

Section 42A Officer's Report

Hearing Stream 7: Other Topics

Subjects: Signs

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2 Introduction

2.1 Purpose of this report

- (1) This report is the Officers Report for the Signs topic for the Proposed Lower Hutt District Plan (the PDP).
- (2) This report is prepared under section 42A of the Resource Management Act 1991 (the RMA) to:
 - Assist the Hearing Panel in making their recommendations on the submissions and further submissions on the PDP, and
 - Provide submitters with information on how their submissions/further submissions have been evaluated by the reporting officer(s) for this hearing stream, and their recommendations to the Hearing Panel.
- (3) The Hearing Panel may choose to accept or reject the conclusions and recommendations of this report, or may come to different conclusions and make different recommendations, based on the information provided to them, including evidence provided to them by submitters.

2.2 Scope and structure

- (4) This report addresses submissions on the following chapter of the PDP:
 - SIGN-Signs
- (5) In addition, this report addresses submissions on the following Definitions:

Definitions from the PDP as notified

- Digital sign
 - Official sign
 - Sign
- (6) Some submission points received on the PDP may have some relevance for the Signs chapter but are more appropriately addressed through reports for
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other hearing streams to enable them to be considered alongside similar submission points. This includes submission points on:

- Infrastructure
- Light

2.3 Author

- (7) My full name is Sean Bellamy. I am an Intermediate Policy Planner in the Policy Planning team at Hutt City Council (the Council).
- (8) I hold the qualifications of a Master of Regional and Resource Planning from the University of Otago, and a Master of Earth Science from the University of Waikato. I am an Intermediate Member of the New Zealand Planning Institute.
- (9) I have approximately 13 years' experience in planning and resource management roles in Local Government, covering district plan reviews and resource consent processing. This experience includes processing resource consent applications for Dunedin City Council and Hawkes Bay Regional Council and managing the review of the residential section of the Hastings District Plan.
- (10) I have been involved in the Hutt City Council District Plan Review since 2022, including working on the General Rural Zone, Rural Lifestyle Zone, Quarry Zone, Activities on the Surface Water, Signs and Designation chapters and associated s32 reports.
- (11) Although this is a Council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.
- (12) Other than where I state that I am relying on the advice of another person, this evidence is within my areas of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- (13) Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my
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opinion. Where I have set out opinions in my evidence, I have given reasons for those opinions.

2.4 Supporting evidence

(14) Other than the s32 evaluation reports for this chapter, additional supporting documents or evidence for this report, include:

- A specialist review by Mike Smith (Stantec, New Zealand), reference *HCC Signs Chapter – Review of Submissions* (Appendix 4 of this report).

2.5 Glossary and abbreviations

Term or abbreviation	Meaning
HCC	Hutt City Council
KiwiRail	KiwiRail Holdings Ltd
ODP	Operative District Plan
OOHMAA	Out of Home Media Association of Aotearoa
oOH Media	oOH Media Limited
The Fuel Companies	BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd
PDP	Proposed Lower Hutt District Plan
Petone Historical Society	Petone Historical Society Inc
RLZ	Rural Lifestyle Zone
RMA	Resource Management Act 1991
Seaview Marina	Seaview Marina Limited
TCDM	Traffic Control Devices Manual
Urban Plus	Urban Plus Limited
Waka Kotahi	NZ Transport Agency Waka Kotahi
Woolworths	Woolworths New Zealand Limited
Z Energy	Z Energy Limited

2.6 Procedural issues

- (15) At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on the Signs chapter.
- (16) The 'Plan Stop' requirements and the associated exemption for the PDP (discussed in the s42A report for Hearing #1: Opening) are relevant for the Signs chapter of the PDP. This is discussed below in s2.6.1 of this report (The Plan Stop legislation and changes, and the New Planning legislation are covered in the s42A report for Hearing Stream 1: Opening).

2.6.1 Relevance of the PDP exemption for Signs chapters

- (17) In August 2025, the RMA was amended to introduce new plan stop provisions which required councils to stop proposed plan change processes which had not proceeded to hearings. Hutt City Council applied for and was granted an exemption to proceed with the PDP with the following parts withdrawn:
- Historical and Cultural Values chapters, schedules and overlays
 - Natural Environmental Values chapters, schedules and overlays
 - Non-hazard parts of the Coastal Environment chapter and associated schedules and overlays (including coastal natural character)
 - Parts relating to Highly Productive Land.
- (18) With regard to the Signs chapter, provisions for managing the effects of signs on heritage buildings and structures are not within the scope of the exemption. As a result, these provisions will need to be withdrawn to ensure that the Signs chapter remains within the scope of the exemption.
- (19) The provisions of the Signs chapter that will need to be withdrawn are:
- Policy SIGN-P5 (Signs on heritage buildings or heritage structures or in heritage areas)
 - Rule SIGN-R4 (Signs on sites with scheduled heritage buildings, heritage structures, or sites within a heritage area)

- (20) The following seven submissions relate to the above provisions, or request amendments that refer to historical heritage, and are not addressed in this report.
- Heritage New Zealand Pouhere Taonga (248.65 and 248.66),
 - oOh Media Limited (517.34),
 - OOHMAA (413.5),
 - Petone Historical Society Inc (496.41, 496.42, 496.44 496.45 and 496.46),
 - Policy Planning team of the Hutt City Council (440.60)
- (21) As parts of the PDP have been withdrawn, the PDP is no longer a complete replacement of the Operative District Plan. As a result, on the completion of the PDP process, the surviving parts of the PDP will need to integrate with the parts of the Operative District Plan that will no longer be replaced.
- (22) Of relevance for this report, there are provisions in Chapter 14F: Heritage Buildings and Structures, Chapter 4G: High Density Residential Activity Area and Chapter 5B: Petone Commercial Activity Area of the Operative District Plan that correspond to parts of the Historic Heritage Chapters of the PDP that have now been withdrawn. They also relate to the provisions in the Signs chapter that will be consequentially withdrawn. As a result, they will need to be retained and integrated with the PDP on the completion of the PDP process.

3 Chapter summary

3.1 Chapter summary

- (23) The Signs chapter in the PDP manages signs and their effects. Signs fulfil an important social and economic purpose for the community and provision for signs is important.
- (24) The key effects of signage result from their location, size, height, and number. The provisions for this vary depending on the underlying zone. Multiple rules can apply to a particular sign.
- (25) The effects of signs on the safety and efficiency of the transport networks and their users are addressed through a specific standard and are generally included as matters of discretion for restricted discretionary consents.
- (26) Digital signs are treated separately due to the more complex effects relating to illumination, changing messages, glare etc and their potential impact on traffic safety.
- (27) Election signs are treated separately as election signs associated with general elections are managed under the Electoral Act 1993. The Signs Chapter applies the same provisions to local elections and to referendums.
- (28) Signs for temporary events are provided for prior to and subsequent to the event.
- (29) Third party signs are provided for in industrial and commercial zones. However, their use is more restricted in other zones.
- (30) The following chapters, contain provisions that relate to signs:
- Infrastructure chapter
 - Light chapter

- (31) The infrastructure chapter includes provisions for signs associated with operating, maintaining and developing infrastructure. The light chapter has provisions that manage the illumination and glare of signage.

3.2 Statutory and policy context

- (32) The broader context of statutory considerations and national and regional direction as set out in the s32 report for the chapter remains relevant. I have reviewed this section of the s32 report and confirm it is accurate.
- (33) While there have been changes to national and regional policy direction since the PDP was notified, these changes do not relate to the Signs chapter.

4 Discussion of submissions and recommendations

(34) The following sections of this report address submission points on Signs chapter and associated definitions, with my recommendations on decisions requested by submitters.

(35) The sections are:

- Provisions not in dispute,
- General submissions on the Signs Chapter, Introduction, the Signs standards, and
- Specific submissions on:
 - Objectives and policies,
 - Rules and standards, and
 - Definitions.

(36) The key issues section discusses some issues raised in submissions in general terms. However, specific relief requested by submitters, and my recommendations are made at a provision-by-provision level in the later sections.

4.1 Format for consideration of submissions

(37) As noted above, section 4.4 addresses submissions on the Signs chapter. The section steps through the relevant submissions by starting with more general submission points before stepping through relevant provisions in the order that they appear in the chapters.

(38) Each section includes:

- A brief summary of the relevant submission points,
 - A discussion of those points, and
 - My recommendations on the decisions requested or alternative relief.
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- (39) Appendix 1 contains a list of the submissions on the Signs chapter that relate to withdrawn provisions in the PDP.
- (40) Appendix 2 of this report is a ‘tracked changes’ version of the relevant chapters and sections of the PDP, showing my recommended amendments.
- (41) Appendix 3 of this report is a table of the submission points addressed by this report, with my recommendations on each point.

4.2 Key resource management issues

- (42) The key resource management issues raised in submissions are:
- Ensuring signage does not create adverse effects on traffic safety and the efficient and effective operation of state highways and railways.
 - Whether the bulk, location and proliferation standards are appropriate.
 - Whether the standards for signage in the Mixed Use Zone should be the same as the standards for signage in commercial and industrial zones.
 - Inclusion of standards for the Seaview Marina Zone
 - Managing the effects of digital signage, particularly, the number and size of messaging, transition of images and visibility from transport networks.

4.2.1 Traffic safety and the efficient and effective operation of state highways and railways

- (43) The submissions by Waka Kotahi and KiwiRail relate to the safety and efficiency of the transport networks. These include the visibility of signs from the state highways, on ramps and level crossings.

4.2.1.1 Visibility of signs from the state highways, on ramps and level crossings

- (44) Waka Kotahi and KiwiRail are primarily concerned with the obstruction of drivers’ views by signs as they approach intersections with their assets, and the distraction caused to drivers,

4.2.1.2 Number and size of signs

- (45) The number, size and location of signs have a potential impact on the amenity of a zone and safety and efficient use of the transport network. Submissions include requests to reduce the maximum height of signs, the maximum size of signs in residential areas and inclusion of official signs in the standard.

4.2.1.3 Content of signs

- (46) The issues raised primarily relate to the font size, the number of characters that can included on a sign and presence of logos, The primary issue is driver distraction and the potential impact on safety.

4.2.1.4 Digital signs

- (47) There are a number of issues relating to digital signs that have been raised in submissions. These include:

- Notification
- Rail Crossings
- Applicability of a 70 km/h threshold, or retaining the stated 80 km/h
- State Highway On ramp / Off ramp restriction
- Dwell Time
- Transition method and time
- Luminance Levels

- (48) Most of these issues relate to the safe operation of the transport network. In general infrastructure operators (Waka Kotahi and KiwiRail) has sought to tighten the rules relating to signs near the State Highways and Railways. Whilst sign designers have sought more enabling provisions for digital signs.

4.2.1.5 Luminance

- (49) Submissions on luminance primarily relate to digital signs, but are also relevant to illuminated signs. The issue is complicated as luminance is primarily managed through the Light Chapter. The key issue relates to the ease of interpretation of LIGHT-TABLE3.

4.2.2 Notification of Waka Kotahi or KiwiRail

- (50) Waka Kotahi and KiwiRail have sought to require their notification, where resource consent is required for signs that are visible from a state highway or rail crossing.
- (51) The RMA provides for the determination of affected persons in limited notification as part of the assessment of resource consents. The legislation does not provide for the predetermination of limited notification as rule in the District Plan.

4.2.3 Activity status of signs in the Mixed Use Zone

- (52) There are several submissions relating to the activity status of signage within the Mixed Use Zone.
- (53) The submitters' proposed amendments would mean that digital signage in the Mixed Use Zone would be treated consistently with other commercial and industrial zones, rather than the residential zones.

4.2.4 Activity status of signs in the Seaview Marina Zone

- (54) There are several submissions points relating to the activity status of signs in Seaview Marina Zone. Seaview Marina Ltd has submitted that the PDP does not include provisions for signs in Seaview Marina Zone. They seek to have:
- third party advertising included as a permitted activity in the Seaview Marina Zone in Rule SIGN-R2.1, and
 - digital signs included as a restricted discretionary activity in the Seaview marina Zone in Rule SIGN-R3.1.
- (55) The proposed amendment would mean that digital signage would be treated consistently with Commercial and industrial signs. Third party signs and digital signs in the Seaview Marina Zone were not specifically included in the PDP. The proposed amendments would be consistent with the general approach to signs and result in a more effective and efficient management of the objectives and policies of the PDP.

4.2.5 Third party signs

- (56) There are submissions seeking a more enabling activity status for signs in the Mixed Use Zones. This zone provides for a mix of commercial and residential activity. In other commercial zones third party signs are a permitted activity, whilst those in residential areas a non-complying activity. As a general approach the PDP does not encourage a proliferation of signs in residential areas, as signage impacts on residential amenity,

4.2.6 Election signs

- (57) There are submissions seeking more restrictive provisions for election signs. However, the permitted baseline for national election signs is created by the Electoral Act 1993/ The standards in the PDP reflect this and provide the same baseline for local elections.

4.3 Submissions on Signs chapter – Discussion and recommendations

- (58) The following sections of this report address submission points on the Signs chapter, with my recommendations on decisions requested by submitters and other amendments resulting from these submission points.

- (59) The sections are:

- Provisions not in dispute,
- Submissions on:
 - The whole chapter, Introduction and standards,
 - Objectives,
 - Policies,
 - Rules, and
 - Standards, and
- Submissions on zoning.

4.3.1 Provisions not in dispute

(60) The following provisions only have submissions that are neutral or in support, with no changes sought:

- Objective SIGN-O1 (Signs): supported by Waka Kotahi (385.78), OOHMAA (413.1), Petone Historical Society (496.41) and oOh Media Limited (517.30).
- Policy SIGN-P6 (Impacts of signs on the transport network): supported by the Waka Kotahi (385.81), OOHMAA (413.6) and oOH Media (517.35).

(61) The following provision has not received any submissions:

- Policy SIGN-P2 (Temporary signs, including election signs)

(62) I recommend that the submission points supporting these provisions, as identified above, be accepted.

4.3.2 General submissions

4.3.2.1 Introduction to the Signs chapter

Submission

(63) Waka Kotahi (385.77, opposed by OOHMAA F21.1) requests the following paragraph be added to the introduction to the Signs chapter:

Signs located on, or over, State Highways and State Highway road reserves require approval from the New Zealand Transport Agency, regardless of whether the sign complies with the provisions of the District Plan. Any sign fronting or clearly visible from a State Highway will require affected party approval from the New Zealand Transport Agency.

(64) The submission does not state how this amendment will be included within the existing structure of the Introduction to the signs chapter.

(65) In their further submission, OOHMAA specifically requests the removal of “part of the submission by deleting the last sentence of the requested paragraph” being:

Any sign fronting or clearly visible from a State Highway will require affected party approval from the New Zealand Transport Agency.

Assessment

- (66) I agree with the further submission of OOHMAA (F21.1) that the statement identifying NZTA as an affected party for signage visible from, but not on, the State Highway Network, is inappropriate, as determination of adverse effects, notification and affected parties is specifically identified as a function of the resource consent process.
- (67) In addition, I don't think it is necessary to include a statement in the Introduction specifically on needing approval from NZTA where someone proposes a sign on a state highway or state highway reserve. In this regard, NZTA is effectively a landowner like any other landowner, and it should be taken as a given that someone needs approval from a landowner to undertake an activity on that land.
- (68) The only exception to this is in the case of Council reserves, as it is important to establish the relative roles of the District Plan and Council bylaws.

Recommendation

- (69) I recommend that the relief sought by Waka Kotahi (385.77) be rejected.

4.3.2.2 General: All standards

Submission

- (70) Laura Skilton (314.109) requests the deletion of the following from standards:

"Any positive effects of signs that cannot be achieved while complying with this standard from all the standards in the Signs chapter."

Assessment

- (71) In response to Laura Skilton, I consider there could be potential positive effects relating to non-complying signage. The provision only provides for consideration of positive effects beyond what could not be achieved through

a compliant sign. Whilst these effects may be limited they nevertheless exist and should be considered.

(72) Council must consider the environmental, social, cultural and economic costs and benefits of provisions under section 32 of the RMA. The purpose of the RMA is broad and includes provision for the enabling of people and communities to provide for their social, economic, and cultural well-being and for their health and safety. This includes consideration of positive effects.

(73) I consider there are a range of situations when consideration of the positive effects of a sign could be beneficial. For example, a large interpretation sign explaining the value and protection of an important cultural, historic or archaeological area.

Recommendation

(74) I recommend rejecting the relief sought by Laura Skilton (314.109).

4.3.3 Submissions on objectives and policies in the Signs Chapter

4.3.3.1 SIGN-P1: Signs provided for

Submissions

(75) OOHMAA (413.2) and oOH! Media Limited (517.31) request an amendment to SIGN-P1 to provide for minimisation of visual clutter, rather than its avoidance.

4. They ~~do not result in~~ minimise visual clutter,

(76) Waka Kotahi (385.79, opposed by OOHMAA F21.2) supports SIGN-P1.

Assessment

(77) In response to OOHMAA and oOH Media, I do not support the proposed amendment. I agree with the submission by Waka Kotahi that the change potentially has an effect on the safe and efficient use of the transport network. I agree with the evidence provided by Mr Smith that visual clutter has the potential to increase cognitive load, delay reaction times, and result in

sign blindness and confusion and that is unclear what “minimise” means in this context.

- (78) I am also concerned that visual clutter associated with the proliferation of signage has the potential to adversely affect the amenity and character of the surrounding area.
- (79) I consider that the proposed amendment has the potential to provide for any signage irrespective of its effect. I consider the existing provision provides for circumstances where declining an application for resource consent may be the most appropriate option.

Recommendation

- (80) I recommend that the submission point of Waka Kotahi (385.79) be accepted.
- (81) I recommend rejecting the relief sought by OOHMAA (413.2).
- (82) I recommend rejecting the relief sought by oOH Media (517.31).

4.3.3.2 SIGN-P3: Third-party advertising signs

Submissions

- (83) Petone Historical Society Inc (496.43) supports SIGN-P3 and requests a reference to Overlay and Precincts in the first sentence.
- (84) OOHMAA (413.3) and oOh Media Limited (517.32) request an amendment to SIGN-P3 as follows:

4. ~~Do not result in~~ Manage visual clutter and other adverse cumulative effects.

Assessment

- (85) In response to Petone Heritage Society, I consider the proposed amendment to SIGN -P3 is redundant as it relates to provisions in the Historic Heritage chapter and overlays that have been withdrawn from the PDP.
- (86) I do not agree with the submissions by OOMAA and oOH Media Limited. I believe “manage” is a broad term and potentially provides for any effect. I

consider that purpose should include a statement regarding the level of clutter and cumulative effects of signs. If “*Do not result in*” is considered inappropriate, I would suggest “*minimise*” as a potential alternative.

Recommendation

- (87) I recommend rejecting the relief sought by Petone Historical Society Inc (496.43).
- (88) I recommend rejecting the relief sought by OOHMAA (413.3).
- (89) I recommend rejecting the relief sought by oOh Media Limited (517.32).

4.3.3.3 SIGN-P4: Digital and illuminated signs.

Submissions

- (90) OOHMAA (413.4) and oOh! Media Limited (517.34) supports policy SIGN-P4.
- (91) Waka Kotahi (385.80, opposed by OOHMAA F21.3) supports policy SIGN-P4 but seeks the following amendments:

6. The sign is not visible from a state highway or road with a speed limit of 70~~80~~km/h or more, and

7. Cumulative effects of digital billboards are managed.

- (92) KiwiRail (442.74, opposed by OHMAA F21.13) seek to amend the policy to include management of effects on the rail network. The proposed amendment is:

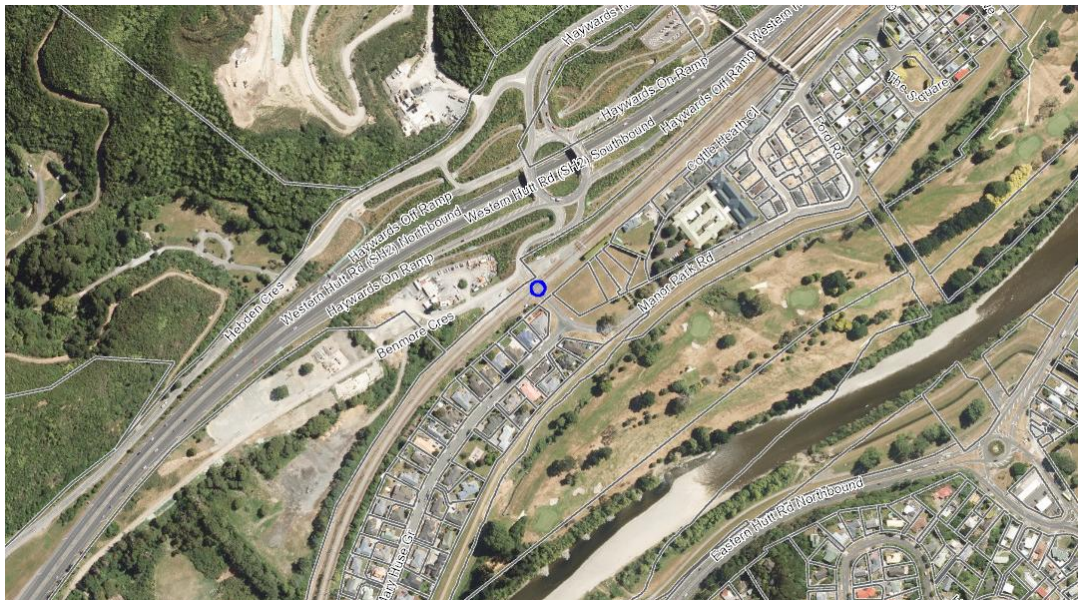
x. The sign is not visible in conjunction with, or located in a manner that it may distract from, warning lights such as those at level crossings, or signals associated with the operation of the rail network.

Assessment

- (93) In response to the Waka Kotahi submission, I agree with their assertion that the reduction in the speed limit will result in an increase in safety and that there is a potential benefit from the proposed amendment.

- (94) I do not agree with the submission that visual clutter and cumulative effects are not managed. I agree with the advice of Mr Smith who considers that visual clutter and cumulative effects are managed through provisions in SIGN-P1.4 and SIGN-P1.6 and associated provisions in the SIGN chapter.
- (95) The relief sought by Waka Kotahi reflects the intent of the Traffic Control Devices Manual (TCDM). The TCDM, Traffic Control Devices Rule (TCDR), and Table 7.1 (Longitudinal location of warning signs) state the minimum sign spacing distances between successive signs, for a given road speed. A review of the National Speed Limit Register reveals that roads of 70 km/hr are best described as peri-urban or rural (e.g. Harcourt Werry Drive) and align in characteristics with that of 80 km/h and above.
- (96) The stretches of road that are affected are:
- Marine Drive and Seaview Drive,
 - Eastern Hutt Road and High Street, Taita,
 - Harcourt Werry Drive, and the Kennedy Street/Good Street Bridge Underpass,
 - Moores Valley Road, including Brookfield Lane and Crowther Lane,
 - Wainuiomata Hill Road, and
 - Coast Road, Wainuiomata.
- (97) I also note that advertising on the road reserve, including displaying vehicles for sale, within the road reserve is managed under Hutt City Council Traffic Bylaw 2017.
- (98) In response to the submission by KiwiRail on standard SIGN-S6, I consider the proposed amendment provides guidance to the safe, efficient and effective management of the railway network.
- (99) OOHMAA opposes the relief sought as it is on the basis that it is overly onerous for signs are not visible in conjunction with rail signals, at all. I concur with the submission by KiwiRail and the evidence supplied by Mr Smith.
- (100) Mr Smith concludes that the relief sought by KiwiRail should be adopted, on the basis of road user safety, where any form of distraction will have significant negative user safety outcomes.

- (101) The placement of a digital billboard has the ability to distract a driver and barrier arms and controls in themselves do not fully prevent driver behaviour of progressing into the rail crossing. He notes that: "... considering the characteristics of a signalised or controlled crossing, a rail crossing is unlike other locations where effective braking could occur, an error by a driver at a rail crossing would result in a [circa] 800 tonne train unable to stop, or take evasive action."
- (102) I note that there is only one level crossing in Lower Hutt, at the intersection with Manor Park Road, Manor Park as shown by the blue circle on the aerial photograph below. The remaining railway lines and roads are separated.



Recommendation

- (103) I recommend that the submission points of OOHMAA (413.4) and oOh! Media Limited (517.34) be accepted, in that I recommend that policy SIGN-P4 be retained, subject to amendments in response to other submitters.
- (104) I recommend accepting the relief sought by KiwiRail (442.74).
- (105) I recommend accepting in part the relief sought by Waka Kotahi (385.80).
- (106) I recommend that policy SIGN-P4 be amended as follows:

Provide for digital signs and illuminated signs where:

1. *The sign is compatible with the character of the zone and any relevant precinct or overlay,*
2. *The sign does not compromise traffic, pedestrian, or cycling safety,*
3. *Digital signs do not cause any area to feel overly dominated by signage and advertising,*
4. *Light spill or glare effects are managed so they do not compromise amenity values,*
5. *Illumination does not compromise views of the night sky, and*
6. *The sign is not visible from a state highway or road with a speed limit of ~~80~~ 70km/h or more.*
7. *The sign is not visible in conjunction with, or located in a manner that it may distract from, warning lights such as those at level crossings or signals associated with the operation of the rail network.*

4.3.4 Submissions on rules and standards in the Signs Chapter

4.3.4.1 SIGN-R1: Signs

Submission

- (107) KiwiRail (442.75, opposed by OOHMAA F21.14) supports rule SIGN-R1 in part, but seeks an amendment adding a clause limiting signs as a permitted activity where they are visible from level crossings and signals associated with the rail network. The proposed amendment is:

ix. is not visible, or oriented to be read in conjunction with warning lights located at a level crossing, or signals associated with the operation of the rail network.

- (108) Waka Kotahi (385.82, opposed by OOHMAA F21.4) supports rule SIGN-R1 in part, but seeks to amend the rule. The submitter seeks to amend SIGN-R1.1.c to include visibility from the state highway networks:

The sign cannot be seen beyond the boundary of a site or from the state highway network, or

- (109) Waka Kotahi (385.83, opposed by OOHMAA F21.5) also requests the following amendment to requiring the limited notification of Waka Kotahi. The requested amendment is:

Notification:

Limited notification to the New Zealand Transport Agency is required for applications under this rule due to a non-compliance with SIGN-R1.1(c), (d, viii and ix).

- (110) Laura Skilton (314.96) requests rule SIGN-R1.2 be amended to remove SIGN-R1.1.b, which is a duplicate of SIGN-R1.d.vii.

~~(b) The sign is an election sign and complies with SIGN-S7: Election signs, or~~

Assessment

- (111) In their submission, KiwiRail specifically raises concerns with the effects of digital billboards. I note that rule SIGN-R1 would not apply to digital billboards. Digital billboards would require resource consent as either a restricted discretionary or non-complying activity under rule SIGN-R3.
- (112) However, Mr Smith agrees with the submitter that digital billboards have the potential to impact on rail crossings and I accept this.
- (113) In response to the submission by Waka Kotahi, I understand the need to ensure the safe and efficient functioning of the state highway network. However, the mechanism in rule SIGN-R1 to ensure impacts on the transport network are considered is the reference to standard *SIGN-S8: Signs and the Transport Network*. In my opinion it is better to keep this single mechanism rather than duplicating it in part through SIGN-R1.1c, and that if any changes are required, those changes should be to SIGN-S8.
- (114) Mr Smith considers that the amendment to clause SIGN-R1.c to include visibility from a state highway network assists in the assessment matters. I therefore support the requested amendment. The proposed change does not mean that signage could not overlook a state highway, but would mean that

they would be considered on a case-by-case basis. This is consistent with policy SIGN-P4.

(115) Waka Kotahi also seeks a note stating that Waka Kotahi is an affected person. I consider this to be ultra vires, as the decision on who is an affected person is a function of Council under the resource consent process. I agree with the further submission by OOHMAA that it is inappropriate to predetermine Waka Kotahi will be an affected person.

(116) With regard to the submission by Laura Skilton (314.96), I agree that SIGN-R1.1b effectively duplicates SIGN-R1.d.vii. To resolve this issue, I recommend SIGN-R1.b be retained, so it is clear that the rule applies to election signs, but that the point be amended to remove the reference to SIGN-S7 (which is covered by SIGN-R1.1.d.vii).

Recommendation

(117) I recommend rejecting the relief sought by KiwiRail (442.75).

(118) I recommend rejecting the relief sought by Waka Kotahi (385.82) regarding rule SIGN-R1.1c.

(119) I recommend rejecting the relief sought by Waka Kotahi (385.83) regarding a note on notification.

(120) I recommend accepting the relief sought by Laura Skilton (314.96).

(121) I recommend that rule SIGN-R1 be amended as follows:

1. Activity status: Permitted

Where:

- a. The sign is an official sign, or
- b. The sign is an election sign ~~and complies with SIGN-S7: Election signs~~, or
- c. The sign cannot be seen beyond the boundary of a site, or
- d. Compliance is achieved with:
 - i. SIGN-S1: Area of a sign,
 - ii. SIGN-S2: Combined area of signs per site,

- iii. SIGN-S3: Number of signs per site,
- iv. SIGN-S4: Height of freestanding signs,
- v. SIGN-S5: Height and placement of signs attached to buildings, structures and verandahs,
- vi. SIGN-S6: Temporary signs,
- vii. SIGN-S7: Election signs,
- viii. SIGN-S8: Signs and the transport network, and
- ix. SIGN-S9: Sign illumination.

4.3.4.2 SIGN-R2: Third-party advertising signs

Submission

- (122) Urban Plus (322.33b, opposed by Waka Kotahi F20.30) opposes rule SIGN-R2, and seeks that the activity status in the Mixed Use Zone is permitted, not non-complying.
- (123) OOHMAA (413.7a and 413.7b) and oOH Media (517.36) support rule SIGN-R2 in part, but request that the rule be amended to apply a discretionary activity status to third party advertising signs in the Mixed Use Zone.
- (124) Seaview Marina Ltd (343.53) opposes rule SIGN-R2, and seeks that the Seaview Marina Zone is included in the list of zones where third-party advertising is permitted.
- (125) Winstone Aggregates (444.36) seek to retain rule SIGN-R2 as notified in the PDP.

Assessment

- (126) The key issues raised by submitters are:
 - The change of the activity status of signs in Mixed Use Zone
 - The inclusion of Seaview Marina in the activity status table.
- (127) Rule SIGN-R2 manages third party advertising signs. Third party signs are also required to comply with SIGN-R1, SIGN-R3 and LIGHT-R1. SIGN-R3 essentially provides for minimisation of signage not associated with the site in rural, residential, mixed use, open space and natural open space zones.

(128) In response to the submissions of OOHMAA (413.7b), oOH Media (517.36) and Urban Plus (322.33b), I consider that a non-complying activity status is appropriate. The Mixed Use Zone often applies to residential areas where the Proposed District Plan provides for a transition to more non-residential uses. However, it does not always provide for this transition as a permitted activity in order to manage the potential effects on the residential properties in the zone. In this sense, the Mixed Use Zone is different to other commercial zones of the PDP.

(129) While there needs to be provision for signs associated with on-site commercial activities, at the same time the additional signage connected to third party advertising has a potential negative impact on residential amenity. A non-complying activity status ensures that the policies and objectives of the Signs chapter and Light chapter are considered as part of the resource consenting process.

(130) In response to the submission by Seaview Marina, I agree that third party signage in the Seaview Marina Zone should be provided for and that the permitted activity status is the appropriate standard.

Recommendation

(131) I recommend rejecting the relief sought by Urban Plus (322.33b), OOHMAA (413.7a and 413.7b) and oOH Media (517.36).

(132) I recommend accepting the relief sought by Seaview Marina (343.53).

(133) I recommend accepting the submission point of Winstone Aggregates (444.36).

4.3.4.3 SIGN-R3: Digital signs

Submissions

(134) Waka Kotahi (385.84, opposed by OOHMAA F21.6) supports rule SIGN-R3 in part, but seeks an amendment to restricted discretionary activity condition SIGN-R3.1.a.iv to reduce the speed limit in the condition to 70km/h (down from 80km/h).

- (135) The submitter requests the following changes to the conditions in SIGN-R3.1a (conditions to be met for a digital sign to be a restricted discretionary activity under that rule):

[The sign:]

...

iv. Is not visible, or oriented, to be read from a state highway or road with a speed limit of ~~80~~70km/h or more, and

vii. Displays images ~~for a minimum of 35 seconds before transitioning to the next~~ for an appropriate dwell time determined so that no more than 5 per cent of drivers are exposed to image changes when visible from a road with a speed limit of ~~80~~ 70km/h or more, and

...

ix. Is not visible from, or within 100m of, a State Highway on ramp and/or off ramp.

x. Is not located where there are any other digital billboards¹ in a driver's field of vision.

- (136) Waka Kotahi also requests that the following notification condition be added to SIGN-R3.23 (385.85, opposed by OOHMAA F21.7):

Notification:

Limited notification to the New Zealand Transport Agency is required for applications under this rule due to a non-compliance with SIGN-R3.1(a)(iv, vii, ix, and x).

¹ For this report, I have inferred the reference to digital 'billboards' to be a reference to digital signs in general, as this is the term used in the PDP.

- (137) KiwiRail (442.76, opposed by OOHMAA F21.15) supports rule SIGN-R3 in part, but requests an amendment requiring limited notification of KiwiRail Holdings Ltd. The amendment is:

Notification: Limited notification to KiwiRail Holdings Limited is required for applications under this rule due to a non-compliance with SIGN-R3.1(a)(ix).

- (138) Laura Skilton (314.97) opposes rule SIGN-R3 and requests an amendment to remove the matters of discretion on the *positive effects of the digital sign that cannot be achieved with a sign other than a digital sign* (matter of discretion 7).

- (139) Urban Plus Limited (322.34a and 322.34b, opposed by Waka Kotahi F20.31 and F20.32) opposes Rule SIGN-R3 and requests an amendment to change the activity status of digital signs in the Mixed Use Zone from non-complying activity to restricted discretionary with an associated removal of the requirement for notification.

- (140) Seaview Marina Limited (343.54) opposes rule SIGN-R3 and requests an amendment to include Seaview Marina Zone in SIGN-R3.1 as a restricted discretionary activity (as notified, the rule is silent on the Seaview Marina Zone).

- (141) OOHMAA (413.8, support by Wellington Water F36.30) and oOH Media (517.37) support in part rule SIGN-R3, but oppose some clauses and requests amendments. The requested amendments are:

- Amend rule SIGN-R3 to provide for digital signs in the Mixed Use zone as a restricted discretionary activity (OOHMAA 413.9; oOH Media 517.37).
- Amend rule SIGN-R3.1a to reduce the transition time between images (OOHMAA 413.10, opposed by Waka Kotahi F20.33, supported by Wellington Water F35.45; oOH Media 517.38). Specifically, they request the following amendments to SIGN-R3.1a.vii and viii:

vii. Displays images for a minimum of ~~35~~ 30 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and

viii. In any other case, displays images for at least ~~15~~ 8 seconds before transitioning to the next,

- Amend restricted discretionary activity condition SIGN-R3.1b to remove the reference to dissolving and add a reference to 'cross-dissolve' as follows (OOHMAA 413.11):

b. Transitions between images take between 0.1 seconds and 0.5 seconds by way of a cross-dissolve, without flashing, blinking, fading, ~~dissolving~~, or wiping.

- Delete restricted discretionary activity condition SIGN-3.1d.ii, that illumination of the sign does not alter the average illuminance of any two successive images by more than 30% (OOHMAA 413.12; oOh Media 517.39).
- Delete matter of discretion 3, on whether the sign will be used for third-party advertising (OOHMAA 413.13; oOh Media 517.40, opposed by Waka Kotahi F20.36).
- Change the activity status for digital signs under rule SIGN-R3.2 from non-complying to discretionary (OOHMAA 413.14; oOh Media 517.41, opposed by Waka Kotahi F20.37).
- Remove the public notification requirement under rule SIGN-R3.3 (oOh Media 517.42, opposed by Waka Kotahi F20.38).

Assessment

(142) The matters of contention from submissions relate to:

- Notification,
- Rail crossings,
- Applicability of a 70 km/h threshold, or retaining the stated 80 km/h,
- State Highway On ramp / Off ramp restriction,
- Dwell Time,
- Transition method and time,
- Luminance levels,
- Activity status for digital signs in the Seaview Marina Zone, and
- Activity status for digital signs.

Notification

- (143) With response to the submissions by Waka Kotahi and KiwiRail that it be written into SIGN-R3 that they be notified as an affected person I consider this to be ultra vires, and that the test for notification is appropriately assessed as part of the resource consenting process.

Rail crossings

- (144) I concur with KiwiRail's submission on the basis that although the rail crossings are limited in Lower Hutt, they represent a significant safety management issue.

- (145) In making my assessment I rely in Mr Smith's assessment, two key points being:

"In assessing the KiwiRail proposal and considering the characteristics of a signalised or controlled crossing, a rail crossing is unlike other locations where effective braking could occur, an error by a driver at a rail crossing would result in a [circa] 800 tonne train unable to stop, or take evasive action."

"It is critical that a driver does not have any form of distraction [at] a rail crossing, as an error on approach will result in catastrophic outcomes. Utilising the Safe System Audit approach, while the frequency of a crash may be unlikely, the consequence of a crash would be serious injury to fatal. This results in a Safe System Risk Assessment of Significant to Serious – both of which require amendment to a design to minimise the risk identified."

Changing the standard for signs visible from roads from a speed limit of 80km/h to 70km/h.

- (146) I agree with Waka Kotahi's request to reduce the speed limit for SIGN-R3.1.iv to 70km/h for the reasons outlined in 4.3.3.3.

- (147) However, I do not agree with Waka Kotahi's requested amendment to SIGN-R3.1a.vii, which relates to dwell times. The requested amendment is:

~~Displays images for a minimum of 35 seconds before transitioning to the next~~ for an appropriate dwell time determined so that no more than 5 per

cent of drivers are exposed to image changes when visible from a road with a speed limit of ~~80~~ 70km/h or more

- (148) Applying this condition would require an additional technical assessment compared to the condition as notified in order to determine the percentage of drivers who would be exposed to image changes, noting that this is likely to vary significantly by time of day or day of week. I prefer the simpler, easier to implement construction of the condition as notified. In addition, the dwell times included in the rule are based on a 80km/h threshold, and these would need to be revisited if the threshold was changed to 70km/h.

On ramp / Off ramp restrictions

- (149) NZTA have further sought relief to include additional assessment matters, being “: Is not visible from, or within 100m of, a State Highway on ramp and/or off ramp”, and “Is not located where there are any other digital billboards in a driver’s field of vision”.

- (150) Mr Smith states that:

“on and off ramps are typically complex intersections that demand full concentration of the driver. They are also locations where driver distraction is often cited as a causative factor in a crash. While a crash may be very unlikely, the resultant injury would be serious to fatal. Utilising the Safe System Audit process as a quantitative measure, this would result in a risk rating of Significant to Serious. This requires remedial action to be undertaken. I therefore assess, based upon this quantitative measure, that the inclusion of digital billboards with 100m of would have effects on user safety that are more than minor.”

Dwell time

- (151) On the matter of dwell time, Mr Smith states:

“Considering the dwell time for roads of a legal speed ≥ 80 km/h, international literature remains inconclusive, however recent research does support the provisions of a rule that limits a driver’s exposure to more than one image when passing a billboard. The relief sought by NZTA would require a specific calculation in the first instance and could be

subject to a poor understanding of the principles that underly the calculation to arrive at a figure. Considering consistency across a wider Wellington Region, OOHMAA and oOH Media present that a reduces value of 30 seconds has been accepted by Wellington City Council. I do not dispute that there may very well be such an acceptance but find no proof of such an acceptance.

It further noted that NZTA seek relief to lower the threshold to 70 km/h, down from 80 km/h, as stated above.

I therefore recommend that the dwell time for roads ≥ 70 km/h be set at a value that is consistent across the greater Wellington Network. This will require the supply of relevant dwell time values for Wellington City Council.

Considering the dwell times for other roads, OOHMAA and oOH Media seek relief to reduce the dwell time from 15 seconds to 8 seconds. A similar argument has been presented by both submitters for consistency across the greater Wellington area.

International research² has presented that dwell times for an image presented to a driver should not be less than 10 seconds.

*Accordingly, I do not accept the relief sought to lower the dwell time for other roads to 8 seconds. Should a change be sought, I could support an **absolute minimum** dwell time for other roads of 10 seconds."*

- (152) The equivalent standard of the Proposed Wellington District Plan is a minimum of 8 seconds for roads with posted speed limits of less than and equal to 80km/h and a minimum of 30 seconds for roads with a posted speed limit of greater than 80km/h (SIGN-S8.2.b).
- (153) Given the advice of Mr Smith, and despite a general preference for regional consistency, I recommend a minimum dwell time of 10 seconds for roads with

² Oviedo-Trespalacios, O., Truelove, V., Watson, B., & Hinton JA. (2019). "The Impact of Road Advertising Signs on Driver Behaviour and Implications for Road Safety: A Critical Systematic Review." *Transportation Research Part A: Policy and Practice*, 122, April 2019, 85–98.

posted speed limits less than or equal to 80km/h and minimum dwell time of 30 seconds for roads with a posted speed limit greater than 80km/h.

Reduction of the transmission method and time.

- (154) I concur with OOHMAA's submission to change the clause to cross dissolve and as it is the terminology for the type of transition used on most digital billboards in New Zealand. This is also recommended by Mr Smith.

Luminance

- (155) I do not concur with OOHMAA's submission to remove the clause d.iii. on the basis that "The change in luminance is dependent on the content displayed, and Billboard operators do not regulate the content and colouring of messages relative to another party's message."
- (156) Mr Smith advises that *"luminance will have an apparent change in levels, when you consider a display with dark colourings, compared to a display with bright colourings. A sudden change from dark content to light content will give the appearance of a brighter sign."*
- (157) I do not accept the argument that the operator do not regulate the content and colouring of messages relative to another party's message. The issue is whether a digital sign can be designed and located in such a way that the adverse effects on traffic safety are avoided, remedied or mitigated. I agree with Mr Smith that *"the operator can adjust, as far as reasonably practicable, the sequencing of image, and control the variance in luminance between successive displays."* I argue that the provisions provide for management of a traffic safety issue and if they cannot be controlled or managed then this should be factor that is considered when Council decides to grant or decline a resource consent.
- (158) I note that provisions in the LIGHT chapter that will govern overall light spill, including onto pavements and adjacent sites.

Third party advertising

- (159) I concur with the submitters to remove consideration of third party advertising as a matter of discretion in Rule-R3.1. This issue is managed by rule SIGN-R2.

Activity status for signs in the Seaview Marina Zone

- (160) In response to the submission by Seaview Marina (343.54) on Rule SIGN-R3, I concur with the submission. Signs in Seaview Marina Zone are not provided for in the rule and the requested amendment corrects this.

Activity status of digital signs

- (161) I disagree with the submissions by OOHMAA (413.14) and oOh Media Limited (517.41) request a change in the activity status of digital signs in SIGN-R3.2 to a discretionary activity. The submitters argue that a non-complying activity status for a digital sign which does not comply with a relevant standard is unnecessarily onerous.
- (162) The standards are point at which signs are assessed through the resource consent process. Signs are provided for throughout Lower Hutt and generally more enabled in commercial zones than residential zones. In my opinion a non-complying activity status is appropriate for the mixed use zone due to the potential impact of residential activity in the zone.
- (163) I also think it is appropriate for resource consents for digital signs in residential zones, rural zones, the Mixed Use Zone, Natural Open Space Zone and Open Space Zone as a digital sign could result in as significant change to the visual amenity and character of an area, noting that these zones are predominantly residential or rural in nature, or public reserves.

Recommendation

- (164) I recommend accepting the relief sought by Waka Kotahi (385.84) in part, in relation to the reduction of the speed limit in condition SIGN-R3.1.a.iv, visibility of signs from state highway on ramps and off ramps, and no other digital signs being in a driver's field of vision. However, I recommend rejecting the relief sought in part, in relation to the requested amendments to SIGN-R3.1a.vii on dwell times.

- (165) I recommend rejecting the relief sought by Waka Kotahi (385.85) that requests a new notification requirement.
- (166) I recommend rejecting the relief sought by KiwiRail (442.76) that requests a new notification requirement.
- (167) I recommend rejecting the relief sought by Laura Skilton (314.97) that requests removing a matter of discretion relating to positive effects of digital signs.
- (168) I recommend rejecting the relief sought by Urban Plus (322.34a and 322.34b), OOHMAA (413.9) and oOh Media (517.37), that request a change to the activity status of digital signs in the Mixed Use Zone from non-complying to restricted discretionary.
- (169) I recommend accepting the relief sought by Seaview Marina (343.54) that requests that the Seaview Marina Zone be added to SIGN-R3.1 (the restricted discretionary activity rule).
- (170) I recommend that the submission points of OOHMAA (413.8) and oOH Media (517.37) in general support of rule SIGN-R3 be accepted, in that I recommend that the rule be retained subject to amendments in response to other submission points.
- (171) I recommend accepting in part the relief sought by OOHMAA (413.10) and oOh Media (517.38), which relate to the dwelling time provisions in rule SIGN-R3.1.a.vii and viii. I recommend that this conditions be amended as follows:
- vii. Displays images for a minimum of ~~35~~ 30 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more,*
- viii. In any other case, displays images for at least ~~15~~ 10 seconds before transitioning to the next,*
- (172) I recommend accepting the relief sought by OOHMAA (413.11) on SIGN-R3.1b, which relates to referring to cross-dissolve instead of dissolving. I recommend that this condition be amended as follows:

b. *Transitions between images take between 0.1 seconds and 0.5 seconds by way of a cross-dissolve, without flashing, blinking, fading, ~~dissolving~~, or wiping.*

- (173) I recommend rejecting the relief sought by OOHMAA (413.12) and oOH Media (517.39), which requests deletion of restricted discretionary activity condition relating to illumination of a digital sign.
- (174) I recommend accepting the relief sought by OOHMAA (413.13) and oOh Media (517.40), which relates to removing the matter of discretion on third-party advertising.
- (175) I recommend rejecting the relief sought by OOHMAA (413.14) and oOh Media (517.41) relating to changing the activity status of rule SIGN-R3.2 from non-complying to discretionary.
- (176) I recommend rejecting the relief sought by oOh Media (517.42) relating to removing the public notification requirement from rule SIGN-R3.3.

4.3.4.4 SIGN-S1: Area of a sign

Submission

- (177) Enviro NZ (323.41), OOHMAA (413.15) and oOh Media Limited (517.43) support standard SIGN-S1.
- (178) Waka Kotahi (385.86, opposed by OOHMAA F21.8) support standard SIGN-S1, but request an amendment to add the following matter of discretion for all zones:
- "6. Any adverse effects on the safety and efficiency of the transport network and its users."*
- (179) Laura Skilton (314.98 and 314.99) requests amendments to standards SIGN-S1 to:
- Reduce the maximum size of signs in residential zones under the standard from 2m² to 1m², and
 - Reduce the maximum size of signs in the Hospital and Tertiary Education Zone under the standard from 5m² to 4m².

- (180) Urban Plus Limited (322.35) opposes standard SIGN-S1 and requests that standards for signs in the Mixed Use Zone be grouped with Commercial Zones, the Marae Zone and the Seaview Marina Zone.

Assessment

- (181) In response to Waka Kotahi's submission on Standard SIGN-S1, I consider the requested matter of discretionary unnecessary as a breach of the standard would trigger a resource consent under rule SIGN-R1.2, and policy *SIGN-P6: Impacts of signs on the transport network* is a matter of discretion under that rule.
- (182) In response to Laura Skilton's submissions on Standard SIGN-S1, I consider the notified standard more appropriate.
- (183) The submitter requests a smaller maximum permitted area for signs in residential zones. The requested relief is consistent with the existing provisions in the operative District Plan, but less than the majority of district plans in the Wellington region. I note that a sign area of 2.0m² is at the upper threshold of the equivalent standards.
- (184) The submitter also requests a smaller maximum area for signs in the Hospital Zone and the Tertiary Education Zone. I consider the notified standard more appropriate. Both these zones provide important social functions and information through signage make an important contribution to their efficient and effective functioning.
- (185) In response to the submission by Urban Plus, I consider that there is some merit to including the Mixed Use Zone in the same standard as commercial zones. However, I note that the Mixed Use Zone likely to result in a mix of non-residential and residential sites (or sites that are a mix of the two), and the zone is often located in areas that, while a transition to a mix of uses is provided for, is currently largely residential in character, and the lower threshold provides for consideration of residential amenity.

Recommendation

- (186) I recommend accepting the submission points of Enviro NZ (323.41), OOHMAA (413.15) and oOh Media Limited (517.43).

- (187) I recommend rejecting the relief sought by Waka Kotahi (385.86).
- (188) I recommend rejecting the relief sought by Laura Skilton (314.98 and 314.99).
- (189) I recommend rejecting the relief sought by Urban Plus (322.35).

4.3.4.5 SIGN-S2: Combined area of signs per site

Submissions

- (190) OOHMAA (413.16) and oOh Media Limited (517.44) support standard SIGN-S2.
- (191) Waka Kotahi (385.87, opposed by OOHMAA F21.9) supports SIGN-S2 in part, but seek an amendment to include consideration of the effects on transport networks and their users. The proposed amendment is:

7. Any adverse effects on the safety and efficiency of the transport network and its users.

- (192) Woolworths New Zealand (271.16, supported by McDonalds Restaurants F11.11 and Foodstuffs North Island F17.28, opposed by Waka Kotahi F20.29) opposes standard SIGN-S2 and requests an amendment to SIGN-S2.2 to increase the maximum combined area of signs on a site from 20m² to 70m² in Commercial Zones, the Mixed Use zones, industrial Zone, the Seaview Marina Zone and the Marae Zone.
- (193) Laura Skilton (314.100) opposes standard SIGN-S2 and requests an amendment to SIGN-S2.1 to reduce the maximum combined area of signs per site to 1m² and to remove provisions for official sites from the standards.

Assessment

- (194) In response to Waka Kotahi's submission on Standard SIGN-S2, I consider the requested amendment is not necessary as an assessment of the effects on the transport network is required if SIGN-S2 is breached as an assessment of the matters SIGN-P6 is required under SIGN-R1.2.
- (195) In response to the submission of Woolworths New Zealand, I consider a combined area of 70m² for signs on a site is too high for a permitted activity.

- (196) I consider a resource consent to consider the combined effect of a high amount of signage to be a more appropriate method to balance the need for signage against the adverse effects on adjoining areas.
- (197) In response to the submission points of Laura Skilton, I consider it important to exempt official signs from Standard SIGN-S1. Official signs have a very restricted application under the provisions of the PDP. They are limited to signs that are covered by statutes or regulation or are otherwise related to aspects of public safety. I consider it unlikely that their inclusion will lead to a proliferation of new signage.
- (198) I consider it unnecessary to reduce the maximum area of signs on a site in residential zones to 1m².

Recommendation

- (199) I recommend accepting the submission points from OOHMAA (413.16) and oOh Media (517.44) in support of standard SIGN-S2.
- (200) I recommend rejecting the relief sought by Waka Kotahi (385.87).
- (201) I recommend rejecting the relief sought by Woolworths New Zealand (271.16).
- (202) I recommend rejecting the relief sought by Laura Skilton (314.100).

4.3.4.6 SIGN-S3: Number of signs per site

Submissions

- (203) OOHMAA (413.17 and oOh Media Limited (517.45) seek to retain the standard as notified.
- (204) Laura Skilton (314.101, 314.102a and 314.102b) opposes standard SIGN-S3 in part. The submitter requests the following amendments:

Residential Zones	1. There must be no more than one sign per site (other than official signs and temporary signs).
Rural Zones	...

Hospital Zone	3. There must be no more than two signs per site frontage. For corner sites, each side of the corner counts as a separate frontage.
Tertiary Education Zone	
Quarry Zone	<u>4. There must be no more than one sign per site frontage where that frontage is opposite a site in a Residential Zone, Rural Zone, Open Space and Recreation Zone, or the Marae Zone.</u> ³
Marae Zone	

Assessment

- (205) In response to the submissions by Laura Skilton on Standard SIGN-S3, I consider that there is some merit in the submission. However, there is a need to provide for some flexibility in the Hospital Zone and the Tertiary Education Zone in particular. I consider that SIGN-S3 as notified provides this.

Recommendation

- (206) I recommend that the submission points of OOHMAA (413.17) and oOh Media Limited (517.45) be accepted.
- (207) I recommend rejecting the relief sought by Laura Skilton (314.101, 314.102a and 314.102b).

4.3.4.7 SIGN-S4: Height of freestanding signs

Submissions

- (208) oOh Media Limited (517.46) supports standard SIGN-S4.
- (209) Waka Kotahi (385.88, opposed by OOHMAA F21.10) supports standard SIGN-S4, but seeks to amend the matters of discretion for all zones covered by SIGN-S4 to include effects on the transport network and its users. The requested amendment is:

³ The decision requested by Ms Skilton on this point is not communicated clearly in the Summary of Decisions Requested. The decision requested here is taken from Ms Skilton's original submission (page 61).

5. Any adverse effects on the safety and efficiency of the transport network and its users.

(210) Urban Plus Limited (322.36) supports standards SIGN-S4 in part and seeks an amendment to remove repeated reference to Mixed Use Zone in SIGN-S4.4.

(211) OOHMAA (413.18) seeks to amend standard SIGN-S4.2 and SIGN-S4.3 so the maximum height of freestanding signs in the City Centre Zone, Metropolitan Centre Zone, Local centre Zone, Neighbourhood Centre Zone and Seaview Marina zone is 10 metres. The proposed amendment is:

2. A freestanding sign must not exceed 10 metres in height, ~~or the highest point of the highest building on site, whichever is the lower.~~

3. ~~Where there is no building, must not exceed 6 metres in height.~~

(212) Laura Skilton (314.103) opposes standard SIGN-S4 and requests SIGN-S4.2 be amended to decrease the maximum height to 6m.

2. A freestanding sign must not exceed ~~10~~ 6 metres in height

or, that SIGN-S4.2 and SIGN-S4.3 be merged such that the 6 metre height limit applies. I have interpreted this as follows:

2. A freestanding sign must not exceed 6 ~~10~~ metres in height., or the highest point of the highest building on site, whichever is the lower.

3. ~~Where there is no building, must not exceed 6 metres in height.~~

Assessment

(213) In response to Waka Kotahi's submission, I consider that any adverse effects on the safety and efficiency of the transport network are already required to be considered for any breach in SIGN-S4. The structure of the SIGN-R1 means that if a resource consent is required for the height of a sign, the matters of discretion include the matters outlined in SIGN-S4, as well as matters outlined in SIGN-P1, SIGN-P2 and SIGN-P6. SIGN-P6 provides for consideration of the effects of the height of the sign on safe and efficient use of the transport network, including the scale, design and location of signs, proliferation of signs and visual clutter and the effects of illumination and digital images.

- (214) In response to Urban Plus’s submission, I agree that the second reference to the Mixed Use Zone should be removed.
- (215) In response to OOHMAA’s submission. I consider that 10m is an excessive height to permitted activity as a straight standard. I consider that 6m would be a more appropriate standard if the reference to an existing building were removed.
- (216) In response to Laura Skilton’s submission, the 10m maximum height standard applies to commercial and industrial zones where a relatively high level of built development and a high level of signage and commercial activity is expected. This includes the City Centre Zone, where there is no height limit for buildings and structures, and the Metropolitan Centre Zone, where part of the zone has no height limit. In addition, the standard *tempers* this maximum height standard by further restricting the height to the highest point of the highest building on site (if this height is less than 10m), and where there are no buildings on site, restricting the height to 6m..

Recommendation

- (217) I recommend that the submission point of oOh Media Limited (517.46) be accepted.
- (218) I recommend rejecting the relief sought by Waka Kotahi (385.88).
- (219) I recommend rejecting the relief sought by Urban Plus (322.36).
- (220) I recommend rejecting the relief sought by OOHMAA (413.18).
- (221) I recommend rejecting the relief sought by Laura Skilton (314.103).

4.3.4.8 SIGN-S5: Height and placement of signs attached to buildings, structures and verandahs

Submissions

- (222) OOHMAA (413.19) and oOh Media Limited (517.47) support SIGN-S5.
- (223) Laura Skilton (314.104 and 314.105) requests that standards for S5 be reviewed and potentially amended, and that SIGN-S5.3 be amended as follows:

3. ~~Where signs~~ If signs are attached to a verandah they must be:

Assessment

- (224) Laura Skilton notes that the standard in first row for certain zones, and second row for remaining rows appears to be the same. She believes this may be an error. It is unclear what the submitter is referring to here as a potential error.
- (225) With regard to the requested amendment, I do not think there is a meaningful difference in changing SIGN-S5.3 from "Where signs" to "If signs, and do consider there is a need to make a change.

Recommendation

- (226) I recommend that the submission points of OOHMAA (413.19) and oOh Media Limited (517.47) be accepted.
- (227) I recommend rejecting the relief sought by Laura Skilton (314.104 and 314.105).

4.3.4.9 SIGN-S6: Temporary signs

Submissions

- (228) Waka Kotahi (385.89) supports SIGN-S6 in part, but requests that the times before and after a temporary event a sign may be displayed is reduced, and a condition ensuring a temporary sign cannot be seen from a state highway. The proposed amendment is:

1. A temporary sign must not be displayed more than 7 days ~~3 months~~ prior to the event or activity the sign is advertising.

2. A temporary sign must be removed within 48 hours ~~7 days~~ of the completion or cancellation of the event or activity the sign is advertising.

...

5. The temporary sign must not be oriented to be read from any state highway including on ramps and off ramps".

Assessment

- (229) In response to Waka Kotahi's submission on the restricting the erection of temporary signs prior to, and following an event. I accept that the period is long. This reflects the standard in operative District Plan. This is longer than the standard permitted in other district plans.
- (230) Mr Smith notes that Waka Kotahi's request is consistent with the 7-day minimum requirements of the Local Government Act. Waka Kotahi's point that all temporary signs should be removed within 48 hours of the completion or cancellation of the event or activity the sign is advertising aligns with the Governments Directive to remove all un-necessary signs from a road corridor.

- (231) Mr Smith also notes:

"The New Zealand Guide to Temporary Traffic Management guides constructors and people undertaking works within a road environment to install signs early enough that a road user could seek an alternate route, should their normal route be affected. While no time frames are typically stated, it requires co-ordination with the relevant road controlling authority."

- (232) Mr Smith notes that the effectiveness of temporary signs is gained when the sign relates to an activity that is in the immediate future and is diminished where there is a long delay between placement of the sign, and the activity/event. However I note that community events such as Christmas Parades are typically advertised well ahead of the event, outside of the 7-day window sought by NZTA

- (233) I do not concur with Waka Kotahi's submission on the visibility of signs from state highways, including on ramps and off ramps. Temporary signs also need to comply with Rule SIGN-R1. The location and orientation of signs relative to state highways, on ramps and off ramps is subject to a submission on this rule.

Recommendation

- (234) I recommend accepting the relief sought by Waka Kotahi (385.89) in part, and that standard SIGN-S6 be modified as set out below:

1. A temporary sign must not be displayed more than ~~7 days~~ ~~3 months~~ prior to the event or activity the sign is advertising.

2. A temporary sign must be removed within ~~48 hours~~ ~~7 days~~ of the completion or cancellation of the event or activity the sign is advertising.

4.3.4.10 SIGN-S7: Election signs

Submissions

- (235) Waka Kotahi (385.90) supports SIGN-S7 in part, but requests an additional standard limiting visibility from state highways. The amendment is:

4. The election sign must not be oriented to be read from any state highway including on ramps and off ramps.

- (236) Laura Skilton (314.106) requests SIGN-S7 be amended to include a limit of 1 sign per site. The proposed amendment is:

4. No more than one election sign per site.

Assessment

- (237) In response to the submissions by Waka Kotahi and Laura Skilton, section 221B of the Electoral Act 1993 prescribes the limits of managing election signage for national elections in the District Plan. This Act provides for 3m² signs to be erected, on public or private land, for a 9 week period prior to polling day for general elections.
- (238) Whilst the issues raised by the submitters are valid, as acknowledged by Mr Smith, the provisions relating to election signage in Electoral Act override the provisions in the District Plan as well as Bylaws. The District Plan applies the same provision to local elections and for referendums. This provides a consistent approach to the management of election signage in the district.

Recommendation

- (239) I recommend rejecting the relief sought by Waka Kotahi (385.90).
- (240) I recommend rejecting the relief sought by Laura Skilton (314.106).

4.3.4.11 SIGN-S8: Signs and the transport network

Submissions

- (241) Waka Kotahi (385.91, opposed by OOHMAA F21.11) support SIGN-S8 in part, but request amendments to reduce the speed limit associated with the condition and to include logos in excluded writing. The suggested amendment is:

4. Signs visible from any state highway or road with a speed limit of ~~80~~70km/h must not:

a. Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, or logos, or...

- (242) KiwiRail (442.77, opposed by OOHMAA F21.16) supports standard SIGN-S8, but requests an amendment to restrict the visibility of signs from, and ensure the safety of, the rail network. The submitter requests the following standard SIGN-S8.x:

x. Any digital sign must not be able to be read in conjunction with flashing warning lights at level crossings or signals associated with the operation of the rail network.

- (243) Laura Skilton (314.107) requests pedestrian crossings be added to SIGN-8.1 standard, as follows:

1. Signs must not obstruct the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or railway crossing

- (244) OOHMAA (413.20) and oOh Media (517.48) support SIGN-S8 in part, but both request:

- Deletion of SIGN-S8.4b regarding the maximum number of characters for signs visible from any state highway or road with a speed limit of 80km/h or more (413.21 and 517.49, opposed by Waka Kotahi F20.34 and F20.40), and
- Amendment to SIGN-S8.6 to "*The primary message of signs within 10 metres of a legal road or visible from any state highway must comply*

with the following minimum lettering heights" (413.22 and 517.50, opposed by Waka Kotahi F20.35 and F20.41).

Assessment

- (245) In response to Waka Kotahi's submission, I accept that lowering the threshold to 70km/h could result in a decrease in crashes. I consider a precautionary approach is prudent in this circumstance.
- (246) I do not agree with Waka Kotahi's submission seeking to include a restriction on logos. I note that OOHMAA opposes the Waka Kotahi submission, arguing that logos are a common element to signage and do not result in adverse effects on the transport network. I accept Mr Smith's advice that the proposed amendment is unworkable.
- (247) In response to KiwiRail's submission, I acknowledge the potential for signs to impact the safety of the railway network, and I note the opposition from OOHMAA. I support a precautionary approach that provides for potential signage, and address potential safety issues, through a resource consent process.
- (248) In response to Laura Skilton's submission, I accept that signs should not obstruct visibility. Mr Smith supports this position.
- (249) In response to OOHMAA and oOH Media submissions I consider modification of the maximum number of characters in the standard and the restriction to the primary message has the potential to increase the hazard to the transport network and its users.
- (250) I concur with Mr Smith's advice: *"I am of the opinion that this removal of control of all text size restrictions, a large number of characters, or small font, intended or not, creates a longer dwell time by a driver on a message in an attempt to determine if the text is of importance. This increase in dwell time increases the driver's level of distraction and will result in an unsafe outcome to road users. International research limits the total number of elements on an advertising sign, along with a limitation on content including image, text and symbol, disclaimers etc. The literature details that the number of*

elements should be kept to around 10. For clarity, a single word is classified as a single element."

- (251) I consider the resource consent process is the appropriate process to consider proposals for signage that exceed this standard.

Recommendation

- (252) I recommend accepting in part (in relation to a 70km/h speed limit) and rejecting in part (in relation to restrictions on logos) the relief sought by Waka Kotahi (385.91).
- (253) I recommend accepting the relief sought by KiwiRail (442.77).
- (254) I recommend accepting the relief sought by Laura Skilton (314.107).
- (255) I recommend the accepting the submission points from OOHMAA and oOh Media supporting the standard (413.20 and 517.48), but recommend rejecting their requested amendments in relation to the maximum number of characters (413.21 and 517.49) and specific reference to the primary message of a sign (413.22 and 517.50).
- (256) I recommend amending standard SIGN-S8 as follows:
1. *Signs must not obstruct the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or railway crossing.*
 2. *Signs must not obstruct or obscure the view of any traffic sign, railway sign, traffic signal, or railway signal.*
 3. *Signs visible from any road must not contain any flashing or moving lights or moving parts.*
 4. *Signs visible from any state highway or road with a speed limit of 80km/h 70km/h or more must not:*
 - a. *Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, or*
 - b. *Contain more than 40 characters.*

...

x. Any digital sign must not be able to be read in conjunction with flashing warning lights at level crossings or signals associated with the operation of the rail network.

4.3.4.12 SIGN-S9: Sign illumination

Submissions

- (257) OOHMAA (413.23) and oOh Media (517.51) support standard SIGN-S9.
- (258) Laura Skilton (314.108) requests that the meaning of restricted lighting period needs to be clarified as it relates to SIGN-S9.
- (259) Waka Kotahi (385.92, opposed by OOHMAA F21.12) oppose SIGN-S9 in part and requests it be amended to remove the permitted light levels for zones. The requested amendment is:

2. Illumination of any sign must not result in the illuminance of any roadway ~~by more than 4 lux in a Residential Zone, Rural Zone, Open Space Zone, or Natural Open Space Zone, or 20 lux in any other area.~~

Assessment

- (260) In response to Laura Skilton's submission, I consider that standard SIGN-S9 is adequately applied. The restricted lighting period is defined as the period of time starting at 10pm and ending at either 7am or dawn, whichever is earlier.
- (261) In response to Waka Kotahi, I consider that the proposed amendment does not provide a sufficient balance and is difficult to assess. Signs are also subject to the standards in the Light chapter and I consider that these provisions provide for a more comprehensive of light spill.
- (262) Overall, I consider that the existing standard and the existing framework provides for the efficient and safe management of the traffic network. This is because:
- Digital signs require a resource consent and must consider the effects on the safe and efficient management of the transport network.
 - All signs are subject to the provisions in the Light Chapter.
 - 20 Lux translates to a typical level of road lighting.

- Removing the standard would require a resource consent for all illuminated signs.

(263) All digital signs require resource consent. Digital signs are restricted discretionary or non-complying activities in accordance with Rule SIGN-R3. At a minimum this includes consideration of a wide range of matters of discretion, including the policies SIGN-P4 (Digital and illuminated Signs) and SIGN P6 (The safety and efficiency of the Transport Network).

(264) Digital signs are also subject to the provisions in the Light Chapter. The provisions include standards relating to controlling light spill over boundaries, illuminance in light sensitive areas, sky glow, glare and illuminated. LIGHT-S5 and LIGHT-TABLE3 specifically relate to illuminated surfaces of signs.

Recommendation

(265) I recommend that the submission points of OOHMAA (413.23) and oOh Media (517.51) be accepted.

(266) I recommend rejecting the relief sought by Laura Skilton (314.108).

(267) I recommend rejecting the relief sought by Waka Kotahi (385.92).

4.4 Submissions on definitions – Discussion and recommendations

4.4.1 Discussion of submissions

(268) This section is a discussion of the submission points on definitions that are either primarily relevant to the Signs chapter, or raised by submitters primarily interested in the Signs chapter, with my recommendations on decisions requested by submitters.

(269) For the sake of brevity, where a submission is in support of a provision and I have not otherwise discussed it, I recommend accepting that submission point in whole or in part for the grounds set out in the Signs Chapter s32 report.

4.4.2 Definitions not in dispute

(270) Definitions which have received submissions only in support are listed below:

- Sign – supported by the Waka Kotahi (385.20), Z Energy Limited (468.10r) and the Fuel Companies (471.48).

(271) The following definitions of the signs have not been submitted on:

- directional sign
- election sign
- freestanding sign
- illuminated sign
- official sign
- on-site sign
- temporary sign
- third party sign

4.4.3 Definitions – proposed amendments

4.4.3.1 Digital sign

Submission

(272) Waka Kotahi (385.6) supports in part the definition of “digital sign” and seeks to amend it as follows:

“means a sign which displays electronic graphics and/or text using electronic screens. Digital signs can include both moving and static signage.”

(273) The Fuel Companies (471.21) supports the definition of “digital sign” as notified.

Assessment

(274) I concur with Waka Kotahi’s submission. The proposed amendment clarifies that a digital sign could contain graphics, words or a combination of both. It therefore improves the effectiveness of the provisions in the signs chapter.

- (275) I acknowledge the submission by the Fuel Companies (471.21) in support of the definition digital sign as notified. The proposed change by Waka Kotahi is a minor change that improves clarity of the definition.

Recommendation

- (276) I recommend accepting the relief sought by Waka Kotahi (385.6) be accepted and that definition for be amended as requested.
- (277) I recommend accepting the submission point of the Fuel Companies (471.21) to the extent that the definition of digital sign is modified as requested by Waka Kotahi (385.6).

4.4.3.2 Official sign

Submission

- (278) Waka Kotahi (385.14) supports the definition of “official sign” in part and seeks to amend it as follows:

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

Assessment

- (279) I concur with Waka Kotahi that the proposed amendment ensures consistency with the definition as contained in the National Planning Standards.

Recommendation

- (280) I recommend accepting the relief sought by Waka Kotahi (385.14).

5 Conclusion

- (281) This report has provided an assessment of submissions received in relation to the Signs Chapter and associated definitions.
- (282) Section 4 of this report assesses and provides recommendations on the decisions requested in submissions. I consider that the submissions on this topic should be accepted, accepted in part, or rejected, as set out in my recommendations of this report and in Appendix 3.
- (283) I recommend that provisions be amended as set out in Appendix 2 for the reasons set out in this report.
- (284) I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

6 Attachments

Appendix 1: PDP exemption – removed provisions and affected submissions

Appendix 2: Recommended amendments to the Proposed Lower Hutt District Plan

Appendix 3: Recommended decisions on submission points relating to the Signs Chapter

Appendix 4: HCC Signs Chapter – Review of Submissions by Mike Smith (Stantec, New Zealand)

Appendix 1: PDP exemption – removed provisions and affected submissions

Ref#	Provisions	Withdrawn topic	Subs#
Sign Chapter	Submission requests inclusion of reference to heritage provisions and overlays	Historic Heritage	496.45
SIGN-O1	Submission requests inclusion of reference to heritage provisions and overlays	Historic heritage	496.41
SIGN-P1	Submission requests inclusion of reference to heritage provisions and overlays	Historic heritage	496.42
SIGN-P3	Submission requests inclusion of reference to heritage provisions and overlays	Historic Heritage	496.43
SIGN-P5	SIGN-P5 Signs on heritage buildings or heritage structures or in heritage areas <i>[Entire policy deleted]</i>	Historic heritage	248.65, 517.34, 413.5, 496.44.
SIGN-R4	SIGN-R4 Signs on heritage buildings or heritage structures or in heritage areas <i>[Entire rule deleted]</i>	Historic heritage	248.66, 440.60, 496.46.

Appendix 2: Recommended amendments to the Proposed Lower Hutt District Plan

This section has rules that have legal effect.

SIGN - Signs

The purpose of the Signs chapter is to provide for signs while managing their effects on the surrounding environment.

Signs and associated advertising structures are an integral and necessary part of both urban and non-urban environments. Signs promote business, community facilities, and other activities, and are useful and necessary for wayfinding and safety.

Excessive or poorly controlled signage can adversely affect amenity values and the safety of the transport network. Signs can also impact the values of the site or structure on which they are located, particularly heritage values where the sign alters or obscures heritage features of the site/structure.

Hutt City Council bylaws

In addition to the District Plan, Council has a range of bylaws that also apply to signs, including:

- The Public Places Bylaw, which includes regulations for signs in public places, including on or over footpaths and on motor vehicles and trailers.
- The Parks and Reserves Bylaw, which regulates activities in Council's parks and reserves, including signs, and
- The Traffic Bylaw, which regulates signs that may cause a safety hazard, including obstruction of views for drivers.

Where a proposed sign would breach a bylaw, permission may be required from Council prior to installing the sign. Permissions under bylaws are in addition to any requirements under this District Plan.

Objectives

SIGN-O1	Signs
Signs support the needs of the community to advertise and inform while the effects on local character, amenity, heritage values and the safety and efficiency of the transport network are effectively managed.	

Policies

SIGN-P1	Signs provided for
Provide for signs where: 1. The sign: a. Is ancillary to the activity being undertaken on the site, or b. The sign is associated with an upcoming election or referendum, or c. The sign is required is required to meet regulatory or statutory requirements, or d. For any other sign (including third-party advertising signs and temporary signs for activities undertaken on another site), the sign is consistent with the purpose, character, and amenity values of the zone in which they are located, and 2. They are of an appropriate size, design and location, 3. They maintain the character and amenity values of the site and the surrounding area,	

- They do not result in visual clutter, - They do not compromise the efficiency of the transport network or the safety of its users, including cyclists and pedestrians, and - Any potential cumulative effects are managed.	
SIGN-P2	Temporary signs, including election signs
Manage the effects of election signs to be consistent with the purpose, character, and amenity values of the zone in which they are located, and: - Do not compromise the character and amenity values of any adjoining zones, - Do not result in visual clutter and other adverse cumulative effects, and - Where relevant, are in proportion to the scale of the building it is located on and the number and size of the tenancies and the size of the site.	
SIGN-P3	Third-party advertising signs
Manage the effects of third-party advertising signs to be consistent with the purpose, character, and amenity values of the zone in which they are located, and: - Where relevant, are in proportion to the scale of the building it is located on and the number and size of the tenancies and the size of the site, - Do not compromise the character and amenity values of any adjoining zones, - Do not cause areas to feel commercialised where this is not part of the intended character of the zone, and - Do not result in visual clutter and other adverse cumulative effects.	
SIGN-P4	Digital and illuminated signs
Provide for digital signs and illuminated signs where: - The sign is compatible with the character of the zone and any relevant precinct or overlay, - The sign does not compromise traffic, pedestrian, or cycling safety, - Digital signs do not cause any area to feel overly dominated by signage and advertising, - Light spill or glare effects are managed so they do not compromise amenity values, - Illumination does not compromise views of the night sky, and - The sign is not visible from a state highway or road with a speed limit of <u>70 80</u> km/h or more. <u>The sign is not visible in conjunction with, or located in a manner that it may distract from, warning lights such as those at level crossings or signals associated with the operation of the rail network.</u>	
SIGN-P5	Signs on heritage buildings or heritage structures or in heritage areas
Enable signs on heritage buildings, heritage structures, and within historic heritage areas where they do not detract from significant historic heritage values, having regard to: Any adverse effect on historic heritage values associated with the heritage building, heritage structure, or heritage area; Whether the sign is necessary for the activity on the site and the continued use of the of the heritage building, structure or area; Whether the area, height and number of signs are appropriate for the scale of the heritage building or, heritage structure or heritage area; The historical use of signage on the building, structure or area during the era in which it gained historical significance, and Alternative locations for signs.	
SIGN-P6	Impacts of signs on the transport network
Ensure the safe and efficient use of the transport network by controlling: - The scale, design, and location of signs, - Proliferation of signs and visual clutter, and - The effects of illumination and digital images.	

Commented [NG1]: Waka Kotahi (385.80)

Commented [NG2]: KiwiRail (442.74)

Commented [NG3]: To be withdrawn - Outside scope of plan stop exemption

Rules

Notes:
More than one rule of this chapter may be relevant for any one sign. For example, a Third-party advertising sign that is also a Digital sign will need to comply with at least three rules — SIGN-R1: Signs, SIGN-R2: Third-party advertising signs, and SIGN-R3: Digital signs.

Resource consent may be required under rules in this chapter as well as other chapters. Unless specifically stated, resource consent is required under each relevant rule.

In particular, the rules in the Light chapter will apply to digital signs and other illuminated signs.

The steps to determine the status of an activity are set out in the General Approach chapter.

SIGN-R1	Signs
All Zones	1. Activity status: Permitted Where: a. The sign is an official sign, or b. The sign is an election sign and complies with SIGN-S7: Election signs, or c. The sign cannot be seen beyond the boundary of a site, or d. Compliance is achieved with: i. SIGN-S1: Area of a sign, ii. SIGN-S2: Combined area of signs per site, iii. SIGN-S3: Number of signs per site, iv. SIGN-S4: Height of freestanding signs, v. SIGN-S5: Height and placement of signs attached to buildings, structures and verandahs, vi. SIGN-S6: Temporary signs, vii. SIGN-S7: Election signs, viii. SIGN-S8: Signs and the transport network, and ix. SIGN-S9: Sign illumination.
All Zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with SIGN-R1.1. Matters of discretion are restricted to: 1. The matters of discretion in any standards not met. 2. The matters in: i. SIGN-P1: Signs provided for, ii. SIGN-P2: Temporary signs, including election signs, and iii. SIGN-P6: Impacts of signs on the transport network.
SIGN-R2	Third-party advertising signs
City Centre Zone Metropolitan Centre Zone Local Centre Zone	1. Activity status: Permitted

Commented [NG4]: Laura Skilton (314.96)

Neighbourhood Centre Zone	
Industrial Zones	
Sport and Active Recreation Zone	
Hospital Zone	
Marae Zone	
Quarry Zone	
<u>Seaview Marina Zone</u>	
Tertiary Education Zone	
Rural Zones	2. Activity status: Discretionary
Residential Zones	3. Activity status: Non-complying
Mixed Use Zone	
Natural Open Space Zone	
Open Space Zone	
SIGN-R3	Digital signs
City Centre Zone	1. Activity status: Restricted discretionary Where: a. The sign: i. Does not flash, use video, moving images, moving text, or moving lights. ii. Does not play music or sound. iii. Does not provide advertising over multiple messages which are displayed across transitioning screens, iv. Is not visible from a state highway or road with a speed limit of 80 70 km/h or more, v. Does not monitor or respond in any way to the people viewing or potentially viewing the sign, vi. Displays only a single static image at a time, vii. Displays images for a minimum of 35 30 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and
Metropolitan Centre Zone	
Local Centre Zone	
Industrial Zones	
Hospital Zone	
Tertiary Education Zone	

Commented [NG5]: Seaview Marina (343.53)

Commented [NG7]: Waka Kotahi (385.84)

Commented [NG8]: OOHMAA (413.10) and oOh Media (517.38)

Marae Zone Seaview Marina Zone Sport and Active Recreation Zone	viii. In any other case, displays images for at least 15 10 seconds before transitioning to the next, ix. Is not visible from, or within 100m of, a State Highway on ramp and/or off ramp. x. Is not located where there are any other digital billboards1 in a driver's field of vision. b. Transitions between images take between 0.1 seconds and 0.5 seconds by way of a cross-dissolve, without flashing, blinking, fading, dissolving, or wiping, c. In the event of a malfunction, the sign defaults to a blank screen, and d. Illumination of the sign: - Automatically adjusts to allow for ambient light levels, - Does not alter during the display of any image, - Does not alter the average luminance of any two successive images by more than 30%. Matters of discretion are restricted to: - The compatibility of the sign with the amenity and character of the surrounding area. - The size, position, design, and setting of the sign. Whether the sign will be used for third party advertising. - The standards for the relevant zone in the Light chapter. - The safety and efficiency of the transport network. - The matters in: - SIGN-P1: Compatible signs, - SIGN-P4: Digital and illuminated signs, and - SIGN-P6: Impacts of signs on the transport network. - Any positive effects of the digital sign that cannot be achieved with a sign other than a digital sign. Note: The provisions in the Light chapter also apply to signs, particularly digital signs or other illuminated signs.
City Centre Zone Metropolitan Centre Zone Local Centre Zone Industrial Zones Hospital Zone Tertiary Education Zone Marae Zone Sport and Active Recreation	2. Activity status: Non-complying Where: Compliance is not achieved with SIGN-R3.1

Commented [NG9]: OOHMAA (413.10) and oOh Media (517.38)

Commented [NG6]: Seaview Marina (343.54)

Commented [NG10]: Waka Kotahi (385.84)

Commented [NG11]: OOHMAA (413.11)

Commented [NG12]: OOHMAA (413.13) and oOh Media (517.40)

Zone	
Residential Zones	3. Activity status: Non-complying Notification: Public notification is required for applications under this rule.
Rural Zones	
Mixed Use Zone	
Natural Open Space Zone	
Open Space Zone	
SIGN-R4	Signs on sites with scheduled heritage buildings, heritage structures, or sites within a heritage area
Sites containing Heritage buildings and structures	1. Activity status: Permitted Where: a. The is not attached to a heritage building, heritage structure, or contributing building in a heritage area unless: i. The sign is an official sign, for wayfinding, interpretative content about the historic heritage values, the name of the building or structure, or consists only of text and relates to an activity within that building or structure, and ii. Does not exceed 0.5m ² in area. b. Despite a, any existing sign may be replaced with another sign of the same size, and location, but different wording and imagery. c. Any advertising sign does not obscure the visibility of any architectural feature of a heritage building or heritage structure from the road.
Heritage areas	
Sites containing Heritage buildings and structures	2. Activity status: Restricted-discretionary Where: a. Compliance is not achieved with SIGN-R5.1. Matters of discretion are restricted to: 1. The heritage values of the scheduled heritage building, scheduled heritage structure, or historic heritage area. 2. Providing for the continued use of the scheduled heritage building, scheduled heritage structure, or identified contributing building. 3. The historical use of signage on the building or structure during the era in which it acquired heritage significance.
Heritage areas	

Commented [NG13]: To be withdrawn - Outside scope of plan stop exemption

Standards

SIGN-S1	Area of a sign
Residential Zones	1. No one sign may be larger than 2m ² . Matters of discretion if the standard is not met: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building it is placed on (if placed on a building).

	- Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
City Centre Zone Metropolitan Centre Zone Local Centre Zone Neighbourhood Centre Zone Industrial Zones Marae Zone Seaview Marina Zone	- No freestanding sign may be larger than 20m². - No sign on a building may be larger than 30% of the area of the exterior wall to which it is attached. Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
Hospital Zone Tertiary Education Zone Quarry Zone	- No one sign may be larger than 5m². Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
Mixed Use Zone Open Space and Recreation Zones Rural Zones	- No one sign may be larger than 4m². Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
SIGN-S2	Combined area of signs per site
Residential Zones	- The maximum total area of signs per site (other than official signs, temporary signs and election signs) is 2m². Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - The reduced efficacy of signs from clutter. - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.

Commercial and Mixed Use Zones Industrial Zones Seaview Marina Zone Marae Zone	- The maximum total area of signs per site (other than official signs, temporary signs and election signs) is 20m². - The maximum total area of signs on any one exterior wall of a building must not exceed 30% of the area of that wall. Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - The reduced efficacy of signs from clutter. - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
Hospital Zone Tertiary Education Zone Quarry Zone	- The maximum total area of signs per site (other than official signs, temporary signs and election signs) is 20m². Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - The reduced efficacy of signs from clutter. - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
Open Space and Recreation Zones Rural Zones	- The maximum total area of signs per site (other than official signs and election signs) is 4m². Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - The reduced efficacy of signs from clutter. - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
SIGN-S3	Number of signs per site
Residential Zones Rural Zones	- There must be no more than one sign per site (other than official signs and temporary signs). Matters of discretion if the standard is not met: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). - Impacts on the safety and efficiency of the transport network. - The reduced efficacy of signs from clutter. - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.
Commercial and Mixed Use Zones	There may be no more than one sign per site per frontage (other than official signs and temporary signs) where that frontage is opposite a site in a Residential Zone, Rural Zone, Open Space and Recreation Zone, or the

Industrial Zones Seaview Marina Zone	Marae Zone. Matters of discretion if the standard is not met: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). 4. Impacts on the safety and efficiency of the transport network. 5. The reduced efficacy of signs from clutter. 6. Cumulative effects. 7. Any positive effects that cannot be achieved while complying with the standard.
Hospital Zone Tertiary Education Zone Quarry Zone Marae Zone	3. There may be no more than two signs per site frontage. For corner sites, each side of the corner counts as a separate frontage. Matters of discretion if standard is not met: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). 4. Impacts on the safety and efficiency of the transport network. 5. The reduced efficacy of signs from clutter. 6. Cumulative effects. 7. Any positive effects that cannot be achieved while complying with the standard.
Open Space and Recreation Zones	4. There may be no more than one sign per 50 metres of site frontage, rounded up. Matters of discretion if the standard is not met: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). 4. Impacts on the safety and efficiency of the transport network. 5. The reduced efficacy of signs from clutter. 6. Cumulative effects. 7. Any positive effects that cannot be achieved while complying with the standard.
SIGN-S4	Height of freestanding of signs
Residential Zones Open Space and Recreation Zones	1. A freestanding sign must not exceed 3 metres in height above ground level. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. Cumulative effects. 4. Any positive effects that cannot be achieved while complying with the standard.
City Centre Zone Metropolitan Centre Zone Local Centre Zone	2. A freestanding sign must not exceed 10 metres in height, or the highest point of the highest building on site, whichever is the lower. 3. Where there is no building, must not exceed 6 metres in height. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. Cumulative effects. 4. Any positive effects that cannot be achieved while complying with the

Neighbourhood Centre Zones Industrial Zones Seaview Marina Zone	standard.
Mixed Use Zone Hospital Zone Tertiary Education Zone Quarry Zone Marae Zone Mixed Use Zone Rural Zones	4. A freestanding sign must not exceed 6 metres in height. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. Cumulative effects. 4. Any positive effects that cannot be achieved while complying with the standard.
SIGN-S5	Height and placement of signs attached to buildings, structures and verandahs
Residential Zones Rural Zones Open Space and Recreation Zones Quarry Zone Marae Zone	1. A sign must not be located on the roof of any building or on top of any other structure unless the structure is a support structure constructed for the purpose of supporting the sign. 2. A sign must not be higher than the eaves of the building it is attached to. For facades without eaves, a sign must not project higher than the highest part of the facade it is attached to. 3. Where signs are attached to a verandah they must be: a. Attached to the fascia or underside of the verandah, b. Have no more than one sign per tenancy, and c. If above a footpath or public space, the lowest point of any sign must be at least 2.4 metres clear in height above the footpath/public space. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building it is placed on. 4. Impacts on the safety and efficiency of the transport network. 5. The reduced efficacy of signs from clutter. 6. Cumulative effects. 7. Any positive effects that cannot be achieved while complying with the standard.
Commercial and Mixed Use Zones Industrial Zones Hospital Zone	4. A sign must not be located on the roof of any building or on top of any other structure unless the structure is a support structure constructed for the purpose of supporting the sign. 5. A sign must not project higher than the highest part of the building or structure it is attached to unless the structure is a support structure constructed for the purpose of supporting the sign. 6. Where signs are attached to a verandah they must be:

Tertiary Education Zone Seaview Marina Zone	a. Attached to the fascia or underside of the verandah, b. Have no more than one sign per tenancy, and c. If above a footpath or public space, the lowest point of any sign must be at least 2.4 metres clear in height above the footpath/public space. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building it is placed on. 4. Impacts on the safety and efficiency of the transport network. 5. The reduced efficacy of signs from clutter. 6. Cumulative effects. 7. Any positive effects that cannot be achieved while complying with the standard.
SIGN-S6	Temporary signs
All Zones	1. A temporary sign must not be displayed more than 7 days 3 months prior to the event or activity the sign is advertising. 2. A temporary sign must be removed within 48 hours 7 days of the completion or cancellation of the event or activity the sign is advertising. 3. The sign must be no greater than 3m² in area. 4. This standard does not apply to election signs. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). 4. The reduced efficacy of signs from clutter. 5. Cumulative effects. 6. Any positive effects that cannot be achieved while complying with the standard.
SIGN-S7	Election signs
All Zones	1. Election signs must not be displayed more than nine weeks before the day of the election or referendum with which they are associated. 2. Election signs must be taken down before the day of the election or referendum with which they are associated. 3. Election signs must not exceed 3m² in area. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). 4. Impacts on the safety and efficiency of the transport network. 5. The reduced efficacy of signs from clutter. 6. Cumulative effects.
SIGN-S8	Signs and the transport network
All Zones	1. Signs must not obstruct the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or railway crossing. 2. Signs must not obstruct or obscure the view of any traffic sign, railway sign, traffic signal, or railway signal. 3. Signs visible from any road must not contain any flashing or moving lights

Commented [NG14]: Waka Kotahi (385.89)

Commented [NG15]: Laura Skelton (314.107)

	or moving parts. 4. Signs visible from any state highway or road with a speed limit of 80 70 km/h or more must not: - Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, or - Contain more than 40 characters. 5. Signs must not be shaped or use wording, images, or colours, that could be mistaken for a traffic control device, official sign, railway sign, maritime navigation installation, or aeronautical navigation installation. 6. Signs within 10 metres of a legal road or visible from any state highway must comply with the following minimum lettering heights:	
	Speed limit of road (km/h)	Minimum lettering height (mm)
	0-50	150
	51-70	200
	71-80	250
	81 and above	300
	7. <u>Any digital sign must not be able to be read in conjunction with flashing warning lights at level crossings or signals associated with the operation of the rail network.</u> This does not apply to authorisation statements on election signs or statements about the status of trademarks. Matters of discretion if the standard is breached: - Impacts on the safety and efficiency of the transport network. - Impacts on visual amenity for users of the transport network.	
SIGN-S9	Sign illumination	
All Zones	- Illuminated signs, including digital signs, must not have an average luminance exceeding: - The limits in table LIGHT-TABLE3 during the restricted lighting period, 600cd/m² outside the restricted lighting period but after sunset or before sunrise, and 5,000cd/m² between sunrise and sunset. - Illumination of any sign must not result in the illuminance of any roadway by more than 4 lux in a Residential Zone, Rural Zone, Open Space Zone, or Natural Open Space Zone, or 20 lux in any other area. Matters of discretion if the standard is breached: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - Any unreasonable annoyance, discomfort, distraction, or interference with everyday tasks from light spill, including disturbance of people's sleep. - Impacts on the safety and efficiency of the transport network. - Impacts on views of the night sky. - Any positive effects that cannot be achieved while complying with the standard.	

Commented [NG16]: Waka Kotahi (385.91)

Commented [NG17]: KiwiRail (442.77)

Definitions

Term	Definition
digital sign	means a sign which displays electronic graphics and/or text using electronic screens. Digital signs can include both moving and static signage.
official sign	means all any signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.

Commented [NG18]: Waka Kotahi (385.6)

Commented [NG19]: Waka Kotahi (385.14)

Appendix 3: Recommended decisions on submission points relating to the Signs Chapter

Appendix 3: Recommended decisions on submissions on Signs

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Laura Skilton	314	109	SIGN - Signs	All Standards	Oppose	Reject
NZ Transport Agency Waka Kotahi	385	6	Definitions	Digital sign	Support in part	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	21	Definitions	Digital sign	Support	Accept
NZ Transport Agency Waka Kotahi	385	77	SIGN - Signs	Introduction	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	1	SIGN - Signs	Introduction	Oppose (385.77)	Accept
NZ Transport Agency Waka Kotahi	385	14	Definitions	Official sign	Support in part	Accept
NZ Transport Agency Waka Kotahi	385	20	Definitions	Sign	Support	Accept
Z Energy Limited	468	10r	Definitions	Sign	Support	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand	471	48	Definitions	Sign	Support	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Ltd and Z Energy Ltd (the Fuel Companies)						
NZ Transport Agency Waka Kotahi	385	78	SIGN - Signs	SIGN-O1 (Signs)	Support	Accept
Out of Home Media Association of Aotearoa	413	1	SIGN - Signs	SIGN-O1 (Signs)	Support	Accept
Petone Historical Society Inc	496	41	SIGN - Signs	SIGN-O1 (Signs)	Support	Accept
oOh Media Limited	517	30	SIGN - Signs	SIGN-O1 (Signs)	Support	Accept
NZ Transport Agency Waka Kotahi	385	79	SIGN - Signs	SIGN-P1 (Signs provided for)	Support	Accept
Out of Home Media Association of Aotearoa	F21	2	SIGN - Signs	SIGN-P1 (Signs provided for)	Oppose in part (385.79)	Reject
Out of Home Media Association of Aotearoa	413	2	SIGN - Signs	SIGN-P1 (Signs provided for)	Amend	Reject
Petone Historical Society Inc	496	42	SIGN - Signs	SIGN-P1 (Signs provided for)	Support in part	No recommendation made
oOh Media Limited	517	31	SIGN - Signs	SIGN-P1 (Signs provided for)	Support in Part	Reject

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Out of Home Media Association of Aotearoa	413	3	SIGN - Signs	SIGN-P3 (Third-party advertising signs)	Amend	Reject
Petone Historical Society Inc	496	43	SIGN - Signs	SIGN-P3 (Third-party advertising signs)	Support in part	Reject
oOh Media Limited	517	32	SIGN - Signs	SIGN-P3 (Third-party advertising signs)	Support in Part	Reject
NZ Transport Agency Waka Kotahi	385	80	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Support in part	Accept in part
Out of Home Media Association of Aotearoa	F21	3	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Oppose 385.80	Reject
Out of Home Media Association of Aotearoa	413	4	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Support	Accept
KiwiRail Holdings Ltd	442	74	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Support in part	Accept
Out of Home Media Association of Aotearoa	F21	13	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Oppose 442.74	Reject
oOh Media Limited	517	33	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Support	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Heritage New Zealand Pouhere Taonga	248	65	SIGN - Signs	SIGN-P5 (Signs on heritage buildings or heritage structures or in heritage areas)	Support	No recommendation made
Out of Home Media Association of Aotearoa	413	5	SIGN - Signs	SIGN-P5 (Signs on heritage buildings or heritage structures or in heritage areas)	Support	No recommendation
Petone Historical Society Inc	496	44	SIGN - Signs	SIGN-P5 (Signs on heritage buildings or heritage structures or in heritage areas)	Multiple	No recommendation made
oOh Media Limited	517	34	SIGN - Signs	SIGN-P5 (Signs on heritage buildings or heritage structures or in heritage areas)	Support	No recommendation made
NZ Transport Agency Waka Kotahi	385	81	SIGN - Signs	SIGN-P6 (Impacts of signs on the transport network)	Support	Accept
Out of Home Media Association of Aotearoa	413	6	SIGN - Signs	SIGN-P6 (Impacts of signs on the transport network)	Support	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
oOh Media Limited	517	35	SIGN - Signs	SIGN-P6 (Impacts of signs on the transport network)	Support	Accept
KiwiRail Holdings Ltd	442	75	SIGN - Signs	SIGN-R1 (Signs)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	14	SIGN - Signs	SIGN-R1 (Signs)	Oppose 442.75	Accept
Laura Skilton	314	96	SIGN - Signs	SIGN-R1 (Signs)	Neutral	Accept
NZ Transport Agency Waka Kotahi	385	82	SIGN - Signs	SIGN-R1 (Signs)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	14	SIGN - Signs	SIGN-R1 (Signs)	Oppose 442.75	Accept
NZ Transport Agency Waka Kotahi	385	83	SIGN - Signs	SIGN-R1 (Signs)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	5	SIGN - Signs	SIGN-R1 (Signs)	Oppose 385.83)	Accept
Winstone Aggregates	444	36	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Support	Accept
Urban Plus Limited	322	33b	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Oppose	Reject

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
New Zealand Transport Agency Waka Kotahi	F20	30	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Oppose 322.33b	Accept
Seaview Marina Ltd	343	53	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Oppose	Accept
Out of Home Media Association of Aotearoa	413	7a	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Support	Reject
Out of Home Media Association of Aotearoa	413	7b	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Amend	Reject
oOh Media Limited	517	36	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Support in Part	Reject
Laura Skilton	314	97	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Reject
Urban Plus Limited	322	34a	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Reject
New Zealand Transport Agency Waka Kotahi	F20	31	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 322.34a	Accept
Urban Plus Limited	322	34b	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Reject
New Zealand Transport Agency Waka Kotahi	F20	32	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 322.34b	Accept
Seaview Marina Ltd	343	54	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
NZ Transport Agency Waka Kotahi	385	84	SIGN - Signs	SIGN-R3 (Digital signs)	Support in part	Accept
Out of Home Media Association of Aotearoa	F21	6	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 385.84	Reject
NZ Transport Agency Waka Kotahi	385	85	SIGN - Signs	SIGN-R3 (Digital signs)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	7	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 385.85	Accept
Out of Home Media Association of Aotearoa	413	8	SIGN - Signs	SIGN-R3 (Digital signs)	Support in part	Accept in part
Out of Home Media Association of Aotearoa	413	9	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Reject
Wellington Water Limited	F36	30	SIGN - Signs	SIGN-R3 (Digital signs)	Support 413.9	Reject
Out of Home Media Association of Aotearoa	413	10	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Accept in part
New Zealand Transport Agency Waka Kotahi	F20	33	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 413 10	Reject
Wellington Water Limited	F36	45	SIGN - Signs	SIGN-R3 (Digital signs)	Support 413.10	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Out of Home Media Association of Aotearoa	413	11	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Accept
Out of Home Media Association of Aotearoa	413	12	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Reject
Out of Home Media Association of Aotearoa	413	13	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Accept
Out of Home Media Association of Aotearoa	413	14	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Reject
KiwiRail Holdings Ltd	442	76	SIGN - Signs	SIGN-R3 (Digital signs)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	15	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 442.76	Accept
oOh Media Limited	517	37	SIGN - Signs	SIGN-R3 (Digital signs)	support in part	Accept in part
oOh Media Limited	517	38	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose in part	Accept in part
New Zealand Transport Agency Waka Kotahi	F20	36	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 517.38	Reject
oOh Media Limited	517	39	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose in part	Reject
New Zealand Transport Agency Waka Kotahi	F20	37	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 517.39	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
oOh Media Limited	517	40	SIGN - Signs	SIGN-R3 (Digital signs)	support in part	Accept
New Zealand Transport Agency Waka Kotahi	F20	38	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 517.40	Reject
oOh Media Limited	517	41	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Reject
oOh Media Limited	517	42	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose in part	Reject
New Zealand Transport Agency Waka Kotahi	F20	39	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose 517.42	Accept
Policy Planning team of the Hutt City Council	440	60	SIGN - Signs	SIGN-R4	Oppose in part	No recommendation made
Heritage New Zealand Pouhere Taonga	248	66	SIGN - Signs	SIGN-R4 (Signs on sites with scheduled heritage buildings, heritage structures, or sites within a heritage area)	Support	No recommendation made
Petone Historical Society Inc	496	46	SIGN - Signs	SIGN-R4 (Signs on sites with scheduled heritage buildings, heritage structures, or sites within a heritage area)	Multiple	No recommendation made
Laura Skilton	314	98	SIGN - Signs	SIGN-S1 (Area of a sign)	Oppose	Reject

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Laura Skilton	314	99	SIGN - Signs	SIGN-S1 (Area of a sign)	Oppose	Reject
Urban Plus Limited	322	35	SIGN - Signs	SIGN-S1 (Area of a sign)	Oppose	Reject
Enviro NZ	323	041	SIGN - Signs	SIGN-S1 (Area of a sign)	Support	Accept
NZ Transport Agency Waka Kotahi	385	86	SIGN - Signs	SIGN-S1 (Area of a sign)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	8	SIGN - Signs	SIGN-S1 (Area of a sign)	Oppose 385.86	Accept
Out of Home Media Association of Aotearoa	413	15	SIGN - Signs	SIGN-S1 (Area of a sign)	Support	Accept
oOh Media Limited	517	43	SIGN - Signs	SIGN-S1 (Area of a sign)	Support	Accept
Woolworths New Zealand Limited	271	16	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Oppose in part	Reject
McDonald's Restaurants (NZ) Limited	F11	11	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Support 271.16	Reject
Foodstuffs North Island	F17	28	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Support 271.16	Reject
New Zealand Transport Agency Waka Kotahi	F20	29	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Oppose 271.16	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Laura Skilton	314	100	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Oppose	Reject
NZ Transport Agency Waka Kotahi	385	87	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	9	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Oppose 385.87	Accept
Out of Home Media Association of Aotearoa	413	16	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Support	Accept
oOh Media Limited	517	44	SIGN - Signs	SIGN-S2 (Combined area of signs per site)	Support	Accept
Laura Skilton	314	101	SIGN - Signs	SIGN-S3 (Number of signs per site)	Oppose	Reject
Laura Skilton	314	102a	SIGN - Signs	SIGN-S3 (Number of signs per site)	Neutral	Reject
Laura Skilton	314	102b	SIGN - Signs	SIGN-S3 (Number of signs per site)	Oppose	Reject
Out of Home Media Association of Aotearoa	413	17	SIGN - Signs	SIGN-S3 (Number of signs per site)	Support	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
oOh Media Limited	517	45	SIGN - Signs	SIGN-S3 (Number of signs per site)	Support	Accept
Laura Skilton	314	103	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Oppose	Reject
NZ Transport Agency Waka Kotahi	385	88	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Support in part	Reject
Out of Home Media Association of Aotearoa	F21	10	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Oppose 385.88	Accept
Out of Home Media Association of Aotearoa	413	18	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Amend	Reject
oOh Media Limited	517	46	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Support	Accept
Urban Plus Limited	322	36	SIGN - Signs	SIGN-S4 (Height of freestanding signs)	Support in part	Reject
Laura Skilton	314	104	SIGN - Signs	SIGN-S5 (Height and placement of signs attached to buildings, structures and verandahs)	Neutral	Reject
Laura Skilton	314	105	SIGN - Signs	SIGN-S5 (Height and placement of signs attached	Neutral	Reject

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
				to buildings, structures and verandahs)		
Out of Home Media Association of Aotearoa	413	19	SIGN - Signs	SIGN-S5 (Height and placement of signs attached to buildings, structures and verandahs)	Support	Accept
oOh Media Limited	517	47	SIGN - Signs	SIGN-S5 (Height and placement of signs attached to buildings, structures and verandahs)	Support	Accept
NZ Transport Agency Waka Kotahi	385	89	SIGN - Signs	SIGN-S6 (Temporary signs)	Support in part	Accept in part
Laura Skilton	314	106	SIGN - Signs	SIGN-S7 (Election signs)	Neutral	Reject
NZ Transport Agency Waka Kotahi	385	90	SIGN - Signs	SIGN-S7 (Election signs)	Support in part	Reject
Laura Skilton	314	107	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Neutral	Accept
NZ Transport Agency Waka Kotahi	385	91	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support in part	Accept in part

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
Out of Home Media Association of Aotearoa	F21	11	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose 385.91	Reject
Out of Home Media Association of Aotearoa	413	20	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support	Accept in part
Out of Home Media Association of Aotearoa	413	21	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Reject
New Zealand Transport Agency Waka Kotahi	F20	34	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose 413.21	Accept
Out of Home Media Association of Aotearoa	413	22	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Reject
New Zealand Transport Agency Waka Kotahi	F20	35	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose 413.22	Accept
KiwiRail Holdings Ltd	442	77	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support in part	Accept
Out of Home Media Association of Aotearoa	F21	16	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose 442,77	Reject
oOh Media Limited	517	48	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support in part	Accept

Submitter	Sub #	SP #	Topic/chapter	Provision	Support/oppose	Recommendation
oOh Media Limited	517	49	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Reject
New Zealand Transport Agency Waka Kotahi	F20	40	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose 517.49	Accept
oOh Media Limited	517	50	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Reject
New Zealand Transport Agency Waka Kotahi	F20	41	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose 517.50	Accept
Laura Skilton	314	108	SIGN - Signs	SIGN-S9 (Sign illumination)	Neutral	Reject
NZ Transport Agency Waka Kotahi	385	92	SIGN - Signs	SIGN-S9 (Sign illumination)	Oppose in part	Reject
Out of Home Media Association of Aotearoa	F21	12	SIGN - Signs	SIGN-S9 (Sign illumination)	Oppose 385.92	Accept
Out of Home Media Association of Aotearoa	413	23	SIGN - Signs	SIGN-S9 (Sign illumination)	Support	Accept
oOh Media Limited	517	51	SIGN - Signs	SIGN-S9 (Sign illumination)	Support	Accept
Petone Historical Society Inc	496	45	SIGN - Signs	Whole chapter	Oppose in part	No recommendation made

Appendix 4: HCC Signs Chapter

– Review of Submissions by

Mike Smith (Stantec, New

Zealand)

To: Sean Bellamy
Hutt City Council
Lower Hutt

From: Mike Smith
Building 2 Hazeldean Business Park
Level 3, 2 Hazeldean Road
Addington, Christchurch 8024
NEW ZEALAND
Mail to: PO Box 13052, Christchurch
8140

Project/File: 310206917

Date: 16 September 2026

Reference: HCC Signs Chapter - Review of Submissions**Introduction**

- 1 My full name is Michael Andrew Smith.
- 2 I hold the position of Senior Principal Transportation Engineer and Australasia Road Safety Practice Lead, at Stantec, who I have been with since 1996. Prior to my current role, I held the position of Senior Road Safety Engineer at MWH Global for 12 years from 1984 to 1996.
- 3 I hold a Master of Engineering in Transportation from the University of Canterbury. I am a Fellow of Engineering New Zealand, a Technical Area Assessor (Transportation) for Engineering New Zealand, and a Registered Professional Engineer Queensland. I am a certified Senior Road Safety Auditor in Queensland. I have written the Road Safety Audit Guidelines for Tonga, Fiji, and Brunei, and trained Government and Consulting staff in these countries.
- 4 I have over 35 years' experience in road safety, traffic control, health and safety, safety inspections, safety audits, crash reduction studies, traffic engineering, maintenance contract and construction projects. I am an international expert in Road Safety. I am an ICA CPTED Practitioner.
- 5 I have undertaken reviews of the Transport and associated chapters for Local Authority Plan Changes, undertaking reviews of submitters material, and informing council staff and the hearings panel of my findings.

CODE OF CONDUCT

- 6 Although this is a council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.
- 7 I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this report covers matters within my area of expertise, except where I state that I am relying on the reports and/ or views of another person.

Reference: HCC Signs Chapter - Review of Submissions

Involvement & Background

- 8
- I have been engaged by Hutt City Council since 2023 to advise transportation matters as they relate to the SIGNS chapter, associated with the proposed district plan including a technical review of the relief sought by submitters on the SIGNS chapter.
- 9
- Have considered the relevant submissions as presented and detailed by Hutt City Council staff.
- 10
- Have not considered changes to Activity Status. I defer the assessment of Activity Status to Council Planners

Scope of Evidence

- 11
- My evidence primarily covers submissions made on the SIGNS chapter; however, it also covers related Chapters in so far as they advise to the SIGN Chapters.
- 12
- My evidence does not respond to or assess all submissions under each of the chapters, where I have instead focused on areas where I consider further assessment has been warranted to assist the panel.

Submissions on the Sign Chapter

PDP Chapter: SIGN-P1 (signs Provided for)

SIGN-P1

Signs provided for

Provide for signs where:

1. The sign:

a. Is ancillary to the activity being undertaken on the site, or

b. The sign is associated with an upcoming election or referendum, or

c. The sign is required to meet regulatory or statutory requirements, or

d. For any other sign (including third-party advertising signs and temporary signs for activities undertaken on another site), the sign is consistent with the purpose, character, and amenity values of the zone in which they are located, and

2. They are of an appropriate size, design and location,

3. They maintain the character and amenity values of the site and the surrounding area,

4. They do not result in visual clutter,

5. They do not compromise the efficiency of the transport network or the safety of its users, including cyclists and pedestrians, and

6. Any potential cumulative effects are managed.

Submissions were received from:

- New Zealand Transport Agency Waka Kotahi (385.79)
- oOHMAA (413.2, FS20.2) – I believe FS20.2 should be FS21.2
- oOH Media (517.31)

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	79	SIGN - Signs	SIGN-P1 (Signs provided for)	Support	Retain policy as notified	Signs have a number of effects to consider, which the policy adequately covers. This will support decision making.

Reference: HCC Signs Chapter - Review of Submissions

oOHMAA

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
413	2	SIGN - Signs	SIGN-P1 (Signs provided for)	Amend	Amend policy as follows: "Provide for signs where: ... 4. They do not result in minimise visual clutter, ..."	The direction that signs do not result in visual clutter, could be interpreted in 'pass/fail' terms. The avoidance of visual clutter is not realistic, necessary or appropriate in every instance. (refer to the original submission for full reasons).
F21	2	SIGN - Signs	SIGN-P1 (Signs provided for)	Oppose in part (NZTA 385.79)	Disallow the submission to the extent that it seeks to retain the policy as notified.	OOHMAA opposes the requested relief to retain SIGN-P1 as notified, as this is inconsistent with the relief sought in OOHMAA's primary submission.

oOH Media

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
517	31	SIGN - Signs	SIGN-P1 (Signs provided for)	Support in Part	Amend SIGN-P1 as follows: "Provide for signs where: ... 4. They do not result in minimise visual clutter, ..."	Supports the intent of the proposed policy, however is concerned that the policy seeks to provide for signs where they do not result in visual clutter, which could be interpreted in 'pass/fail' terms. The RMA is not a "nil effect" statute and it is necessary to include a qualifier to the management of 'visual clutter' effects to better reflect the intent of the policy to manage adverse effects (as opposed to avoiding adverse effects). Refer to original submission for full reasons

Review

Background:

- 13 The PDP Policy states, "does not result in visual clutter". Visual clutter for road signs is the presence of excessive, redundant, or distracting visual elements in the road environment that degrade a driver's ability to locate, read, and process essential traffic safety information.
- 14 Sign spacing, and hence potential for visual clutter, is associated with a driver's ability to identify, and digest the content of a sign. The Traffic Control Devices Rule (TCDR) and TCDM (Manual) specify spacing between successive signs on a road, for a given speed. Urban Residential and

Reference: HCC Signs Chapter - Review of Submissions

Business Roads have a minimum sign spacing of 30m between successive signs. Arterial Roads have a spacing of 50m (<= 70 km/h) and 60m (>70-90 km/h).

Visual clutter Impacts on Drivers include

- **Increased Cognitive Load:** Forces drivers to spend more mental effort filtering out irrelevant visual stimuli.
- **Delayed Reaction Times:** Slows down recognition of critical hazards, directional cues, and speed changes.
- **Sign Blindness & Confusion:** Causes motorists to miss vital messages or mistake non-regulatory fixtures for official instructions.

Submissions

- 15
- The submission of NZTA seeks to retain the Policy as notified.
- 16
- The relief sought by OOHMAA and oOH seeks to “minimise visual clutter”, however there is no definitive measure of “minimise”. The term “minimise” lacks definition and is considered as being too subjective.
- 17
- Minimisation assumes that visual clutter would occur, and that an applicant would “minimise” the visual clutter. I find that the better test is “does not result in visual clutter”, with an applicant required to demonstrate how their proposal addresses visual clutter, and what, if any, mitigations would be applied.
- 18
- It is noted that there are mechanisms and guides available through the TCDM / TCDR to quantify sign spacing as a measure.

Recommendation

- Retain policy as stated. This maximises safety and efficiency of network.

PDP Chapter: SIGN-P4 (Digital and illuminated signs)

SIGN-P4	Digital and illuminated signs
Provide for digital signs and illuminated signs where: 1. The sign is compatible with the character of the zone and any relevant precinct or overlay, 2. The sign does not compromise traffic, pedestrian, or cycling safety, 3. Digital signs do not cause any area to feel overly dominated by signage and advertising, 4. Light spill or glare effects are managed so they do not compromise amenity values, 5. Illumination does not compromise views of the night sky, and 6. The sign is not visible from a state highway or road with a speed limit of 80km/h or more.	

Submissions were received from:

- Waka Kotahi (385.80)
- KiwiRail (442.74)

Reference: HCC Signs Chapter - Review of Submissions

oOHMAA (FS21.4, FS21.5 and FS21.14)

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	80	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Support in part	Amend the policy as follows: “... 6. The sign is not visible from a state highway or road with a speed limit of 70km/h or more, and 7. <u>Cumulative effects of digital billboards are managed.</u> ”	Should consider effects that are particularly significant with the nature of digital billboards – being the cumulative effects of multiple digital billboards in proximity to each other. Overseas research has found a statistically significant increase in injury crashes in high speed areas

KiwiRail

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
442	74	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Support in part	Amend by adding " ... x. The sign is not visible in conjunction with, or located in a manner that it may distract from warning lights such as those at level crossings, or signals associated with the operation of the rail network. "	Considers provision should "consider effects that are particularly significant with the nature of digital billboards – being the cumulative effects of multiple digital billboards in proximity to each other and the impact that the digital billboards can have when read in conjunction with the likes of flashing warning lights at level crossings."

oOHMAA

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
FS21	3	SIGN - Signs	SIGN-P4 (Digital and illuminated signs)	Oppose (385.800)	Disallow	It is appropriate that there are consistent provisions for signage across districts, insofar as they relate to transportation effects (which do not fundamentally change from district to district). (Refer to further submission for full reasons)
FS21	4	SIGN - Signs	SIGN-R1 (Signs)	Oppose (385.82)	Disallow	oOHMAA does not support a 'blanket' approach which would require a resource

Reference: HCC Signs Chapter - Review of Submissions

					consent for all signs which are visible from a state highway, regardless of whether that sign complies with all other relevant standards. (Refer to further submission for full reasons)
F21	14	SIGN Signs	SIGN R1 (Signs)	Oppose (442.75)	Disallow
					oOHMAA opposes the relief sought as it is vague, and unclear what is requested for general signs managed by Rule SIGN R1, relative to the reasons provided which refer to digital billboards (which are managed by other rules and standards).

Submission F21.4 and F21.14 have not been considered as they relate to SIGNS-R1.

Review

- 19
- NZTA seek relief to reduce the threshold of 70 km/h (reduced from 80 km/h) for all State Highways. It further seeks relief to “manage the cumulative effect of digital billboards”.
- 20
- KiwiRail seeks relief to include a provision [digital] “..signs are not visible in conjunction with, or located in a manner that it may distract from warning lights such as those at level crossings, or signals associated with the operation of the rail network.”
- 21
- oOHMAA seeks relief to disallow the NZTA proposed speed threshold, and the assessment of cumulative effects. oOHMAA further seek relief to disallow KiwiRails submission for sign visibility at rail crosisngs and controls.
- 22
- Considering the relief sought and further considering provisions of this and other SIGNS chapters, I note that SIGNS-P1, 4) presents management of visual clutter, while SIGNS-P1, 6) addresses the cumulative effects of signs (managed). This is relevant to the relief sought by NZTA for cumulative effects of signs.
- 23
- The Traffic Control Devices Manual (TCDM) and TCDR (Rule) (TCDM Table 7.1 – Longitudinal location of warning signs) state minimum sign spacing distances between successive signs, for a given road speed. The TCDM (Table 7.1) states that an urban arterial should utilise the spacing requirements of Rural Roads for the respective road speeds. The Land Transport Rule: Setting of Speed Limits 2024 define Urban as up to 50 km/h, urban connectors and peri-urban as 50 – 80 km/h, and rural 80 km/h and above.
- 24
- A threshold of >=70 km/h, as sought by NZTA, aligns with an Arterial road or similar status. A review of the National Speed Limit Register for Hutt City reveals that roads of 70 km/r are best described as peri-urban, Industrial, or rural (e.g. Harcourt Werry Drive) and align in characteristics with that of 80 km/h and above.
- 25
- The relief sought by NZTA to amend the policy to a 70 km/h threshold reflects the intent of the TCDM, therefore the relief sought should be adopted.

Reference: HCC Signs Chapter - Review of Submissions

- 26 KiwiRail have sought relief for an additional assessment matter that would seek controls similar to that of a busy intersection / on ramp / off ramp (NZTA), where it is considered that the complexity of decisions should not be distracted from by digital or illuminated signs.
- 27 In assessing the KiwiRail proposal and considering the characteristics of a signalised or controlled crossing, a rail crossing is unlike other locations where effective braking could occur, an error by a driver at a rail crossing would result in a [circa] 800 tonne train unable to stop, or take evasive action.
- 28 The crossing control devices, in and of themselves do improve user safety, but do not eliminate risks.
- 29 Observed human behaviour has following drivers forming queues over rail crossings, and they do not anticipate traffic flow ahead, or are distracted in their attention to traffic ahead. The placement of a digital billboard could be that point where a driver looks away and proceeds into the rail crossing. I see this on a daily basis at the rail crossing outside our office in Christchurch, where traffic queues over the crossing, which has digital billboards located within the corridor. On many occasions, evasive action is required by the driver, with the train driver sounding a long blast on the train horn.
- 30 While a barrier arm or gate will restrict traffic movement, it does not prevent an incident where a driver makes the decision to proceed onto the tracks, or is distracted and drivers into the rail crossing, not aware that the queue ahead has stopped.
- 31 While the probability of impact may be low, the severity will be high. There is literature on driver non-compliance at rail crossings
(<https://www.sciencedirect.com/science/article/pii/S0001457521004632>) [Accident Analysis and Prevention 163 (2021) 106432]
- 32 This literature explores the level of non-compliance with rail crossing active controls. This indicates that incidents of crashes at signalised rail crossings often involve motorists ignoring warning lights or barrier arms or becoming trapped due to traffic congestion. Despite having active safety measures, such as flashing lights and barrier arms, 95% of collisions in some regions occur at these protected crossings. Therefore, barrier arms and controls in themselves do not fully prevent driver behaviour of progressing into the rail crossing.
- 33 I conclude that the relief sought by KiwiRail should be adopted, on the basis of road user safety, where any form of distraction will have significant negative user safety outcomes.

Recommendation

- Adopt the relief sought by NZTA:
Reduce the threshold to ≥ 70 km/h
Inclusion of "manage the cumulative effect of digital billboards"
- Adopt the relief sought by KiwiRail:

Reference: HCC Signs Chapter - Review of Submissions

“..signs are not visible in conjunction with, or located in a manner that it may distract from warning lights such as those at level crossings, or signals associated with the operation of the rail network.”

SIGN-R1 (Signs)

All Zones	1. Activity status: Permitted Where: a. The <u>sign</u> is an <u>official sign</u>, or b. The <u>sign</u> is an <u>election sign</u> and complies with SIGN-S7: Election signs, or c. The <u>sign</u> cannot be seen beyond the boundary of a <u>site</u>, or d. Compliance is achieved with: i. SIGN-S1: Area of a sign, ii. SIGN-S2: Combined area of signs per site, iii. SIGN-S3: Number of signs per site, iv. SIGN-S4: Height of freestanding signs, v. SIGN-S5: Height and placement of signs attached to buildings, structures and verandahs, vi. SIGN-S6: Temporary signs, vii. SIGN-S7: Election signs, viii. SIGN-S8: Signs and the transport network, and ix. SIGN-S9: Sign illumination.
All Zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with SIGN-R1.1. Matters of discretion are restricted to: 1. The matters of discretion in any standards not met. 2. The matters in: i. SIGN-P1: Signs provided for, ii. SIGN-P2: Temporary signs, including election signs, and iii. SIGN-P6: Impacts of signs on the transport network.

Submissions were received from:

Waka Kotahi (385.82)

KiwiRail (442.75)

oOHMAA (FS21.3 and FS21.13)

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	82	SIGN - Signs	SIGN-R1 (Signs)	Support in part	Amend clause (1) of the rule as follows: “ ... c. The sign cannot be seen beyond the boundary of a site <u>or from the state highway network</u> , or...”	All signs visible from the state highway should require a resource consent, given the potential safety effect signs can generate on the state highway network

Reference: HCC Signs Chapter - Review of Submissions

KiwiRail

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
442	75	SIGN - Signs	SIGN-R1 (Signs)	Support in part	Seeks to "Amend the rule as follows: <u>ix. is not visible, or oriented to be read in conjunction with warning lights located at a level crossing, or signals associated with the operation of the rail network.</u> " [not clear where specifically this text is sought to be added]	Considers "Digital billboards have, by the changing nature of their content have the potential to distract drivers when they are arriving at a level crossing and also have the potential to distract train drivers when approaching level crossings."

oOHMAA

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
F21	3	SIGN - Signs	SIGN-R1 (Signs)	Oppose (385.80)	Disallow	It is appropriate that there are consistent provisions for signage across districts, insofar as they relate to transportation effects (which do not fundamentally change from district to district). (Refer to further submission for full reasons)
F21	4	SIGN - Signs	SIGN-R1 (Signs)	Oppose (385.82)	Disallow	OOHMAA does not support a 'blanket' approach which would require a resource consent for all signs which are visible from a state highway, regardless of whether that sign complies with all other relevant standards.(Refer to further submission for full reasons)
F21	13	SIGNS - Signs	SIGN-P4 (Digital and illuminated signs)	Oppose (442.74)	Disallow	OOHMAA opposes the relief sought as it is overly onerous in seeking that signs are not visible in conjunction with rail signals, at all.
F21	14	SIGN - Signs	SIGN-R1 (Signs)	Oppose (442.75)	Disallow	OOHMAA opposes the relief sought as it is vague, and unclear what is requested for general signs managed by Rule SIGN-R1, relative to the

Reference: HCC Signs Chapter - Review of Submissions

F21	5	SIGN - Signs	SIGN-R1 (Signs)	Oppose (385.82)	Disallow	reasons provided which refer to digital billboards (which are managed by other rules and standards). OOHMAA opposes any provisions which would require written approval or limited notification of NZTA in the event that a rule or standard is infringed by a proposed sign. (Refer to further submission for full reasons)
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Review

- 34 NZTA have sought relief for an amendment to the Assessment Matter 1 c), to include a provision “or from the state highway network”. As the assessment matter already considers “*The sign cannot be seen beyond the boundary of the site*”, the extension to include “or from the State Highway network” is seen as an additional frame supportive of, and clarifies (with respect to State Highways), the original Assessment Matter. SIGNS-P4 Digital and illuminated signs, clause 6 states “*The sign is not visible from a state highway or road...*” The inclusion of a similar clause in SIGNS-R1 assists in the assessment matters.
- 35 KiwiRail have sought relief for an additional assessment matter that would seek controls similar to that of a busy intersection / on ramp / off ramp (NZTA), where it is considered that the complexity of decisions should not be distracted from by digital or illuminated signs.
- 36 In assessing the KiwiRail relief sought and considering the characteristics of a signalised or controlled crossing, a rail crossing is unlike other locations where effective braking could occur, an error by a driver at a rail crossing would result in a [circa] 800 tonne train unable to stop, or take evasive action.
- 37 It is critical that a driver does not have any form of distraction of a rail crossing, as an error on approach will result in catastrophic outcomes. Utilising the Safe System Audit approach, while the frequency of a crash may be unlikely, the consequence of a crash would be serious injury to fatal. This results in a Safe System Risk Assessment of Significant to Serious – both of which require amendment to a design to minimise the risk identified.
- 38 State highways have a primary function of movement, with urban state highways enabling movement and access, to varying degrees. Typical urban state highways are of speeds above 60 km/h, with peri-urban / rural being above 70 km/h, and typically with large form intersections at appropriate connection points.
- 39 The OOHMAA submission (FS21.3) states that there are “.. no inherent differences between local roads and State Highways”. I concur in part, in that both local road and State Highway have a function of movement and access. However, the key differences lie in the mechanisms of control of the respective roads. Local Road is typically controlled by the Local Government Act, and Council rules and regulations. State Highways are controlled through the Government Roadway Powers Act, and form a function of interregional travel, along with local movement and access.

Reference: HCC Signs Chapter - Review of Submissions

State Highways are subject to their own mechanisms for management and control. Where a State Highway passes through a Local Authority, an integrated approach to road management, where possible should be made, acknowledging each Authorities requirement.

40 OOHHMAA make reference to the assessment matters in RMA Section 95 – 95E. Section 95D relies on a test of effects “more than minor”.

41 Considering “more than minor”, recent international research details that distraction has been identified as a road safety outcome of Digital Billboards. A test applied utilising the Safe System Audit process, as a measure of “effects are minor”, or “more than minor”, I am of the opinion that while an occurrence of a crash may be unlikely, the injury severity would be Serious to Fatal. This results in a risk rating of Significant, or Serious. Both these risk ratings would require remedial action to fix the deficiencies noted. I am therefore of the opinion that when considering digital billboards in the context of on / off ramps / rail crossings, the effects are “more than minor”.

42 I conclude that considering KiwiRails submission, there is merit in the inclusion of controls for digital billboards at rail crossings, as they relate to visibility around controls.

Recommendations:

- Accept the relief sought by NZTA
- Accept the relief sought by KiwiRail, on the basis that within a rail corridor, there is an inability for the train to take evasive action should a road user be distracted, and a resultant crash would be serious injury or fatal injury
- Decline the relief sought by oOHMAA

Reference: HCC Signs Chapter - Review of Submissions

SIGN-R2 (Third-party advertising signs)

SIGN-R2	Third-party advertising signs
City Centre Zone Metropolitan Centre Zone Local Centre Zone Neighbourhood Centre Zone Industrial Zones Sport and Active Recreation Zone Hospital Zone Marae Zone Quarry Zone Tertiary Education Zone	1. Activity status: Permitted
Rural Zones	2. Activity status: Discretionary
Residential Zones Mixed Use Zone Natural Open Space Zone Open Space Zone	3. Activity status: Non-complying

Submissions were received from:

Winstone Aggregates (444.36)

Urban Plus (322.33b)

Waka Kotahi (FS20.30)

Winston Aggregates

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
444	36	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Support	Retain as notified.	There is a safety and operational need for signs to identify areas within the quarry, and to allow for way finding from Hebden Crescent into the Quarry Zone. These signs may relate to third parties for navigation or functional reasons such as transporters.

Reference: HCC Signs Chapter - Review of Submissions

Urban Plus

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
322	33b	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Oppose	Seeks that the activity status for the Mixed Use Zone is reduced to permitted from non-complying.	There is an inconsistent approach to setting the activity status. The Mixed Use Zone is grouped with Commercial activity under the National Planning Standards. Yet under SIGN-R2 and SIGN-R3 the MUZ has been bundled with the Residential and Open Space Zones as Non-Complying; this is overly restrictive

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
FS20	30	SIGN - Signs	SIGN-R2 (Third-party advertising signs)	Oppose (322.33b)	Disallow	NZTA have identified that some signs are considered to have acceptable effects on the safety and efficiency of the transport network and that these meet the appropriate standards. Each sign that does not align with the standards outlined in these rules should be assessed on its merits and suitability to face the state highway. (Refer to further submission for full reasons)

Review

- 43 The HCC District Plan defines Mixed Use Zone as:
- 44 The Mixed Use Zone covers different areas across the urban area of Lower Hutt that call for flexible land use controls. This zone provides for a wide range of land uses, including residential, community, recreation, small-scale commercial, and light industrial activities.
- 45 The land use within the Mixed Use Zone includes provisions for residential, and community. The land use, with regard to these provisions, align to that of Residential, but also enable small-scale commercial.
- 46 In the context that Mixed Use Zones enables residential, and centre zones (city Centre / Metropolitan Centre) then the level of provision as required for Residential are appropriate and should be made. Failure to protect the residential use component permitted under the Mixed Use Zone would result in adverse outcomes to residents that live within the zone.

Reference: HCC Signs Chapter - Review of Submissions

Recommendation:

- I support Third-party advertising signs within the Mixed Use Zone as a non-complying activity. This reflects the similar requirements of the Residential Zone (non-complying). The burden of proof for an assessment should sit with the applicant for an installation within this zone (Mixed Use), considering the specifics of the site and the receiving environment that the sign is proposed.

SIGN-R3 (Digital signs)

SIGN-R3	Digital signs
City Centre Zone	1. Activity status: Restricted discretionary Where: a. The sign: i. Does not flash, use video, moving images, moving text, or moving lights. ii. Does not play music or sound. iii. Does not provide advertising over multiple messages which are displayed across transitioning screens, iv. Is not visible from a state highway or road with a speed limit of 80km/h or more, v. Does not monitor or respond in any way to the people viewing or potentially viewing the sign, vi. Displays only a single static image at a time, vii. Displays images for a minimum of 35 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and viii. In any other case, displays images for at least 15 seconds before transitioning to the next, b. Transitions between images take between 0.1 seconds and 0.5 seconds, without flashing, blinking, fading, dissolving, or wiping, c. In the event of a malfunction, the sign defaults to a blank screen, and d. Illumination of the sign: i. Automatically adjusts to allow for ambient light levels, ii. Does not alter during the display of any image, iii. Does not alter the average luminance of any two successive images by more than 30%. Matters of discretion are restricted to: 1. The compatibility of the sign with the amenity and character of the surrounding area. 2. The size, position, design, and setting of the sign. 3. Whether the sign will be used for third-party advertising. 4. The standards for the relevant zone in the Light chapter. 5. The safety and efficiency of the transport network. 6. The matters in: a. SIGN-P1: Compatible signs, b. SIGN-P4: Digital and illuminated signs, and c. SIGN-P6: Impacts of signs on the transport network. 7. Any positive effects of the digital sign that cannot be achieved with a sign other than a digital sign. Note: The provisions in the Light chapter also apply to signs, particularly digital signs or other illuminated signs.
Metropolitan Centre Zone	
Local Centre Zone	
Industrial Zones	
Hospital Zone	
Tertiary Education Zone	
Marae Zone	
Sport and Active Recreation Zone	

Submissions were received from:

- Waka Kotahi (385.84 and 385.85)
- KiwiRail (442.76)
- oOHMAA (413.8, 413.9, 413.10, 413.11, 413.12, 413.13 and 413.14)
- oOH Media (517.37, 517.38, 517.39, 517.40, 517.41 and 517.42)

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	84	SIGN - Signs	SIGN-R3 (Digital signs)	Support in part	Amend clause (1) the rule as follows: “ ... iv. Is not visible, or oriented, to be read from a state	Overseas research has found a statistically significant increase in injury crashes in high speed areas. 35 seconds dwell time may be appropriate in some circumstances,

Reference: HCC Signs Chapter - Review of Submissions

highway or road with a speed limit of ~~60~~70km/h or more,”
And
“vii. Displays images for an appropriate dwell time determined so that no more than 5 per cent of drivers are exposed to image changes ~~minimum of 35 seconds before transitioning to the next~~ when visible from a road with a speed limit of ~~60~~70km/h or more”
And
“ix: Is not visible from, or within 100m of, a State Highway on ramp and/or off ramp.”
“x: Is not located where there are any other digital billboards in a driver’s field of vision.”

but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. Drivers should not be able to see more than one digital billboard at any one time to reduce the potential for distraction

An assessment of other submission material has identified the following NZTA Further Submissions.

FS20	35	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose (413.22)	Disallow	NZTA consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. NZTA does not support the reduction in dwell time. (Refer to further submission for full reasons)
			Reassessed under SIGNS-R3			
FS20	40	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose (517.49)	Disallow	NZTA consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds

Reference: HCC Signs Chapter - Review of Submissions

			Reassessed under SIGNS-R3			
FS20	41	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose (517.49)	Disallow	may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. NZTA does not support the reduction in dwell time. (Refer to further submission for full reasons)
			Reassessed under SIGNS-R3			
						NZTA consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. NZTA does not support the reduction in dwell time. (Refer to further submission for full reasons)

KiwiRail

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
442	76	SIGN - Signs	SIGN-R3 (Digital signs)	Support in part	Amend by adding " ... Notification: Limited notification to KiwiRail Holdings Limited is required for applications under this rule due to a non-compliance with SIGN-R3.1(a)(ix)."	Reasons given not specific to this relief, see original submission

oOHMAA

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
413	8	SIGN - Signs	SIGN-R3 (Digital signs)	Support in part	Retain rule, (conditional - refer to original submission)	Reasons given not specific to this relief, see original submission
413	9	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Amend rule to provide for digital signs in the Mixed Use zone as a Restricted Discretionary activity.	The matters of discretion that are proposed for Restricted Discretionary activity digital signs are comprehensive, and will enable a robust assessment (and discretion to decline a consent) of the

Reference: HCC Signs Chapter - Review of Submissions

						effects of a digital sign in relation to the amenity and character of the surrounding area, among other matters. (Refer to original submission for full reasons).
413	10	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Amend clause 1(a) of the rule as follows: "1. Activity status: Restricted discretionary Where: a. The sign: ... vii. Displays images for a minimum of 95 30 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and viii. In any other case, displays images for at least 15 8 seconds before transitioning to the next, ..."	90% of digital billboards in an urban context in New Zealand operate with an 8 second dwell time, without any recorded accidents. New Zealand trials indicate no situations where road user behaviours have been adversely affected by billboards with 8 second dwell times and 0,5 second transitions. (refer to original submission for full reasons)
413	11	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Amend clause 1(b) of the rule as follows: "1. Activity status: Restricted discretionary Where: ... b. Transitions between images take between 0.1 seconds and 0.5 seconds <u>by way of a cross-dissolve</u> , without flashing, blinking, fading, dissolving, or wiping"	The wording of the standard precludes the use of 'dissolves' between images, which is the terminology for the type of transition used on most digital billboards in New Zealand. (Refer to original submission for full reasons).
413	12	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Amend clause 1(d) of the rule as follows:	The change in luminance is dependent on the content displayed, and Billboard operators do not regulate the

Reference: HCC Signs Chapter - Review of Submissions

					"1. Activity status: Restricted discretionary Where: d. illumination of the sign: iii. Does not alter the average illuminance of any two successive images by more than 30%."	content and colouring of messages relative to another party's message. (refer to original submission for full reasons).
413	13	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Amend the matters of discretion of the rule as follows: "Matters of discretion are restricted to: ... 3. Whether the sign will be used for third-party advertising. ..."	This matter of discretion does not correspond with any other provision, requires a "yes or no" response, and it is not clear what the consequence is for either response (refer to original submission for full reasons).
413	14	SIGN - Signs	SIGN-R3 (Digital signs)	Amend	Amend clause 2 of the rule as follows: "2. Activity status: Non-complying Discretionary Where: a. Compliance is not achieved with SIGN-R3.1"	A discretionary activity status is more appropriate because as the requirements of SIGN-S10 are not a "bottom line" that needs protection. SIGN-P4 is not an avoid type policy, and not appropriate to implement by a non-complying activity status. (refer to original submission for full reasons).

oOH Media

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
517	37	SIGN - Signs	SIGN-R3 (Digital signs)	support in part	Seeks that provision is made for other digital signs in the Mixed Use Zone as a restricted discretionary activity. A consequential change to SIGN-R3.3 is required to remove the Mixed	Reasons given not specific to this relief, see original submission

Reference: HCC Signs Chapter - Review of Submissions

517	38	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose in part	Use Zone from the non-complying activity and public notification rule. Amend Rule SIGN-R3.1.a as follows: "1. Activity status: Restricted discretionary Where: a. The sign: ... vii. Displays images for a minimum of 95 30 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and viii. In any other case, displays images for at least 45 8 seconds before transitioning to the next,..."	Agrees that digital signs and billboards can be controlled by different operational parameters depending on the speed environment of the road that they are orientated to. The 'dwell time' standard for digital signs has been recently debated through the Proposed Wellington District Plan process. The notified Proposed Wellington District Plan included a standard requiring dwell times that are consistent with those of proposed Rules SIGN-R3.1.a.vii and viii (e.g. 35 seconds and 15 seconds). The planning specialist for Wellington City Council agreed with the evidence presented at those hearings that dwell times of 8 seconds and 30 seconds are appropriate. Refer to original submission for full reasons.
517	39	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose in part	Amend standard to delete clause 1.d.iii.	The illumination output of a digital sign is determined by the colour and composition of the elements of a message. White results in the brightest level of illuminance and black the dimmest. Therefore, the change of the average luminance output of one message to the next message will depend on the content that is to be displayed. The effects of the illumination of digital signs are adequately managed by Standard SIGN-S9 ... (see original submission for full reasons given)
517	40	SIGN - Signs	SIGN-R3 (Digital signs)	support in part	Amend the matters of discretion for Rule SIGN-R3 as follows: "Matters of	Third-party signs are provided for separately by Rule SIGN-R2 as a permitted activity within commercial (and other) zones, within which digital signs are provided for as a restricted discretionary activity.

Reference: HCC Signs Chapter - Review of Submissions

					discretion are restricted to: 1. The compatibility of the sign with the amenity and character of the surrounding area. 2. The size, position, design, and setting of the sign. 3. Whether the sign will be used for third-party advertising. ..."	This matter of discretion does not correspond with any other provision, in that there is seemingly no distinction by the provisions of the Signs chapter between digital first-party or digital third-party signs. The matter of discretion effectively requires a 'yes or no' response, and it is not clear what the consequence is for either response.
517	41	SIGN - Signs	SIGN-R3 (Digital signs)	Oppose	Amend SIGN-R3.2 as follows: "2. Activity status: Non-complying Discretionary Where: a. Compliance is not achieved with SIGN-R3.1"	A non-complying activity status for a digital sign which does not comply with a relevant standard is unnecessarily onerous, for the following reasons: • While the standards in SIGN-S10 for digital signs are important, they are not 'bottom lines' which must be protected by a non-complying activity status. • Policy SIGN-P4 seeks to provide for digital signs where they are in accordance with particular outcomes. The policy is not an 'avoid type' policy, and is not appropriately implemented by a non-complying activity status. A discretionary activity status is an appropriate mechanism to enable a robust assessment of the effects of digital signage which does not comply with a standard, and is a more appropriate, efficient and effective method to implement policy SIGN-P5.

Review

- 47 As previously stated, I defer any assessment of relief sought for change in Status to Council Planners. I make no comment in this assessment to that matter.
- 48 Matters of contention between all submitters are summarised below:
1. Applicability of a 70 km/h threshold, or retaining the stated 80 km/h

Reference: HCC Signs Chapter - Review of Submissions

2. State Highway On ramp / Off ramp restriction
3. Digital Billboard in drivers field of view.
4. Dwell Time
5. Transition method
6. Luminance Levels

I discuss each of these below.

Speed Threshold Value

- 49 NZTA have sought relief to lower the threshold for assessment for State Highways or road, from 80 km/h to 70 km/h. NZTA have sought similar relief under Policy's SIGNS P4, and S8.
- 50 An adoption of 70 km/h for SIGNS R3 is consistent with my assessment of other chapters and should be adopted.

NZTA On ramp restriction

- 51 NZTA have further sought relief to include additional assessment matters, being "*Is not visible from, or within 100m of, a State Highway on ramp and/or off ramp*", and "*Is not located where there are any other digital billboards in a driver's field of vision*".
- 52 As presented in SIGNS P4, on and off ramps are typically complex intersections that demand full concentration of the driver. They are also locations where driver distraction is often cited as a causative factor in a crash. While a crash may be very unlikely, the resultant injury would be serious to fatal. Utilising the Safe System Audit process as a quantitative measure, this would result in a risk rating of Significant to Serious. This requires remedial action to be undertaken. I therefore assess, based upon this quantitative measure, that the inclusion of digital billboards with 100m of would have effects on user safety that are more than minor.
- 53 Accordingly, I support the inclusion of a restriction of 100 m of a State Highway on ramp / off ramp.

Digital Billboard in drivers field of view

- 54 NZTA have sought relief to include a specific assessment matter of provision for "*Is not located where there are any other digital billboards in a driver's field of vision*". In reviewing the material supplied by Council staff, In reviewing the full submission of OOHMAA, they rebut with the following "*It is not practical to preclude a digital billboard in an environment where another digital billboard may be in a driver's field of vision. Digital signs already require resource consent in every circumstance, and the matters of discretion (and objective and policies) direct an assessment of cumulative effects. An additional rule is not necessary.*"
- 55 It is noted that SIGNS P4 considers submissions that the "*cumulative effects of digital billboards are managed*". This provision, if included, requires an applicant to respond to the cumulative effects of digital billboards, and is considered a suitable level of assessment.
- 56 Accordingly, I recommend that the relief sought by NZTA, being "*Is not located where there are any other digital billboards in a driver's field of vision*", not be adopted, as an appropriate mechanism existing in SIGNS P4, should that be adopted. Should the change to P4 not be adopted, then I

Reference: HCC Signs Chapter - Review of Submissions

recommend the inclusion of the relief sought by NZTA, or a similar assessment matter for cumulative effect, as detailed in P4.

Dwell Time

- 57 NZTA have sought relief to manage dwell time on a site by site assessment of road speed, and safety assessment of impacts. Both OOHMAA and oOH Media seek relief to reduce the image dwell time for ≥ 80 km/h roads from 35 second minimum to 30 seconds minimum. They further seek relief to reduce dwell time from 15 seconds to 8 seconds in all other cases.
- 58 Considering the dwell time for roads of a legal speed ≥ 80 km/h, international literature remains inconclusive, however recent research does support the provisions of a rule that limits a driver's exposure to more than one image when passing a billboard. The relief sought by NZTA would require a specific calculation in the first instance and could be subject to a poor understanding of the principles that underly the calculation to arrive at a figure. Considering consistency across a wider Wellington Region, OOHMAA and oOH Media present that a reduces value of 30 seconds has been accepted by wellington City Council. I do not dispute that there may very well be such an acceptance but find no proof of such an acceptance.
- 59 It further noted that NZTA seek relief to lower the threshold to 70 km/h, down from 80 km/h, as stated above.
- 60 I therefore recommend that the dwell time for roads ≥ 70 km/h be set at a value that is consistent across the greater Wellington Network. This will require the supply of relevant dwell time values for Wellington City Council.
- 61 Considering the dwell times for other roads, OOHMAA and oOH Media seek relief to reduce the dwell time from 15 seconds to 8 seconds. A similar argument has been presented by both submitters for consistency across the greater Wellington area.
- 62 International research¹ has presented that dwell times for an image presented to a driver should not be less than 10 seconds.
- 63 Accordingly, I do not accept the relief sought to lower the dwell time for other roads to 8 seconds. Should a change be sought, I could support an **absolute minimum** dwell time for other roads of 10 seconds.

Transition method

- 64 oOHMAA seek relief to include specific provision of cross dissolve between images. *"Transitions between images take between 0.1 seconds and 0.5 seconds **by way of a cross-dissolve**, without flashing, blinking, fading, dissolving, or wiping "*
- 65 oOHMAA present *"[cross dissolve] ..which is the terminology for the type of transition used on most digital billboards in New Zealand."* I concur with this position and therefore recommend that the relief sought *"by way of a cross-dissolve"* be included.

¹ Oviedo-Trespalcacios, O., Truelove, V., Watson, B., & Hinton JA. (2019). "The Impact of Road Advertising Signs on Driver Behaviour and Implications for Road Safety: A Critical Systematic Review." Transportation Research Part A: Policy and Practice, 122, April 2019, 85-98.

Reference: HCC Signs Chapter - Review of Submissions

Luminance Levels

- 66 oOHMAA have sought to disallow the matter of assessment for illumination, d) iii. being *“Does not alter the average luminance of any two successive images by more than 30%”*. They present that *“The change in luminance is dependent on the content displayed, and Billboard operators do not regulate the content and colouring of messages relative to another party's message.”*
- 67 I concur that luminance will have an apparent change in levels, when you consider a display with dark colourings, compared to a display with bright colourings. A sudden change from dark content to light content will give the appearance of a brighter sign. To assist in this assessment, I include a comparative image, generated by AI, providing the relativity of a dark display at night (max 5 lux), with the light display on the right being 5 lux. These images provide a relativity example of two signs, that are within the nigh time bounds for light (LIGHT-Table1) for a city centre zone / mixed use zone during restricted lighting periods

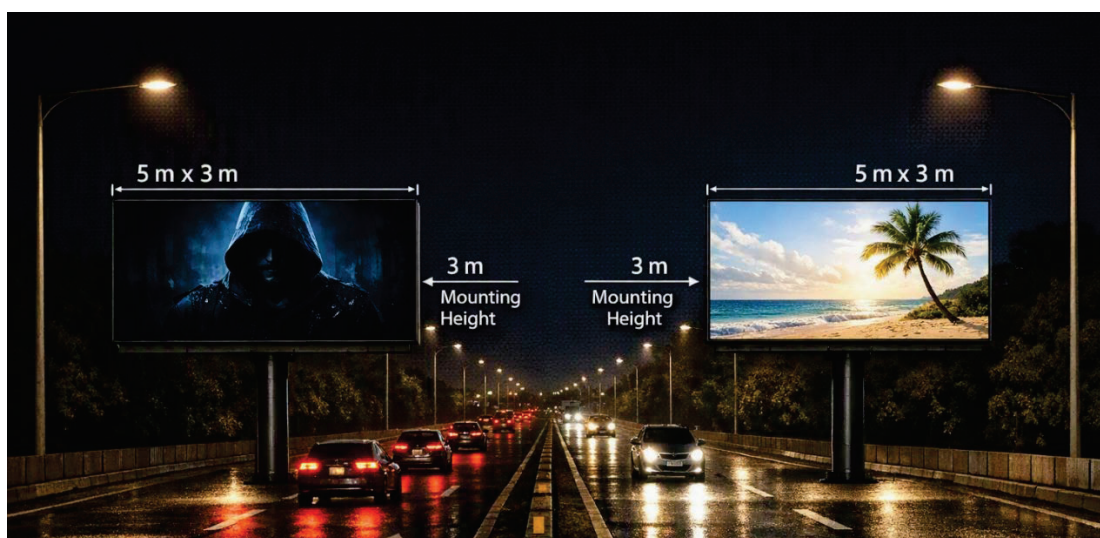


Figure 1: Illustrative night-time comparison of two 5 m × 3 m digital billboards mounted with the lower edge 3 m above ground. The dark-themed and light-themed displays are shown as producing the same average road-surface illuminance of 2 lux, with equivalent light spill to the adjacent road environment.

Reference: HCC Signs Chapter - Review of Submissions

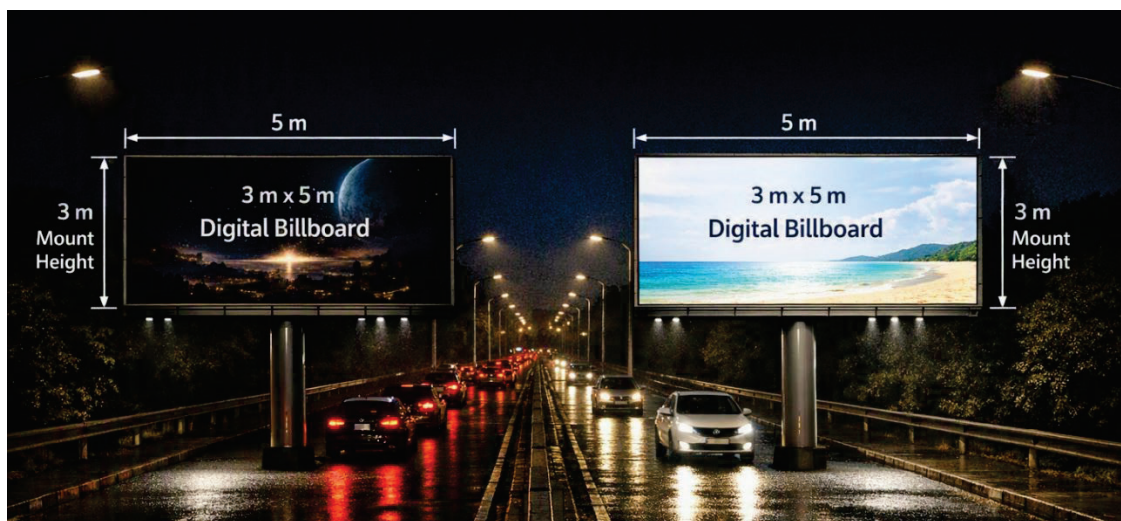


Figure 2: Illustrative night-time comparison of two 5 m × 3 m digital billboards mounted with the lower edge 3 m above ground. The dark-themed and light-themed displays are shown as producing the same average road-surface illuminance of 5 lux, with equivalent light spill to the adjacent road environment.

- 68 I am aware that there are rules within the LIGHT chapter that will govern overall light spill, including onto pavements and adjacent sites. **I defer the assessment of luminance levels to HCC lighting expert.**
- 69 I do comment that the control of content sequence lies solely with the owner / operator of a digital billboard. In this regard, the operator has the full control on sequencing of display content sequence. The operator can adjust, as far as reasonably practicable, the sequencing of image, and control the variance in luminance between successive displays.
- 70 I disagree with oOHMAA's statement that “..Billboard operators do not regulate the content and colouring of messages relative to another party's message.” The operator has a responsibility to ensure that any display supplied from an advertiser meets the content controls for a digital advertisement. This control is in place to ensure that content supplied by an advertiser does not breach rules around “busy” displays, displays the emulate regulatory controls etc. This includes the primary colours of signal aspects and regulatory controls.
- 71 It is noted that the use of this assessment matter is typically utilised when a complaint of non-compliance may be received by Council.
- 72 oOHMAA have sought a removal of the change variance assessment matter. Removal of this assessment matter, especially when investigating a potential non-compliance, removes Councils ability to undertake enforcement if required.
- 73 I concur that an assessment matter should be included. The current District Plan Rule has suggested 30% variance in luminance. I defer to Councils Lighting expert to assess the validity of this

Reference: HCC Signs Chapter - Review of Submissions

SIGN-S4 (Height of freestanding of signs)

SIGN-S4	Height of freestanding of signs
Residential Zones	1. A freestanding sign must not exceed 3 metres in height above ground level.
Open Space and Recreation Zones	Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. Cumulative effects. 4. Any positive effects that cannot be achieved while complying with the standard.
City Centre Zone	2. A freestanding sign must not exceed 10 metres in height, or the highest point of the highest building on site, whichever is the lower.
Metropolitan Centre Zone	3. Where there is no building, must not exceed 6 metres in height.
Local Centre Zone	Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area.
Neighbourhood Centre Zones	3. Cumulative effects. 4. Any positive effects that cannot be achieved while complying with the standard.
Industrial Zones	
Seaview Marina Zone	
Mixed Use Zone	4. A freestanding sign must not exceed 6 metres in height.
Hospital Zone	Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area.
Tertiary Education Zone	3. Cumulative effects. 4. Any positive effects that cannot be achieved while complying with the standard.
Quarry Zone	
Marae Zone	
Mixed Use Zone	
Rural Zones	

Submissions were received from:

- Laura Skilton (314.103)
- Waka Kotahi (385.90) – I consider the relevant submission is 385.88
- oOHMAA (413.18 and F21.10)
- oOH Media (517.46)

Laura Skilton

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
314	103	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Oppose	Amend clause (2) of the standard as follows: "2. A freestanding sign must not exceed 10 6 metres in height" Or, merge clause (2) with clause (3) such that the 6 metre height limit applies	Sign height too high. Distraction to motorists should not be seen from a residential zone.

Reference: HCC Signs Chapter - Review of Submissions

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	90	SIGN - Signs	SIGN-S7 (Election signs)	Support in part	Amend the standard as follows: "4. The election sign must not be oriented to be read from any state highway including on ramps and off ramps."	Reasons given not specific to this relief, see original submission
385	88	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Support in part	Amend the matters of discretion for all zones: "Matters of discretion if the standard is not met: ... 5. Any adverse effects on the safety and efficiency of the transport network and its users."	Signs not complying with these standards have the potential to distract drivers, thus potentially creating a safety effect for users of the transport network.

Submission 885.90 has not been considered as it relates to electioneering signs

oOHMAA

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
413	18	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Amend	Amend clauses 2 and 3 of the standard as follows: "2. A freestanding sign must not exceed 10 metres in height, or the highest point of the highest building on site, whichever is the lower. 3. Where there is no building, must	To better provide for the nature and scale of freestanding signs, while continuing to manage the effects of taller sign structures. (refer to original submission for full reasons).

Reference: HCC Signs Chapter - Review of Submissions

F21	10	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Oppose (385.88)	not exceed 6 metres in height. Disallow	OOHMAA opposes this relief, as the effects of signs on transportation networks are managed by Standard SIGN-S10
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oOH Media

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
517	46	SIGN - Signs	SIGN-S4 (Height of freestanding of signs)	Support	Retain SIGN-S4	Reasons given not specific to this relief, see original submission
74		Ms Skilton presents that a maximum height of 6m be imposed. A single-story dwelling has a typical height of 4.5m. A typical two-story dwelling has a height of approximately 7.5m. A typical 3 story dwelling has a height of approximately 12m. The minimum underside clearance to any sign (urban) is a minimum of 2.5m over footpath, 2.0m for urban areas. Ms Skilton's proposal, limiting height to 6m, would enable a practical sign height of 3.5m (6m – 2.5m).				
75		The Policy (as stated) would enable a sign height of 10m maximum height, OR the highest point of the highest building <u>on site</u> . Where there is no building, the sign must not exceed 6m. For city centre zones Policy S-4 would enable a maximum height of 10m where the building is over two stories. Under two stories, the sign would have a maximum height of the highest point of the highest building (on-site). Should the building on site be taller than the surrounding buildings, then the sign would exceed the height of surrounding buildings and be visible to adjacent buildings and further afield. Should the building on site be a single story, the maximum height would be the highest point of the highest building (on-site). Considering a single-story building, and the clearance in an urban area, the maximum permitted height of the sign face (assuming a single-story typical height = 4.5, clearance above ground 2.0m) would be 2.5m. Using a maximum total area of sign (Sign-S2, Commercial and Mixed Use Zone) of 20m ² , this equates to a sign width of 8m (20m ² / 2.5 = 8)				
76		It is further noted that NZTA (385.88) propose the inclusion of a clause that considers “Any adverse effects on the safety and efficiency of the transport network and its users.” It is considered that this clause encapsulates an assessment of safety and efficiency when considering a sign under matter 2), as submitted by Ms Skilton. It is noted that SIGN-R1 c) has an assessment matter where “the sign cannot be seen beyond the boundary of a site”. Should that be breached, the matter becomes Restricted Discretionary under R1-2.				
77		I consider that reducing the height to a blanket 6 m is overly restrictive. However, the inclusion of an assessment of any adverse effects on safety and efficiency, as submitted by NZTA adds another layer of assessment.				
78		It is further understood that should the proposed sign be digital, then this would fall under a requirement for a Resource Consent and be assessed against all rules that apply to Digital signs.				

Reference: HCC Signs Chapter - Review of Submissions

- 79 The OOHMAA opposition to a mixed height assessment presents that there are mechanisms supplied in SIGN-S10. In reviewing the content of the PDP, I note that there is no S10 and have assumed that the reference is to S-8: Signs and the transport network.
- 80 In reviewing SIGN-S8, it is noted that SIGN-S8 does not consider height (SIGN-S4), therefore reliance on S-8 for control of height is not enabled. SIGN-S8 states Impacts on the safety and efficiency of the transport network is a matter of discretion, when the standard is breached. Height is not a component of S-8.
- 81 oOH Media recommends retaining S-4 as stated. Considering the submission by NZTA, an inclusion of a matter of discretion for all zones “any adverse effects on the safety and efficiency of the transport network and its users”, I remain of the opinion that the retention of SIGNS S4, with the inclusion of the relief sought by NZTA results in a suitable policy.

Recommendation:

- The policy as stated enables an assessment against the existing building form and height. SIGNS R1 provides an additional layer of assessment for signs visible beyond the boundary.
- Retain provisions of S-4, with the inclusion of the relief sought by NZTA

SIGN-S6 (Temporary signs)

SIGN-S6	Temporary signs
All Zones	- A temporary sign must not be displayed more than 3 months prior to the event or activity the sign is advertising. - A temporary sign must be removed within 7 days of the completion or cancellation of the event or activity the sign is advertising. - The sign must be no greater than 3m² in area. - This standard does not apply to election signs. Matters of discretion if the standard is breached: - The size, location, height, and design of the sign. - Impacts on the character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). - The reduced efficacy of signs from clutter. - Cumulative effects. - Any positive effects that cannot be achieved while complying with the standard.

Submissions were received from:

Waka Kotahi (385.89)

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	89	SIGN - Signs	SIGN-S6 (Temporary signs)	Support in part	Amend the standard as follows: “1. A temporary sign must not be displayed more than 7 days or months prior to the event of	Reasons given not specific to this relief, see original submission

Reference: HCC Signs Chapter - Review of Submissions

activity the sign is advertising.
2. A temporary sign must be removed within 48 hours ~~7 days~~ of the completion or cancellation of the event or activity the sign is advertising.
...
5. The temporary sign must not be oriented to be read from any state highway including on ramps and off ramps.”

Review

The advisory note for the District Plan defines a temporary Sign as:

TEMPORARY SIGNS
DEFINITION

- means an advertising sign erected for a short period of time for the purpose of:
- a. advising of a forthcoming community event, occasion or service which is primarily a not-for-profit, event, organisation or service;
 - b. advertising a forthcoming temporary activity;
 - c. identifying a construction site or a development under construction;
 - d. Electioneering (Election signs); or
 - e. The sale, lease, rent or auction of land (real estate signs).

- 82 Local Government Act states requirements for temporary advertising of road related detours / closures. The relief sought by NZTA is at or below the requirements of the Local Government Act (Minimum 7 days). The LGA also requires pre-warning signs to be installed ahead of the pending closure / detour. The New Zealand Guide to Temporary Traffic Management guides constructors and people undertaking works within a road environment to install signs early enough that a road user could seek an alternate route, should their normal route be affected. While no time frames are typically stated, it requires co-ordination with the relevant road controlling authority. Community events such as Christmas Parades are typically advertised well ahead of the event, outside of the 7-day window sought by NZTA.
- 83 Effectiveness of temporary signs is gained when the sign relates to an activity that is in the immediate future and is diminished where there is a long delay between placement of the sign, and the activity / event.
- 84 NZTA submit that the temporary sign must not be oriented to be read from any state highway including on ramps and off ramps. Temporary signs for traffic management are controlled by the New Zealand Guide to Temporary Traffic Management and enables provision of suitable signs at

Reference: HCC Signs Chapter - Review of Submissions

intersections (including SH on / off ramps) where the required advance warning of an activity is required.

- 85
- Temporary signs relating to other activities does not have any controls similar to the New Zealand Guide to Temporary Traffic Management.
- 86
- NZTA further submit that all temporary signs should be removed within 48 hours of the completion or cancellation of the event or activity the sign is advertising. This aligns with the Governments Directive to remove all un-necessary signs from a road corridor. I concur with this submission.

Recommendation:

- Adopt a 7 day window for the placement of temporary signs, with special event (e.g. Santa Parade / Marathon) having ability to advertise more than 7 days, at discretion of Council.
- Adopt the recommendation remove temporary signs within 48 hrs after the event or following the cancellation of the event.

SIGN-S7 (Election signs)

SIGN-S7	Election signs
All Zones	1. Election signs must not be displayed more than nine weeks before the day of the election or referendum with which they are associated. 2. Election signs must be taken down before the day of the election or referendum with which they are associated. 3. Election signs must not exceed 3m² in area. Matters of discretion if the standard is breached: 1. The size, location, height, and design of the sign. 2. Impacts on the character and visual amenity of the surrounding area. 3. How the sign fits with the design and proportions of the building or structure it is placed on (if placed on a building/structure). 4. Impacts on the safety and efficiency of the transport network. 5. The reduced efficacy of signs from clutter. 6. Cumulative effects.

Submissions were received from:

Laura Skilton (314.106)
Waka Kotahi (385.90)

Laura Skilton

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
314	106	SIGN - Signs	SIGN-S7 (Election signs)	Neutral	Amend standard to add clause (4): "4. No more than one election sign per site."	Election signs should be minimised

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
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Reference: HCC Signs Chapter - Review of Submissions

385	90	SIGN - Signs	SIGN-S7 (Election signs)	Support in part	Amend the standard as follows: "4. The election sign must not be oriented to be read from any state highway including on ramps and off ramps."	Reasons given not specific to this relief, see original submission
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Review

- 87 Ms Skilton has submitted *"that no more than one election sign per site"* be incorporated.
- 88 Electioneering signs and the content of the sign seek to portray critical election influencing statements or members for election. Often the location of an election sign is determined by untrained lay people who may be unaware of rules and requirements for sign placement. Recent examples include signs at busy intersections and crowds with placards around election signs at busy intersections and roundabouts.
- 89 Election Signs, like all other signs, place a cognitive load on drivers. As they are intended to attract a driver's eye to an opinion or position, they distract from the driving task, especially given that they are temporary in nature. The cumulative effect of multiple signs in a short duration contravenes the requirements for sign separation under the TCDM. Multiple signs on a single site would typically contravene the intent of SIGNS S7 4) of the Matters of Discretion.
- 90 The matters of discretion include: *"Impacts on the safety and efficiency of the transport network."* Multiple election signs on a single site would have an adverse effect on road user safety.
- 91 I concur with the submission presented by Ms Skilton.
- 92 NZTA has submitted that electioneering signs should not be orientated to be read from any highway, including on / off ramps. In this matter I concur. On and Off ramps typically involve complex decision making, and that election signs visible at On and Off ramps would have an adverse effect on road user safety. It is further noted that Elections.nz website, has firm direction for electioneering signs on or near the state highway system. Election signs | Elections NZ
- 93 NZTA further present that electioneering signs should not be visible to be read from the State Highway. NZTA have a duty of care to manage the State Highway network in a safe and efficient manner. In this regard, controls should be formed to meet the delivery outcomes that do not impede that control.
- 94 I concur with the position to signs ***should not*** be orientated to be read from any highway, including on / off ramps.

Recommendation

- Adopt the recommendation of Ms Skilton, limiting election signs to a single sign per site.

Reference: HCC Signs Chapter - Review of Submissions

- Adopt the recommendation of NZTA, restricting the placement of election signs, being: *The election sign must not be oriented to be read from any state highway including on ramps and off ramps*

SIGN-S8 (Signs and the transport network)

SIGN-S8	Signs and the transport network										
All Zones	1. Signs must not obstruct the line of sight of any corner, bend, intersection, vehicle crossing, or railway crossing. 2. Signs must not obstruct or obscure the view of any traffic sign, railway sign, traffic signal, or railway signal. 3. Signs visible from any road must not contain any flashing or moving lights or moving parts. 4. Signs visible from any state highway or road with a speed limit of 80km/h or more must not: a. Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, or b. Contain more than 40 characters. 5. Signs must not be shaped or use wording, images, or colours, that could be mistaken for a traffic control device, official sign, railway sign, maritime navigation installation, or aeronautical navigation installation. 6. Signs within 10 metres of a legal road or visible from any state highway must comply with the following minimum lettering heights: <table><tr><th>Speed limit of road (km/h)</th><th>Minimum lettering height (mm)</th></tr><tr><td>0-50</td><td>150</td></tr><tr><td>51-70</td><td>200</td></tr><tr><td>71-80</td><td>250</td></tr><tr><td>81 and above</td><td>300</td></tr></table> This does not apply to authorisation statements on election signs or statements about the status of trademarks. Matters of discretion if the standard is breached: 1. Impacts on the safety and efficiency of the transport network. 2. Impacts on visual amenity for users of the transport network.	Speed limit of road (km/h)	Minimum lettering height (mm)	0-50	150	51-70	200	71-80	250	81 and above	300
Speed limit of road (km/h)	Minimum lettering height (mm)										
0-50	150										
51-70	200										
71-80	250										
81 and above	300										

Submissions were received from:

Laura Skilton (314.107)
Waka Kotahi (385.91 and FS30.35, FS35.40 and FS35.41)
KiwiRail (442.77)
oOHMAA (413.20, 413.21 and 413.22 and FS21.11 and FS21.12)
oOH Media (517.48, 517.49 and 517.50)

Laura Skilton

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
314	107	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Neutral	Amend clause (1) of the standard as follows: "1. Signs must not obstruct the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or railway crossing."	Add pedestrian crossing to this clause for safety purposes

Reference: HCC Signs Chapter - Review of Submissions

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	91	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support in part	Amend the standard as follows: “4. Signs visible from any state highway or road with a speed limit of 60 70km/h must not: a. Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, <u>or</u> <u>logos</u> , or..”	Evidence finds statistically significant increase in crashes in the presence of digital billboards in higher speed environments
FS20	35	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose (413.22)	Disallow	NZTA consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. NZTA does not support the reduction in dwell time. (Refer to further submission for full reasons)
FS20	40	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose (517.49)	Disallow	NZTA consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. NZTA does not support the reduction in dwell time. (Refer to further submission for full reasons)

Reference: HCC Signs Chapter - Review of Submissions

FS20	41	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose (517.49)	Disallow	NZTA consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised. NZTA does not support the reduction in dwell time. (Refer to further submission for full reasons)
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Submissions FS20.35, FS20.40 and FS20.41 were identified as relating to SIGNS-S8. The content of the submission relates to SIGNS-R4 (Digital Signs). These have been assessed in the relevant section.

KiwiRail

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
442	77	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support in part	Amend by adding " ... 1. Any digital sign must not be able to be able to be read in conjunction with flashing warning lights at level crossings or signals associated with the operation of the rail network"	Considers "Digital billboards have, by the changing nature of their content have the potential to distract drivers when they are arriving at a level crossing and also have the potential to distract train drivers when approaching level crossings."

oOHMAA

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
413	20	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support	Retain standard (conditional - refer to original submission for details)	Agrees that standards that seek to manage signage to ensure the safety of users of the transport network are important. (refer to original submission for full reasons).
413	21	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Amend to delete clause 4(b)	To avoid unworkable requirements. (Refer to original submission for full reasons)
413	22	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Amend clause 6 of the standard as follows: "6. <u>The primary message</u> of signs within 10 metres of a legal road or	To avoid unworkable requirements. (Refer original submission for full reasons)

Reference: HCC Signs Chapter - Review of Submissions

FS21	11	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose (385.91)	visible from any state highway must comply with the following minimum lettering heights: ..." Disallow	OOHMAA opposes the request to preclude logos on signs that are visible from a state highway with a speed limit of 80km/h or more. Logos are a common and intrinsic element of advertising messages, and do not result in adverse effects to the transport network, regardless of the speed limit of the adjoining road.
FS21	12	SIGN - Signs	SIGN-S9 (Sign illumination)	Oppose (385.92)	Disallow	OOHMAA opposes the submission that illuminated signs should not result in any light spill or illuminance to adjoining roads or state highways. Such an outcome would be impractical in most instances where an illuminated sign is proximate to a road. The standard, as notified, appropriately seeks to manage light spill to appropriate levels.

Submission FS21.12 has not been considered as it relates to sign illumination.

oOH Media

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
517	48	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Support in part	Retain Standard SIGN-S8 as notified, except those parts which are addressed in other submission points.	Reasons given not specific to this relief, see original submission
517	49	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Amend standard to delete clause 4.b	The limit on characters on signs that are orientated to roads with a speed limit of 80km/h or more is unsupported by evidence and will not manage any actual effect.
517	50	SIGN - Signs	SIGN-S8 (Signs and the transport network)	Oppose	Amend SIGN-S8.6 as follows: " 6. The primary message of Ssigns within 10 metres of a legal road or	Concerned with the unworkable nature of the standard. Advertising messages are comprised of multiple 'elements' which collectively deliver the message. As drafted, the standard requires every letter used in an advertising message to be a specified minimum height, however,

Reference: HCC Signs Chapter - Review of Submissions

visible from any
state highway
must comply with
the following
minimum lettering
heights:
..."

not all letter-based elements of an
advertisement message are
necessary to be read.
The 'primary' advertising message
will typically be delivered by a
combination of an image, a text
based message (which is typically
brief and impactful), and colours.
When absorbed together, the
message is readily assimilated by
the audience. As advertisers are
incentivized to ensure the message
is readily understood in the shortest
amount of time, the text-based
element of the primary message will
be of a size that is large enough to be
instantly appreciated as the 'most
important' text. (see original
submission for full reasons given).

Review

- 95 Ms Skilton submits that pedestrian crossings should be afforded sight line protection. I concur with this position.
- 96 NZTA have submitted that Signs visible from any state highway or road with a speed limit of 8070km/h must not:
- a). Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, or logos, or.."*
- 97 As assessed in previous matters, I concur with a reduction in the assessment speed value from 80 km/h to 70 km/h. This ensures consistency with other chapters.
- 98 NZTA seeks to amend a) to include a restriction on logos. I comment that company's such as McDonalds™ rely heavily on their logo as being integral to the identification of the product. OOHMAA and oOH Media have opposed NZTA changes, counter that a logo is intrinsic to an advertiser's message. Given the example above, I would concur.
- 99 I consider such a restriction as submitted by NZTA as being unworkable. However, I do present that an advertising sign should have a SINGLE company log only. This could be advised as an Advisory Note to SIGNS-S8 to ensure consistent guidance.
- 100 KiwiRail have sought relief with the inclusion of a new clause ". Any digital sign must not be able to be able to be read in conjunction with flashing warning lights at level crossings or signals associated with the operation of the rail network". As previously assessed, I concur with the provisions proposed by KiwiRail. Inclusion of this provision is consistent to the recommendation made under SIGN-P4, and removes any ambiguity between relevant sections of the PDP.
- 101 Both OOHMAA and oOH Media have similar submissions. For brevity, I will address both in a single response.

Reference: HCC Signs Chapter - Review of Submissions

- 102 Both seek to remove clause 4 b). “.. *Must not contain more than 40 characters.*”
- 103 Advertising signs are a collective of all elements; text, image and colour. This is a dominant principle of an advertiser trying to portray a message or advertisement’s intent
- 104 They both further seek that font size limitations should only apply to the Primary Message. Such a provision would remove controls on all other text size.
- 105 I am of the opinion that this removal of control of all text size restrictions, a large number of characters, or small font, intended or not, creates a longer dwell time by a driver on a message in an attempt to determine if the text is of importance. This increase in dwell time increases the driver’s level of distraction and will result in an unsafe outcome to road users. International research limits the total number of elements on an advertising sign, along with a limitation on content including image, text and symbol, disclaimers etc. The literature details that the number of elements should be kept to around 10. For clarity, a single word is classified as a single element.
- 106 In assessing the submission by both OOHMAA and oOH Media, I disagree with the position presented and recommend that clause 4 b) be retained.

Recommendations

- Council to consider the inclusion of an Advisory Note to SIGNS-S8 stating that a display is only permitted to display a single logo, to ensure consistent guidance.
- Adopt the relief sought by KiwiRail being: “*. Any digital sign must not be able to be able to be read in conjunction with flashing warning lights at level crossings or signals associated with the operation of the rail network*”.
- Retain clause 4 b) as stated in the District Plan

SIGN-S9 (Sign illumination)

SIGN-S9	Sign Illumination
All Zones	1. <u>Illuminated signs</u>, including <u>digital signs</u>, must not have an average luminance exceeding: a. The limits in table LIGHT-TABLE3 during the <u>restricted lighting period</u>, b. 600cd/m² outside the <u>restricted lighting period</u> but after sunset or before sunrise, and c. 5,000cd/m² between sunrise and sunset. 2. Illumination of any <u>sign</u> must not result in the illuminance of any roadway by more than 4 lux in a Residential Zone, Rural Zone, Open Space Zone, or Natural Open Space Zone, or 20 lux in any other area. Matters of discretion if the standard is breached: 1. The size, location, <u>height</u>, and design of the <u>sign</u>. 2. Impacts on the character and visual amenity of the surrounding area. 3. Any unreasonable annoyance, discomfort, distraction, or interference with everyday tasks from <u>light spill</u>, including disturbance of people's sleep. 4. Impacts on the safety and efficiency of the <u>transport network</u>. 5. Impacts on views of the night sky. 6. Any positive <u>effects</u> that cannot be achieved while complying with the standard.

Submissions were received from:

- Laura Skilton (314.108)
Waka Kotahi (385.92)
oOHMAA (F21.12)

Reference: HCC Signs Chapter - Review of Submissions

Laura Skilton

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
314	108	SIGN - Signs	SIGN-S9 (Sign illumination)	Neutral	Seeks that clarification is provided with regard to reference in the standard to restricted lighting period	Standard mentions restricted lighting period, but LIGHT-TABLE3 does not include any lighting periods.

New Zealand Transport Agency Waka Kotahi

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
385	92	SIGN - Signs	SIGN-S9 (Sign illumination)	Oppose in part	Amend the standard as follows: "2. Illumination of any sign must not result in the illuminance of any roadway by more than 4 lux in a Residential Zone, Rural Zone, Open Space Zone, or Natural Open Space Zone, or 20 lux in any other area."	Any light spill could generate adverse safety effects for road users so should be subject to a resource consent and associated safety assessment if required

OOHMAA

Sub #	SP #	Topic/chapter	Provision	Support oppose	Requested Relief	Reasons
F21	12	SIGN - Signs	SIGN-S9 (Sign illumination)	Oppose (385.92)	Disallow	OOHMAA opposes the submission that illuminated signs should not result in any light spill or illuminance to adjoining roads or state highways. Such an outcome would be impractical in most instances where an illuminated sign is proximate to a road. The standard, as notified, appropriately seeks to manage light spill to appropriate levels.

Reference: HCC Signs Chapter - Review of Submissions

Review

107 Ms Skilton states that the restricted light periods not stated. In reviewing the on-line version of the PDP, I note that a link to an advisory note is supplied, defining the Restricted Lighting Period. This is detailed below.

RESTRICTED LIGHTING PERIOD
DEFINITION

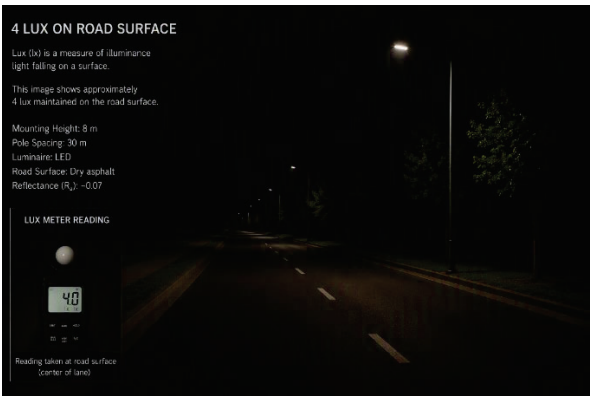
means the period of time starting at 10pm, and ending at either 7am or dawn, whichever is the earlier.

108 NZTA have sought relief with an exclusion in assessment matter 2, seeking to remove the levels for various zones, as stated “2) . *Illumination of any sign must not result in the illuminance of any roadway by more than 4 lux in a Residential Zone, Rural Zone, Open Space Zone, or Natural Open Space Zone, or 20 lux in any other area.*”

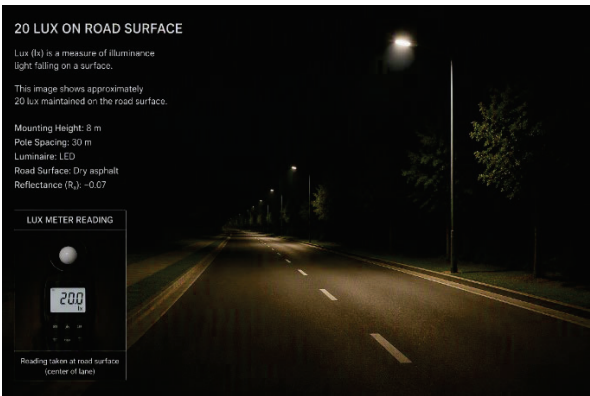
109 In understanding the impact of this removal, I have sought information to inform on what these luminance levels mean, in a practical sense.

110 The images below provide a comparator between 4 lux and 20 lux, enabling a better understanding of impact.

4 lux



20 lux



111 20 lux on a road surface represents typical road surface lighting. The addition of an additional 20 lux light source on a road would not have fundamental safety outcomes, unless the lighting detracts from the visual guidance that lines of lighting create for a driver, or it provides a bright light source that distracts from observations at key points on a road network. In this regard, it is imperative that each proposed installation includes an assessment of the effects of the proposed display on safety and efficiency of the network.

112 From a CPTED2 perspective, an additional of a well-placed 20 lux light source would assist personal security and ambush elimination. However, should that light source be poorly placed, there may be negative outcomes from a CPTED perspective.

² For clarity, I am a Certified CPTED Practitioner

Reference: HCC Signs Chapter - Review of Submissions

113 In undertaking this assessment, I am aware of provisions of the Light Chapter that control light spill over boundaries, as they relate to private property. LIGHT-S1 further has an assessment matter of “Transport Network Safety”. Transport Network is described as:

TRANSPORT NETWORK
DEFINITION

means all public rail, public roads, public pedestrian and cycling facilities, public transport and associated public infrastructure. It includes

- a. train stations;
- b. bus stops;
- c. bus shelters; and
- d. Park and Ride areas.

Signs S9 state Matters of Discretion as including :

- ...
- 3. Any unreasonable annoyance, discomfort, distraction, or interference with everyday tasks from [light spill](#), including disturbance of people’s sleep.
 - 4. Impacts on the safety and efficiency of the [transport network](#).
 - 5. Impacts on views of the night sky.
 - 6. Any positive [effects](#) that cannot be achieved while complying with the standard.

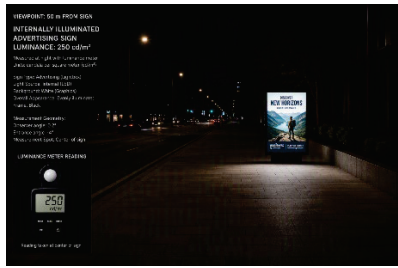
114 Within a residential zone, a sign with poor orientation could induce unintended light spill into dwellings. Matter of Discretion 3) has a test of unreasonable annoyance, discomfort, distraction or interference with everyday tasks. This would include lighting into bedrooms etc.

LIGHT SPILL
DEFINITION

means light that falls either outside of the design area of a lighting installation, or outside the area controlled by the lighting operator.

115 Light Table 3 states that the maximum average luminance of signs, displays and building facades (residential zones) is 250 cd/m2. Mixed Use Zones have a maximum limit of 350 cd/m2.

116 The images below demonstrate a sign of 250 cd/m2. The left image represents at the sign at street level, the centre image demonstrates the same image 10m away from the display, and the right image representing the same sign at 50m away from the display.



117 I am aware of the provisions of the LIGHT Chapter, and specifically LIGHT Table 1, which specifies the maximum level of illumination at a site boundary, boundary of a light sensitive area, or window.

Reference: HCC Signs Chapter - Review of Submissions

Values are provided for times outside of the restricted lighting period, and during the lighting period. LIGHT Table 3 specifies maximum average luminance of signs, displays and building facades.

118 I note that the illumination levels stated within SIGNS S9, also rely on provisions of the LIGHT Chapter.

119 I am not qualified to determine the appropriate illumination levels under the SIGNS Chapter. I defer to Councils lighting expert to ensure that the values stated within the SIGNS Chapter are consistent with the provisions of the LIGHT Chapter.

Recommendation:

- I am unable to make a determination on NZTA's suggested changes, as the matter fundamentally falls in to lighting restrictions stated within the LIGHT Chapter, an area that is outside of my knowledge field.
- Councils Lighting expert is to ensure that the values stated within the SIGNS Chapter are consistent with the provisions of the LIGHT Chapter.
- For clarity, I recommend that an advisory note be added to SIGNS S9, guiding the reader to the interrelationship between the provisions of SIGNS S9, and the Lighting Chapter.

Yours sincerely

Stantec New Zealand



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