

Proposed Waimakariri District Plan - Signs chapter

Hearing Stream 5 (21 - 24 August 2023)

s42A Officer's Summary Statement

Introduction

1. I am Shelley Milosavljevic – Senior Policy Planner at Waimakariri District Council. I prepared the s42A report on the Signs chapter and can confirm that I have read all the submissions, further submissions, submitter evidence and relevant technical documents and higher order policies.
2. I would like to introduce you to the following two experts who provided expert evidence to my s42A report:
 - a. Hugh Nicholson – Urban Designer and Director of UrbanShift who provided urban design advice; and
 - b. Shane Binder - Senior Transportation Engineer at Waimakariri District Council, who provided transport advice.
3. I will now provide an overview of the s32 report, Signs chapter, submissions received, the key recommendations in s42A report, and aspects of submitter evidence. Then Mr Nicholson, Mr Binder and I will then go through our preliminary responses to the Panel's written questions and take any additional questions.

Signs Section 32 Report

4. The Section 32 report¹ identifies the key resource management issue as:
 - a. While signs assist in providing for the District's economic and community well-being by promoting commercial and temporary activities, and directing, warning and informing the public, they can adversely affect transport safety, character, amenity values, landscape values, natural values, and heritage values.
5. To address this issue, the provisions aim to both enable and manage signs.

Signs chapter – provisions summary

6. The signs provisions:
 - a. Permit on-site signs, community signs, official signs, and temporary signs;
 - b. Permit small off-site directional signs to provide directions to businesses;
 - c. Require resource consent for off-site signs in all zones – as restricted discretionary activity within Industrial zones and non-complying activity elsewhere (Note: under the Operative District Plan all off-site signs are non-complying activities);
 - d. Require resource consent for subdivision development entrance signs a non-complying activity on the basis that they detract from neighbourhood integration;
 - e. Provide for small scale digital signs within certain operational limits;
 - f. Limit the number of signs per site, their size, height, and location;
 - g. Preclude signs that would affect transport safety; and

¹ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0017/136106/21.-SIGNS-S32-DPR-2021..pdf

- h. Restrict signs on heritage items.

Variation 1 (Residential intensification)

- 7. I would like to note that the Signs chapter is not subject to the provisions introduced by Variation 1.

Submissions / s42A report summary

- 8. 93 submission points were received from 17 submitters.
 - a. 68% were in support, while 32% were in opposition or seek amendments.
 - b. 41 further submission points were received from 7 further submitters.
- 9. Key issues raised in submissions were:
 - a. That the restrictions on off-site signs are disproportionate in relation their effects;
 - b. The contradictory nature of permitting off-site directional signs while restricting off-site signs as the effects are the same from a road safety perspective;
 - c. The restrictive on-site sign size limits for supermarkets that do not acknowledge the specific operational and functional requirements of supermarkets;
 - d. That the non-complying activity status for subdivision development entrance signs does not reflect their function and positive effects;
 - e. The restrictive limits for digital signs that are not effects based; and
 - f. The complexity and lack of clarity of the framework for temporary signs.
- 10. The key recommended amendments in the s42A report to address matters raised in submissions are:
 - a. Providing for off-sites signs as a restricted discretionary activity within Large Format Retail Zones instead of a non-complying activity;
 - b. Removing all provisions relating to off-site directional signs;
 - c. Removing the non-complying activity rule for subdivision development entrance signs and instead relying on the on-site signs provisions to manage these;
 - d. Additional transport safety requirements for digital signs; and
 - e. Streamlining the framework for temporary signs and improving the clarity of these provisions.

Submitter evidence

- 11. I have read all submitter evidence received on this topic.
- 12. Evidence was received from:
 - a. Waka Kotahi NZ Transport Agency (Waka Kotahi):
 - i. Statement of evidence of Stuart Pearson²; and
 - ii. Statement of evidence of Robert Swears³.

² https://www.waimakariri.govt.nz/_data/assets/pdf_file/0018/139140/STREAM-5-EVIDENCE-3-SUBMITTER-275-FS-110-KIWIRAIL-STUART-PERSON-Robert-Swears-Waimakariri-PDP-Evidence_Final-2.pdf

³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0020/139142/STREAM-5-EVIDENCE-3-SUBMITTER-275-FS-110-KIWIRAIL-Robert-Swears-Waimakariri-PDP-Evidence_Final-1.pdf

- b. Ravenswood Developments Limited (Ravenswood):
 - i. Legal Submissions on behalf of Ravenswood Developments Limited⁴.

Waka Kotahi evidence

- 13. Evidence from Waka Kotahi is agreeable with my s42A report recommendations.
- 14. The evidence also seeks an additional amendment to SIGN-S1 (Transport safety standard) that a sign's content be limited to a maximum of 12 elements. This is on the basis that signs with a significant number of elements could become a contributing factor that may impact the safety of the transport system. It proposes two options for the definition of 'elements'.
- 15. It notes that it did not make a direct submission to include content standards, however it considers this could be a consequential amendment to its submission on SIGN-P3 that relates to ensuring signs do not adversely affect the safe, efficient, and effective operation of the transport system.

Ravenswood evidence

- 16. The evidence from Ravenswood disagrees with my s42A report recommendations relating to off-site signs and off-site directional signs, as follows:
 - a. *In relation to off-site signs:*
 - i. It does not accept that the differences in effects of off-site and on-site signs and the difference in effects of signs based on zoning warrants such a restrictive approach to off-site signs in Commercial and Mixed Use Zones.
 - ii. It considers the combination of a directive policy to avoid off-site signs in most zones, coupled with non-complying activity status, is likely to prevent all off-site signs given the Supreme Court has determined that "avoid" means "not allow".
 - iii. It seeks a similar approach to that applied within the Christchurch District Plan and Proposed Selwyn District Plan, which both only avoid off-site signs in rural and residential zones and manage effects within commercial and industrial zones while enabling their positive effects instead of applying a blunt avoidance approach.
 - b. *In relation to off-site directional signs:*
 - i. It considers provisions for off-site directional signs (SIGN-R5) should be retained to capture the need for such wayfinding signs (which are not covered by community signs - SIGN-R3) as they provide a pathway for signs that provide directions to car parks, bus stops, cycleways, and businesses, and any transport safety effects would be limited by the definition and standards.

⁴ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0023/141494/STREAM-5-LEGAL-EVIDENCE-21-SUBMITTER-347-RAVENSWOOD-DEVELOPMENTS-LTD-PWDP-Stream-5-Legal-Submissions-Ravenswood-Developments-Ltd.pdf