



Proposed Plan Change 45 - Signs

Section 32 Evaluation Report

1 May 2018

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2018 (Urban Design Technical Report)

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1.0 INTRODUCTION AND BACKGROUND

- 1.1 This Section 32 evaluation report (**s32 Report**) is prepared for proposed Plan Change 45 – Signs. It forms an evaluative report of the planning process undertaken in developing the Plan Change.
- 1.2 The report has been prepared in accordance with the requirements of section 32 of the Resource Management Act 1991 (**the Act**). Proposed Plan Change 45 (**PPC45 or the Plan Change**) forms part of the Upper Hutt City Council’s (**the Council**) review of the Operative Upper Hutt City District Plan 2004 (**District Plan**)¹.
- 1.3 Reviewing the District Plan provisions for signs has been undertaken in conjunction with the review of the Council’s Control of Advertising Signs Bylaw (**Signs Bylaw**). Combining these reviews has enabled a comprehensive review of the tools available, and policy options for managing signs across Council.
- 1.4 This report begins with the purpose and scope, and a summary of PPC45. It identifies issues to be addressed and examines scale and significance of the proposal. The statutory context for the plan change is also outlined together with the national, regional and local policy framework.
- 1.5 In accordance with the requirements of section 32, an assessment of the objectives of the proposal has been undertaken, as well as an assessment of the extent to which the provisions (i.e. policies, rules and definitions) are the most appropriate way to achieve the objective. This includes considering other options.
- 1.6 The proposed changes to the District Plan are attached to this report at **Appendix 1**. A feature of PPC45 is the consolidation of content under a common objective and sign policy framework in a new sub-chapter, and continuing to provide for signs within an enabling policy framework. The Plan Change results in a number of existing provisions being deleted (shown as strikethrough). This is due in part to re-positioning of content within the Plan.
- 1.7 The s32 Report and proposed changes have been informed by a technical report on the urban design considerations for signs. This Urban Design Technical Report is attached at **Appendix 2**. A technical report has also been provided on traffic and signs and is attached at **Appendix 3**.

2.0 PURPOSE, SCOPE AND SUMMARY OF PROPOSED PLAN CHANGE

2.1 *Purpose and Scope*

- 2.2 Signs are a city-wide topic within the District Plan, with signs provisions located throughout the city wide and zoned based chapters. The plan change seeks to update and consolidate signs-related provisions into a new signs sub-chapter (Chapter 8A.3). These changes improve District Plan navigation, reduce repetition, and improve the usability of the provisions.

¹ The Council is undertaking the review of the District Plan in stages (rolling review). Section 79(1)(c) of the Act requires the provisions in a District plan to be reviewed if they have not been the subject of a review within the previous ten years.

2.3 The provisions relating to signs are being reviewed at this time, as they have not been reviewed since the District Plan become operative in 2004. The Act requires a review of plan content to commence within ten years of becoming operative. Therefore a review of these provisions is now overdue.

2.4 The scope of the review includes the signs provisions (objective, policies, rules, and definitions) in the zone and city-wide chapters. The review does not consider any zoning changes, or other changes to planning maps and schedules. The heritage rules as they relate to signs (Chapter 11) have not been reviewed, and neither have the specific rules for signs in the Gateway Precinct of the Wallaceville Structure Plan Area.

2.5 *Relationship with other Council tools for managing signs*

2.6 There is an inter-relationship between the District Plan and Signs Bylaw given that both manage signs. The Signs Bylaw is prepared under the Local Government Act 2002, and assists in protecting the public from health, safety and nuisance. The Resource Management Act 1991 is concerned with the sustainable management of resources. Reviewing the signs provisions in conjunction with the Signs Bylaw helps to prepare complementary tools and avoid unnecessary duplication of controls.

2.7 The Council provides for temporary signs relating to one-off events and temporary activities to be placed in approved locations across the district. These locations are currently set out in the Council document 'Approved Sites for Temporary Signage in the Road Reserve'. This document also includes requirements for temporary signs, such as size and duration. Whether to maintain a separate policy document for these approved locations has formed part of the wider review for signs management by Council, and will be specifically considered by the review of the Signs Bylaw².

2.8 *Summary of Proposed Plan Change*

2.9 The following summarises the main changes proposed by PPC45:

- All general signs provisions are combined into a single signs chapter.
- A new signs objective is inserted which recognises the need for signs and that they need to be well managed (as relates to issues for character, amenity and transport safety).
- The insertion of more specific signs policies which apply across the district, but which recognise and provide for the different characteristics of zones.
- Updated and amended rules, matters of discretion, and definitions, which maintain the current approach that most signs are permitted subject to meeting minimum standards.
- Improved clarity of rules including introducing a diagram to help explain the rules.
- Where standards are not met, they would be assessed as restricted discretionary or discretionary activities. This retains the primary activity status for most activities of restricted discretionary, where permitted standards are not met.

² The Signs Bylaw review is reported separately.

- A new discretionary activity status for signs is introduced for signs which incorporate movement or changing content (including digital signage) and signs which are not situated on the site to which they relates.
- The scope of the District Plan is significantly reduced as it relates to temporary signs, as they are proposed to be managed primarily through the Signs Bylaw.

2.10 The following table identifies those Chapters in the District Plan proposed to be amended by PPC45.

<i>District Plan Chapter</i>	<i>Part of chapter to be amended</i>
Chapter 2 - Definitions	Amended definition of sign and new definition of temporary sign.
Chapter 4 - Residential Zone	Remove of Policy 4.4.8
Chapter 8A.3 - General Rules (New Chapter)	New objective, policies and rules, including matters of discretion. Changes include: updating and amending existing District Plan content (from other chapters and repositioning them into this chapter).
Chapter 15 - Environmental Quality	Remove of Policy 15.4.5 Remove methods which relate to signs
Chapter 18 - Residential Zone Rules	Remove rules for signs and matters for consideration and matters of discretion relating to signs.
Chapter 19 - Rural Zone Rules	Remove rules for signs and matters for consideration and matters of discretion relating to signs.
Chapter 20 - Business Zone Rules	Remove rules for signs and matters for consideration and matters of discretion relating to signs.
Chapter 21 - Open Space Rules	Remove rules for signs and matters for consideration and matters of discretion relating to signs.
Chapter 22 - Special Activity Zone Rules	Remove rules for signs and matters for consideration and matters of discretion relating to signs.

3.0 OUTLINE OF STATUTORY FRAMEWORK

- 3.1 The Act sets out the statutory functions and duties for Councils and provides the framework for preparing and implementing changes to the District Plan. The process for preparing a plan change is set out in Schedule 1. Part 2 of the Act sets out the purpose and principles of the Act which underpin the exercise of Council's functions, duties and powers.
- 3.2 The purpose under section 5 is to "...promote the sustainable management of natural and physical resources". Sections 6 - 8 address matters of national importance (s6), other matters (s7) and the Treaty of Waitangi (s8).
- 3.3 Section 31 (Part 4 of the Act), identifies the functions for territorial authorities under the Act, and s31(1)(a) requires territorial authorities to:
- "... review objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district".*
- 3.4 Part 5 - Standards, policy statements and plans includes requirements for local authorities in relation to policy statements and plans. Section 73(1A) states that "... a district plan may be changed in the manner set out in the relevant Part of Schedule 1." Schedule 1 addresses the preparation, change and review of policy statements and plans.
- 3.5 Section 74 states the matters to be considered by territorial authorities when preparing and changing district plans, including doing so in accordance with its functions under section 31 and the provisions of Part 2³. In addition, there is a requirement under section 74(1)(e) to prepare an evaluation report in accordance with section 32. Any change must also be in accordance with a national policy statement, and a national planning standard and any regulations⁴.
- 3.6 Section 74 states the requirements in relation to higher order documents including the regional policy statements and plans, management plans, and other regulations. Section 75 prescribes that a district plan must give effect to any national policy statement and regional policy statement.
- 3.7 The requirements for National Planning Standards are contained in Part 5 of the Act, sections 58B – 58J. At the time of writing no national planning standards have being introduced. Information on the direction of the future National Planning Standards provided by the Ministry for the Environment has been taken into account in the drafting of this plan change to the extent this has been possible.
- 3.8 Section 32 prescribes requirements in undertaking an evaluation, which includes examining the extent to which the objectives are the most appropriate to achieve the purpose of the Act, and whether the provisions are the most appropriate to achieve the objective.
- 3.9 In examining the provisions it is necessary to identify other options, and to assess the efficiency of the provisions to achieve the objective. S32 details how the efficiency and

³ Section 74(1)(a) and Section 74(1)(b)

⁴ Section 74(1)(e) and Section 74(1)(f).

effectiveness is to be assessed. The evaluation, as prescribed in clause s32(1)(c), is to be to a level of detail corresponding to the scale and significance of the environmental, economic, social and cultural effects anticipated.

4.0 NATIONAL, REGIONAL AND LOCAL POLICY AND PLANNING FRAMEWORK

4.1 This section commences with assessing the Plan Change against Part 2 of the Act. It then sets out the relevant national, regional, and local policy and planning framework and reviews the proposal against this the higher order documents and other policies and plans, and strategies (statutory and non-statutory).

4.2 *Section 5 - Part 2 of the Resource Management Act*

4.3 Section 5 of the Act contains the purpose and principles of the RMA. The purpose is to promote the sustainable management of natural and physical resources. Sustainable management is defined as:

“...means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while –

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”

4.4 PPC45 recognises the need for signs and for them to be appropriately managed. This recognises that provision of community and business signs enable people to provide for their well-being, but also that the adverse effects from signs need to be managed to protect wider amenity values and quality of environment. These factors are incorporated into the proposed new signs objective. This approach is therefore achieves the purpose of the Act.

4.5 *Sections 6 – 8, Part 2 of the Resource Management Act*

4.6 There are no relevant matters of national importance under section 6 of the Act.

4.7 Section 7 of the Act includes other matters to have particular regard to in achieving the purpose of the Act. Sections 7(c) and 7(f) are applicable.

7(c) the maintenance and enhancement of amenity values.

7(f) maintenance and enhancement of the quality of the environment.

4.8 As identified in the introduction, signs are a city-wide topic. They have potential to have widespread impact (either positive or negative) on amenity values and the overall quality of the environment. These impacts could be as a result of signs on an individual building or site, or due to a proliferation of signs across a wider area resulting in visual clutter.

4.9 This plan change seeks to provide for signs in a way that both meets the needs of the community and businesses and maintains character and amenity values and the quality of

the environment. The proposal incorporates this outcome into the objective, policies and provisions to ensure appropriate management of signs. It is therefore consistent with sections 7(c) and 7(f) of the Act.

4.10 Section 8 requires that the principles of the Treaty of Waitangi be taken into account when undertaking functions and powers under the Act. Council has met its statutory consultation requirements for Iwi under the Act, and did not receive any feedback on the proposed plan change. The proposed plan change is therefore considered to be consistent with the Treaty of Waitangi and section 8 of the Act.

4.11 ***National and Regional Policy Statements***

4.12 Sections 75(3)(a) and Section 75(3)(c) of the Act require district plans to give effect to any National Policy Statement (NPS) or Regional Policy Statement.

4.13 There are no national policy statements directly relevant to PPC45.

4.14 There are no specific objectives or policies for signs in the Greater Wellington Regional Policy Statement (**GWRPS**). However, there are outcomes and direction contained in *Chapter 3.9 Regional form, design and function* of the GWRPS which may be considered relevant to signs and PPC45. These are discussed below.

Objective 22	<p>Seeks to achieve “A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network ...”</p> <p>As an additional outcome, clause (b) seeks to achieve:</p> <p>“... an increased range and diversity of activities in and around the regionally significant centres to maintain vibrancy and vitality.”</p>
Policy 30	<p>Directs that:</p> <p>“District plans shall include policies, rules and/or methods that enable and manage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the: (a) Sub regional centres ...”</p> <p>Upper Hutt is identified as a sub-regional centre.</p>
Policy 54	<p>Directs that:</p> <p>“When considering an application for a notice of requirement, or a change, variation or review of a district or regional plan, for development, particular regard shall be given to achieving the region’s urban design principles in Appendix 2.”</p> <p>The associated explanation describes that the urban design principles are based on the seven design qualities described in the <i>New Zealand Urban Design Protocol</i>.</p>

4.15 The proposed new objective for signs and the accompanying policies and rules for PPC45 are consistent with the direction provided by the GWRPS with regards to amenity, urban design, and the maintenance or enhancement of viability and vibrancy in sub-regional centres. The Plan Change is therefore consistent with the provisions in the GWRPS.

4.16 *National Environmental Standards*

4.17 The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 include permitted and restricted activities in relation to signs at sections 23 and 24. PPC45 includes an advice note to recognise these Regulations.

4.18 *Wellington Regional Plans*

4.19 The Act requires that Council have regard to any regional plan or proposed regional plan. The proposed Natural Resources Plan for the Wellington Region is intended to replace the all existing regional plans for the Wellington Region⁵. Neither the proposed Natural Resources Plan, nor the existing regional plans contain any provisions that would affect signs. PPC45 is therefore consistent with all regional plans.

4.20 *District Plans – adjoining Territorial Authorities.*

4.21 Under Section 74 of the Act there is a need to have regard to: “... *the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities*”.

4.22 There is no common approach to the management of signs across the region, with varying combinations of bylaw requirements and district plan provisions being used. However, there is overall a more consolidated and cohesive policy direction for signs in other district plans which generally provide an enabling framework for signs. PPC45 provides greater policy direction that is consistent with this approach.

4.23 *Urban Design Protocol*

4.24 The Council is a signatory to the New Zealand Urban Design Protocol. The Protocol was developed by the Ministry for the Environment in 2005. The review of signs provisions in the District Plan has been undertaken with regard to the principles of the Protocol.

4.25 The Urban Design Technical Report (Appendix 2) clarifies urban design outcomes for signs and provided recommendations including design principles and dimensions and locational specifications for signs. This has informed the preparation of PPC45, which incorporates appropriate urban design components.

4.26 *Upper Hutt City Council Strategies Policies and Bylaws*

4.27 This section considers the Plan Change in the context of Council strategies, policies and bylaws.

4.28 *Upper Hutt City Council Land Use Strategy 2016 - 2043*

4.29 In preparing a proposed change to the District Plan the Council must have regard to management strategies and plans prepared under other Acts⁶. *The Upper Hutt City Council Land Use Strategy 2016 - 2043 (the LUS)* gives effect to the Council’s vision statements and contains goals and desired outcomes for a number of priority areas. The Economy priority area is relevant to the regulation of signs. The relevant vision statements, goals and outcomes are outlined in the table below.

⁵ The Existing Regional Management Plans include: Regional Air Quality Management Plan, Regional Coastal Plan, Regional Freshwater Plan, Regional Soil Plan, and Regional Plan for discharges to land.

⁶ Section 74(2)(b)(i) of the Act

Relevant Council Vision Statements	LUS Economy Goals	Relevant LUS Desired Outcomes
<p>City Centre: Our city centre is alive, attractive and vibrant</p> <p>Economy: We attract new investment and offer opportunities for people and business to prosper</p>	<p>Enable a prosperous, resilient, and sustainable city-wide economy that attracts and sustains people, spending investment.</p>	<ul style="list-style-type: none"> • Our city centre supports business activity • There is excellent urban design across the city, which residents are proud of. • The city centre is attractive and safe, and has a clear identity unique to Upper Hutt.
	<p>Continue to develop and support an active city centre and vibrant neighbourhood centres</p>	

4.30 PPC45 supports the relevant vision statements, goals, and desired outcomes outlined above by providing for appropriately located and designed signs. Most business signs would not require resource consent subject to meeting minimum standards. This permissive approach supports business activity in the city centre by minimising compliance costs. The minimum standards proposed in PPC45 are intended to ensure good urban design outcomes are achieved which contributes to the desired outcomes relating to an attractive and well-designed city centre.

4.31 *Upper Hutt City Council Control of Advertising Signs Bylaw*

4.32 The *Control of Advertising Signs Bylaw 2005 (Signs Bylaw)* is of direct relevance and is discussed throughout this report. The Signs Bylaw assists in ensuring the health and safety of the public and preventing nuisance. It contains requirements for signs, including temporary signs.

4.33 The Signs Bylaw has been reviewed in conjunction with the development of PPC45. This review identified a level of unnecessary overlap and duplication between the Signs Bylaw and the District Plan. PPC45 seeks to reduce this overlap by establishing the District Plan as the primary tool for regulating signs, other than temporary signs. The Signs Bylaw is proposed to be the primary means of regulating temporary signs.

4.34 *Other Upper Hutt City Council Bylaws*

4.35 The *Upper Hutt City Council Public Places Bylaw 2005* and the *Upper Hutt City Council Traffic and Parking Bylaw 2005* have a small number of regulations relevant to signs. They have been considered in the development of PPC45 and this plan change is considered to be consistent with the bylaws.

4.36 *Approved Sites for Temporary Signs*

4.37 As identified in section 2 of this report, the Council provides for temporary signs in approved locations across the district. These are outlined in the policy document '*Approved Sites for Temporary Signage in the Road Reserve*' (**Approved Sites document**).

4.38 The Approved Sites document is another method used by the Council to manage signs and does not form part of the Signs Bylaw or District Plan. Its purpose is to provide clearly specified locations within the district where temporary signs can be placed. This helps to avoid a proliferation of signs in other locations. The Approved Sites Document contains

criteria for temporary signs, including a requirement that contact details be provided to Council for all temporary signs in approved sites.

4.39 The joint review of signs provisions has considered the Approved Sites document and how it integrates with the Signs Bylaw and District Plan. It is being proposed through the draft Signs Bylaw that the approved sites approach be retained and integrated into the Bylaw along with all other controls for temporary signs. PPC45 is consistent with this approach of consolidating the management of temporary signs within the Signs Bylaw.

4.40 *Upper Hutt City Council's Economic Development Stimulus Policy*

4.41 The *Economic Development Stimulus Policy* is relevant to PPC45. The *Urban Design Technical Report (Appendix 2)* identifies the role this policy has had in improving signage outcomes across Upper Hutt. This Policy includes grants for retrofit of existing buildings, which may also provide for new signs. A number of recent developments used this funding to update their signs. It is recognised that this non-regulatory method is contributing to improved urban design outcomes for signs.

4.42 *Other Upper Hutt City Council policy documents*

4.43 Other Upper Hutt City Council Strategies and Plans have some relevance to the management of signs, although largely in an indirect manner. These include Council's *Open Space Strategy* and the *Long Term Plan*. PPC45 is consistent with these documents.

4.44 *Other legislation and regulation*

4.45 Signs are heavily regulated, with a number of pieces of legislation and regulation seeking to control various aspects of their content, location, or construction. Best practice advises against duplication of regulation where effects are appropriately managed through other regulatory tools.

4.46 Within this regulatory framework, the scope of the District Plan (and therefore PPC45) is to give effect to the purpose of the Act (sustainable management) and provide for signs in a way which maintains character, amenity values, traffic safety, and the overall quality of the environment. Other aspects of signs are regulated through the following pieces of legislation:

- Building Act 2004
- Local Government Act 2002
- Electoral Act 1993 and the Local Electoral Act 2001
- Human Rights Act 1993
- Films, Videos and Publications Classification Act 1993.

4.47 With respect to the impact of signs on the roading network, the Traffic Technical Paper (**Appendix 3**) outlines the regulatory framework for traffic signs, and notes that road corridors are "...already a heavily controlled and regulated environment..."⁷. The *New Zealand Transport Agency (Signs on State Highways) Bylaw 2010 (NZTA Bylaw)* has been

⁷ Technical Paper – Traffic and Signs, Section 5.0, p3.

considered in preparing PPC45. Existing District Plan provisions draw on content from the NZTA Bylaw (relating to signs on or over any State Highway where there are speed limits greater than 70km/hour). PPC45 continues with the existing Plan provisions for Signs directed at the State Highway, and proposes this applies to signs which are 'visible from' the State Highway. It also contains an advice note to alert to NZTA Bylaws and regulations.

5.0 RESEARCH AND CONSULTATION

5.1 *Research*

- 5.2 The Council commissioned an urban design assessment of signs in the District. This has formed the *Urban Design Technical Report* attached as **Appendix 2**. This report assessed how different types of signs performed across the district against a set of urban design criteria. The report provides recommendations for signs, including urban design principles, and this has informed the details of the policies and rules included in PPC45.
- 5.3 In preparing PPC45, recent resource consents and complaints for signs were analysed to provide an indication of where issues may lie in the existing District Plan Provisions. This included considering signs complaints which were received between February 2014 and June 2016. Approximately 40 complaints relating to signs were received, primarily in relation to residential zoned land. Approximately half of the complaints related to real estate signs.
- 5.4 Resource consents processed from 2007 until early 2017 were reviewed. Of the 20 resource consents, the majority were for signs within the Business Commercial Zone. Exceeding the maximum size of the sign or maximum number of signs per site were the main reasons consent was required.
- 5.5 A number of discussions have been held with internal stakeholders. This has included Council Officers involved in the day-to-day management of signs, including resource consents, compliance, parks, and roading. These discussions highlighted, in particular, the need for improved integration between the District Plan and Signs Bylaw to allow for greater clarity for users around requirements for signs and to ensure a clear regulatory and enforcement framework.
- 5.6 In addition to considering the District Plan provisions for signs in other District Plans in the Wellington region (as discussed in Section 4.20 of this report), a number of other District Plans across the country were considered⁸. These included the following: (with operative status noted at time of consideration):
- Ashburton District Plan 2014 (Operative)
 - Waipa District Plan 2016 (partly Operative 2016)
 - Auckland Unitary Plan (Operative in Part November 2016)
 - Christchurch City District Plan 2015 (Partly Operative)
- 5.7 Similar to the Wellington region there was an identified combination of bylaw and district plan requirements for signs between the Plans (although the Auckland Unitary Plan

contains very few controls for signs with a sign bylaw managing signs to a significant degree).

5.8 In relation to the position of signs content within District Plans, of those plans recently reviewed, the Christchurch District Plan and Ashburton District Plan contain the provisions for signs primarily in a signs chapter, or sub-chapter. The Waipa District Plan contains provisions for signs primarily in the individual zone chapters. This is a similar approach to the Wellington Operative District Plan 2000.

5.9 *Consultation*

5.10 *Statutory RMA Consultation*

5.11 The Council has carried out consultation with the parties identified in Clause 3(1) of the First Schedule of the Act, including the Minister for the Environment, other local authorities including the Greater Wellington Regional Council, and with relevant Iwi Authorities. A letter outlining the key changes being considered was provided to these parties, and they were given the opportunity to discuss and review the draft plan content.

5.12 Greater Wellington Regional Council (**GWRC**) and New Zealand Transport Agency (**NZTA**) were provided a preliminary draft of the Plan Change for comment. GWRC commented that their Public Transport team had no concerns with the provisions. **NZTA** provided comments on the preliminary draft identifying some suggested changes. Clarification was sought on how the Council would be managing digital signage.

5.13 Relevant Iwi Authorities were provided with a preliminary draft for comment under Clause 4A of the First Schedule. Ngāti Toa Rangatira advised that they have no comments to make regarding the proposed plan change. Taranaki Whānui ki te Upoko o te Ika and Te Atiawa ki te Upoko o te Ika a Māui provided no specific comments on the proposed plan change.

5.14 *Non-Statutory Consultation*

5.15 A small number of meetings were held as a means of early stakeholder consultation to help Council further understand and refine some of the issues and drivers for sign design and preparation. These meetings included representatives from commercial land-owners, real estate agents and developers, and sign manufacturers.

5.16 Feedback from this initial stakeholder consultation supported the need to continue to provide for signs (due to their role in business identification and advertising), but also emphasised the need to avoid poor design outcomes. It was recognised that the costs of signs can vary significantly as a result of design factors such as size and materials.

5.17 Workshops were held with Councillors in December 2017 and March 2018. These workshops helped identify the issues and provided direction on the overall scope and approach to management of signs across the Signs Bylaw and the District Plan.

6.0 **RESOURCE MANAGEMENT ISSUES**

6.1 This section identifies the resource management issues and opportunities to address them. Consultation and research has contributed to understanding and identifying the issues relating to signs in Upper Hutt. In addition, contextual issues such as the changing

nature of signs (i.e. digital signs) and anticipated growth (as identified in the LUS) have been considered.

- 6.2 The *Urban Design Technical Report* identified some concerns with certain types of signs in different locations, such as in the industrial areas where there was a level of visual clutter and overall lower quality of signs. There is a resource management issue that if signs are not appropriately managed they can result in loss of amenity.
- 6.3 While there are not widespread issues with sign outcomes across the district, there is no signs objective and specific supporting policies to aid preparation and assessment of resource consent applications that include signs. This policy gap makes it difficult to adequately assess the appropriateness of signs for the zone and local context for which it is proposed to be located. An example of where there is a lack of direction in the policy framework is for signs located on a site to which they do not relate (and for which resource consent is required).
- 6.4 There are issues with the clarity and effectiveness of some rules. There is also a high degree of repetition of rules through the various zone chapters, connected with the structure of the Plan.
- 6.5 An example of a clarity and effectiveness issue is the rules for ‘All other signs’ in Chapter 20 – Business Zone Rules (Refer (20.27)). This places a limit on the total face area of a sign in relation to a maximum amount visible from any one direction (requiring signs do not exceed 1m² per metre of street frontage up to a maximum of 35m²). This is regardless of the size of the building elevation. This means buildings with a very large façade would be limited to an overall maximum of 35m².
- 6.6 Another example is a standard for signs within roads in the zone chapters: “*Road, traffic and advertising signs within roads, in all zones, must be approved by the road controlling authority*”. It is not clear within the District Plan if the road specific standard prevails over the general or temporary signs standards, or if it should simply be read alongside the standards. It appears to function more as an advice note than a permitted standard.
- 6.7 There is some unnecessary overlap and duplication with the Signs Bylaw, especially in relation to the requirements for temporary signs. There is a gap in specific requirements (whether in the District Plan or Signs Bylaw) for some forms of temporary signs (such as real estate signs, including open home signs). The overlap and duplication issue is compounded by the Approved Sites document. It is not clear how this functions alongside the Bylaw and District Plan. Subsequent sections of this report evaluate policy options to address these integration issues.
- 6.8 The issues and opportunities to address them are identified in the following table. Regulatory and non-regulatory opportunities are identified.

Issue	Opportunity
<p>Objective, policies, and provisions:</p> <ul style="list-style-type: none"> • No specific signs objective and lack of a clear and specific policy framework for signs. Some lack of clarity of certain rules, and degree 	<ul style="list-style-type: none"> • Consolidate and update the objective and policy framework to include a new signs objective and a set of policies for signs which apply district wide. • More specific and directive policies

<p>of effectiveness to manage signage issues, such as visual clutter.</p> <ul style="list-style-type: none"> • Significant duplication of rules through the District Plan, resulting in additional complexity within the zone chapters. • Existing sign provisions are spread throughout the District Plan, reducing ease of use. <p>Integration with Signs Bylaw and other Council processes:</p> <ul style="list-style-type: none"> • Some unnecessary overlap with Signs Bylaw, in particular the degree of control in the District Plan for temporary signs. This reduces certainty and ease of use, raises the potential for unnecessary consents, and creates an overly complex decision making framework. 	<p>which integrate urban design principles and address gaps in policy direction.</p> <ul style="list-style-type: none"> • Update and improve rules so that they are clearer, more certain, and focused where necessary. • Improve Plan interpretation by including diagrams to help articulate specific locational and dimension requirements in the signs rules. • Improve integration with the District Plan and Signs Bylaw, including for certainty and ease of use, and improved framework for decision making and enforcement. • Better recognise the difference between temporary and permanent signs and the nature of their effects, and reflect this within the policies and rules. • Continue to recognise the District Plan as one tool of many that assists in regulating signs, including non-regulatory methods in assisting good signs outcomes, such as the Economic Development Stimulus Policy. • Improved advice and assistance to help readers understand sign requirements, such as content on Council's website.
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7.0 SCALE AND SIGNIFICANCE

7.1 The level of assessment undertaken in this evaluation reflects the relative scale and significance of the proposal. The following identifies the considerations that have informed the scale and significance assessment and the proposed objectives and provisions evaluated in relation to the identified issues.

7.2 The proposed objectives and provisions are considered to be of an overall medium importance for the reasons identified below:

- Signs have value as they identify and advertise businesses and events and can contribute to character and identity.
- Signs are not specifically identified as another matter in section 7 of the Act, although they are relevant to s7(c) and s7(f), which concern the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment respectively.

- Signs are not listed as a matter of national importance in section 6 of the Act⁹. They are not specifically identified in higher order documents (for example the GWRPS).
- Signs have not been identified as a significant issue under section 8 of the Act.
- Signs have the potential to impact large parts of the district, in particular business zones where there are generally higher concentrations of signs.
- If signs are not adequately provided for, there is potential for significant adverse effects (for example visual clutter through a proliferation of signs). The degree of impact would likely be localised and could be reversible (compared for instance to other topics such as degradation of significant natural features or the loss of heritage buildings).
- The research on complaints and resource consents has not identified widespread issues for signs. However, the nature of signs is evolving with changing technology. Therefore, the policy framework and rules need to be able to respond to such change.
- Many signs are only temporary in nature, so the resulting effects are often limited in duration.
- There is the potential for improved environmental outcomes through more and improved guidance on sign location, size, and design. The *Urban Design Technical Report* identified issues and potential improvements that could be made, for example to Industrial Zones.¹⁰ This could be achieved through more co-ordinated signage.
- Although the review is being undertaken as part of the rolling review and alongside the review of the Signs Bylaw, it was not commenced as the result of significant or new resource management issues having been identified or to give effect to direction from a higher order policy document.

8.0 REVIEW OF DISTRICT PLAN OBJECTIVES AND POLICIES

8.1 This section identifies relevant objectives and policies of the District Plan which relate to signs. It assesses how appropriate they are to support the management of signs as proposed in PPC45. It further assesses the proposed new objective.

8.2 *Objectives and Policies - Operative Plan*

8.3 There are no specific existing objectives for signs in the District Plan. Therefore, when assessing resource consent applications there is a need to draw on the other objectives of the Plan to provide some direction (albeit indirect).

8.4 The current policies specifically relating to signs are contained in the table below.

⁹ Although, they may be indirectly, if associated with one of the s6 matters, including for example, historic heritage.

¹⁰ Urban Design Technical Report, Section 2.2, p. 4.

Chapter	Objective or Policy	Objective or Policy
4 - Residential Zone	Policy 4.4.8	To ensure that signs in residential areas do not adversely affect neighbourhood amenity or traffic safety.
15 - Environmental Quality	Policy 15.4.5	To avoid, remedy or mitigate the detrimental effects of signs on amenity values and traffic safety.

8.5 Further objectives and policies which may be considered relevant to signs are contained in the table at Appendix 4.

8.6 ***Assessment of Current Objectives and Policies***

8.7 The lack of a sign-specific objective is a particular concern, given there are policies and rules specific to signs. While the non-specific objectives could be used to support the signs provisions, they may not provide specific enough direction to be of use.

8.8 The current sign-specific policies do not provide consistent direction, and in some cases do not support the largely permissive nature of the rules. For example, Policy 4.4.8 seeks to ensure adverse effects do not occur, whereas Policy 15.4.5 seeks to avoid, remedy or mitigate the detrimental effects of signs. As such the direction of both policies may not be able to be achieved through the rules framework. There is a lack of specific direction for some types of signs, for example temporary signs and signs which are not related to the site on which they are located, and for which resource consent is required if the permitted standards are not met.

8.9 Given these issues with the objective and policy framework it is considered that this is not the most appropriate way to meet the purpose of the Act and this can be best achieved through a new objective, policies and rules framework.

8.10 ***Assessment of New objective***

8.11 Section 32(1)(a) of the Act requires an evaluation of the extent to which the objectives are the most appropriate way to achieve the purpose of the Act. Introducing a new objective would provide clear direction on the outcomes for signs, and given the revised chapter format, would be the key objective in the District Plan relating to signs. The proposed objective is below.

Signage in the district:

(a) supports the needs of the community and businesses 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.

8.12 The objective is appropriate in achieving the purpose of the Act to promote the sustainable management of natural and physical resources of the Act. The proposed objective recognises the functional need for signs to support the community and businesses and the

role they therefore play in contributing to social, economic and cultural well-being. It also recognises that signs are part of the environment and need to be appropriately managed (in relation to issues for character, amenity and transport safety).

8.13 The objective is consistent with Objective 22 in the GWRPS. It is consistent with similar direction goals and actions provided in other strategies and plans including the LUS.

8.14 Other options considered for creating a clear objective framework to support the management of signs were:

- to create two objectives that separately provide for the positive impact of signs, and the management of their environmental effects
- to create two objectives that separately consider amenity/character components and transport safety.

8.15 The combined approach is preferred as it is more succinct and recognises that the two outcomes are interconnected.

9.0 CONSIDERATION OF OPTIONS AND EVALUATION OF PROVISIONS

9.1 S32(1)(b) of the Act requires an evaluation of whether the provisions are the most appropriate way to achieve the objective. In undertaking this evaluation, other reasonable options for achieving the objective have been identified.

9.2 Section 32 requires an assessment of the efficiency and effectiveness of the provisions in achieving the objective. The assessment needs to contain a level of detail corresponding to scale and significance, and the benefits and costs of the effects of the provisions need to be identified and assessed and where practicable these should be quantified.

9.3 Given the assessment of the scale and significance of the Plan Change, it is considered that quantifying costs and benefits would add significant time and cost to the S32 evaluation processes, therefore exact quantification of the benefits and costs in this report was not considered necessary, beneficial or practicable. Rather, this report identifies where there may be additional costs or cost savings.

9.4 *Options*

9.5 A number of broad options were considered to meet the proposed sign objective, and to address the resource management issues identified in Section 6.

9.6 *Summary of options*

1. Status quo – reconfigure existing provisions to meet new plan structure

- No change to objectives, policies, rules, or other provisions relating to signs.
- Consolidate all provisions into a signs sub-chapter¹¹.
- Continue to have rules for both permanent and temporary signs together in the District Plan, with additional controls for signs in the Signs Bylaw.

¹¹ A new District Plan structure was introduced under Plan Change 43 – Introductory chapters, and this is described in Chapter 1, Section 1.4 of the District Plan. The structural change is necessary, and would be the case for all of the options 1-4.

- Continued reliance on non-regulatory advice and assistance, including through the Economic Development Stimulus Policy.

2. Existing provisions updated and amended, including a clearly defined split between District Plan and Bylaw Controls

- New objective and a set of specific signs policies.
- Updated rules, matters of discretion, and definitions.
- District Plan remains the primary tool for permanent signs.
- District Plan has minimal controls for temporary signs; Bylaw becomes the primary regulatory tool for temporary signs.
- Continued reliance on non-regulatory advice and assistance (as for Option 1).

3. Existing provisions updated and amended, but less defined split between District Plan and Bylaw controls

- New objective and a set of specific signs policies.
- Updated rules, matters of discretion, and definitions.
- District Plan remains the primary tool for permanent signs.
- Continue with prescriptive standards for temporary signs in the District Plan.
- Continued reliance on non-regulatory advice and assistance (as for Option 1).

4. Removing the management of signs from the District Plan and reliance on other regulatory and non-regulatory methods to manage signs.

- Remove signs management provisions from the District Plan.
- Rely on Council bylaws and non-regulatory methods to manage signs, e.g. increased reliance on the Economic Development Stimulus Policy to encourage good signage outcomes.
- This option is likely to require the preparation of a detailed design guidance as a key non-regulatory tool.

9.7 The following provides an assessment of these options including costs and benefits, efficiency and effectiveness.

Option 1 – Status Quo - reconfigure existing provisions to meet new plan structure	
Costs	Benefits
<ul style="list-style-type: none"> • Uncertain or poor outcomes may result from the lack of design guidance, particularly in relation to sign location and consideration of context. • The effects of new forms of signs, e.g. digital signs, are difficult to manage appropriately. 	<ul style="list-style-type: none"> • The use of innovative signs may be facilitated due to the permissive nature of the rule structure. • Certainty that signs which do not comply with the existing rules will be considered for potential adverse effects (including amenity and transport safety effects). • Familiarity with district plan content for existing Plan users.

<ul style="list-style-type: none"> • Provides little assistance in achieving Land Use Strategy goals associated with City Centre and Economy. • The positive effects of signs are not adequately considered due to a lack of clear policy direction. • Risk of duplication in regulation of signs (under District Plan and Bylaw and operational policy). 	<ul style="list-style-type: none"> • Costs associated with preparation and assessment of resource consents for signs remains generally the same.
Efficiency & Effectiveness	
<ul style="list-style-type: none"> • This option has low effectiveness, as it does not respond to the issues identified in the assessment. In particular there is a lack of a cohesive framework for managing the effects of signs resulting from: <ul style="list-style-type: none"> ○ No specific objectives for signs in the District Plan ○ Unclear policy direction to guide the preparation and assessment of sign proposals. • This option is not considered efficient, as there is duplication between controls in the District Plan and Signs Bylaw. 	
Opportunities for Economic Growth and Employment	
<p>Existing District Plan provisions do not sufficiently consider the positive effects of signs and the benefits they provide for businesses and the community. However the generally permissive existing rules framework means this is unlikely to be constraining business growth.</p>	
Risk of Acting or Not Acting	
<p>This option does not provide any significant benefits and there is some risk of not acting. The resource management issues identified would remain unresolved. Not acting would create inconsistency within the plan, as it would not implement the new structure.</p>	
Overall evaluation of Option 1	
<p>This option does not address the issues identified in the evaluation of the existing provisions. The lack of a clear objective and a cohesive policy framework for signs is a significant gap in and not the most appropriate way to achieve the purpose of the Act.</p>	

Option 2 – Existing provisions updated and amended, including a clearly defined split between District Plan and Bylaw Controls	
Costs	Benefits
<ul style="list-style-type: none"> • Potential increase in cost for applicants in preparing resource consent applications relating to signs, including seeking specialist design advice. • There will be some increased transaction costs as applicants transition to the new provisions. 	<ul style="list-style-type: none"> • Improves outcomes by addressing the urban design and location issues identified in the urban design assessment. • Introduces provisions which will allow the management of new types of signs (including digital signs). • Reduces the overlap between the Signs Bylaw and the District Plan. • Reduced resource consent requirements for temporary signs (as they will be primarily managed through the Signs Bylaw). • Creates a cohesive framework for managing signs with greater policy direction which will inform the preparation and assessment of resource consents for signs and improve overall outcomes • Consolidates signs provisions within a single section of the plan, increasing plan useability. • Assists in achieving Land Use Strategy goals associated with City Centre and Economy. • Flexibility still provided to respond to location specific limitations and opportunities.
Efficiency and Effectiveness	
<ul style="list-style-type: none"> • This option is considered to be highly effective, as it creates an updated and consolidated set of signs provisions including a new signs objective that links through to the policies and rules. This addresses the lack of clear direction in the existing policy framework. • This option is more efficient than the status quo, as it has greatly reduced the level of overlap between the District Plan and Signs Bylaw. The remaining level of overlap is considered necessary due to the potential for significant adverse effects from temporary signs that are large or displayed for a longer period. 	

Opportunities for Economic Growth and Employment
This Option recognises the positive role of signs for businesses and the community. It maintains the broadly enabling framework for signs present in the existing District Plan provisions, and is not expected to have any impact on economic growth or employment in the District.
Risk of Acting or Not Acting
<p>The risk of not acting is that the resource management issues identified in the evaluation of the existing Plan provisions would remain unaddressed and over time negative outcomes occur as a result. The new District Plan structure would also not be implemented, which would make the plan more difficult to understand.</p> <p>There is a risk that plan users will misinterpret the new rules framework, increasing non-compliance at least in the short term, creating increased costs for sign users and council. However this risk can be reduced through non-regulatory guidance such as website content.</p>
Overall evaluation of Option 2 (<i>preferred option</i>)
<p>This option is the preferred option. It provides more certainty that the adverse effects from signs will be appropriately managed as it effectively addresses the issues identified. It provides greater policy direction and intended outcomes for signs.</p> <p>This option creates a clear division in the management of the permanent and temporary signs between the Signs Bylaw and District Plan. While there would remain some control in both methods, the circumstances where the District Plan would manage temporary signs are clearly defined. This creates an efficient framework, including clearly defined thresholds, for managing signs across the two regulatory tools.</p>

Option 3 – Existing provisions updated and amended, but less defined split between District Plan and Bylaw controls	
Costs	Benefits
<p>The costs are the same as for Option 2 other than the 2 additional costs identified:</p> <ul style="list-style-type: none"> • Potential increased costs to signs users in relation in understanding signs provisions if there are requirements in the Signs Bylaw and a set of prescriptive standards in the District Plan (either similar to the existing Plan or expanded set of 	<p>The benefits are the same as for Option 2 other than the below benefits which do not apply:</p> <ul style="list-style-type: none"> • <i>Reduces the overlap between the Signs Bylaw and the District Plan.</i> • <i>Reduced resource consent requirements for temporary signs (as they will be primarily managed through the Signs Bylaw).</i>

<p>requirements).</p> <ul style="list-style-type: none"> • Increased costs for some sign users, who will need to seek resource consent for temporary signs which do not meet the retained and/or expanded standards for temporary signs in the District Plan. 	
Efficiency and Effectiveness	
<p>This option is generally as effective as Option 2, as the proposed policy framework is broadly the same. However the failure to reduce the duplication of management of temporary signs across the Signs Bylaw and the District Plan make this a relatively inefficient option that is likely to incur additional compliance costs for users.</p>	
Opportunities for Economic Growth and Employment	
<p>This Option recognises the positive role of signs for businesses and the community. It maintains the broadly enabling framework for signs present in the existing District Plan provisions, and is not expected to have any impact on economic growth or employment in the District.</p>	
Risk of Acting or Not Acting	
<p>The risk of not acting is that the resource management issues identified in the evaluation of the existing Plan provisions would remain unaddressed and over time negative outcomes occur as a result. The new District Plan structure would also not be implemented, which would make the plan more difficult to understand.</p> <p>There is a risk that plan users will misinterpret the new rules framework, increasing non-compliance at least in the short term, creating increased costs for sign users and council. However this risk can be reduced through non-regulatory guidance such as website content. There is a risk that the increased complexity of this option (with temporary signs managed by both the Signs Bylaw and the District Plan) would create additional non-compliance with respect to signs, and as a result create additional costs for users and council.</p>	
Overall evaluation of Option 3	
<p>This option provides more certainty that the adverse effects from signs will be appropriately managed as it effectively addresses the issues identified. It provides greater policy direction and intended outcomes for signs.</p> <p>However, this option does not create a clear division in the management of the permanent and temporary signs between the Signs Bylaw and District Plan. This creates an inefficient framework for managing signs that may result in confusion for users and an increase in non-compliance.</p>	

Option 4 - Removing the management of signs from the District Plan and reliance on other regulatory and non-regulatory methods to manage signs.

Costs	Benefits
<ul style="list-style-type: none"> • While there is a range of other regulatory tools available for the management of various aspects of signs and their potential effects, none of the other mechanisms specifically require the consideration of the <i>environmental effects</i> of signs in the same manner as the District Plan. Therefore, there is likely to be an overall reduction in the management of certain effects - such as those relating to visual amenity - if the management of signs is completely removed from the District Plan. • Other regulatory and non-regulatory tools would need to be developed or reviewed and amended to ensure that signs were being adequately managed, which will impose additional costs on Council. • Non-regulatory guidance is not enforceable and therefore is likely to have limited effect on signs outcomes without other regulatory methods to support it, • This option would be likely to increase costs to Council through greater reliance on incentives, such as the Economic Development Stimulus Policy. 	<ul style="list-style-type: none"> • High degree of flexibility in terms of design options for applicants. • No resource consent applications for signs would be required, reducing costs for community and businesses and Council. • Development of non-regulatory guidance would provide some direction in terms of expected outcomes for signs.

Efficiency and Effectiveness

Removing the control of signs from the District Plan would be unlikely to effectively manage the resource management issues associated with signs, such as character and amenity issues. While other tools are available to manage various aspects of signs and their effects, the District Plan is the only tool that focuses on achieving the purpose of the RMA. It is therefore unlikely that the purpose of the Act will be effectively met if signs are managed outside of the District Plan. A reliance on voluntary guidance documents to direct sign users to consider urban design issues (including amenity and character) are unlikely to be effective without regulatory requirements.

There would be some efficiency benefits of this option as no resource consents would be

required for any sign.
Opportunities for Economic Growth and Employment
While this option may reduce costs on businesses for signs, the impact of this is likely to be small (as it tends to be a one-off cost for permanent signs). This option could lead to an overall reduction in the level of visual amenity in the district as these issues are less likely to be able to be adequately considered through other regulatory tools. This could have a negative impact on the economy in the long term, as it may not be a desirable place for businesses to continue to operate or establish.
Risk of Acting or Not Acting
This option has a significant risk of acting, as removing the signs provisions from the District Plan is likely to leave a regulatory gap where all the effects of signs are not being managed appropriately. This is particularly an issue if the other methods have not been reviewed and/or amended to ensure they have picked up the issues previously covered by the District Plan. However it may be the case that some issues are not able to be effectively regulated by other tools due to, for example, the constraints of governing legislation.
Overall evaluation of Option 4
This option provides little certainty that the environmental effects of signs will be appropriately managed. While increased reliance on the bylaw is considered appropriate for temporary signs as their environmental effects are limited in duration, this is not the case for permanent signs. The other regulatory tools available for the management of signs and their effects may not be as efficient or effective at managing the environmental effects of permanent signs.

9.8 EVALUATION OF POLICIES, RULES AND DEFINITIONS

9.9 This section evaluates the provisions of PPC45, which includes the policies, rules (including the associated standards) and definitions.

9.10 PPC45 seeks to remove two existing policies which relate to signs: Policy 4.4.8 in the Residential Zone Chapter and Policy 15.4.5 in the Environmental Quality Chapter. Issues have been identified with these policies and the wider policy framework (as discussed in the Section 8.2 of this report). The signs policies do not provide consistent and specific direction.

9.11 PPC45 seeks to introduce five new policies that will manage signs across the district. The new policies will recognise that some zones are more sensitive to the effects of signs, such as Residential Zones and will be more specific and directive than those in the existing Plan. This negates the need for explanations to support the policies as the policies are

sufficiently clear and directive. The approach is also consistent with that recently proposed in Plan Change 44 – Temporary Events.

9.12 The five new policies are identified and evaluated below¹².

9.13 ***Policy 8A.3.3.1 and Policy 8A.3.3.2***

Policy 8A.3.3.1

Manage the number, type, 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.

Policy 8A.3.3.2

Provide for a range of signs in the Business Zones and Special Activity Zones that support business identification and advertising while:

- (a) maintaining the character and amenity values of these zones; and*
- (b) ensuring that the character and amenity values of adjoining residential zones are not adversely affected by signs in these locations; and*
- (c) allowing the consolidation of signs to convey information about multiple businesses or tenancies.*

9.14 These two proposed policies recognise that open spaces, rural and residential zones are more sensitive to the effects of signs than business and special activity zones, where a higher concentration of signs is anticipated. The direction provides a differentiation to “manage” signs in the more sensitive zones identified in the first policy and to “provide for” them in the zones where signs are anticipated. This recognises the character of the relative zones and anticipated demand for signs within certain areas.

9.15 The signs objective recognises both the need for signs and the need to maintain character and amenity and the efficient functioning of the transportation network. Policies 8A.3.3.1 and 8A.3.3.2 would achieve the outcomes sought by this objective by providing zone-appropriate direction relating the management of signs.

9.16 ***Policy 8A.3.3.3***

Policy 8A.3.3.3

Ensure that the location and design of signs is provided for in a way that:

- (a) is compatible with the site, or building on which it is placed, and is of a scale that is appropriate for what the sign is identifying or advertising; and*
- (b) maintains the character and visual amenity of the site and surrounding area, and does not result in additional visual clutter or dominate the skyline; and*
- (c) integrates with the façade of the building to which it is attached including verandas, roofline and architectural features; and*

¹² The underlined formatting shown in the proposed Plan Change appended to this proposal is not shown in this report. For clarity the policies are proposed as new text.

- (d) *manages any moving, digital or changing signage, and illuminated signage to protect residential amenity and to not compromise the safety of road users; and*
- (e) *limits signs which are not situated on the site to which they relate 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.*

9.17 Policy 8A.3.3.3 expands on the direction in Policy 8A.3.3.1 and Policy 8A.3.3.2 by providing specific direction on the location and design of signs across all zones. This proposed policy addresses the lack of specific and clear direction regarding the design and location of signs in the existing District Plan provisions.

9.18 The proposed policy incorporates urban design principles, particularly concerning site and context considerations for signs on sites and on buildings. It also seeks to limit signs that are not located on a site to which they relate (also referred to as off-site signs). In addition, the policy provides guidance for the management of signs which change or incorporate movement, including digital signs. These types of signs are relatively new, and have the potential to result in significant adverse effects such as visual clutter and distraction, if not managed appropriately.

9.19 The policy meets the outcomes sought through the signs objective, as it provides for signs, while ensuring traffic safety and that the character of areas are retained.

9.20 ***Policy 8A.3.3.4***

- (a) *Enable temporary signs which meet a limited set of standards; and*
- (b) *Provide for temporary signs or a larger duration or size where amenity values are maintained and the safety of road users is not compromised.*

9.21 Policy 8A.3.3.4 provides policy direction for temporary signs. The policy provides support for temporary signs and specifies that they can occur subject to a limited set of standards. This is a change in approach to the management of temporary signs, which are currently managed via a set of permitted standards for temporary signs, including specific provision for sandwich board signs.

9.22 Temporary signs are used for a range of purposes including the advertisement of temporary activities and events. The supportive direction proposed in policy 8A.3.3.4 (a) allows community and businesses to continue to use temporary signs for such purposes, which is consistent with the signs objective. Similarly, 8A.3.3.4 (b) aligns with the second part of the signs objective and provides certainty that large temporary signs that do not

have a significant impact on amenity values and transport safety (due to size or duration) are to be appropriately provided for.

9.23 **Policy 8A.3.3.5**

Ensure that signs are located within or are visible from the road corridor do not interfere with the safe and efficient use of all roads (including the State Highway), and pedestrians footpaths, and cycleways.

9.24 This policy recognises that signs can have significant adverse effects on the safety and efficiency of the road network and need to be managed. It links to the second part of the signs objective by managing effects from signs to ensure the safe and efficient functioning of the transport network, including the State Highway.

10.0 EVALUATION OF PROPOSED RULES

10.1 PPC45 seeks to introduce new rules, remove some existing rules, and amend other rules. The efficiency and effectiveness of the proposed rules is considered in this section. The proposed rules seek to address the issues identified with the existing provisions and achieve the outcomes under the proposed objective and policies. As such this evaluation considers the specific rules in the context of the evaluation of the wider set of provisions (i.e. policies and rules).

The evaluation is contained in three tables. The title and number of the rules is specified as opposed to the full set of provisions, which can be found at Appendix 1.

<p>Rules for temporary signs</p> <ul style="list-style-type: none"> • Rules 8A.3.4.2 and 8A.3.4.4 • Permitted standards: 8A.3.4.8 • Matters of discretion 8A.3.4.15 and 8A.3.4.16 • Definitions: sign and new definition 'temporary sign'.
<p>Reason for rule and associated provisions and assessment.</p> <p>Temporary signs would be permitted provided they do not:</p> <ul style="list-style-type: none"> • exceed a maximum size requirement of 3m²; • a maximum duration of two months; and • in the residential zones a total area of temporary signs on a site of 4.5m² <p>The approach removes a number of detailed standards in the Plan (across all zones) for temporary signs.¹³</p> <p>The rules for temporary signs are the main method of achieving proposed Policy 8A.3.3.4. The rules set the size and duration threshold that enables this type of sign as a permitted activity, while still maintaining the traffic safety, character, and amenity values</p>

¹³ For example, in Chapter 18 - Residential Zones at Rule 18.23 there is a standard that any temporary sign shall be removed within 48 hours of the ceasing of the activity to which the sign relates. In addition, real estate signs must relate to the property on which they are erected. In Chapter 20 – Business Zones, Rule 20.27 there are standards for sandwich board signs concerning height above ground level (1m), width (no greater than 0.6m) and the location to not affect pedestrian or traffic safety.

of the local environment.

A new definition of 'temporary sign' helps differentiate between permanent and temporary signs. This provides clarity for plan interpretation and implementation.

The proposed rules remove duplication with the existing Signs Bylaw, which has some specific requirements for temporary signs of a similar nature to those in the District Plan¹⁴. The joint review of the Signs Bylaw and the District Plan provisions identified a need to resolve this duplication. As such, a more limited set of rules is considered appropriate for the District Plan, to allow the more detailed requirements for temporary signs to be managed by the Signs Bylaw.

The restricted discretionary activity status (where signs do not meet the specified standard) provides for consideration larger scale and/or longer duration temporary signs against a set of listed matters (to meet the intent of the policy direction). It provides certainty regarding what will be taken into account in this assessment.

Costs	Benefits
<ul style="list-style-type: none"> The need for resource consent when the proposed temporary signs exceed the proposed standards creates a cost for applicants. 	<ul style="list-style-type: none"> The 3m² and 2 month thresholds maintain the existing provisions, providing certainty for plan users and the community. Increased clarity that temporary signs are anticipated (through policy direction and rules), and clarity about the assessment framework for signs not meeting the minimum criteria.

Opportunities for Economic Growth and Employment

A less detailed set of rules for temporary rules provides continued opportunity for the use of temporary signs without unnecessary standards to be met or resource consent requirements. PPC45 is not considered to have a significant impact (positive or negative) on opportunities for economic growth and employment.

Efficiency and Effectiveness

There are efficiency gains to be had from managing the majority of temporary signs through the Bylaw and limiting the role of the District Plan.

Although there is some risk of reduced environmental outcomes (due to fewer permitted standards within the District Plan), it is considered that the risk is low due to these issues are proposed to be managed through the Signs Bylaw instead. The temporary signs provisions are considered to be an effective way of achieving the objective and policies and addressing the issues identified.

¹⁴ For example at 10.4(a) of the Signs Bylaw.

Risk of Acting or Not Acting

This proposal requires the Signs Bylaw to adequately address the issues that are being proposed for removal from the District Plan. The risk that the Bylaw does not adequately manage those issues is considered small, as the tools have been reviewed together and their review processes have been aligned to ensure this is low risk.

Not proceeding with these provisions would retain a level of permitted standards which unnecessary include overlap with the Sign Bylaw. Not including any rules for temporary signs provisions (in relation to maximum size and duration identified) would risk potential issues for amenity values and transport safety. Even though temporary in nature, these signs have the potential to result in adverse effects and need to be managed accordingly.

Overall assessment of the temporary signs rule

The provisions achieve an appropriate balance of providing for temporary signs while managing adverse effects. They ensure any larger scale or longer duration temporary signs are assessed through a restricted discretionary consent.

10.2 The following table evaluates signs, other than temporary signs, which are permitted subject to meeting standards.

Rules for signs, other than temporary signs – Permitted Activities
<p>Rule number</p> <ul style="list-style-type: none"> • Rule 8A.3.4.1 and 8A.3.4.3 • Definition of sign
<p>Reason for rule and associated provisions and assessment</p> <p>The proposed rules for signs, other than temporary signs, are the main method of achieving proposed policies 8A.3.3.1 - 8A.3.3.3 and 8A.3.3.5. These rules allow for signs to be placed on a site subject to meeting permitted standards, and set the size and duration thresholds that enable signs, while still maintaining traffic safety and the character and amenity values of the local environment.</p> <p>The proposed rules have been informed by recommendations of the <i>Urban Design Technical Report</i> (see Appendix 2). They assist in maintaining character and amenity values, for example, through ensuring signs are in proportion to the site or building and avoiding visual clutter</p> <p>Similar to the policy direction, variation is incorporated between zones (such as the maximum area of a single sign on a building façade of 5m² (within Business Commercial and Special Activity Zones compared to 10m² in the Industrial Zones). This responds to the different character and amenity of these zones. A diagram is proposed to help illustrate rules in Business zones.</p> <p>New permitted standards are introduced for the open space zone to allow signs for marking of tracks and interpretation without resource consent.</p> <p>The existing rule for signs directed at the State Highway and where the speed limit is</p>

70km/hr or greater is proposed to be retained, although amended to 'visible from' the State Highway. In addition an advice note is included in relation to NZTA Bylaws and regulations. Additional traffic safety standards are also introduced, including to avoid driver distraction and confusion. These draw on the Technical Paper – Traffic and Signs (see Appendix 3).

The existing rule requiring a sign to be removed once the activity has ceased is proposed to be removed as this is considered unnecessary and too prescriptive.

The definition for 'sign' is expanded considerably to provide more clarity and certainty.

The consent requirements for signs with changing content have been expanded to reflect the potential for significant adverse effects to occur (particularly relating to amenity and transport safety).

Costs	Benefits
<ul style="list-style-type: none"> • Increased costs for sign users where resource consent would now be required. • Where consent is needed there may also be some financial cost to address location and design principles. 	<ul style="list-style-type: none"> • Better managed siting and design of signs results in improved environmental outcomes (to support the signs objective). • Retention of some existing rules provides a continued level of certainty for plan users. • Consolidated rules framework, a new diagram to support the rules, and a clarified definition increase ease of use for plan users.

Opportunities for Economic Growth and Employment

The rules provide for the community and businesses to continue to place permanent signs on their sites without unnecessary consent requirements and associated costs. PPC45 is not considered to have a significant impact (positive or negative) on opportunities for economic growth and employment.

Efficiency and Effectiveness

The proposed provisions are considered to be an effective way of achieving the signs objective. They balance the need for signs with the need to manage their adverse effects. Although the proposed rules introduce some new requirements for signs, the generally permissive approach utilising a set of permitted standards has been retained as this is considered both an effective and efficient way of managing the effects of signs.

Risk of Acting or Not Acting

There is sufficient information available to justify the proposed approach and there is no significant risk identified in implementing the proposal.

Not proceeding with these provisions would retain a level of permitted rules and associated standards in the Plan, however the issues identified with the existing provisions would not be addressed. This may result in poor outcomes for amenity values

and transport safety.
<p>Overall assessment</p> <p>The proposed provisions would be effective in achieving the outcomes sought in the objective. They achieve an appropriate balance of providing for signs while managing adverse effects.</p>

<p>Rules for signs, other than temporary signs – Restricted discretionary and Discretionary</p>
<p>Rule number</p> <ul style="list-style-type: none"> • Rule 8A.3.4.5 (Restricted Discretionary) Rule for any sign (other than temporary signs) which does not comply with one or more of the permitted standards at 8A.3.4.9 – 8A.3.4.13. • Rules 8A.3.4.6 and Rule 8A.3.4.7 (Discretionary) Rules for: <ul style="list-style-type: none"> ○ Any sign (other than a temporary sign) which incorporates movement or changing content, and digital signage. ○ Any sign (other than a temporary sign) which is not situated on a site to which the sign relates.
<p>Reason for the rule and associated provisions assessment</p> <p>Signs that exceed the proposed permitted standards at 8A.3.4.9 – 8A.3.4.13 have the potential to impact on the maintenance of character and amenity values. The restricted discretionary status provides for assessment against a set of criteria (matters of discretion) and to impose conditions, or to refuse consent.</p> <p>These matters of discretion:</p> <ul style="list-style-type: none"> • address functional requirements for signs in addition to location and design matters • provide flexibility for a site-by-site assessment • recognise that there may be instances where not meeting the rules could be appropriate due to, for example, site constraints. <p>This approach builds on the positive direction in the objective and policies and contributes to the sign outcomes of the proposed Objective. It applies where the matters relating to size or location of a sign do not meet the permitted standard. The matters of discretion are relevant in any zone and can be assessed in relation to site and context and wider amenity and character considerations per zone (further linking to the direction in the first two policies discussed). They incorporate urban design considerations and matters such as whether there are any special circumstances that may justify an increased size of sign, and whether there may be positive benefits from the sign.</p>

The restricted discretionary status is consistent with the approach of the operative District Plan as the primary activity status where such permitted standards are not met.

The restricted discretionary activity status in the operative Plan also applies for signs which do not meet the permitted standard requiring that any sign must not be flashing animated, or continuously differing in form or detail (a permitted standard which applies across the District with some exceptions). It also applies to signs (other than for temporary signs) which do not meet the permitted standard requiring any sign (other than sandwich board signs) to be situated on the site to which they relate.

The proposed discretionary activity status under PPC45 is sought for:

- Any sign (other than a temporary sign) which incorporates movement or changing content, and digital signage.
- Any sign (other than a temporary sign) which is not situated on a site to which the sign relates.

The first point identified above would address those signs covered by the operative plan provisions for any sign must not be flashing animated, or continuously differing in form or detail. It would extend to include 'digital' signs. This results in the activity status for these types of signs to be changed from restricted discretionary to discretionary.

These types of signs identified with discretionary activity status have the potential for significant adverse effects (visual or residential amenity or transport safety).

The discretionary activity status provides for a wider assessment to be undertaken (than restricted discretionary) and creates a strong test to be met, but it does provide a consent pathway for applicants to test the merits of an application. A wide range of issues and values can be weighed together in the discretionary decision-making process. It is considered appropriate to have a different resource consent pathway for these types of signs. A non-complying activity status is considered less appropriate in the context of the associated policy direction.

Costs	Benefits
<ul style="list-style-type: none"> • Potential cost increase to comply with new requirements (when resource consent would be required) as restricted discretionary activity status with expanded matters of discretion (than under the Operative Plan). • Potential cost increase to comply with new requirement of discretionary activity status (rather than restricted discretionary). 	<ul style="list-style-type: none"> • Better managed siting and design of signs results in improved environmental outcomes (to support the signs objective). • A wide range of issues can be weighted together in the decision making process (for discretionary activity status), yet it remains a pathway to test proposals.

<p>Opportunities for Economic Growth and Employment</p> <p>The approach provides for community and business to continue to place permanent signs on their sites within a resource consent framework. PPC45 is not considered to have a significant impact (positive or negative) on opportunities for economic growth and employment.</p>
<p>Efficiency and Effectiveness</p> <p>The proposed provisions would be effective in achieving the signs objectives. They balance the need for signs but to provide for them a way that avoids significant adverse effects. Where resource consent is needed, there may be some increased financial cost to address location and design principles and the other listed matters, or to undertake a broader assessment in preparation of resource consents (in relation to discretionary activity). However this is considered appropriate and reflective of the possible effects from these types of signs.</p>
<p>Risk of Acting or Not Acting</p> <p>There is sufficient information available on the subject matter and there would not be a high risk in implementing the proposal.</p> <p>Issues may arise in terms of amenity values and transport safety if the issues raised are not addressed through the proposed changes.</p>
<p>Overall Assessment</p> <p>The proposed associated activity status for signs not complying with permitted standards and for the other listed types of signs are considered to be effective in achieving the outcomes sought in the signs objective. They provide a clearer and more focused assessment framework for signs which do not meet the permitted standard. Where a wider assessment is necessary for certain types of signs, this is provided through the discretionary activity status but still provides a pathway to seek resource consent.</p>

11.0 THE RISK OF ACTING OR NOT ACTING

11.1 The evaluation under s32 must consider the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter of the provisions¹⁵.

11.2 Technical work has been undertaken to understand and document the quality of signs within the district and to understand issues stemming from an analysis of resource consents and complaints. It is considered that that there is:

- a. Sufficient information available on the subject matter.
- b. There would not be a high risk in implementing the proposal.
- c. Not proceeding would mean the potential for poor quality outcomes for signs which could impact on character, amenity and transport safety.

¹⁵ Section 32(2)(c)

12.0 CONCLUSION

- 12.1 PPC45 seeks to update and consolidate the signs provisions in the District Plan, including inserting a new chapter for signs, and updates to definitions.
- 12.2 PPC45 has been prepared in recognition of the legislative and strategic context and seeks to ensure that the new objective for signs can be achieved. The approach recognises the role of regulatory and non-regulatory methods in managing signs, and that the District Plan is one of a number of ways in which signs are managed in the District.
- 12.3 PPC45 proposes to consolidate all signs provisions into a single sub-chapter and provides a more consistent and focused approach to signs in the District Plan. It would support the community and businesses by recognising the values they receive from signs. The new objective, more specific policy direction, and updated supporting rules would update the District Plan while retaining the existing enabling approach in the Operative District Plan.