridors, approvals may be needed from the Road Controlling Authority (including the Council), or the New Zealand Transport Agency for signs on the State Highway. These approvals may need to be sought regardless of whether the sign complies with the provisions of the District Plan.</p> <p>For signs located in road corridors, approvals may be needed from the Road Controlling Authority (including the Council), or the New Zealand Transport Agency for signs on or over the State Highway. These approvals may need to be sought regardless of whether the sign complies with the provisions of the District Plan</p>
2	8A3.2.1(b) Objectives	<p>We support Objective 8A3.2.1 (b) in part.</p> <p>While it is important that signage maintain local character and amenity, fundamentally the intent of signage is to regulate, warn and advise people including road users, cyclists and pedestrians, including providing clear wayfinding. In practice a sign that satisfies good amenity may not promote good safety design and location. Where signs face the road network, cycle ways and/or footpaths, it is important that signage is designed and located to promote clear messaging and minimise distraction for users.</p> <p>The Transport Agency therefore seeks an amendment to Objective 8A3.2.1(b) to provide greater emphasis on the need to ensure all signage maintains the safe and efficient functioning of the transport network and encourages the appropriate design.</p>	<p>Support and retain Objective 8A3.2.1(b) with the following amendment:</p> <p>(b) maintains the local character and amenity values, while ensuring and the safe and efficient functioning of the transport network.</p>

3	8A.3.3.3(d) Policies	We support Policy 8A.3.3.3(d) as it recognises the need to manage moving, digital or changing signage and illuminated signage to protect both road safety and amenity. As the cost of this digital technology reduces, it is anticipated that advertisers will increasingly look to utilise digital media signage ¹ . As digital signage provides the ability to easily transition images there is increased risk of driver distraction particularly on State Highways which provide greater traffic through flow at higher speeds. For illuminated signs it is important to stringently manage glare. Glare can distract or blind road users including cyclists and pedestrians therefore adversely affecting the visibility of the road, traffic, access ways, intersections and official signs. Policy 8A.3.3.3(d) is therefore supported as recognition that the design and location of digital and illuminated signage needs to be stringently controlled.	Support, retain as drafted or with words to similar effect.
4	8A.3.3.39(e)(ii) Policies	We support, in part, policy 8A.3.3.39(e)(iii), but seek an amendment to recognise that it is important to maintain both the safety and the efficiency of the region's land transport system. We note that the current policy seeks to protect safety <u>or</u> efficiency from the effects of remote location. However poor sign location and design can effect both safety and efficiency, particularly where road users including cyclists and pedestrians are either distracted by a sign or a legibility results in traffic slowing to comprehend a sign. The Transport Agency therefore seeks for Policy 8A.3.3.39(e)(iii) to be amended to recognise remote signage location can effect both safety and efficiency. As part of this submissions we also alert Council to a minor typographical error in the numbering for this policy.	Support in part 8A.3.3.39(e)(ii) and retain as drafted with the following amendments: 8A.3.3.39(e)(ii) <u>(iii)</u> Any adverse effects on transport safety and /or efficiency, or transport benefits in providing for the sign to be located away from the site, or adverse effects on transport safety or efficiency, or transport benefits in providing foA.3.3r the sign to be located away from the site.
5	8A.3.3.5 Policies	We support Policy 8A.3.3.5. The Transport Agency seeks to ensure all signage is stringently designed and located to maintain road corridor and state highway safety and to minimise the risk or distraction or confusion to road users, cyclists and pedestrians.	Support Policy 8A3.3.5 and recommend that this policy be retained as drafted (or similar).
6	8A.3.4 Exemptions (d)	We support the Exemption for official regulatory or traffic signs. Such signs are otherwise approved the Land Transport Rules to meet best practice standard for signage design to ensure road users including cyclists and pedestrians	Support exemption (d) as seek for Council to retain this provision as drafted.
7	8A.3.4.1 Rule	We oppose rule 8A.3.4.1. We note that Council seeks to promote any health and safety sign as a permitted activity. However we are concerned that, the rule as drafted, implies that all health and safety signs are of an approved design that will comply with best practice signage design standards. The Transport Agency is concerned that poorly designed and located health and safety signs visible from State Highway 2 or any other local road could distract or confuse road users, including cyclists and pedestrians. Distraction and/or confusion could result in unsafe traffic manoeuvres as the road user's core task is significantly interrupted. The Transport Agency seeks for Council to provide greater clarity around what is a permitted and/or approved health and safety sign or amend the rule to ensure any health and safety sign needs to comply with the permitted activity standards.	Oppose Rule 8A3.4.1. The Transport Agency seeks for all health and safety signage visible from State Highway 2 to be permitted only where the proposed sign complies with permitted performance standards 8A.3.4.8 to 8A.3.4.13.

¹ Roberts P, Boddington K, Rodwell L, 2013, *Impact of Roadside Advertising on Road Safety*, Austroads Ltd Sydney

8	8A.3.4.6 Rule	<p>We support Rule 8A3.4.6 in part.</p> <p>We support Council requiring any proposed permanent digital sign to be assessed as a discretionary activity. However it is also appropriate that Council similarly assesses temporary digital signage as a discretionary activity. As digital media becomes increasingly affordable the prevalence of temporary and permanent digital signs will increase. Given the statutory life the district plan signage rules once operative, it is appropriate that the Council recognises the need to manage the increased prevalence of digital advertising technology. The Transport Agency opposes digital signage on motorways, expressways and seeks to stringently control their design and location on all other state highways. This is because the ability to transition images on a digital sign diverts the driver's attention away from the 'eyes forward' position and therefore away from the core driving task.² This concern is linked to the typically higher traffic volumes, number of heavy vehicles and strategic through flow function of the national state highway system.</p> <p>Furthermore while the Council propose to assess permanent digital signage as a discretionary activity, Plan Change 45 provides no guidance or best practice standards that must be achieved to mitigate the adverse effects of dwell times, luminance, transition time between static images, animation or flashes, and fail safe methods in the event of a digital sign malfunction. The Transport Agency has serious concerns regarding the effect of poorly designed and/or regulated digital signage on traffic safety. It is critical that Proposed Plan Change 45 recognises anticipated changes in technology and increasing ease of access to digital media, particularly over the statutory life of the signage provisions of the Upper Hutt District Plan.</p>	<p>The Transport Agency supports Rule 8A3.4.6 in so far as it requires digital signage to be assessed as a discretionary activity. However it is appropriate for Council to include best practice standards and guidance that any proposed digital signage (including temporary) visible from a state highway (and local road) is subjected to. Being typically more transient in nature, temporary signs are likely to not be afforded the same design attention as permanent signs and as such also need to be fully assessed to ensure they do not adversely affect the safety and efficiency of the region's land transport system.</p> <p>Transport Agency seeks for Council to adopt and insert standards for assessing all digital signage within PC45. As relief we recommend that Council adopts permitted activity performance standards for assessing all digital signs that are consistent (or similar) with Rules 4.5.7.1 and 6.7.3 of the Proposed Dunedin District Plan as provided below These standards are consistent with the Transport Agency's Traffic Control Devices Manual Part 3: Advertising signs.</p> <p><u>4.5.7.1 General</u></p> <ul style="list-style-type: none"> • <u>Temporary signs visible from a public place must meet all of the following performance standards;</u> • <u>Temporary signs must not be illuminated (internally or externally), digital, or projected; and</u> • <u>Signs must also comply with:</u> <ul style="list-style-type: none"> ○ <u>Rule 6.7.2; and</u> ○ <u>Rule 6.7.3, where visible from the road.</u> <p><u>Rule 6.7.3 Signs Visible from Roads</u></p> <ul style="list-style-type: none"> • <u>The minimum letter height of signs designed to be read by passing motorists must be:</u> • <u>120 mm where the speed limit is less than 70km per hour; and</u> • <u>160mm where the speed limit is greater than 70km per hour.</u> • <u>No sign shall be of a design or form such that it resembles or conflicts with traffic signs.</u> • <u>Illuminated and digital signs must:</u> • <u>have the sign's light source shielded so that its glare does not extend beyond the sign;</u> • <u>have all floodlights or concealed lighting directed solely on the sign;</u> • <u>not use images that are flashing or animated;</u> • <u>have a minimum display time of 10 seconds per image; and</u> • <u>have a maximum luminance (cd/m²) of:</u> • <u>2000 where the sign has an illuminated area of up to 0.5m²;</u> • <u>1600 where the sign has an illuminated area of above 0.5m² to 2m²;</u> • <u>1200 where the sign has an illuminated area of above 2m² to 5m²;</u>
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² Roberts P, Boddington K, Rodwell L, 2013, [Impact of Roadside Advertising on Road Safety](#), Austroads Ltd Sydney

			<ul style="list-style-type: none"> • <u>1000 where the sign has an illuminated area of above 5m² to 10m²; and</u> • <u>800 where the sign has an illuminated area above 10m².</u> <p>In addition to the above recommended standards, The Transport also seeks for the following (or similar) good practice performance standards to be included within PC45.</p> <ul style="list-style-type: none"> • <u>The dwell time must be a minimum of 15 seconds between images and appropriate for the applicable road environment.</u> • <u>Dwell times should also be set to ensure that approaching motorists are not exposed to more than one transition of an image;</u> • <u>Transition time between static images must be 0.5 seconds;</u> • <u>Image content must be static and not include any animation or flashes;</u> • <u>Include an automatic dimming system based on an ambient light level sensor to achieve the above luminance requirements;</u> • <u>Default to a white or black screen in the event of a malfunction.</u>
9	8A.3.4 Advice Notes	We support the advice note, particularly whereby it alerts plan users to the need to obtain the express permission of the Transport Agency for any sign located within the state highway corridor.	We support the Advice Notes as drafted and seek for Council to retain them as drafted for Proposed Plan Change 45.
10	8A.3.4.8 Rule	<p>We oppose in part Rule 8A.3.4.8.</p> <p>This is because PC45 provides no guidance or best practice standard for any digital temporary signs that contain moving images and/or any illumination.</p> <p>Through PC45, Council aims to set permissive standards for temporary signs in all zones across Upper Hutt City and relies on the Upper Hutt City Council Control of Advertising Signs Bylaw 2005. Where a sign breaches PC 45 Rule 8A.3.4.8 it must be assessed as a restricted discretionary activity with Council limiting their assessment criteria to transport safety and temporary signs. Neither assessment criteria 8A3.4.15 nor 8A3.4.16 however contain any guidance or best practice standards on dwell times, luminance, transition time between static images, animation or flashes, and fail safe methods in the event of a digital sign malfunction. Comparably the Section 7(d) of Bylaw does not provide this technical guidance or best practice standard but does prevent signs that <i>Give rise to excessive levels of glare, use flashing or revolving lights or use reflective materials that may interfere with road users vision.</i>³</p> <p>As noted in our submission point 11, technological advancement combined with reducing costs will make digital signage increasingly more attractive. As such its prevalence should be expected to increase over at least the next 10 years or the life of the Council's district plan signage rules.</p>	<p>Relief sought: we recommend Council adopt best practice standards consistent with the Proposed Dunedin District Plan as provided as suggested relief through submission point 11 above.</p>

³ Upper Hutt City Council, 2005, *Upper Hutt City Council Control of Advertising Signs Bylaw 2005*, updated November 2017

		The Transport Agency therefore seeks for the Council to treat all digital signage including temporary signage the equally as a discretionary activity. And as per submission point 11, the Transport Agency seeks for Council to insert best practice standards as guidance for how Council will assess any digital signage to ensure it mitigates adverse effects including distraction, startling or blinding of road user including cyclists and pedestrian.																						
11	8A.3.4.13 Rules	<p>We support in part Rule 8A.3.4.13.</p> <p>The Transport Agency supports this rule as a mechanism for managing the design and location of all permanent signage to ensure that signs do not adversely affect traffic safety or confuse road users including cyclists and pedestrians. We further support Rule 8A.3.4.13(f) which recognises that signs visible from a highway needs to consider the higher traffic volumes, the greater number of heavy vehicles, higher speed limits and the strategic through flow function of the state highway system.</p> <p>However the Transport Agency seeks for the Council to broaden Rule 8A.3.4.13 to ensure no signage contains any flashing and/or revolving lights. This is because flashing and/or revolving lights can distract road users including cyclists and pedestrians. Flashing and/or revolving lights can also be mistaken for emergency vehicles or road works and result in a driver incorrectly taking evasive action which could create an adverse traffic safety effect on the road environment.⁴</p> <p>The Transport Agency’s submission seeks for Council to insert a new sub rule within Rule 8A.3.4.13 that disallows signs that contain any flashing and/or revolving lights.</p>	<p>The Transport Agency broadly supports Rule 8A.3.4.13 but seeks for Council to insert the following (or similar) new sub rule to disallow any signage that contains any flashing and/or revolving lights.</p> <p>Insert new rule <u>8A.3.4.13(g) No sign shall include any flashing and/or revolving lights</u></p>																					
12	8A.3.4.13 Rules	<p>We support in part Rule 8A.3.4.13.</p> <p>The Transport Agency generally supports this rule as a mechanism for managing the design and location of all permanent signage to ensure that signs do not adversely affect traffic safety or confuse road users including cyclists and pedestrians. However PC45 provides no best practice standard to restrict the luminance and glare of signage. The illumination and glare of signage needs to be stringently controlled to avoid blinding and/or distracting road users. Signage that is too bright typically causes an eye to fixate on a bright point which in practice diverts a driver’s eye away from the core driving task.⁵</p> <p>The Transport Agency therefore seeks for Council to broaden Rule 8A.3.4.13 to ensure all illuminated and/or digital signage is stringently controlled to ensure the luminance is consistent with best practice standards.</p> <p>Our submission seeks for Council to insert a new sub rule within Rule 8A.3.4.13 that sets maximum luminance standards for all illuminated and/or digital signage.</p> <p>The Transport Agency broadly supports Rule 8A.3.4.13 but seeks for Council to insert the illuminance standards within Rule 6.73 (refer submission point 11 above) of the Proposed Dunedin District Plan. These standards are consistent with Table 6.1 of the NZ Transport Agency’s Traffic Control Devices Manual Part 3: Advertising signs.</p>	<p>Relief sought:</p> <p>Insert new rule (or with words to similar effect): <u>8A.3.4.13(h) All signage visible from a road should be designed, installed and maintained to ensure they meet the luminance standards in table 6.1 are not exceeded.</u></p> <table><tr><th colspan="3">Table 6.1 Maximum luminance (cd/m2) of illuminated advertising devices</th></tr><tr><th>Illuminated Areas (m²)</th><th>Areas with street lighting</th><th>Areas without street lighting</th></tr><tr><td>up to 0.5</td><td>2000</td><td>1000</td></tr><tr><td>0.5 to 2.0</td><td>1600</td><td>800</td></tr><tr><td>2.0 to 5.0</td><td>1200</td><td>600</td></tr><tr><td>5.0 to 10</td><td>1000</td><td>600</td></tr><tr><td>Over 10.0</td><td>800</td><td>400</td></tr></table> <p>Further technical information on the brightness and luminance of signs can be found in the following publication: <i>Brightness of illuminated advertisements</i>, The Institution of Lighting Engineers, 1991.</p> <p>Source: Table 6.1, NZ Transport Agency <i>Traffic Control Device Manual Part 3; Advertising signs</i>, 2011</p>	Table 6.1 Maximum luminance (cd/m2) of illuminated advertising devices			Illuminated Areas (m²)	Areas with street lighting	Areas without street lighting	up to 0.5	2000	1000	0.5 to 2.0	1600	800	2.0 to 5.0	1200	600	5.0 to 10	1000	600	Over 10.0	800	400
Table 6.1 Maximum luminance (cd/m2) of illuminated advertising devices																								
Illuminated Areas (m²)	Areas with street lighting	Areas without street lighting																						
up to 0.5	2000	1000																						
0.5 to 2.0	1600	800																						
2.0 to 5.0	1200	600																						
5.0 to 10	1000	600																						
Over 10.0	800	400																						

⁴ NZ Transport Agency, 2011, *Traffic Control Devices Manual: Part3 Advertising Signs*, First Edition January 2011

⁵ NZ Transport Agency, 2011, *Traffic Control Devices Manual: Part3 Advertising Signs*, First Edition January 2011

13	8A.3.4.13(a) & 8A.3.4.13(c) Rules	<p>The Transport Agency supports Rules 8A.3.4.13(a) and 8A.3.4.13(c) in part. We recognise the PC45 seeks to ensure the location of any signage does not obstruct or block the visibility of traffic signs, signals and or any intersection. However Rules 8A.3.4.13(a) and 8A.3.4.13(c) as drafted provide no guidance on the best practice safe separation distances between signage and traffic signs, signals and/or intersections. Without providing appropriate guidance, the application of Rules 8A.3.4.13(a) and 8A.3.4.13(c) could be subjective and in practice result in signage located outside of the recommended best practice safety standards for the separation of signage from official signs, signals and/or intersections.</p> <p>The location of signage is critical to ensuring the safe and efficient operation of the region's land transport system, including State Highway 2. Poorly located signs can distract and/or confuse road users including cyclists and pedestrians on the approaches to intersections and/or regulatory warning signage, curves in the road and pedestrian crossings for example. This may result in road users misinterpreting or failing to see important signage which can result in significant adverse traffic safety effects.</p> <p>Section 5.5 of the Transport Agency's Traffic Control Devices Manual Part 3: Advertising signs provides best practice guidance on the location of signs relative to traffic signs, signals, intersections, curves in the road and pedestrian crossings. The Transport Agency therefore seeks for Council to insert a new sub rule within Rule 8A.3.4.13 to provide a standard for the safe separation distance between signs and traffic signs, signals, intersections, curves in the road and pedestrian crossings⁶.</p>	<p>The Transport Agency seeks for Council to insert the following new (or similar) sub rule within Rule 8A.3.4.13. We recommend Council insert this as new sub Rule 8A.3.4.13(h) as follows:</p> <p><u>Rule 8A.3.4.13(h)</u></p> <p>(i) <u>Within road environments with a posted speed limit of < 70 km/h no signs shall be located 100m from an intersection and/or a permanent regulatory or warning or advisory sign and/or traffic signal, and/or pedestrian crossing</u></p> <p>(ii) <u>Within road environments with a posted speed limit of ≥ 70km/h No signs shall be located 200m from an intersection and/or a permanent regulatory or warning or advisory sign and/or traffic signal, and/or pedestrian crossing</u></p>
14	8A.3.4.13 Advice Note	We support Advice Note 8A.3.4.13 but for completeness seek for the Council to also include an advice note to reference their own bylaw – Upper Hutt City Council Control of Advertising Signs Bylaw 2005. We consider this appropriate to ensure plan users are explicitly aware that signage within Upper Hutt City is subject to the district plan and relevant bylaw controls.	<p>The Transport Agency seeks for Council to insert new advice note as follows:</p> <p><u>It is also advised to check the Upper Hutt City Council Control of Advertising signs Bylaw 2005 to ensure all signs comply with Council's specific requirements.</u></p>
15	8A.3.4.15 Matters of discretion	<p>We support the Matters of discretion 8A.3.4.15.</p> <p>The Transport Agency supports this criteria as a tool for assessing all signage that breaches the permitted activity standards as a restricted discretionary activity. The proposed assessment criteria provides scope to ensure signage is designed and located to minimise adverse effects on the region's land transport system. While we seek for these Matters of discretion to be retained, we also seek for Council to insert the performance standards sought in our earlier submissions on PC 45 to provide a more robust approach to managing the design and location of signage visible from the region's land transport system including State Highway 2.</p>	The Transport Agency submits in support of 8A.3.4.15 and seeks for the Council to retain these Matters of discretion as drafted.

⁶ NZ Transport Agency, 2011, *Traffic Control Devices Manual: Part3 Advertising Signs*, First Edition January 2011, p5–5



**FURTHER SUBMISSION BY POWERCO LIMITED ON PROPOSED PLAN CHANGE 45
OF THE UPPER HUTT CITY COUNCIL DISTRICT PLAN**

To: Chief Executive Officer
Upper Hutt City Council
Private Bag 907
Upper Hutt
Email: planning@uhcc.govt.nz

From: Powerco Limited ("Powerco")
Private Bag 2061
New Plymouth
(*Note that this is not the address for service.*)

ADDRESS FOR SERVICE: **Powerco: Private Bag 2065,
New Plymouth 4340
Attention: Simon Roche
Phone: 64 06 9681779
Email: simon.roche@powerco.co.nz
Ref: SUB/2018/30/2**

Further submission on Plan Change 45 to the Upper Hutt District Plan
Clause 8 of Schedule 1 Resource Management Act 1991

1. Powerco's further submissions are as contained in the attached Table.
2. Powerco has an interest in the proposed plan change greater than that of the general public as we have gas infrastructure within the Plan Change area that requires signage.
3. Powerco could not gain an advantage in trade competition through this further submission.
4. If others make a similar submission, Powerco may be prepared to consider presenting a joint case with them at any hearing.
5. Powerco **does wish to be heard** in support of this submission.

Dated at New Plymouth this 17th day of October 2018



Signature of person authorised to sign on behalf of Powerco Limited:

Table 1 – Further Submission by Powerco Limited

Submission reference and submitter	Submitter details	Summary of submission/relief sought by the submitter	Support or oppose the submission	Reasons for support or opposition	Decision sought
1	Woolworths	<p>The submitter supports objective 8A.3.2 and policy 8A.3.3 as appropriate from a resource management perspective.</p> <p>The submitter supports the Permitted Activity Status Table of rule 8.3.4.</p>	Support in part	<p>Powerco sought changes to objective 8A.3.2.1(a) as per our original submission to include network utility operators.</p> <p>Powerco also supports rule 8.4.3 which provides for health and safety signage as a permitted activity.</p>	Accept in part and include the amendments requested in Powerco's submission
2	Allison Tindale	The submitter supports objective 8A.3.2.1 in that it refers to key issues for signage.	Support in part	Powerco sought changes to objective 8A.3.2.1(a) as per our original submission to include network utility operators.	Accept in part and include the amendments requested in Powerco's submission
3.2	Z Energy Limited	The submitter supports objective 8A.3.2.1, finding that it recognises the	Support in part	Powerco sought changes to objective 8A.3.2.1(a) as per our	Accept in part and include the

	BP Oil NZ Limited Mobil Oil NZ Limited (The Oil Companies)	potential adverse effects of signage on amenity values and the safety and efficiency of the land transport network, whilst appropriately recognising the benefits signage provides to communities and businesses.		original submission to include network utility operators.	amendments requested in Powerco's submission
3.3	Z Energy Limited BP Oil NZ Limited Mobil Oil NZ Limited (The Oil Companies)	The submitter supports rule 8A.3.4.1 which provides for health and safety signage, without associated performance standards, as a permitted activity. The submitter supports the rule to be retained without modification.	Support	Powerco also supports Health and Safety signs as a permitted activity and supports retaining rule 8A.3.4.1 as drafted to be retained without modification.	Accept
3.8	Z Energy Limited BP Oil NZ Limited Mobil Oil NZ Limited (The Oil Companies)	This submitter suggests a definition of "Health and Safety Sign" is needed to include any signs required by legislation and suggests a definition as follows: <i>Any sign necessary to meet other legislative requirements (e.g. HSNO/Worksafe).</i> "	Support in part	Powerco considers the intent of this submission was to delete this rule as it is covered by rule 8A.3.4.1 not rule 8.3.4(b). Powerco supports having a definition for health and safety	Accept in part

				<p>signage, as outlined our original submission. Powerco does not oppose these submitters alternative wording of the definition. If the council feels it is more appropriate. Powerco seeks a definition is provided for health and safety signage and is supportive of either definition being used.</p>	
6	NZ Transport Agency	<p>The submitter opposes Rule 8A.3.4.1, for all health and safety signs to be permitted. They are concerned poorly designed and located health and safety signs, visible from State Highway 2, or any other local road could distract of confuse road users, including cyclist and pedestrians. The submitter requests amendments the rule to ensure all health and safety signage visible from State Highway 2 be permitted only where the sign complies with permitted</p>	Oppose	<p>Powerco supports Rule 8A.3.4.1, for all health and safety signs to be permitted, as outlined in our original submission as we have a strategic gas pipe in close proximity to State Highway 2.</p> <p>Notwithstanding this, Powerco's original submission included graphics showing our largest discreet gas signage is 0.6m². These are located around our</p>	Reject

		performance standards 8A.3.4.8 to 8A.3.4.13.		above and below ground assets to alert the public of their presence and are required by other legislation. Powerco may also not be able to meet the permitted standards under 8A.3.4.9 to 8A.3.4.11 around signs. This includes frees standing and those on the side of buildings in the residential, business, open space and industrial zones. Therefore, given the above factors and that our strategic line is close to highway 2 we oppose this submission.	
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25 October 2018

Proposed Plan Change 45
Upper Hutt City Council
Private Bag 907
UPPER HUTT

By email to: planning@uhcc.govt.nz

**FURTHER SUBMISSIONS ON PUBLICLY NOTIFIED PROPOSAL
FOR A PLAN CHANGE (FORM 6)**

Upper Hutt City – Proposed Plan Change 45: Signs

NAME OF SUBMITTER:

KiwiRail Holdings Limited (KiwiRail)

ADDRESS FOR SERVICE:

Wellington Railway Station
PO Box 593

WELLINGTON 6140

Attention: Pam Butler

Dear Sir/Madam

KiwiRail's Further Submissions on Proposed District Plan Change 45

KiwiRail Holdings Limited (KiwiRail) is the State-Owned Enterprise responsible for the management and operation of the national railway network. KiwiRail Holdings Limited (KiwiRail) has made further submissions to the Plan Change in the attached table.

KiwiRail is not a trade competitor to any of the primary submitters and our interest in Proposed Plan is greater than the general public. KiwiRail wishes to be heard in support of these further submissions. I also confirm that KiwiRail has served a copy of these further submissions on the submitters.



Please confirm receipt in due course.

Regards

A handwritten signature in black ink, appearing to be 'Pam Butler', with a stylized 'P' and 'B'.

Pam Butler

Senior RMA Advisor

KiwiRail

PRIMARY SUBMITTER NUMBER	SUPPORT/OPPOSE	PLAN PROVISION	SUBMISSION POINTS	REASONS FOR SUPPORT OR OPPOSITION	DECISION SOUGHT
2.13 Allison Tindale allitin@hotmail.com	Oppose	Standards for Permitted Activities 8A.3.4.13 – Traffic safety – All signs	The submitter seeks that the heading be changed to 'standards for signs in road corridors'.	The emphasis in 8A.3.4.13 is on the effects of signs, in or over transport corridors and the effects these may have on traffic safety. The provisions apply to signs in all zones and focus on traffic safety. They can be used to address effects from signs adjacent to the railway network which mimic or signals, reflect and create distractions of blinding train drivers etc. The proposed heading is sufficiently broad to encompass effects on both road and rail networks.	Reject submission and retain heading as proposed.
4.4 Powerco Limited C/- Simon Roche simon.roche@powerco.co.nz	Support	Definitions: Health and Safety Sign	Whole submission	Railway network safety signs are sometimes installed to respond to site works projects, disruptions or incidents throughout the network. KiwiRail generally the submitter's request to clarify that health and safety signs are permitted where required throughout the district.	Accept submission

**NOTICE OF FURTHER SUBMISSION BY THE NZ TRANSPORT AGENCY TO PROPOSED PLAN
CHANGE 45 TO THE UPPER HUTT DISTRICT PLAN PURSUANT TO CLAUSE 8 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

To: Richard Harbord
Upper Hutt City Council
Private Bag 907
UPPER HUTT 5140
Via email: planning@uhcc.govt.nz

**Submitter/
Address for
Service:** NZ Transport Agency
Majestic Centre
Level 5
100 Willis Street
PO Box 5084
WELLINGTON 6011
Attn: Aaron Hudson
Ph: (04) 894 6230
Email aaron.hudson@nzta.govt.nz

1. The NZ Transport Agency's specific further submission points are as contained in the attached Table.
2. The NZ Transport Agency's interest in the proposed plan is greater than the interest of the general public.
3. The NZ Transport Agency's wish to be heard in support of this further submission.
4. If others make similar submissions, the NZ Transport Agency's would be prepared to consider presenting a joint case with them at any hearing.

Dated at Wellington this 25th day of October 2018



Aaron Hudson
Acting Senior Planner
NZ Transport Agency

Authorised to sign on behalf of the NZ Transport Agency pursuant to a delegation from the Chief Executive.

Submission	Relief Sought By Submitter	Position of the NZ Transport Agency	Reason for Support/Opposition
2.6 Allison Tindale	<p>The submitter seeks to broaden the application of Policy 8A.3.3.3(d) to recognise that the policy should not be limited to just protecting residential amenity. The submitter's primary submission submits that Policy 8A.3.3.3(d) should also seek to manage the effects of moving, digital or changing signage on street scene and amenity across all zones.</p> <p>Relief sought by submitter:</p> <p>Subsection (d) the word 'residential' is deleted: <i>manages any moving, digital or changing signage, and illuminated signage to protect residential amenity and to not compromise the safety of road users; and</i></p> <p>Relief also sought by the submitter:</p> <p>8A.3.3.3(e) Relocate the matters of consideration for resource consent for signs which are not site on the site to which they relate out of the policy section and into the rules section of the plan.</p> <p>The following policy wording is suggested: limit signs which are not situated on the site to which they relate, except where,</p> <ul style="list-style-type: none"> - there is a need for off-site signage; and - the design and location of signs contributes to the maintenance of the character and amenity of the surrounding area - and when considering proposals for such signs have regard to the following: <ul style="list-style-type: none"> (i) The need for the sign to be located away from the site, including any constraints relating to the location of the businesses, which creates a need for off-site signage, and (ii) The capacity for the site and surrounding environment to accommodate the sign, and for the character and amenity values to be maintained; and (iii) Any adverse effects on transport safety or efficiency, or transport benefits in providing for the sign to be located away from the site. 	Support	<p>The Transport Agency supports the submitter's primary submission that seeks to broaden the application of Policy 8A.3.3.3(d). The Transport Agency agrees that moving, digital or changing signage can affect amenity for all zones.</p> <p>The Transport Agency seeks for Council to amend Policy 8A.3.3.3(d) as per the submitter's primary submission.</p> <p>The submitter also seeks to amend Policy 8A.3.3.3(e) to relocate the matters of discretion from the policy section of Proposed Plan Change 45 to the matters of discretion section. The Transport Agency supports this recommendation as for plan users it will provide greater clarity. It is also good planning practice to bundle matters for discretion within a district plan where they can readily be found.</p>
2.7 Allison Tindale	<p>Policy 8A.3.3.4 Relief Sought: Minor changes of wording to:</p> <p>9(b) <i>Provide for the consideration of temporary signs of longer than two months a larger duration or above (3m2) in size through the resource consent process, where amenity values are maintained and the safety of road users is not compromised.</i></p>	Support	<p>The Transport Agency supports the relief sought by the submitter in their primary submission. This is because the recommended relief provides greater clarity for plan users.</p>
2.10 Allison Tindale	<p>Permitted Activities 8A.3.4.9 Relief Sought: Standard for Permitted Activities 8A.3.4.9(b) to be amended as follows: Signs in Residential and Rural Zones are permitted activities for:</p> <p><i>(b) A maximum of three signs per site, where the principle use of the site is non-residential</i></p>	Oppose	<p>The Transport Agency is concerned that the relief sought will encourage proliferation of signage. Poorly designed and located signage can confuse and/or distract drivers. Too many signs can also reduce the effectiveness of official road signs. This is because driver's become overloaded with seeing too many signs resulting in official signage being overlooked or ignored.</p>

Submission	Relief Sought By Submitter	Position of the NZ Transport Agency	Reason for Support/Opposition
2.13 Allison Tindale	<p>Permitted Activities 8A.3.4.13 – Traffic safety – All signs</p> <p>The submitter has no objection to the content of the standards, but finds they generally apply to signs in road corridors/verges.</p> <p>Relief sought: The heading be changed to ‘standards for signs in road corridors’. That one or more of these provisions also needs to apply on private land (such as height clearances for signs be</p>	Oppose	<p>The Transport Agency notes that the wording of Permitted Activities 8A.3.4.13 as drafted applies to all signs facing the road whether located inside or outside of the road corridor. It is our concern that the relief sought will remove the ability for Council to assess the effects on signage on the safe and efficient operation of both local roads and state highways.</p> <p>The Transport Agency takes care when assessing proposals to erect non official traffic signs that face a state highway. This is to ensure signs facing a state highway are appropriately designed and located to minimise driver distraction and/or proliferation. The Transport Agency therefore seeks for Council to retain the wording as drafted to enable the assessment of signage to ensure road safety is not adversely affected.</p>
3.3 Oil Companies	The submitter supports Rule 8A.3.4.7 as drafted and seeks for Council to retain it without amendment.	Support	The Transport Agency supports Rule 8A.3.4.7 and the Oil Companies’ primary submission point 3.3. This is because the Transport Agency discourages signage which is located on a site that it does not relate to. Remote signage can lead to proliferation of advertising signage. Proliferation of signage can reduce the effectiveness of official traffic signs as too much signage overloads a driver’s ability to absorb key official signage.
3.11 Oil Companies	<p>However, they seek to amend (f)(iii) to clarify that the intent of clause (iii) is to ensure the placement of signage does not obstruct motorists’ view of the road</p> <p>The submitter supports in part Rule 8A.3.4.13(f) (iii) and seeks the following amendment in an attempt clarify the intent of the rule.</p>	Oppose	<p>The Transport Agency opposes primary submission 3.11. The rule as drafted protects the sightlines for motorists both along road and for driveways. If the rule is amended as sought by the Oil Companies, the Transport Agency is concerned that signage (for example pylons signs) could therefore be erected where it obstructs the view of driver’s entering or exiting a driveway. On narrow driveways this may lead to a collision.</p> <p>The Transport Agency seeks for Council to retain Rule 8A.3.4.13(f) as drafted.</p>
4.4 Powerco Limited	<p>Relief sought: Add the following definition Health and Safety Sign:</p> <p><u>A sign affixed to a network utility, or any other asset or structure for the purpose of providing a health and safety warning, identification or as a requirement of other legislation.</u></p> <p>Or, revised wording of this definition which achieves the same outcome.</p>	Support	<p>Plan Change 45 as drafted does not include a definition for a “Health and Safety Sign”. This may lead to confusion over what meets the criteria to be a permitted activity under rule 8A.3.4.1. Consequently this prompted the NZ Transport Agency to oppose the erection of “Health and Safety Signs” as a permitted activity within its primary submission.</p> <p>The Transport Agency supports Powerco Limited’s relief sought as this clarifies and provides a definition for “Health and Safety Signs” for plan users. The Transport Agency seeks for Council to adopt the recommended (or similar) relief.</p>

**NOTICE OF FURTHER SUBMISSION BY THE OIL COMPANIES TO PROPOSED PLAN CHANGE 45 TO
THE UPPER HUTT DISTRICT PLAN PURSUANT TO CLAUSE 8 OF THE FIRST SCHEDULE OF THE
RESOURCE MANAGEMENT ACT 1991**

To: Upper Hutt City Council
Private Bag 907
Upper Hutt

Via email: planning@uhcc.govt.nz

Submitter:



Z Energy Limited
PO Box 2091
WELLINGTON 6140



BP Oil NZ Limited
PO Box 99 873
AUCKLAND 1149



Mobil Oil NZ Limited
PO Box 1709
AUCKLAND 1140

Hereafter, collectively referred to as “the Oil Companies”

Address for Service: 4SIGHT CONSULTANTS
201 Victoria Street West
AUCKLAND 1010

Attention: John McCall

Phone: (022) 684 6882

Email: johnm@4sight.co.nz

File ref: 18/024

- 1 The Oil Companies' specific further submission points are as contained in the attached Table.
- 2 The Oil Companies' interest in the proposed plan is greater than the interest of the general public.
- 3 The Oil Companies wish to be heard in support of this further submission.
- 4 If others make similar submissions, the Oil Companies would be prepared to consider presenting a joint case with them at any hearing.

Dated at AUCKLAND this 23rd day of October 2018



John McCall

Authorised to sign on behalf of the Oil Companies

BURTON PLANNING CONSULTANTS LIMITED

Now part of 4Sight Consulting Ltd

Submission	Relief Sought By Submitter	Position of Oil Companies	Reason For Support / Opposition
<p>2.6 Allison Tindale</p>	<p>Policy 8A.3.3.3</p> <p>Subsection (d) the word 'residential' is deleted:</p> <p><i>manages any moving, digital or changing signage, and illuminated signage to protect residential amenity and to not compromise the safety of road users; and</i></p> <p>Subsection (e) Relocate the matters of consideration for resource consent for signs which are not on the site to which they relate out of the policy section and into the rules section of the plan.</p> <p>The following policy wording is suggested:</p> <p><i>limit signs which are not situated on the site to which they relate, <u>except where,</u></i> <i>- <u>there is a need for off-site signage; and</u></i> <i>- <u>the design and location of signs contributes to the maintenance of the character and amenity of the surrounding area</u></i> <i>- and when considering proposals for such signs have regard to the following:</i> <i>(i) The need for the sign to be located away from the site, including any constraints relating to the location of the businesses, which creates a need for off site signage, and</i> <i>(ii) The capacity for the site and surrounding environment to accommodate the sign, and for the character and amenity values to be maintained; and</i> <i>(iii) Any adverse effects on transport safety or efficiency, or transport benefits in providing for the sign to be located away from the site.</i></p>	<p>Oppose</p>	<p>The submission (2.6) is opposed.</p> <p>The Oil Companies do not support the deletion of the word 'residential' from Policy 8A.3.3.3 (d). Clause (b) of Policy 8A.3.3.3 provides for the maintenance of the broader character and visual amenity of the site and surrounding area (which does not result in additional visual clutter or dominate the skyline) for any proposed signage Clause (d) of Policy 8A.3.3.3 specifically addresses the protection of residential amenity due to the sensitive nature of this activity (with regards to moving, digital or changing and illuminated signage). Therefore it is considered appropriate to retain the word 'residential', for this clause of the policy not to apply to business and industrial zones where activities are less sensitive and a lower standard of amenity is generally acceptable.</p> <p>In the context of this particular plan change, the Oil Companies do not support the changes to the policy as proposed. While the matters included in the policy do read as assessment criteria, off-site signs require full discretionary activity consent and, as such, the Council is not specifically restricted to considering matters of assessment or discretion) as set out in the rules. Accordingly, it is considered that the policy should be retained as proposed, unless the activity of off-site signs is changed to a restricted discretionary activity.</p>

<p>2.11 Allison Tindale</p>	<p>Rule 8A.3.4.10</p> <p>It is suggested that the wording of the provision be amended to improve clarity. It is unclear what the difference is between free-standing signs and signs for the direction of traffic. That is, it is anticipated that signs for the direction of traffic are a type of free-standing sign. Consequently, it is suggested that permitted standards in this standard be combined with 8A.3.4.12, as follows:</p> <p>Free-Standing Signs in Business Commercial Zones, Business Industrial Zones, and Special Activity Zones</p> <ul style="list-style-type: none"> a) <u>one free-standing sign for sites with a road frontage less than 50m;</u> b) <u>two free-standing signs for sites with a road frontage of more than 50m;</u> c) <u>maximum height of free-standing signs above ground level is:</u> <ul style="list-style-type: none"> (i) <u>8m in Business Commercial Zones.</u> (ii) <u>9m in Business Industrial and Special Activity Zones.</u> d) <u>Free-standing sign of up to 2m width.</u> e) <u>Maximum area used for advertising on a free-standing size is no more than 7.5m².</u> f) <u>Free-standing signs higher than 4m above ground level in the Business Industrial Zone are located a minimum of 15m apart.</u> g) <u>Signs located over a pedestrian pathway have a minimum clearance of 2.5 metres above ground level.</u> h) <u>The above limits on the number of free-standing signs along the road frontage, does not apply to signs for the direction of traffic, providing:</u> <ul style="list-style-type: none"> (i) <u>The maximum height of the sign (excluding frame) is 1m</u> (ii) <u>The maximum area used for advertising on</u> 	<p>Oppose</p>	<p>The submission (2.11) is opposed.</p> <p>While it is accepted that a sign for direction could also be a free standing sign, the Oil Companies consider it is clear what the difference between a sign for direction (whether it be free-standing or attached to a building) and a free-standing sign is (i.e. any other sign not attached to a building or used for the direction of traffic). Rule 8A.3.4.12 specifically requires the content for signs for direction of traffic to “be limited to directional purposes”.</p> <p>Therefore the Oil Companies support the Council’s approach to provide two separate performance standards for ‘free-standing signs in Business Commercial Zones, Business Industrial Zones and Special Activity Zones’ and ‘signs for direction of traffic on a site in Business Commercial, Business Industrial Zones and Special Activity Zones’ (Rule 8A.3.4.10 and 8A.3.4.12 respectively). It is not considered appropriate or necessary to combine these performance standards, as proposed by the submitter, as this will restrict development on sites with road frontages less than 50m to only erecting one directional sign or one free-standing (such as a sign advertising the activity onsite) as a permitted activity, for example.</p> <p>Directional signage ensures the safety of both vehicles and pedestrians navigating to and from, or within, a site. A District Plan should not create a framework that restricts development to providing either directional signage or freestanding signage as a permitted activity - rather the framework should encourage directional signage, as a permitted activity, irrespective of the other free-standing signage standards. This will ensure developments can erect directional signage without foregoing free-standing signs.</p>
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	<p><u>the sign is 0.5m2.</u></p> <p>(iii) <u>The content of the sign is limited to directions</u></p> <p>i) <u>Have no changing content;</u></p> <p>j) <u>Are not in a digital format</u></p> <p>k) <u>Are situated on the site to which the sign relates, except for signs for the direction of traffic.</u></p> <p>l) <u>Are not illuminated within 10m of a Residential zone</u></p> <p>m) <u>In the Business Industrial zone on Eastern Hutt Road identified in Appendix 3 of Chapter 20 – Business Zone Rules:</u></p> <p>(i) <u>No sign shall be located within 6m of Eastern Hutt Road, except for one free-standing sign at the road entrance</u></p> <p>(ii) <u>Maximum area used for advertising on a free-standing sign is no more than 20m2.</u></p> <p><u>Note: Calculations of maximum signage area is based on each side of a sign, rather than the addition of one or more sides of a sign.</u></p>		
<p>4.4</p> <p>Powerco Limited</p>	<p>Proposed Definition</p> <p>Add a definition for “Health and Safety Sign”, to provide clarity for what meets the criteria for a permitted activity under Rule 8A.3.4.1, as follows:</p> <p><u>Health and Safety Sign:</u> <u>A sign affixed to a network utility, or any other asset or structure for the purpose of providing a health and safety warning, identification or as a requirement of other legislation.</u></p>	Support	<p>The submission (4.4) is supported.</p> <p>The Oil Companies primary submission also sought a definition for a “health and safety” sign. The wording of the definition sought by the submitter is different to that sought by the Oil Companies but the intent is the same. The Oil Companies support the intent of the definition proposed by the submitter.</p>
<p>6.5</p> <p>New Zealand Transport</p>	<p>Rule 8A.3.4.1</p>	Oppose	<p>The submission (6.5) is opposed.</p>

Limited	Amend the rule to ensure all health and safety signage visible from State Highway 2 be permitted only where the sign complies with permitted performance standards 8A.3.4.8 to 8A.3.4.13.		<p>The Oil Companies primary submission sought to retain the dedicated permitted activity rule for health and safety signage without any associated performance standards. It is not considered appropriate to require consent for the erection of signage required by legislation. Performance Standard 8A.3.4.9(a) permits a maximum of one sign per site, visible in any one direction. It is not appropriate to apply this maximum to health and safety signage, which is required by law. The submitter does not provide enough justification as to why health and safety signage be subject to all performance standards contained within 8A.3.4.8 to 8A.3.4.13, when the concern is the potential for “poorly designed and located” health and safety signs. If permitted health and safety signage is restricted to that required by law, then it follows that the signage is more likely than not reasonably located and designed.</p> <p>Furthermore, mere visibility from State Highway 2 is an inappropriate threshold to apply to any such rule. Health and safety signage is generally directed to persons within a site, ensuring their health and safety, and the context of such signage is as directed by law.</p>
6.10 New Zealand Transport Agency	Rule 8A.3.4.6 Seeks the inclusion of the two below rules from the Proposed Dunedin District Plan (or similar provisions to the same effect), as the standards are consistent with the Transport Agency’s Traffic Control Devices Manual Part 3: Advertising signs, as follows: <u>General</u> (a) <u>Temporary signs visible from a public place must meet all of the following performance standards:</u> (b) <u>Temporary signs must not be illuminated (internally or externally), digital, or projected; and</u>	Oppose in part	<p>The submission (6.10) is opposed, in part.</p> <p>The submitter seeks to incorporate a number of standards. The changes that are sought do not seem to only apply to that part of a sign which is digital but to the sign itself. It should not be applied to, for example, the digital part of the prime sign that can change to show the price of petrol. If it is, then it should only be applied to that part of a sign that is digital (i.e.: the balance of the prime sign should not be restricted by the standards relating to digital signage).</p>

	<p>(c) <u>Signs must also comply with:</u></p> <p>(i) <u>Rule 6.7.2 ; and</u></p> <p>(ii) <u>Rule 6.7.3, where visible from the road.</u></p> <p><u>Signs Visible from Roads</u></p> <p>(a) <u>The minimum letter height of signs designed to be read by passing motorists must be:</u></p> <p>(b) <u>120mm where the speed limit is less than 70km per hour; and</u></p> <p>(c) <u>160mm where the speed limit is greater than 70km per hour.</u></p> <p>(d) <u>No sign shall be of a design or form such that it resembles or conflicts with traffic signs.</u></p> <p>(e) <u>Illuminated and digital signs must:</u></p> <p>(f) <u>have the sign's light source shielded so that its glare does not extend beyond the sign;</u></p> <p>(g) <u>not use images that are flashing or animated;</u></p> <p>(h) <u>have a minimum display time of 10 seconds per image; and</u></p> <p>(i) <u>have a maximum luminance (cd/m²) of:</u></p> <p>(j) <u>2000 where the sign has an illuminated area of up to 0.5m²;</u></p> <p>(k) <u>1600 where the sign has an illuminated area of above 0.5m² to 2m²;</u></p> <p>(l) <u>1200 where the sign has an illuminated area of above 2m² to 5m²;</u></p> <p>(m) <u>1000 where the sign has an illuminated area of 5m² to 10m²; and</u></p> <p>(n) <u>800 where the sign has an illuminated area above 10m².</u></p> <p>In addition to the above recommended standards, the submitter seeks for the following (or similar) good practice performance standards to be included within PC45.</p> <p>(a) <u>The dwell time must be a minimum of 15 seconds</u></p>		
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	<p><u>between images and appropriate for the applicable road environment.</u></p> <p>(b) <u>Dwell times should also be set to ensure that approaching motorists are not exposed to more than one transition of an image;</u></p> <p>(c) <u>Transition time between static images must be 0.5 seconds;</u></p> <p>(d) <u>Image content must be static and not include any animation or flashes;</u></p> <p>(e) <u>Include an automatic diming system based on an ambient light level sensor to achieve the above luminance requirements;</u></p> <p>(f) <u>Default to a white or black screen in the event of a malfunction.</u></p>		
<p>6.13 New Zealand Transport Agency</p>	<p>Rule 8A.3.4.13(c)</p> <p>Insert the following new rule:</p> <p><u>Rule 8A.3.4.13(h)</u></p> <p>(i) <u>Within road environments with a posted speed limit of, 70 km/h no signs shall be located 100m from an intersection and/or permanent regulatory or warning or advisory sign and/or traffic signal, and/or pedestrian crossing</u></p> <p>(ii) <u>Within road environments with a posted speed limits of > 70km/h no signs shall be located 200m from an intersection and/or a permanent regulatory or warning or advisory sign and/or traffic signal, and/or pedestrian crossing.</u></p>	<p>Oppose in part</p>	<p>The submission (6.13) is opposed, in part.</p> <p>The Oil Companies recognise that no sign shall be located so that it obstructs or obscures any traffic sign or signal, or any official road sign, whether they are for regulatory, warning or advisory purposes in accordance with Rule 8A.3.4.13(a). The submitter does not propose to delete Rule 8A.3.4.13(a), rather include a new rule with the same intent. It is noted that the proposed rule by the submitter specifically applies to signs 'within road environments' however it is considered Rule 8A.3.4.13(a) already applies to any sign regardless of whether the sign is located within the site or the road reserve. The term 'road environment' is not defined and the submitter does not propose to include a definition. To ensure consistency with PC45, the Oil Companies consider the term 'road reserve' is more appropriate than 'road environment' and may be neutral if the proposed rule applied to the 'road reserve' rather than the 'road environment' dependent on wording and if NZTA can justify its inclusion by identifying a gap in the regulatory framework that needs to be addressed, given that Rule 8A.3.4.13(a) already restricts signage from</p>

			obstructing or obscuring any traffic sign or signal, or any official road sign, whether they are for regulatory, warning or advisory purposes.
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