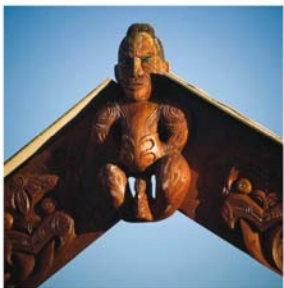


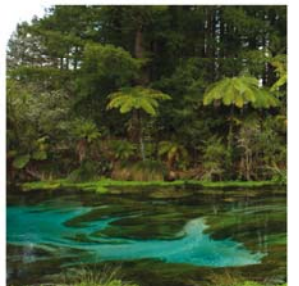
DISTRICT PLAN REVIEW

DISCUSSION PAPER 12B – POLICY DIRECTION

SIGNS



April 2010



DISCUSSION PAPER 12B - POLICY DIRECTION SIGNS

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This document has been produced for discussion purposes to assist with the review of the Operative Rotorua District plan.

The views expressed in this paper do not represent a policy decision of Council, nor do they represent the views of Planning Services.

None of the recommendation and resulting decisions hold any statutory weight.

This document remains a discussion paper only.

1. INTRODUCTION

The purpose of this paper is to review the major issues that need to be considered in the development of a policy framework for the management of signs.

Signs are essential to Rotorua's identity and the success of its tourism and commercial sectors. However, the design, placement, location and proliferation of signs can have significant impacts on the environment and amenity.

A policy framework for signs is the only part of the current District plan that is not technically operative, as signs in most zones are required to comply with the rules of the Transitional District plan. This has been problematic for Council staff and other plan users, and has been identified as a major issue to be resolved by the District plan review. Council has commissioned Harrison Grierson Consultants to report on the key issues and options around signage in a report titled *Rotorua District plan Review, Signs Technical Report*. The technical report forms the basis for the policy options in this paper and involved a desktop study, field assessment and discussions with Council staff directly involved in the use and regulation of signs.

The technical report concludes the current level of signage is generally appropriate in the rural and residential areas. In contrast there is a high frequency and wide variety of signage along urban corridors/city gateways that needs further consideration. The CBD area is subject to design guidelines and bylaw controls that the technical report considers are generally achieving positive outcomes.

The key issues identified by the community are:

- Scope of review of provision of signs
- The most appropriate policy framework for the Rotorua context
- Temporary, safety, and directional signs

This discussion paper summarises these issues and provides recommendations for Members' consideration.

2. STATUTORY FRAMEWORK

The following table overviews the relevant national, regional and local government statutory framework that provides guidance for the key issues raised.

Table 2.1 Statutory Framework

STATUTE/ DOCUMENT	RELEVANT SECTION	COMMENTARY
NATIONAL LEVEL		
Resource Management Act 1991. (RMA)	<p>5 Purpose <i>To promote the sustainable management ofnatural and physical resources.</i></p> <p>6 Matters of national importance <i>all persons... shall recognise and provide for</i></p> <p>(a) <i>The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</i></p> <p>(b) <i>The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:</i></p> <p>(f) <i>the protection of historic heritage from inappropriate subdivision, use, and development.</i></p> <p>7 Other matters <i>...all persons...shall have particular regard to –</i></p> <p>(c) <i>The maintenance and enhancement of amenity values;</i></p> <p>(f) <i>Maintenance and enhancement of the quality of the environment.</i></p>	Signs are physical resources and therefore come under the Act. Protecting visual amenity and sensitive environments from inappropriate development is relevant to signs.
Land Transport Management Act 2003	All - <i>The Act covers signs as part of the highway definition</i>	NZTA produce a range of standards and guides on road signs and signs adjoining State Highways.
Reserves Act 1977	<p>41(3)</p> <p><i>"the management plan shall provide for and ensure the use, enjoyment, maintenance, protection and preservation, as the case may require, and, the development, as appropriate, of the reserve for the purposes for which it is classified."</i></p>	Determines how reserves are to be managed within the District. This Act covers many issues relating to administration of reserves including reserve declaration, classification, revocation, management planning, leasing of reserves and public consultation.
Historic Places Act 1993	<p>4 Purpose and principles</p> <p>(1) <i>The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.</i></p>	The Historic Places Trust (HPT) produces a number of guidelines and documents to support the management of historic heritage, including built heritage, which includes signs.

STATUTE/ DOCUMENT	RELEVANT SECTION	COMMENTARY
REGIONAL LEVEL		
EBOP RPS and Regional Plans	Currently no specific policy or objectives.	
EW RPS and Regional Plans	Currently no specific policy or objectives.	
LOCAL LEVEL, INCLUDING COUNCIL CORPORATE DOCUMENTS		
Rotorua Entranceways Strategy	The strategy recognises there are elements to the Rotorua District which should be emphasised including the natural environment, Maori culture and geothermal features. Key recommendations from this strategy were to establish Rotorua city entranceway features and additional traveller information points.	
Reserve Management Plans	The plans detail how reserves are to be managed and includes policies on signs on reserves. There are two types of signs provided for on reserves; information signs and advertising signs. There are provisions around minimum sizes, location and lettering size.	
Signs on Roads Bylaw 2008	The Signs on Roads Bylaw came into effect on 1 October 2008 and replaced a previous bylaw from 1985. The Bylaw was adopted to control the consistency of sign placement, safety of road users and functionality of carriageways, footpaths and berms. The Bylaw covers directional and safety signs, temporary event signage, real estate signs and sandwich board signs (in the CBD).	
Rotorua District Transitional Plan and Operative Rotorua District plan	<p>The signage provisions in the operative District plan are based on the provisions of the Transitional District plan, with subsequent changes introduced through various Plan variations/changes.</p> <p>As the Transitional District plan was adopted in 1985, the existing provisions pre-date the effects-based philosophy of the Act. Despite this, they do provide in most cases simple and prescriptive rules for the placement and size of signs across the various zones contained in the District plan.</p> <p>The District plan has been subject to variations and change reviews, which have resulted in new provisions for signs in certain zones. While most other zones retain the link to the provisions of the Transitional District plan, the Commercial B1 Zone has specific provisions for signs.</p> <p>The <i>Rotorua City Design Principles</i> guide forms Appendix AA of the District plan, and provides assessment criteria and principles for building design and signage in the CBD. The Design principles establish five key principles for signage, being:</p> <ul style="list-style-type: none"> ▪ Less is More, ▪ Identify the purpose of the sign, ▪ Complement building, ▪ Co-ordinate signage, ▪ Avoid gimmicks. 	
Other District councils	<p>A summary of the Taupo, Queenstown and Western Bay of Plenty Council provisions is provided in section 4 of the technical report. Most Councils use a combination of District plan rules and bylaws to control signage. The common objective and policy issues were all expressed around amenity, road function and efficiency, and health and safety.</p> <p>There was a range of approaches to signage in terms of the activity status of signs and the assessment criteria that applied. Queenstown Lakes District plan was the most stringent in the sense of attributing non-complying and prohibited activity classifications to some signs. The proposed Tauranga City Plan was the most liberal in that the most 'restrictive' activity classification was restricted discretionary.</p>	

3. EXISTING DISTRICT PLAN ADEQUACY (RAID ASSESSMENT)

The Transitional District plan contains the only specific policies relating to signs. While the operative District plan has a range of issues, objectives and polices relating to amenity, none make specific reference to signs. For this reason only the policies in the Transitional District plan are addressed below.

A RAID technique was applied (detail in table below) to the Transitional Plan provisions and provided below.

	Recommendation	What it Means
R	REMAIN	The wording and intent of the issue, objective or policy is still relevant and should be included in the next District plan, as it appears in the existing Plan
A	AMEND	The intent or purpose of the issue, objective or policy is still valid, but the wording requires amendment to align it with current best practice
I	INCLUDE	The issue, objective or policy does not currently exist in the District plan and needs to be incorporated
D	DELETE	The issue, objective or policy no longer has relevance and should not be reflected in the next District plan.

While there are no specific issues or objectives in the Transitional District plan about signs, there are five policies.

Table 3.1. Assessment of Policies relevant to signs in the Transitional District Plan

Policies	Plan Part	RAID Assess	Reason
To protect the amenity value of the environments in both urban and rural areas by exercising appropriate control over the placement, size, design and appearance of signs and hoardings and to limit signage in the District to essential needs (essential meaning the provision of necessary information to the public concerning both commercial and non-commercial land uses).	47A	Amend	Signs have moved on in construction and design since the policy was written, policies need to reflect those changes.
To ensure the safe movement of traffic within the District.	47A	Remain	The policy is appropriate.
To exclude temporary signs and exempted signs from the provisions of the Code of Ordinances.	47A	Delete	This policy refers to matters that are no longer in existence.
To require a sign to directly relate to the site on which it is located except for those directional signs which Council considers to be in the public interest.	47A	Amend	The policy is generally appropriate, with the exception of the reference to the opinion of Council which is not appropriate under the RMA.
To allow the erection of ladder type directional signs in locations where there is a large demand for new directional signs, which Council considers to be in the public interest. In locations where there are several existing directional signs Council may encourage their removal and replacement with ladder-type signs.	47A	Remain	Signs have moved on in construction and design since the policy was written, policies need to reflect those changes. However, ladder signs are still seen as effective advertising devices. The reference to the 'opinion of Council' is no longer appropriate under the RMA and needs to be removed from the policy.

While much of the general direction of these policies is still relevant, they would benefit from re-wording and updating to reflect current resource management practices and the variety of signs available.

4. ISSUE IDENTIFICATION

The following section identifies the main issues of relevance to signs. Consideration of the issues raised by the community and the review of the strengths and perceived weaknesses of the existing District plan was part of the project brief for the technical report prepared by Harrison Grierson, and is referred to frequently in this section.

The technical report assessed the 'Towards a New District plan Issues Paper', which consolidates all of the issues from the Fresh Ideas community engagement process. The issue of signage was specifically raised by six parties including the Chamber of Commerce and NZTA. A diverse range of opinions were tabled including concerns about the new bylaw, the need for more advisory and tourist signs and that a 'radical' improvement was required to address the "plethora of signs".

The technical report concluded the issues paper which provides a useful context for the review of signage. The major issues, including the outcomes of the fieldwork and evaluation conducted for the technical paper, are summarised in the following table.

Table 4.1. Issues raised during consultation and salient points from the technical report

ISSUES RAISED DURING CONSULTATION	TYPE/ORIGIN				SUMMARY NOTES FROM CONSULTATION
	Technical	Iwi	Community	Elected Members	
Scope of signs review	X		X		A significant review of signs is required.
The most appropriate signs policy framework for the Rotorua context.	X		X	X	Signs provisions can be effects based or activity based, but needs to recognise Rotorua as a tourist town where signage is fundamental to its operation and role. The operative Plan lacks specific objectives and policies for signs, which needs to be addressed.
City gateways	X		X		City gateways have been identified as areas of high profile for locals and visitors alike and have a high number of signs. Some members of the community consider they detract from the amenity of these areas.
Signage in the CBD	X		X	X	Signs in the CBD are currently managed by the design guide. There is some ambiguity around what requires consent and debate over the need for resource consent for all signs.
Managing signs on public and private land	X				Investigation is required on whether a different set of rules is required for the management of signs on Council reserves and other areas of public land, compared to other zones.

ISSUES RAISED DURING CONSULTATION	TYPE/ORIGIN				SUMMARY NOTES FROM CONSULTATION
	Technical	Iwi	Community	Elected Members	
Temporary, safety and directional signs	X				Need to decide whether the policy framework for these types of signs will follow the direction set by the Signs on Road Bylaw 2008, or whether it needs to be addressed by the District plan at all.
Site related signage	X				Council enforces a strong policy of signs having to be located on the site to which they refer.
Livery	X				Council needs to decide what level of control is needed on the corporate colour-schemes of buildings, and whether it falls within the definition of signage.
Illumination, flashing, animated signs and digital media	X				These forms of signs have a high potential of impacting amenity and safety, and need specific acknowledgement within the District plan, which they currently do not have.

5. STRATEGIES FOR RESPONSE – POLICY OPTIONS

The major issues described in Sections 3 (District plan analysis) and 4 (community consultation) were consolidated into the following topics, some containing multiple issues. The topics are summarised below, followed by a short discussion of salient points.

Table 5.1. Topics to be addressed

Action points	DP Evaluation (Section 3)	Consultation Theme (Section 4)
Scope of review for signage provisions <ul style="list-style-type: none"> ▪ <i>Do nothing or undertake an extensive review of signs provisions</i> 	X	X
The most appropriate policy framework for the Rotorua context <ul style="list-style-type: none"> ▪ <i>City gateways</i> ▪ <i>CBD signage</i> ▪ <i>Illuminated signs and digital</i> ▪ <i>Site related signage</i> ▪ <i>Management of signage on public and private land</i> ▪ <i>Livery</i> ▪ <i>Illuminated, flashing and digital media</i> 	X	X
Temporary, directional and safety signs <ul style="list-style-type: none"> ▪ <i>Applicability of the Signs on Road Bylaw to other zones</i> 	X	

5.1 Scope of review of the provision of signs

- *Significant review of signs provisions*

Response

The current District plan approach to signage needs to change. However, what needs to be decided by Elected Members is the scope of the review.

The technical report states in section 6.3 that the link-back to the Transitional District plan is not satisfactory from a Plan integrity or administrative perspective. Although the rules for signage may provide a 'workable' set of standards, the general rules are not well integrated with the provisions of the District plan. There are also rules that are susceptible to legal challenge.

The technical report identifies five "broad strategic options" for the review of signs:

1. Do nothing
2. District plan review (update only)
3. Comprehensive District plan review
4. Broad level policy review
5. Broad level policy review and Council led programme on signs

The technical report states the 'do nothing' option was only presented to complete the evaluation and does not have any substantive merit and is not discussed further in this report. Change is needed.

Options 2 and 3 are specific to only reviewing the District plan. Options 4 and 5 broaden the terms of reference to a full review of Council corporate policy including possible expenditure under the Ten Year Planning process. Realistically, the fourth and fifth options are outside the scope of the workshop and most likely not a corporate priority in the 2010 financial year. Options 2 through to 5 are discussed further below.

Option 2 - District plan review (update only)

The technical report states that the existing rule framework (including the signage sections of the Transitional District plan) could technically be adopted as a basic rule set for the proposed District plan, with objectives and policies developed as part of the wider review process. This approach has the following advantages and disadvantages:

Option 2: District plan Review (Update Only)	
Advantages	Disadvantages
Costs for undertaking Plan review would be relatively minor.	The review would not capture the broader issues associated with signage.
Previous review and assessment work could be used as a base for new rules.	Rules may be developed which do not reflect best practice and may not achieve appropriate environmental outcomes.
Plan review process likely to be completed without any major community reaction or issues.	Existing issues associated with monitoring and compliance are likely to continue.
	Existing signage issues associated with urban gateways not resolved.

Option 3 - Comprehensive District plan review

The technical report considers a comprehensive District plan review would:

- update the existing rules of the District plan,
- consider additional performance standards for such matters as luminance and animation,
- provide more detailed analysis of the District plan rules with design guides and undertake a more robust assessment of alternatives based on greater community input and engagement.

Advantages and disadvantages of this approach are identified in the following table:

Option 3: District plan Review (Comprehensive)	
Advantages	Disadvantages
A more robust and integrated set of District plan provisions can be anticipated.	Additional time and cost would be required to undertake a comprehensive review.
Greater integration would be achieved with respect to other projects (CBD revitalisation project and the Lakefront revitalisation project).	Broader level issues would not be fully considered and therefore the effectiveness of any new District plan provisions would be limited to some extent.
Appropriate boundaries can be identified in terms of District plan signage rules and other mechanisms, ie existing bylaw and reserves.	Existing signage issues associated with urban gateways not resolved.

Option 4 - Broad level policy review

A broad level policy approach would review all relevant aspects of signage including the role and responsibility of other statutory agencies, the different type of mechanisms available for Council to control signage, the opportunity to extend the provisions of the existing signs on road bylaw, the development of signage as part of the CBD redevelopment process and a review of monitoring and enforcement policies associated with signage.

This broad policy review would provide for a comprehensive assessment of signage provisions, which in part would feed into the District plan review process and ensure any new provisions are fully integrated with broader level sign policies and regulatory mechanisms. The advantages and disadvantages of this approach are identified in the following table:

Option 4: Broad Level Policy Review (including Comprehensive District plan Review)	
Advantages	Disadvantages
Would provide the optimal approach to managing signs through District plan provisions and other mechanisms.	Would extend the scope of the review considerably.
Would avoid District plan provisions being adopted which are not supported by appropriate resourcing or compliance guidelines.	The signs bylaw was only adopted in 2008 and therefore some of the review would revisit provisions which have only recently been implemented.
Would clearly establish jurisdiction boundaries between District plan rules and other statutory mechanisms and agencies.	The greater cost of a broad level review would need to be funded.
The increase of signs along Rotorua's urban gateways could be improved over the medium to longer term.	Existing signage issues associated with urban gateways not resolved.
	Difficulty meeting notification timeframes with this level of review.

As well as cost, time delays are the main disadvantages to this option going forward.

Option 5 - Broad level policy review and Council led programme on signs

This option has been proposed in reaction to a level of community concern regarding signage along city gateway corridors and an assumption this may become more prevalent with international flights bringing tourists direct to Rotorua. As well as a broad policy review, the technical report proposes the Council invest significant time, energy and funding to secure community 'buy in' and to facilitate a change process. The technical report considers the District plan review process is unlikely to provide any direct resolution of existing signage issues even if more comprehensive and robust signage rules are developed.

To facilitate a change process, Council would need to 'sell' the need to change the character of the Rotorua's city gateways. Funding would be needed to promote community understanding and support for a reduction in signage. Council would need to consider proactive and non-regulatory mechanisms which could include grants/rates relief for those business owners who are prepared to modify and reduce the visual clutter and their sites. This would represent a major policy decision for Council and would need to be considered carefully. This level of review is not provided for in the ten year plan, nor would it fit into the timeframe for notification of the District plan.

Advantages and disadvantages of this approach are summarised in the following table:

Option 5: Broad Level Policy Review and Council Led Programme on Signs	
Advantages	Disadvantages
Would provide the optimal approach to managing signs through District plan provisions and other statutory mechanisms.	Cost. Besides funding to undertake policy review, additional funds would be required to provide for non-regulatory mechanisms i.e grants, rate relief.
Offers real opportunities to address existing signage issues along city gateways.	Would represent a major policy initiative for Council, possible adverse reaction from community who do not see signs as a Council or community priority.
Opportunity to provide for community engagement and support for a change to signage policy.	Adverse reaction from business and retail sector.
The growing proliferation of signs and deteriorating visual character of Rotorua's city gateways may be arrested and improved over the medium to longer term.	

The technical report favours options 3 and 4 as an effective way forward.

5.2 The most appropriate policy framework for the Rotorua context

- *Effects based versus activity-based rules*
- *Specific objectives for signs*
- *Specific policies for sensitive areas including City Gateways*
- *An appropriate permitted baseline for high frequency signage areas like the CBD*
- *Livery*
- *Illumination, flashing, animated signs and digital media*
- *Management of signs on private and public land*

Response

The technical report identifies the following key matters where policy direction is required to set the platform for an effective policy-rule framework:

- Effects based versus activity-based rules
- Specific objectives for signs
- Specific policies for sensitive areas including the CBD and City Gateways
- An appropriate permitted baseline for high frequency signage areas like the CBD
- Livery
- Illumination, flashing, animated signs and digital media
- Management of signs on private and public land

They are each briefly discussed below.

Effects based versus activity-based rules

In preparing new Plan provisions, Council would need to decide upfront whether an effects based or prescriptive model of Plan provisions would be adopted. One of the advantages that prescriptive Plans provide is certainty and a tried and tested approach to Planning administration. As such, many Council's have maintained prescriptive based District plans. The advantages and disadvantages of effects based rules and prescriptive based rules in relation to signage are outlined in the following tables:

Effects Based Rules for Signs	
Advantages	Disadvantages
May be perceived as more aligned to the statutory direction of the RMA.	Lack of certainty with respect to what is permitted and the likely outcome of any resource consent process.
May provide for more innovative and qualitative assessment of applications.	Generally more expensive to administer
	Requires more elaborate District plan effectiveness monitoring to ensure that anticipated environmental outcomes are achieved.
	Would require a new approach and full rewriting of signage provisions.

Prescriptive or Activity Based Rules for Signage	
Advantages	Disadvantages
Provides certainty for community and Council administration	May be criticised for being overly prescriptive.
Extensive resources available to establish 'base' rules including existing sign rules, previous review projects and other local authority District plan provisions.	May not support innovative approaches to signage.
Generally less cost involved with the administration and consenting process.	

The existing provisions of the Transitional District plan provide basic size rules for signs within each zone. From the field work and consultation carried out for the technical report, it is considered the basic nature of

these rules work well in some residential and rural areas, but do not provide for adequate control of signage in other zones.

Any size criteria for signs has to be considered in terms of the definition of signage, what types of advertising media are included and whether Council would be prepared to consider branding colours (livery) as part of the maximum size rule.

There are a number of different mechanisms a District plan can adopt regarding signage rules. A common method is prescriptive rules which provide for a large majority of signs as a permitted activity subject to performance standards. The technical report recommends this approach for Rotorua.

Specific objectives for signs

The technical report considers there are four primary environmental issues which arise in association with signage:

- adverse effects in terms of amenity, and visual character,
- cultural and heritage values,
- traffic safety, and
- potential effects on health and safety.

With respect to the first issue, signage can detract (or add value in certain cases) to the amenity and character of areas and the environment in which people live, work and play. There are obviously large and diverse differences between environments and this would be reflected in the rules that apply to each of the respective zones. However, there is a widely accepted principle that signage should not detract from the amenity values associated with the environment in which it is located.

The second issue relates to sites or buildings which have cultural and heritage values and are therefore more sensitive with respect to the type and scale of any signage. It is anticipated that other District plan mechanisms would identify specific sites or buildings and that additional assessment criteria can be developed for signage in conjunction with the identified sites.

The third and fourth issue is generally associated with traffic safety. Although signs are designed to attract attention and inform people, signs can potentially distract road users or be located in such a manner as to obscure sight lines or disrupt traffic or pedestrian flows.

The technical report recommends the following broad based objective to address the above issues:

To provide for a range of signage to meet the community's needs whilst ensuring that signs do not individually or cumulatively have adverse effects on:

- *The character and amenity of the locality in which the sign/s are proposed or established,*
- *Cultural, landscape and heritage values,*
- *The safe and efficient functioning of the road network, and*
- *The health and safety of road users and pedestrians.*

Specific policies for sensitive areas including City Gateways

There is a perception that the proliferation of signage along the city gateways is a problem. Council will need to decide on its level of commitment to addressing this issue and would have to consider both regulatory and non-regulatory mechanisms if a material change in the character of the existing gateways is to be achieved.

A policy was not proposed by the technical report for this aspect, as it was considered a matter to be formulated once Council had decided at what level it would like to address existing signage issues. Consideration would need to be given to whether the entire arterial roading network would be managed, or whether management would be limited to key entrances only. There is also a significant role to play by the Signs on Roads Bylaw 2008 in managing this aspect.

A policy direction on setting an appropriate permitted baseline for high frequency areas like the CBD

One of the criticisms of the Operative Rotorua District plan is the need for all signs in the Commercial A and B zones of the CBD to obtain a resource consent. These applications are currently processed as a Controlled Activity. Although some criticism may be understandable from a property right perspective, the broader objective of maintaining a high level of urban design and amenity within the CBD may justify the need for a resource consent process. However, any resource consent process should be supported by performance standards that enable a number of signage types as permitted, clear guidelines, Council

assistance through the consenting process and proactive measures to gain the support of the retail community.

A policy direction on livery

'Livery' is a term used to describe the branding colours and promotional material which may be used by retail and commercial entities to establish brand identity and recognition. Common examples are the Warehouse 'red' and Mitre 10 Mega 'orange'.

Most local Councils have not adopted rules to limit the amount of livery and there will be considerable resistance from the business sector to restrictions on livery. However, Queenstown Lakes District Council is an exception. There are also provisions in the Rotorua Commercial B1 Zone to manage livery. The technical report concludes Council will need to establish clear environmental benefits or special circumstances that would warrant such controls, and promote these to the community and to the business sector if they are to be successful.

A policy direction on illumination, flashing, animated signs and digital media

The current provisions for signs do not provide specific standards for illuminated or animated signs, however lighting standards (maximum lux) are specified for zone based activities.

It is considered that provisions for luminance and restrictions on animated signs should be established as part of the Permitted Activity criteria. In recent times with technological advancement in digital technology and visual media, some advertising is now undertaken with LCD screens. This creates situations where video and moving images may appear on billboards, vehicles as well as on shop frontages and buildings. It is recommended by the technical report that any use of digital media and LCD screens is excluded from the Permitted Activity provisions and will need specific assessment criteria.

Site related signage

Council maintains a strong regulatory focus on the Transitional District plan requirement for signs to be located on the sites to which they refer. This includes trailer signs. There is a community element that would like to see this approach softened. However, it is one of the most effective means of limiting the impact of signs in residential and rural areas, including along major roads.

A policy direction on the management of signs on private and public land

Some Councils administer activities and signage on their own reserves in accordance with the provisions of the Reserves Act and reserve management Plans. This process is administered independently of the RMA process. From the field assessment undertaken for the technical report it was concluded that most of Council's reserve signage is low impact and appropriate for the environment and context. Reserves signage observed related to park names, tourist information and official information.

Where problems may arise however is in those reserves where commercial and tourist related activities have been established, and this raises potential issues in terms of noise, traffic and amenity values in addition to any issues associated directly with signage. Depending on the location and surrounding zones/property owners, such activities may be entirely appropriate and add to the vitality and role of Rotorua as a tourist destination. In other cases, these activities may not be appropriate and therefore a consenting process should be undertaken to enable all effects to be assessed. Given the nature of activities which may be established on reserves within the District, signage rules for reserves should be developed as part of the review process.

5.3 Temporary, Safety and Directional Signs

- Applicability of the Signs on Road Bylaw 2008 to other zones

Response

The Signs on Road Bylaw 2008 controls directional, safety and temporary signs in the road zone, with temporary signs including real estate signs and free-standing sandwich-board signs. The bylaw was the subject of an extensive consultation exercise and has generally been well received since being made operative. Consistency of approach is important and rules relating to real estate signs in particular should not deviate significantly for other zones compared to what is in place for the road zone.

6 RECOMMENDATIONS

The following are recommendation and options that will provide the basis for discussion, and subsequent direction from Members. The recommendations draw together information presented in the paper and propose a way forward for the District plan.

In some instances there may only be one option, but most will have a number of options. Members may wish some of the options to be reported on in more detail, and this will be done once initial reaction and direction has been gauged.

6.1 Scope of signs review

- *Extensive review of signs provisions*

Options

- Do nothing (option 1 from the technical report)
- Limit the review to an 'update' only, bringing the provisions of the Transitional District plan into the proposed Plan (option 2 of the technical report)
- Comprehensive Plan review (option 3 of the technical report).
- Broad level policy review that considers the District plan and the complete range of corporate mechanisms available to Council (option 4 of the technical report).
- Broad level policy review and Council led programme and expenditure on signs.

6.2 The most appropriate policy framework for the Rotorua context

- *Effects based versus activity based sign rules.*
- *Specific objectives for signs*
- *Specific policies for gateways*
- *Permitted baseline approach for the CBD*
- *Livery*
- *Illuminated signs*
- *Site related signage*
- *Temporary, directional and safety signs*

Effects based versus activity based sign rules.

Options

- Retain current situation, with the majority of rules to remain in the Transitional District plan.
- Use activity based sign rules in the proposed Plan, with rules in activity tables, a permitted baseline, performance standards and assessment criteria for resource consent situations.
- Use effects based sign rules in the proposed Plan, similar to the approach in the Lakes A zone (Part 20 of the District plan).

Specific objectives for signs

Options

- Retain current situation, where there are no specific objectives
- Support the objective proposed in the technical report which states:
"To provide for a range of signage to meet the communities needs whilst ensuring that signs do not individually or cumulatively have adverse effects on, the character and amenity of the locality in which the sign/s are proposed or established, cultural, landscape and heritage values, the safe and efficient functioning of the road network, and the health and safety of road users and pedestrians."
- Require Planning staff to further assess the objectives relating to signage to investigate whether zone-specific refinements are necessary.

Specific policies for city gateways

Options

- Retain current situation, do not provide a policy framework addressing signs along city gateways.
- Provide a policy framework for signs not meeting an agreed permitted baseline
- Provide a policy and rule framework for all signs along city gateways, excluding signs on roads.
- Provide a policy framework for signs along city gateways, provided the physical extent of the gateway areas are clearly defined and agreed.

Permitted baseline for signs in the CBD

Options

- A. Retain current situation, controlled activity consent required for erecting signs in the CBD.
- B. Require all signs in the CBD to gain a discretionary/ restricted discretionary resource consent.
- C. Do not place any criteria in the Plan to manage the visual appearance of signs in the CBD
- D. Provide for signs in the CBD as permitted activities subject to performance standards.
- E. Require non-compliance with performance standards to require discretionary/ restricted discretionary resource consent.

Livery

Options

- A. Retain current situation, no rules around corporate livery with the exception of Commercial B1.
- B. Require livery in the CBD to be considered the same way as other signs and require assessment in accordance with Appendix AA.
- C. Provide for corporate livery throughout the remainder of the district.
- D. Allow the use of corporate livery, but control their use in visually sensitive areas and city gateways.

Illuminated, animated, and flashing signs

Options

- A. Retain current situation, no specific rules and limited reference in the CBD Design Guide
- B. Provide for a certain level of illuminated, animated and flashing signs as a permitted activity
- C. Provide for a certain level of illuminated, animated and flashing signs as a permitted activity in certain parts of the CBD, with more restrictive provisions in other parts of the CBD and District.

Site related signage

Options

- A. Retain current policy – signs must be related to the activity on the site to which they relate.
- B. Provide for non-site related signage as a permitted activity in certain circumstances
- C. Provide for non-site related signage as a permitted activity in certain parts of the District, with more restrictive provisions in others.

Managing signs on reserves

Options

- A. Retain current situation
- B. Develop a signs policy framework that includes all signs on reserves.
- C. Exclude all signs on reserves from a District plan policy framework.
- D. Exclude signs associated with the purpose of the reserve from a District plan policy framework, but include signs for commercial activities visible from public places and residential activities adjoining reserves.

6.3 Temporary, Safety and directional signs

- *Applicability of the Signs on Roads Bylaw to other zones*

Options

- A. Retain current situation, no specific references
- B. Include policies and standards that are consistent with those in the Signs on Roads Bylaw, particularly for temporary event signage and real estate signs.

7. POLICY DISCUSSION

This section of the paper records the Members feedback from Workshop 25 on 4 March 2010, and includes discussion points from the workshop.

7.1 Scope of Signs review

- *Policy direction required on nature and scope of signs review*

Recommended policy direction:

Option C

C. Comprehensive Plan review (option 3 of the technical report).

Key questions/discussion points:

- 7.1.1 Option 4 and 5 require direction from Elected Members, as additional funding would be required through the ten year plan process.
- 7.1.2 Cost and time implications for the District plan review were discussed. The 'Option C' approach is within the timeframe and budget currently allocated to the District plan review. Any variation to this will extend the timeframes and is currently not budgeted for.
- 7.1.3 Still options open for future work on signs as described in Options 4 and 5, but these are outside the scope of this plan review and the current resource allocations in the three year financial planning cycle.

7.2 The most appropriate policy framework for the Rotorua context

- *Effects based versus activity-based rules*
- *Specific objectives for signs*
- *Specific policies for sensitive areas including City Gateways*
- *An appropriate permitted baseline for high frequency signage areas like the CBD*
- *Livery*
- *Illumination, flashing, animated signs and digital media*
- *Management of signs on private and public land*

7.2.1 Effects based vs. activity based signage rules

Issue:

- *The type of rules needed to give effect to the Objectives and Policies is important for a tourism focused town like Rotorua.*

Recommended policy direction:

New Option D with additional guidance around providing for the maintenance of signs

- D. Use activity based sign rules in the proposed Plan, with rules in activity tables, a permitted baseline, performance standards and assessment criteria for resource consent situations covering establishment, operation and maintenance of signs.**

Key questions/discussion points:

- 7.2.1.1 The two approaches, prescriptive provisions as opposed to effects based provisions, were explained. It was agreed that to keep provisions and advice over the counter simple, an activity based approach is more appropriate.
- 7.2.1.2 There was a desire to provide certainty with a middle path between no rules and too much regulation.
- 7.2.1.3 Maintenance was seen as the worst aspect for many signs, particularly along city gateways. When granting resource consents to signs, maintenance should be a criteria that is considered and provided as a condition of consent.

7.2.2 Specific objectives for signs

Issue:

- *Setting the policy platform for management and regulation of signs.*

Recommended policy direction:

Combined Options B and C

- B. Support the objective proposed in the technical report which states:**
“To provide for a range of signage to meet the community’s needs whilst ensuring that signs do not individually or cumulatively have adverse effects on the character and amenity of the locality in which the sign/s are proposed or established, cultural, landscape and heritage values, the safe and efficient functioning of the road network, and the health and safety of road users and pedestrians.”
- C. Require Planning staff to further assess the objectives relating to signage to investigate whether zone-specific refinements are necessary.**

Key questions/discussion points:

- 7.2.2.1 Objectives will need to be developed for each zone.
- 7.2.2.2 Elected Members supported an approach that provided clear rules and consistent decision making on consents for signs. There was a desire to remove subjective decision making as much as possible.
- 7.2.2.3 There were concerns around some of the subjectivity in the proposed objective around cumulative effects and cultural, landscape and heritage values. As proposed, the objective does not eliminate the need for staff to exercise their subjective judgment.
- 7.2.2.4 The objective was also seen as overly complicated and requiring simplification.
- 7.2.2.5 There was discussion around providing a list of adverse effects, so there is a standard appreciation and implementation of what is expected. Assessment criteria could be used to fulfill this role and is a follow-up action for staff.

7.2.3 Specific policies for city gateways

Issue:

- *Managing signs for sensitive areas including city gateways*

Recommended policy direction:

Option D

- D. Provide a policy framework for signs along city gateways, provided the physical extent of the gateway areas are clearly defined and agreed.**

Key questions/discussion points:

- 7.2.3.1 The physical extents of gateways were discussed in terms of a possible rule framework.
- 7.2.3.2 Staff and Elected Members are to consider further where appropriate start and end points for the management of signs on city gateways should be.
- 7.2.3.3 The gateways would be identified in the District plan maps if that was the policy direction from Elected Members, and maintenance requirements may also be part of the policy as assessment criteria.
- 7.2.3.4 It was noted the glossary of terms in the technical report does not mention gateways or entranceways. Elected Members indicated that these definitely require consideration in terms of physical extent.
- 7.2.3.5 Planning staff are still working through specific extents, but considered it to be all State Highways, Lake Road and Fenton Street (from Hemo Gorge down to the Amohau St intersection).
- 7.2.3.6 The subjective nature of signs was again discussed, with Fairy Springs Road looked on as vibrant by some, with the exception of the signage on Koutu corner.
- 7.2.3.7 NZ River Jets signage was highlighted as being effective.
- 7.2.3.8 Elected Members asked how to incorporate professionalism into signage.
- 7.2.3.9 It is recognised that the ability to use signage is a reasonable expectation of business owners and that Council has to let it occur, but that there needs to be some minimum standards set.
- 7.2.3.10 This is about getting balance between advertising a business activity and promoting vibrancy and amenity.
- 7.2.3.10.1 It was noted that some of the entranceways do not have good amenity, but these are the areas that you see first before you get into the commercial and major signage areas. Most areas are clean, tidy and tasteful.

7.2.4 Permitted baseline for signs in the CBD

Issue:

- *Direction on setting an appropriate permitted baseline for high frequency areas like the CBD*

Recommended policy direction:

Options D and E

- D. Provide for signs in the CBD as permitted activities subject to performance standards.**
- E. Require non-compliance with performance standards to require discretionary/ restricted discretionary resource consent.**

Key questions/discussion points:

- 7.2.4.1 There was general agreement on this approach.
- 7.2.4.2 The current approach, where all signs require resource consent in the CBD was explained and discussed at length.
- 7.2.4.3 Further investigation to explore the establishment of a permitted baseline, with resource consent required for those signs that go beyond that threshold.
- 7.2.4.4 Also, discussion on the linkages between signage, the urban design framework study, and the CBD design guide is required. There was agreement that all needed to link together.

7.2.5 Livery

Issue:

- *Direction on managing corporate livery*

Recommended policy direction:

Option D

- D. Allow the use of corporate livery, but control their use in visually sensitive areas and city gateways.**

Key questions/discussion points:

- 6.2.5.1 Clarification was sought on whether the management of 'livery' is related solely to larger 'corporate' entities or across the board. Staff advised that it was prepared with the larger corporates in mind, and questions were asked whether this extended to the navy blue colours of the Anchor Milk dairies. It was concluded at the end of the discussion that it did.
- 6.2.5.2 Whether livery is part of the review of the design guide was also discussed.
- 6.2.5.3 It was recognised that any response needs to be robust.
- 6.2.5.4 Livery should be covered in the performance standards, in particular to avoid buildings with 'bad taste' colours.

7.2.6 Illuminated, animated and flashing signs

Issue:

- *Direction on Illuminated, flashing, and animated signs and digital media.*

Recommended policy direction:

Option C

- C. Provide for a certain level of illuminated, animated and flashing signs as a permitted activity in certain parts of the CBD, with more restrictive provisions in other parts of the CBD and District.**

Key questions/discussion points:

- 7.2.6.1 Consideration given to managing the size of illuminated signs, and the use of new media types.
- 7.2.6.2 The digital sign on Tauranga City's Cameron Road was discussed and divided opinion.
- 7.2.6.3 Discussion also on whether it concerned the energy source as well as the sign.
- 7.2.6.4 Accepted that these types of signs are currently not a major feature of the district, but consideration needed to be given to the future look of the CBD in particular.

7.2.7 Site related signs

Issue:

- *Restricting signs to the sites to which they relate*

Recommended policy direction:

Option A

- A. Retain current policy – signs must be related to the activity on the site to which they relate.**

Key questions/discussion points:

- 7.2.7.1 Circumstances where exceptions may be acceptable, for example temporary signs were discussed to advertise short term activities and events.
- 7.2.7.2 It was felt that ‘temporary’ needed to be defined.
- 7.2.7.3 Big events at the stadium will require off site signage and possibly the use of flags, particularly leading up to and during the World Cup approaching in 2011.
- 7.2.7.4 Staff undertook to review what other Councils have in terms of provisions for temporary signs.
- 7.2.7.5 It was noted that there was some overlap with the Signs on Roads Bylaw (discussed further in Recommendation 7.3) and care needs to be taken in formulating rules in terms of duplication.

7.2.8 Managing signs on reserves

Issue:

- *Policy for managing signs on private and public land*

Recommended policy direction:

Option D

- D. Exclude signs associated with the purpose of the reserve from a District plan policy framework, but include signs for commercial activities visible from public places and residential activities adjoining reserves.**

Key questions/discussion points:

- 7.2.8.1 The approach was generally agreed with little discussion. Elected Members requested the wording of the policy be simplified.
- 7.2.8.2 Staff explained that reserves can adjoin residential areas and can have an affect on residential amenity.
- 7.2.8.3 However, not all signs on reserves required management. Signs for the identification of reserves and all signs not visible from public places do not require management.
- 7.2.8.4 The focus of management was around permanent signs for commercial activities on reserves that are outward facing and visible from public places and residential zones.

7.3 Temporary, safety and directional signs

Issue:

- *Applicability of the Signs on Roads Bylaw to other zones*

Recommended policy direction:

Option B

- B. Include policies and standards that are consistent with those in the Signs on Roads Bylaw, particularly for temporary event signage and real estate signs**

Key questions/discussion points:

- 7.3.1 Questions were asked about the role of the District plan in managing the size and location of election signage. Staff confirmed this was controlled under the Local Government Act for local government elections and by the Electoral Act for central government elections.
- 7.3.2 Elected Members wished to ensure that whoever puts a sign on a person's property has the written permission of the owner.
- 7.3.3 As with the discussion around site-based signs, care was needed to ensure consistency with the Signs on Roads Bylaw to avoid duplication.

8 POLICY DIRECTION

The policy directions provided by Members at the workshop at which policy options were discussed are summarised below, and will provide the platform for development of the issues, objectives and policies in relation to the residential zones in the District plan.

ISSUE	POLICY DIRECTION
Scope of signs review	1. Comprehensive Plan review (option 3 of the technical report).
Effects based vs. activity based sign rules	2. Use activity based sign rules in the proposed Plan, with rules in activity tables, a permitted baseline, performance standards and assessment criteria for resource consent situations covering establishment, operation and maintenance of signs.
Specific objectives for signs	<p>3. Support the objective proposed in the technical report which states: <i>“To provide for a range of signage to meet the communities needs whilst ensuring that signs do not individually or cumulatively have adverse effects on, the character and amenity of the locality in which the sign/s are proposed or established, cultural, landscape and heritage values, the safe and efficient functioning of the road network, and the health and safety of road users and pedestrians.”</i></p> <p>4. Require Planning staff to further assess the objectives relating to signage to investigate whether zone-specific refinements are necessary.</p>
Specific polices for city gateways	5. Provide a policy framework for signs along city gateways, provided the physical extent of the gateway areas are clearly defined and agreed.
Permitted baseline for signs in the CBD	<p>6. Provide for signs in the CBD as permitted activities subject to performance standards.</p> <p>7. Require non-compliance with performance standards to require discretionary/ restricted discretionary resource consent.</p>
Livery	8. Allow the use of corporate livery, but control their use in visually sensitive areas and city gateways.
Illuminated, animated and flashing signs	9. Provide for a certain level of illuminated, animated and flashing signs as a permitted activity in certain parts of the CBD, with more restrictive provisions in other parts of the CBD and District.
Site related signs	10. Retain current policy – signs must be related to the activity on the site to which they relate.
Managing signs on reserves	11. Exclude signs associated with the purpose of the reserve from a District plan policy framework, but include signs for commercial activities visible from public places and residential activities adjoining reserves.
Temporary, safety and directional signs	12. Include policies and standards that are consistent with those in the Signs on Roads Bylaw, particularly for temporary event signage and real estate signs