

Decision Report

Plan Change 6 - Signs

Important Note

The Proposed District Plan May 2011 Annotated Version was the current version of the District Plan when Plan Changes 1-27 were notified in November 2011 and this version was therefore used as the base document for preparing the Plan Changes and the Section 32 and Planning Reports.

Since then the District Plan has been made operative (16 June 2012). The Operative District Plan 2012 is now the current version of the District Plan and therefore Plan Changes 1-27 are proposed to change this version only.

For the purpose of understanding how decisions on this Plan Change relate to the Section 32 and Planning Report and to both versions of the District Plan discussed above, this Decision Report is divided into three parts.

Part A contains the decisions made on the topics in the Planning Report and uses the Proposed District Plan May 2011 Annotated Version as the base document.

Part B shows how the full notified Plan Change and subsequent decisions on topics would change the Proposed District Plan May 2011 Annotated Version Base Document.

Part C shows how the full notified Plan Change and subsequent decisions on topics are proposed to change the Operative District Plan 2012.

Advice to Submitters:

Submitters will be familiar with the rule and map numbers from the Proposed District Plan May 2011 Annotated Version and so should refer to Parts A and B of this report to understand the decisions on their submission points.

However any submitter wishing to make an appeal will need to refer to the rule and map numbers of the Operative District Plan 2012 in Part C and reference these in their appeal.

Part A: Decisions on Topics in the Planning Report

Any changes to rules are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in [red](#), and any changes resulting from decisions on the topics in the Planning Reports in [blue](#).

Topic 1: Whole of Plan Change

Decision

That the Plan Change is retained as notified subject to any changes to specific provisions in this report.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
37	17	New Zealand Transport Agency
67	5	Progressive Enterprises Limited

Reason for Decision

The submitters support the Plan Change.

Topic 2: Activity List Layout

Decision

That the Powerco submission to add health and safety signage where it is a legal requirement as a permitted activity be accepted.

That the Activity List layout is amended as follows;

Add a cross referencing note at the beginning of the "Activity List – Zone Specific" as follows:

[Note: In addition to the 'zone specific' activities listed below under 4D.3 there are a number of 'district wide' activities listed in 4D.4 which apply within all zones.](#)

Add a new District wide provision under Section 4D.4.1 to enable the erection of health and safety signs as a permitted activity, as follows:

["Health and Safety Signs](#)

[Signs warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted, or in association with an activity which is listed as being permitted or any activity which has been lawfully established."](#)

Delete Rules 4D.3.1.1 (c) and 4D.3.2.1(b) and 4D.3.3.1(d).

The following submissions are therefore:

Accepted

Submission	Point Number	Name
24	2	Powerco Limited
FS71	1	Powerco Limited

Accepted in Part

Submission	Point Number	Name
47	8	Horticulture New Zealand and New Zealand Kiwifruit Growers.

Rejected

Submission	Point Number	Name
37	18	New Zealand Transport Agency
67	6	Progressive Enterprises Limited

Reason for Decision

Adding the cross referencing note at the beginning of the Activity List – Zone Specific informs Plan users that there are a number of generic 'district wide' activities which also apply within the specific zones. By following this cross reference, they will be lead to the provision relating to internal signage.

Adding health and safety signage as a permitted activity where this is a legal requirement.

The other changes sought in submission points are considered to be out of scope.

Topic 3: Activity Performance Standards

Decision

That the following paragraph be added below the new District wide provision for health and safety signs under Section 4D.4.1 (from Topic 2 above).

["Despite Rule 4D.5.1.2, health and safety signs may be located in the road reserve in association with the activity to which they relate."](#)

The following submissions are therefore:

Accepted

Submission	Point Number	Name
24	3	Powerco Limited
FS71	2	Powerco Limited

Reason for Decision

Adding health and safety signage as a permitted activity where this is a legal requirement.

Part B: Changes to the Proposed District Plan May 2011 Annotated Version Base Document

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

Amend the definition of "Signs" under Section 3 – Definitions as follows;

"Sign" means any name, figure, character, outline, display, notice, placard, delineation, poster, handbill, advertising device or appliance or any other things of similar nature to attract attention for advertising or information purposes, and shall include all parts, portions, units and materials composing the same, together with the frame, background, structure and support or anchorage thereof, and shall also include any of the foregoing things when displayed on a stationary vehicle but shall exclude all traffic signs as detailed in the Fourth Schedule of the Traffic Regulations 1976.

For the purpose of the provisions within Section 4D, the definition of "Sign" is further divided into the three following types.

<u>Low Intensity Signs</u>	<u>Signs which are painted or similar and have no illumination and low reflectivity.</u>
<u>Medium Intensity Signs</u>	<u>Signs which incorporate a static illuminated sign, device or symbol.</u>
<u>High Intensity Signs</u>	<u>Active signs which incorporate illumination which has a flashing or moving component.</u>

Amend Section 4D Signs as follows;

Signs

4D. Signs

Explanatory Statement

A significant proportion of the Western Bay of Plenty District's rural area is intensively developed for the production of horticultural crops. Much of the area developed for horticulture adjoins or is in close proximity to the four State Highways which traverse the *District*, in particular State Highway 2. Associated with this is the desire of many landowners to sell produce direct from their property to the public. The *District* is also growing in popularity as a holiday and tourist destination. Associated with this is a growth in the provision of activities to cater for demand. These activities are dependent on attracting the travelling public onto their site. A usual means of doing so is by the provision of *Signs*.

Signs do have an impact on the visual amenity of the *District* and can have an affect on traffic safety. This can be both positive and negative.

The provisions in the Plan are designed to meet the needs of the community whilst avoiding or mitigating adverse environmental effects such as on traffic safety and ~~impact on~~ visual amenity.

Traffic safety is to be enhanced by providing for advance warning *Signs* and through the provision of community and group signboards which will reduce the need for a proliferation of individual *signs*. Similarly, through a reduction in the need for individual *Signs* it is intended that over time visual amenity, particularly in rural areas will improve. Advance warning *Signs* are for traffic safety reasons, and on major roads they may be provided for on the road reserve subject to approval by the New Zealand Transport Agency and *Council* as appropriate.

4D.1 Significant Issues

1. The size, type, colour, number and location of *Signs* can have an adverse effect on traffic safety, the efficiency of the roading network, and visual amenity.
2. Activities attracting people to a property can have an adverse effect on traffic safety especially if the activity and entry to the property are not clearly indicated.

4D.2 Objectives and Policies

4D.2.1 Objectives

1. Maintenance and enhancement of the visual amenity of the *District* from the adverse effects of *Signs* while recognising the different sensitivities of different locations.

2. Avoidance of the adverse effects of *Signs* on the safe and efficient operation of roads within the *District*.
3. Mitigation of the adverse effects on traffic safety of activities which attract people to the site where the activities are taking place.

4D.2.2 Policies

1. *Signs* should not be of a size, type, colour, number and/or location as to maintain and enhance the visual amenity of the respective zone.
2. *Signs* visible from roads should be positioned and designed so that the *Signs* do not distract motorists or otherwise impair their ability to drive safely.
3. *Signs* should be positioned and designed so as to clearly indicate where an activity is.

4D.3 Activity List - Zone Specific

Note: In addition to the 'zone specific' activities listed below under 4D.3 there are a number of 'district wide' activities listed in 4D.4 which apply within all zones.

4D.3.1 Rural, Future Urban and Post Harvest Zones

~~4D.3.1.1~~

4D.3.1.1 Permitted Activities

~~4D.3.1~~

The following *Low Intensity Signs* in the Rural and Future Urban Zone; and
The following *Low or Medium Intensity Signs* in the Post Harvest Zone

- (a) In conjunction with Permitted Activities
 - (i) *Signs up to* a maximum cumulative area of 3m² per lot for the purposes of advertising the services offered or the sale of goods/produce manufactured or grown on the lot (stalls) on which the *Signs* are to be located ~~and/or~~
 - (ii) *Signs* stating the occupants name, profession, occupation, trade or property name (where these are Permitted Activities on the property).
- (b) Off Site Advance Warning *Signs* for activities located on roads other than Strategic Roads:
 - (i) Limited to one each side of the subject site with an area of no more than 1m² per *Sign* and located between 200 and 500m distance from the site.
 - (ii) Wording shall be generic in nature or use international symbols rather than incorporating specific names or logos (e.g. arts and crafts 250m) unless otherwise provided for in a resource consent.

- ~~(c) — Signs warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted, or in association with an activity which is listed as being Permitted and any activity which has been lawfully established.~~

4D.3.1.2 Non-Complying Activities

~~*Medium and High Intensity Signs in the Rural and Future Urban Zones; and High Intensity Signs in the Post Harvest Zone*~~

4D.3.2 Residential, Lifestyle and Rural-Residential Zones

4D.3.1.2

4D.3.2.1 Permitted Activities

The following Low Intensity Signs

- (a) A *Sign* stating occupant's name, occupation, or property name limited to a maximum area of 0.5m².
- ~~(b) — Signs warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted.~~

4D.3.2.2 Non-Complying Activities

Medium and High Intensity Signs

4D.3.3 Commercial and Industrial Zones (except Te Puna Business Park and Omokoroa)

4D.3.1.3

4D.3.3.1 Permitted Activities

The following Low or Medium Intensity Signs

Except as provided in Rule ~~4D.5.1.5 (a)~~ 4D.3.4.1(a) below on any site, *Signs* shall not exceed any combination of the following:

- (a) One freestanding *Sign* not exceeding 10m in height, and up to 2.0m in width;
- (b) One freestanding *Sign* not exceeding 3.0m in height and 2.0m in width for every 30 linear metres of road frontage;
- (c) *Signs*, whether painted or attached, covering up to 30% of each wall of the building, within the profile of the building;

Except that:

- (d) Where a boundary of a Commercial or Industrial Zoned property adjoins or faces (ie. across a street from) an existing or proposed reserve or a zone that is not commercial or industrial, Signs on that property boundary shall be limited to a maximum area of 6m².
- (e) Where a boundary of a Commercial or Industrial Zoned property adjoins a Strategic Road, *Signs* shall be limited to:
 - (i) The physical confines of the walls of the building if the *Sign* is located on or attached to a building;
 - (ii) One freestanding *Sign* (single or double sided) up to a maximum of 9.0m high and a maximum of 3.0m wide;
 - (iii) On site traffic directional *Signs* up to a maximum area of 0.5m² each.
- (f) ~~*Signs warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted.*~~

~~**Explanatory note:** For the purposes of Rule 4D.3.1.3, *Signs* shall be limited to either low intensity or medium intensity *Signs* in accordance with the table below:~~

Low Intensity Signs	<i>Signs which are painted or similar and have no illumination and low reflectivity.</i>
Medium Intensity Signs	<i>Signs which incorporate a static illuminated sign, device or symbol.</i>
High Intensity Signs	<i>Active signs which incorporate illumination which has a flashing or moving component.</i>

4D.3.3.2 Discretionary Activities

High Intensity Signs

4D.3.4 Te Puna Industrial Business Park

4D.3.1.5

4D.3.4.1 Permitted Activities

The following Low or Medium Intensity Signs

- (a) At the entrance of each road or access onto Te Puna Station Road, one composite *Sign* shall be permitted, advertising the combined activities within the zone and shall be limited to a maximum of 9m high and a maximum of 3.0m wide and a total area for each *Sign* of 18m².
- (b) In conjunction with each activity, *Signs* on each site shall be limited to one freestanding *Sign* (single or double-sided) up to a maximum of 5.0m high and a maximum *Sign* area of 6.0m².

4D.3.4.2 Discretionary Activities

High Intensity Signs

4D.3.5 Omokoroa Commercial and Industrial Zones

4D.3.1.6

4D.3.5.1 Permitted Activities

The following Low or Medium Intensity Signs

- (a) *Signage Signs* on industrial or commercial frontages along Omokoroa, Hamurana, Francis and roads providing access to residential areas shall be limited to:
- (i) No more than one 1m² directional traffic and/or pedestrian *Sign* up to a maximum area of 1.0m² per lot, and
 - (ii) A single freestanding business *Sign* per site (single or double sided) up to a maximum of 3.0m x 1.2m (height x width) located at the vehicular entrance to the site – perpendicular to the roadway; and
 - (iii) A single *Sign* for each business on the site mounted to the building façade of the businesses principle building to a maximum dimension of 3m x 1.2m (in any orientation) no higher than 4.5m above ground level.
 - (iv) Non-fixed (sandwich) board *Signs* are not permitted

4D.3.5.2 Discretionary Activities

High Intensity Signs

4D.3.6 All Terrain Park Zone

4D.3.1.4

4D.3.6.1 Permitted Activities

The following Low or Medium Intensity Signs

- (a) Any *Signs* erected in association with the All Terrain Park that are visible from the State Highway, shall be no greater than 5.0m high and 3.0m wide (single or double sided) and shall be no greater than eight, and shall comply with the following:
- (i) There shall be one *Sign* located either side of Whataroa Road at its intersection with State Highway 36, for the purposes of identifying the main entrance to the site.
 - (ii) All *Signs* shall be related to activities on the All Terrain Park.
 - (iii) Any *Sign* erected that is visible from the State Highway shall be designed and constructed in accordance with Land Transport New

Zealand Road Traffic Standard 7: Advertising *Signs* and Road Safety; as at October 2007.

(b) *Signs* erected in association with the All Terrain Park and erected within the All Terrain Park Zone that are not visible from a Strategic or District Road or from a title located outside of the All Terrain Park Zone, and which have obtained written approval from Council's Reserves Manager.

4D.3.6.2 Non-Complying Activities

High Intensity Signs

4D.4 Activity List – District Wide

4D.4.1 Permitted Activities

4D.4.4.1 **Temporary Signs (all zones)** **4D.3.1.7**

(a) *Signs* for community activities and events

Signs advertising community activities or events provided such *Signs* are not larger than 3.0m² in area, and are displayed no longer than three months prior to the date of the activity or event. All such *Signs* are to be removed within five working days after the date of the event or activity.

(b) Electoral *Signs*

Signs related to elections provided such *Signs* are not larger than 3.0m² in area.

(c) *Signs* advertising sale of land or buildings

Signs advertising the sale of land and/or buildings provided such *Signs* are located on the property to which they relate. The purpose of such *Signs* is to advertise the fact that the property on which they stand is for sale. *Signs* of a more general nature promoting real estate companies, agents or similar are not permitted.

4D.4.1.2 **Official *Signs* (all zones)** **4D.3.1.8**

4D.4.1.3 **Internal Signs**

Signs on any site provided they are not visible from a Strategic Road, District Road or any other title not part of the site.

4D.4.1.4 **Health and Safety Signs**

Signs warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted, or in association with an activity which is listed as being permitted or any activity which has been lawfully established.

Despite Rule 4D.5.1.2, health and safety signs may be located in the road reserve in association with the activity to which they relate.

4D.4.2 **4D.3.2** Discretionary Activities

4D.4.2.1 **4D.3.2.1**

In conjunction with land use activities for which a resource consent has been granted and the associated signage is not listed as a Permitted Activity. ~~under Rule 4D.3.1:~~

- (a) *Signs* located on or attached to a building limited to the physical confines of the walls of the building.
- (b) One freestanding *sign* (single or double sided) up to a maximum of 5.0m high and a maximum of 3.0m wide, except where there are dual entrances that are required as a condition of a resource consent in which case a freestanding single sided *Sign* shall be permitted at each entrance up to a maximum of 5.0m high and a maximum of 3.0m wide each.
- (c) On site traffic directional *Signs* up to a maximum area of 0.5m² each.

4D.4.2.2 **4D.3.2.2** Community signboards

- (a) Communities adjoining State Highways (Katikati, Te Puke and Paengaroa)
 - (i) One signboard with an area up to a maximum of 12m² at each entrance point to the township concerned.
 - (ii) Subject matter shall be limited to the town logo and tourist related activities established by way of resource consent. Advertising is not permitted for other individual commercial businesses.
- (b) Communities located off State Highways (Omokoroa, Athenree, Maketu etc).

(i) Advance warning *Signs*

One *Sign* located adjacent to the State Highway on either side of the intersection. Each *Sign* shall not exceed 3.0m² in area and shall be located between 200 and 500m from the intersection. *Sign* content shall be limited to the community's name/logo, directional information and a generic message as to key facilities available which would be of interest to the travelling public.

(ii) Community signboard

A single *Sign* structure not exceeding 12m² in area located within or adjacent to the *District* road reserve at a convenient and safe distance from the State Highway intersection. *Sign* content may along with the community logo and advertising for tourist related activities and attractions also include commercial advertising for non-tourist related business.

- (c) The *Council* shall be responsible for establishing and administering community signboards within the road reserve.

4D.4.2.3
4D.3.2.3 **Group Signboards**

This rule applies to *Signs* located in the vicinity of intersections with State Highways where two or more lawfully established activities are located along *District* side roads.

(a) Advance warning *Signs*

Two *Signs* in total (not per activity), one either side of the intersection at a distance between 200 to 500m from the intersection. The maximum area per *Sign* is 2.0m². *Sign* content shall be limited to a generic description of goods, tourist attractions/services available and directional information.

(b) Group signboards

A single structure not exceeding 6m² in area located within or adjacent to the road reserve between 200 and 500m from the intersection with the State Highway.

Sign content may along with advertising for tourist attractions, tourist oriented services, the sale of locally grown produce and locally produced arts and crafts also include commercial advertising for non-tourist related businesses.

The *Council* shall be responsible for establishing and administering group signboards within the road reserve.

~~4D.3.2.4 Illuminated *Signs* in Commercial and Industrial Zones~~

~~High intensity *Signs* in accordance with the table under Rule 4D.3.1.3.~~

4D.4.3
4D.3.3 **Non-Complying Activities**

~~(a) Any medium or high intensity *Sign* in a Rural, Rural Residential, Future Urban or Residential Zone.~~

- (a) The erection, placement or display of any *Sign* which relates to goods, services, places of interest, facilities or other activities which are not located on the site on which the *Sign* is located (excludes community and group signboards and advance warning *Signs* as specified in Rule ~~4D.3.2~~ 4D.4.2).

Except that:

Signs in the vicinity of the State Highway 2/Bell Road intersection relating to the Papamoa shopping centre shall be Discretionary Activities subject to any such *Signs* being in accordance with ~~4D.3.2.2 (b)~~ 4D.4.2.2(b).

- (b) ~~No *Signs* or other advertising mediums may be~~ erected or otherwise displayed when viewed from a public place or private property, that contains words, images, models or other items, that are sexually explicit, lewd or otherwise offensive, in any zone.

Offensive is defined for the purposes of this rule as likely to cause a serious offence to ordinary members of the public who may view such object.

4D.5 Activity Performance Standards

4D.4

4D.5.1 General

4D.4.1

The following performance standards shall be met by all Permitted Activities and shall be used as a guide for all other activities. Any Permitted Activities that do not meet the performance standards shall be treated as Discretionary Activities.

4D.5.1.1 Calculation of *Sign* Areas

4D.4.1.1

Signs may be single sided, double sided or "v" shaped (provided that the internal angle of the "v" does not exceed 90°) and their area calculated from one face only. Where the lettering is on a wall or fence the area of the *Sign* is that enclosed by a line drawn around the perimeter of the *Sign* lettering and associated artwork.

4D.5.1.2 Location of *Signs*

4D.4.1.2

- (a) Except where specifically provided for, no *Sign* shall be located within a legal road reserve nor on land other than that occupied by the activity to which the *Sign* relates.
- (b) Yard requirements relating to buildings shall not apply.
- (c) *Signs* shall be sited such that they do not restrict visibility to and from intersections and property accesses.

4D.5.1.3 *Sign* Height

4D.4.1.3

Except where otherwise stated by a rule within this Section, the maximum height of any *Sign* not the subject of a separate resource consent shall be the same as that applying to buildings within the zone in which the property concerned is located.

4D.5.1.4 Subject Matter

4D.4.1.4

The subject matter of any *Sign* shall be specific to the lawfully established activity to which it relates.

4D.5.1.5 Design

4D.4.1.5

Signs shall not conflict with the colour combinations or shape of traffic *Signs*.

4D.5.1.6 Illumination of *Signs*

4D.4.1.6

The following performance standards shall also be met by all:

- *Medium Intensity Signs* in the Commercial and Industrial Zone; ~~and~~
- *Medium ~~and High~~ Intensity Signs* in the Post Harvest and All Terrain Park Zone

- (a) Shall be constructed to comply with the following levels of luminance:

Daytime: 25 lux
Night-time: 10 lux

Note: Luminance levels shall be measured vertically or horizontally anywhere along the affected site boundary in accordance with professional illumination engineering practice or any relevant New Zealand Standard.

- (b) With the exception of neon and side emitting fibre optic signs, no light source used for the sign shall be visible from any adjoining site including roads and reserves.

4D.6 Matters of Discretion

4D.5

- (a) The extent to which the nature and scale of the signage is compatible with surrounding environment;
- (b) The impact of the signage on the amenity values of adjoining residentially zoned land and the surrounding environment;
- (c) The effect of signage on the open space character of recreation land;
- (d) The extent to which the signage is obtrusively visible from outside the site or zone;
- (e) The extent to which the signage is likely to give rise to a distraction to motorists and pedestrians, or create situations which are hazardous and dangerous to road users;
- (f) The extent to which signage creates visual clutter, particularly along major strategic and arterial roads;
- (g) The opportunity for signage to enhance local amenity values and character;
- (h) The extent to which signage is compatible with the scale and style of an identified historic heritage building.

4D.7 Other Methods

4D.6

4D.7.1
4D.6.1

The New Zealand Transport Agency has its own bylaws that regulates the placement of *Signs* on State Highway reserve.

4D.7.2
4D.6.2

Signs on *District* road reserve are controlled by the Traffic Regulations and administered by the Western Bay of Plenty District Council.

4D.7.3
4D.6.3

Off-site advance warning *Signs* may be located on State Highway, Regional and *District* arterial road reserves for traffic safety purposes. They shall be located by (and upon request to) New Zealand Transport Agency and *Council* as appropriate in accordance with the requirements specified in their respective bylaws.

4D.7.4
4D.6.4

Council will develop design guidelines for *Signs*.

Part C: Changes to the Operative District Plan 2012

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

Amend the definition of "Signs" under Section 3 – Definitions as follows;

"Sign" means any name, figure, character, outline, display, notice, placard, delineation, poster, handbill, advertising device or appliance or any other things of similar nature to attract attention for advertising or information purposes, and shall include all parts, portions, units and materials composing the same, together with the frame, background, structure and support or anchorage thereof, and shall also include any of the foregoing things when displayed on a stationary vehicle but shall exclude all traffic signs as detailed in the Fourth Schedule of the Traffic Regulations 1976.

For the purpose of the provisions within Section 4D, the definition of *Sign* is further divided into the three following types.

<u>Low Intensity Signs</u>	<u><i>Signs which are painted or similar and have no illumination and low reflectivity.</i></u>
<u>Medium Intensity Signs</u>	<u><i>Signs which incorporate a static illuminated sign, device or symbol.</i></u>
<u>High Intensity Signs</u>	<u><i>Active signs which incorporate illumination which has a flashing or moving component.</i></u>

Amend Section 4D Signs as follows;

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Signs

4D. Signs

Explanatory Statement

A significant proportion of the Western Bay of Plenty District's rural area is intensively developed for the production of horticultural crops. Much of the area developed for horticulture adjoins or is in close proximity to the four State Highways which traverse the *District*, in particular State Highway 2. Associated with this is the desire of many landowners to sell produce direct from their property to the public. The *District* is also growing in popularity as a holiday and tourist destination. Associated with this is a growth in the provision of activities to cater for demand. These activities are dependent on attracting the travelling public onto their site. A usual means of doing so is by the provision of *signs*.

Signs do have an impact on the visual amenity of the *District* and can have an affect on traffic safety. This can be both positive and negative.

The provisions in the District Plan are designed to meet the needs of the community whilst avoiding or mitigating adverse environmental effects such as on traffic safety and ~~impact on~~ visual amenity.

Traffic safety is to be enhanced by providing for advance warning *signs* and through the provision of community and group signboards which will reduce the need for a proliferation of individual *signs*. Similarly, through a reduction in the need for individual *signs* it is intended that over time visual amenity, particularly in rural areas will improve. Advance warning *signs* are for traffic safety reasons, and on major roads they may be provided for on the *road reserve* subject to approval by the New Zealand Transport Agency and *Council* as appropriate.

4D.1 Significant Issues

1. The size, type, colour, number and location of *signs* can have an adverse effect on traffic safety, the efficiency of the roading network, and visual amenity.
2. Activities attracting people to a property can have an adverse effect on traffic safety especially if the activity and entry to the property are not clearly indicated.

4D.2 Objectives and Policies

4D.2.1 Objectives

1. Maintenance and enhancement of the visual amenity of the *District* from the adverse effects of *signs* while recognising the different sensitivities of different locations.
2. Avoidance of the adverse effects of *signs* on the safe and efficient operation of roads within the *District*.
3. Mitigation of the adverse effects on traffic safety of activities which attract people to the site where the activities are taking place.

4D.2.2 Policies

1. *Signs* should not be of a size, type, colour, number and/or location as to maintain and enhance the visual amenity of the respective zone.
2. *Signs* visible from roads should be positioned and designed so that the *signs* do not distract motorists or otherwise impair their ability to drive safely.
3. *Signs* should be positioned and designed so as to clearly indicate where an activity is.

4D.3 Activity Lists - Zone Specific

Note: In addition to the 'zone specific' activities listed below under 4D.3 there are a number of 'district wide' activities listed in 4D.4 which apply within all zones.

4D.3.1 Rural, Future Urban and Post Harvest Zones

~~4D.3.1.1~~

4D.3.1.1 Permitted Activities

~~4D.3.1~~

The following *Low Intensity Signs* in the Rural and Future Urban Zone; and The following *Low or Medium Intensity Signs* in the Post Harvest Zone

(a) In conjunction with Permitted Activities

- (i) Signs up to a maximum cumulative area of 3m² per *lot* for the purposes of advertising the services offered or the sale of goods/produce manufactured or grown on the *lot (stalls)* on which the *signs* are to be located and/or

- (ii) *Signs* stating the occupants name, profession, occupation, trade or property name (where these are Permitted Activities on the property).

(b) Off Site Advance Warning Signs for activities located on roads other than Strategic Roads:

- (i) Limited to one each side of the subject site with an area of no more than 1m² per *sign* and located between 200m and 500m distance from the site;
- (ii) Wording shall be generic in nature or use international symbols rather than incorporating specific names or logos (e.g. arts and crafts 250m) unless otherwise provided for in a resource consent.

~~(c) *Signs* warning of health and safety hazards which do not exceed 0.6m² in area, and are erected by a requiring authority; or in association with an activity for which a resource consent has been granted; or in association with an activity which is listed as being Permitted; and any activity which has been lawfully established.~~

4D.3.1.2 Non-Complying Activities

~~*Medium and High Intensity Signs in the Rural and Future Urban Zones; and High Intensity Signs in the Post Harvest Zone*~~

4D.3.2 Residential, Lifestyle and Rural-Residential Zones

4D.3.1.2

4D.3.2.1 Permitted Activities

~~The following *Low Intensity Signs*~~

- (a) A *sign* stating occupant's name, occupation, or property name limited to a maximum area of 0.5m².

~~(b) *Signs* warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted.~~

4D.3.2.2 Non-Complying Activities

~~*Medium and High Intensity Signs*~~

4D.3.3 Commercial and Industrial Zones (except Te Puna Business Park and Omokoroa)

4D.3.1.3

4D.3.3.1 Permitted Activities

The following *Low or Medium Intensity Signs*

Except as provided for in Rule ~~4D.3.1.5(a)~~ 4D.3.4.1(a), on any site *signs* shall not exceed any combination of the following:

- (a) One freestanding *sign* not exceeding 10m in *height*, and up to 2m in width.
- (b) One freestanding *sign* not exceeding 3m in *height* and 2m in width for every 30 linear metres of road frontage.
- (c) *Signs*, whether painted or attached, covering up to 30% of each wall of the *building*, within the profile of the *building*.

Except that:

- (d) Where a boundary of a Commercial or Industrial Zoned property adjoins or faces (ie. across a street from) an existing or proposed reserve or a zone that is not commercial or industrial, *signs* on that property boundary shall be limited to a maximum area of 6m².
- (e) Where a boundary of a Commercial or Industrial Zoned property adjoins a Strategic Road, *signs* shall be limited to:
 - (i) The physical confines of the *walls* of the *building* if the *sign* is located on or attached to a *building*;
 - (ii) One freestanding *sign* (single or double sided) up to a maximum of 9m in *height* and a maximum of 3m in width;
 - (iii) On site traffic directional *signs* up to a maximum area of 0.5m² each.

~~(f) *Signs* warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted.~~

Explanatory note:

~~For the purposes of Rule 4D.3.1.3, *signs* shall be limited to either low intensity or medium intensity *signs* in accordance with the table below:~~

Low Intensity Signs	Signs which are painted or similar and have no illumination and low reflectivity.
Medium Intensity Signs	Signs which incorporate a static illuminated sign, device or symbol.
High Intensity Signs	Active signs which incorporate illumination which has a flashing or moving component.

4D.3.3.2 Discretionary Activities

High Intensity Signs

4D.3.4 Te Puna Industrial Business Park

~~4D.3.1.5~~

4D.3.4.1 Permitted Activities

The following Low or Medium Intensity Signs

- (a) At the entrance of each road or access onto Te Puna Station Road, one composite *sign* shall be permitted, advertising the combined activities within the zone and shall be limited to a maximum of 9m in *height* and a maximum of 3m in width and a total area for each sign of 18m².
- (b) In conjunction with each activity, *signs* on each site shall be limited to one freestanding *sign* (single or double-sided) up to a maximum of 5m in *height* and a maximum sign area of 6m².

4D.3.4.2 Discretionary Activities

High Intensity Signs

4D.3.5 Omokoroa Commercial and Industrial Zones

~~4D.3.1.6~~

4D.3.5.1 Permitted Activities

The following Low or Medium Intensity Signs

- (a) *Signs* on industrial or commercial frontages along Omokoroa, Hamurana, and Francis Roads and other new roads providing access to residential areas shall be limited to:
 - (i) No more than one 1m² directional traffic and/or pedestrian *sign* up to a maximum area of 1m² per *lot*;
 - (ii) A single freestanding business *sign* per site (single or double sided) up to a maximum dimension of 3m x 1.2m (*height* x *width*) located at the vehicular entrance to the site – perpendicular to the roadway; and

- (iii) A single *sign* for each business on the site mounted to the building façade of the businesses principle *building* to a maximum dimension of 3m x 1.2m (in any orientation) and no higher than 4.5m above *ground level*;
- (iv) Non-fixed (sandwich) board *signs* are not permitted.

4D.3.5.2 Discretionary Activities

High Intensity Signs

4D.3.6 All Terrain Park Zone

4D.3.1.4

4D.3.6.1 Permitted Activities

The following Low or Medium Intensity Signs

- (a) Any *signs* erected in association with the All Terrain Park that are visible from the State Highway, shall be no greater than 5m in *height* and 3m in width (single or double sided), shall be no greater than eight in total, and shall comply with the following:
 - (i) There shall be one *sign* located either side of Whataroa Road at its intersection with State Highway 36, for the purposes of identifying the main entrance to the site;
 - (ii) All *signs* shall be related to activities on the All Terrain Park;
 - (iii) Any *sign* erected that is visible from the State Highway shall be designed and constructed in accordance with Land Transport New Zealand Road Traffic Standard 7: Advertising Signs and Road Safety; as at October 2007.
- (b) Signs erected in association with the All Terrain Park and erected within the All Terrain Park Zone that are not visible from a Strategic or District Road or from a title located outside of the All Terrain Park Zone, and which have obtained written approval from Council's Reserves Manager

4D.3.6.2 Non-Complying Activities

High Intensity Signs

4D.4 Activity List – District Wide

4D.4.1 Permitted Activities

4D.4.1.1 Temporary Signs (all zones)

4D.3.1.7

(a) Signs for community activities and events

Signs advertising community activities or events provided such *signs* are not larger than 3m² in area, and are displayed no longer than three months prior to the date of the activity or event. All such *signs* are to be removed within five working days after the date of the event or activity.

(b) Electoral Signs

Signs related to elections provided such *signs* are not larger than 3m² in area.

(c) Signs advertising sale of land or buildings

Signs advertising the sale of land and/or *buildings* provided such *signs* are located on the property to which they relate. The purpose of such *signs* is to advertise the fact that the property on which they stand is for sale. *Signs* of a more general nature promoting real estate companies, agents or similar are not permitted.

4D.4.1.2 Official Signs (all zones)

4D.3.1.8

4D.4.1.3 Internal Signs

Signs on any site provided they are not visible from a Strategic Road, District Road or any other title not part of the site.

4D.4.1.4 Health and Safety Signs

Signs warning of health and safety hazards which do not exceed 0.6m² in area and are erected by a requiring authority or in association with an activity for which a resource consent has been granted, or in association with an activity which is listed as being permitted or any activity which has been lawfully established.

Despite Rule 4D.5.1.2, health and safety signs may be located in the road reserve in association with the activity to which they relate.

4D.4.2 Discretionary Activities

4D.3.2

4D.4.2.1

4D.3.2.1

In conjunction with land use activities for which a resource consent has been granted and any associated *sign(s)* are not listed as a Permitted Activity ~~under Rule 4D.3.1:~~

- (a) *Signs* located on or attached to a *building* limited to the physical confines of the *walls* of the *building*.
- (b) One freestanding *sign* (single or double sided) up to a maximum of 5m in *height* and a maximum of 3m in width, except where there are dual entrances that are required as a condition of a resource consent in which case a freestanding single sided *sign* shall be permitted at each entrance up to a maximum of 5m in *height* and a maximum of 3m in width each.
- (c) On site traffic directional *signs* up to a maximum area of 0.5m² each.

4D.4.2.2 Community signboards

4D.3.2.2

- (a) **Communities adjoining State Highways (Katikati, Te Puke and Paengaroa)**
 - (i) One signboard with an area up to a maximum of 12m² at each entrance point to the township concerned;
 - (ii) Subject matter shall be limited to the town logo and tourist related activities established by way of resource consent. Advertising is not permitted for other individual commercial businesses.
- (b) **Communities located off State Highways (Omokoroa, Athenree, Maketu etc)**
 - (i) Advance warning *signs*

One *sign* located adjacent to the State Highway on either side of the intersection. Each *sign* shall not exceed 3m² in area and shall be located between 200m and 500m from the intersection. *Sign* content shall be limited to the community's name/logo, directional information and a generic message as to key facilities available which would be of interest to the travelling public.

(ii) Community signboard

A single *sign* structure not exceeding 12m² in area located within or adjacent to the *District road reserve* at a convenient and safe distance from the State Highway intersection. *Sign* content may along with the community logo and advertising for tourist related activities and attractions also include commercial advertising for non-tourist related business.

(c) The *Council* shall be responsible for establishing and administering community signboards within the *road reserve*.

4D.4.2.3 Group Signboards

~~4D.3.2.3~~

This rule applies to *signs* located in the vicinity of intersections with State Highways where two or more lawfully established activities are located along *District* side roads.

(a) **Advance warning Signs**

Two *signs* in total (not per activity), one either side of the intersection at a distance between 200m to 500m from the intersection. The maximum area per *sign* is 2m². *Sign* content shall be limited to a generic description of goods, tourist attractions/services available and directional information.

(b) **Group signboards**

A single *structure* not exceeding 6m² in area located within or adjacent to the *road reserve* between 200m and 500m from the intersection with the State Highway.

Sign content may along with advertising for tourist attractions, tourist oriented services, the sale of locally grown produce and locally produced arts and crafts also include commercial advertising for non-tourist related businesses.

The *Council* shall be responsible for establishing and administering group signboards within the *road reserve*.

~~**4D.3.2.4 Illuminated Signs in Commercial and Industrial Zones**~~

~~High intensity *signs* in accordance with the table under Rule 4D.3.1.3(f).~~

4D.4.3 Non-Complying Activities

~~4D.3.3~~

~~(a) Any medium or high intensity *sign* in a Rural, Rural-Residential, Future Urban or Residential Zone.~~

- (a) The erection, placement or display of any *sign* which relates to goods, services, places of interest, facilities or other activities which are not located on the site on which the *sign* is located (excludes community and group signboards and advance warning *signs* as specified in Rule ~~4D.3.2~~ 4D.4.2)

Except that:

Signs in the vicinity of the State Highway 2/Bell Road intersection relating to the Papamoa shopping centre shall be Discretionary Activities subject to any such *signs* being in accordance with ~~4D.3.2.2(b)~~ 4D.4.2.2(b).

- (b) ~~No~~ *Signs* or other advertising mediums ~~may be~~ erected or otherwise displayed when viewed from a public place or private property, that contains words, images, models or other items, that are sexually explicit, lewd or otherwise offensive, in any zone.

Offensive is defined for the purposes of this rule as likely to cause a serious offence to ordinary members of the public who may view such object.

4D.5 Activity Performance Standards

4D.4

4D.5.1 General

4D.4.1

The following performance standards shall be met by all Permitted Activities and shall be used as a guide for all other activities. Any Permitted Activities that do not meet the performance standards shall be treated as Discretionary Activities.

4D.5.1.1 Calculation of Sign Areas

4D.4.1.1

Signs may be single sided, double sided or "v" shaped (provided that the internal angle of the "v" does not exceed 90°) and their area calculated from one face only. Where the lettering is on a *wall* or fence the area of the *sign* is that enclosed by a line drawn around the perimeter of the *sign* lettering and associated artwork.

4D.5.1.2 Location of Signs

4D.4.1.2

- (a) Except where specifically provided for, no *sign* shall be located within a legal *road reserve* nor on land other than that occupied by the activity to which the *sign* relates.
- (b) *Yard* requirements relating to *buildings* shall not apply.

- (c) *Signs* shall be sited such that they do not restrict visibility to and from intersections and property accesses.

4D.5.1.3 Sign Height

~~4D.4.1.3~~

Except where otherwise stated by a rule within this Section, the maximum *height* of any *sign* not the subject of separate resource consent shall be the same as that applying to *buildings* within the zone in which the property concerned is located.

4D.5.1.4 Subject Matter

~~4D.4.1.4~~

The subject matter of any *sign* shall be specific to the lawfully established activity to which it relates.

4D.5.1.5 Design

~~4D.4.1.5~~

Signs shall not conflict with the colour combinations or shape of traffic signs.

4D.5.1.6 Illumination of Signs

~~4D.4.1.6~~

The following performance standards shall be met by all:

- Medium Intensity *Signs* in the Commercial and Industrial Zone; and
- Medium and High Intensity *Signs* in the Post Harvest and All Terrain Park Zones

- (a) Shall be constructed to comply with the following levels of *luminance*:

Daytime: 25 *lux*

Night-time: 10 *lux*

Explanatory Note:

Luminance levels shall be measured vertically or horizontally anywhere along the affected site boundary in accordance with professional illumination engineering practice or any relevant New Zealand standard.

- (b) With the exception of neon and side emitting fibre optic *signs*, no light source used for the *sign* shall be visible from any adjoining site including roads and reserves.

4D.6 Matters of Discretion

~~4D.5~~

- (a) The extent to which the nature and scale of any *sign(s)* is compatible with the surrounding environment.

- (b) The impact of any *sign(s)* on the amenity values of adjoining Residential Zoned land and the surrounding environment.
- (c) The effect of any *sign(s)* on the open space character of recreation land.
- (d) The extent to which the *sign* is obtrusively visible from outside the site or zone.
- (e) The extent to which the *sign* is likely to give rise to a distraction to motorists and pedestrians, or create situations which are hazardous and dangerous to road users.
- (f) The extent to which any *sign(s)* creates visual clutter, particularly along major strategic and arterial roads.
- (g) The opportunity for *sign* to enhance local amenity values and character.
- (h) The extent to which *sign* is compatible with the scale and style of an identified historic heritage building.

4D.7 Other Methods

~~4D.6~~

4D.7.1 The New Zealand Transport Agency has its own bylaws that regulates the placement of *signs* on State Highway reserve.

4D.7.2 *Signs* on *District road reserve* are controlled by the Traffic Regulations and administered by the Western Bay of Plenty District Council.

4D.7.3 Off site advance warning *signs* may be located on State Highway, Regional and *District* arterial road reserves for traffic safety purposes. They shall be erected by (and upon request to) New Zealand Transport Agency and *Council* as appropriate in accordance with the requirements specified in their respective bylaws.

4D.7.4 *Council* will develop design guidelines for *signs*.