

Memorandum

To: All Plan Holders

From: Policy and Monitoring Manager

Subject: **Correction of number references of alternative signs in the Business 2 and Business 3 Environments**

Date: April 2014

Ref: TRIM 14/29613 PC41

1. The proposed Whangarei District Plan was notified in 1998 and included specific sign requirements in every Environment.
2. The Oil Companies and Commercial Centres Southdale made submissions requesting alternative sign provisions for filling stations. The Hearing Committee made the following finding and recommended that an alternative could be added as an appendix.

*The submission by **Caltex oil (256/6)** and supported by **Commercial Centres (Southdale) Ltd (x1283/3)** and also the submission of **Shell New Zealand Ltd (451/22)** and **Mobil Oil NZ Ltd (945/4)** draw attention to the fact that service stations need more signs than are presently provided for as a permitted activity. The argument is that if the activity represented by a service station is allowed in an Environment it is not logical to impose performance standards that will hinder or prevent that activity from operating. Signs are subordinate to the main activity of a service station. The only reason for signs is because the service station exists. Some but not all of the signs at a service station will be aimed at directing the flow of traffic on site e.g. to the car wash. The relief sought by the submitters is reasonable given the need for service stations to identify themselves to motorists in time for them to slow down and enter the station and to provide information on the site itself. The submission includes an attachment from the North Shore District Plan that contains Rule 13.4.1.5 (Attachment A) relating to service station signs in that Plan. This rule would satisfy the submissions of all the oil companies. The North Shore rules provide for a primary identifier sign, pricing and promotional signs, facade signs and traffic direction signs and five maximum dimensions for the different types of signs. The rules provide for what the public has come to expect are the contemporary standards for service stations. The recommendation is that Rule 13.4.1.5 from the North Shore District Plan is inserted in Chapter 39 as Rule 39.9(j). To that extent the submissions should be accepted in part.*

3. The relevant sign provisions were included in Rule 30.9 (Business 2) and 31.8 (Business 3) of the Proposed District Plan as amended by Council decisions and highlighted in the attachment (1.1, 1.2, and 1.3) (note the alphabetical numbering).
4. That decision was appealed by the National Trading Company, Caltex NZ and DOC as a s274 party. A Court consent order was issued on 5 February 2005 with amendments to the numbering and to the content of Appendix 12 (Attachment 2).
5. Due to various other changes i.e. illumination provisions and visibility from public spaces as well as standardisation within Environments, Council adopted Variation 41 (Attachment 3, 3.1 and 3.2).

This variation however, neglected to adjust the numbering applicable to the alternative sign provisions.

6. The sign provisions are illustrated in Rule 40.3.6 in the Business 2 Environment of the Operative District Plan.

Provision xi. refers to the alternative provisions applicable to sub clauses iv. – ix. where this should have referred to v. – x. to coincide with those matters provided for in Appendix 12 and consented by the Court (highlighted in Attachment 4.1).

The sign provisions are illustrated in Rule 41.3.7 in the Business 3 Environment of the Operative District Plan.

Provision xiii. refers to the alternative provisions applicable to sub-clauses v. to x. where this should have referred to vi. – xii. to coincide with those matters provided for in Appendix 12 and consented by the Court (highlighted in Attachment 4.2).

7. Council has the capacity to correct minor errors and "*make an amendment, without further formality, to its operative policy statement or plan*" in terms of Clause 20A of the First Schedule to the Resource Management Act 1991.

The correction of minor error has to be considered according to guidelines developed through case law.

Case law states that the test in determining whether a correction is minor is "*does the amendment affect (prejudicially or beneficially) the rights of some members of the public, or is it neutral?*" Only if it is neutral a correction is permitted by Clause 20A.

The effect of this interpretation of Clause 20A is that amendments such as spelling, grammar, numbering and layout may be altered without formality or the need for decision by the Council.

If there is a need to change wording which may appear to be clearly incorrect, but the effect of the amendment could provide a benefit or a penalty to any person, the change is outside the scope of Clause 20A.

The decision to correct minor errors was delegated in terms of Section 34 of the Resource Management Act 1991 to inter alia the Group Manager District Living.

This matter is considered to be a numbering correction.

8. It is recommended that Rule 40.3.6 xi. Signs in the Business 2 Environment be amended to read:

xi. As an alternative to v. to x. above, signs complying with the standards set out in Appendix 12 are permitted activities; and

It is recommended that Rule 41.3.7 xiii. Signs in the Business 3 Environment be amended to read:

xiii. As an alternative to vi. to xii. above, signs complying with the standards set out in Appendix 12 are permitted activities; and



Paul Waanders
Policy and Monitoring Manager

Recommendation accepted / ~~accepted as amended~~ / ~~rejected~~



P M Dell
Group Manager District Living

Date: 28/4/2014

30 BUSINESS 2 ENVIRONMENT RULES

30.9 Signs	
<p>The construction or placement of a sign visible from a public place is a permitted activity if:</p> <ul style="list-style-type: none"> a) The sign relates to goods or services available on site or is a property name sign; and b) No more than 5 signs are displayed per site; and c) The sign is not flashing or moving; and d) Illuminated signs comply with the Artificial Lighting Rule; and e) A free standing sign is no higher than 3.5m; and f) The total area of all signs is no greater than 3.0m² on sites with frontage less than 25.0m; or g) On sites with frontage greater than 25.0m, the total area of all signs shall be 0.12m² per metre of frontage to maximum area of 6.0m²; or h) As an alternative to b) to g) above, signs complying with the standards set out in Appendix 12 are permitted activities provided that the site on which the sign is situated is not adjacent to a site in a Countryside, Coastal Countryside, Living or Open Space Environment; and i) The sign does not obscure any official signs or traffic signals; and j) Where the road has a speed limit of 70kph or greater, the sign is located so as to provide an unrestricted view to the motorist for a minimum distance of 250.0m. k) Where establishments on rear sites share an access way, a sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way. l) The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve. m) The sign is required under health and safety legislation. n) Signs not visible beyond the site on which they are located are a permitted activity. <p>Note: other categories of signs including temporary signs can also be approved under the council's bylaws.</p>	<p>The construction or placement of a sign that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> i. the visual amenity of the locality ii. effects on traffic safety iii. the additional matters listed in Section 2.3.3.

31 BUSINESS 3 ENVIRONMENT RULES

31.8 Signs

The construction or placement of a sign visible from a public place is a **permitted** activity if:

- a) The sign relates to goods or services available on site or is a property name sign; and
- b) No more than 3 signs are displayed per site; and
- c) The sign is not flashing or moving; and
- d) Illuminated signs comply with the Artificial Lighting Rule; and
- e) A free standing sign is no higher than 8.5m; and
- f) The total area of all signs is no greater than 2.5m² on sites with frontage less than 25.0m; or
- g) On sites with frontage greater than 25.0m, the total area of all signs shall be 0.1m² per metre of frontage to a maximum of 6.0m²; or
- h) As an alternative to b) to g) above, signs complying with the standards set out in Appendix 12 are permitted activities provided that the site on which the sign is situated is not adjacent to a site in a Countryside, Coastal Countryside, Living or Open Space Environment; and
- i) The sign does not obscure any official signs or traffic signals; and
- j) Where the road has a speed limit of 70 kph or greater, the sign is located so as to provide an unrestricted view to the motorist for a minimum distance of 250.0m.
- k) Where a number of establishments on rear sites share an access way, a sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way.
- l) The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve.
- m) The sign(s) is ancillary on site signage, such as menu boards, traffic direction signs, height restriction signs, parking signs, drive through signs.
- n) The sign is required under health and safety legislation.
- o) Signs not visible beyond the site on which they are located are a permitted activity.

Note: other categories of signs including temporary signs can also be approved under the council's bylaws.

Construction or placement of a sign that does not comply with a condition for a permitted activity is a **restricted discretionary** activity.

Discretion is restricted to:

- i. the visual amenity of the locality
- ii. traffic safety
- iii. those additional matters listed in Section 2.3.3.

APPENDIX 12 - SIGNS IN THE BUSINESS 2 AND 3 ENVIRONMENTS

A12.1 Introduction

This Appendix contains details of signs that are a permitted activity on any site in the Business 2 and 3 Environments. The signs permitted by the performance standards in this Appendix are an alternative to those signs permitted in the Business 2 and 3 Environments. These alternative signs rules recognise that certain activities such as service stations, supermarkets and fast food outlets have specific requirements.

A12.2 Alternative Signs Rules

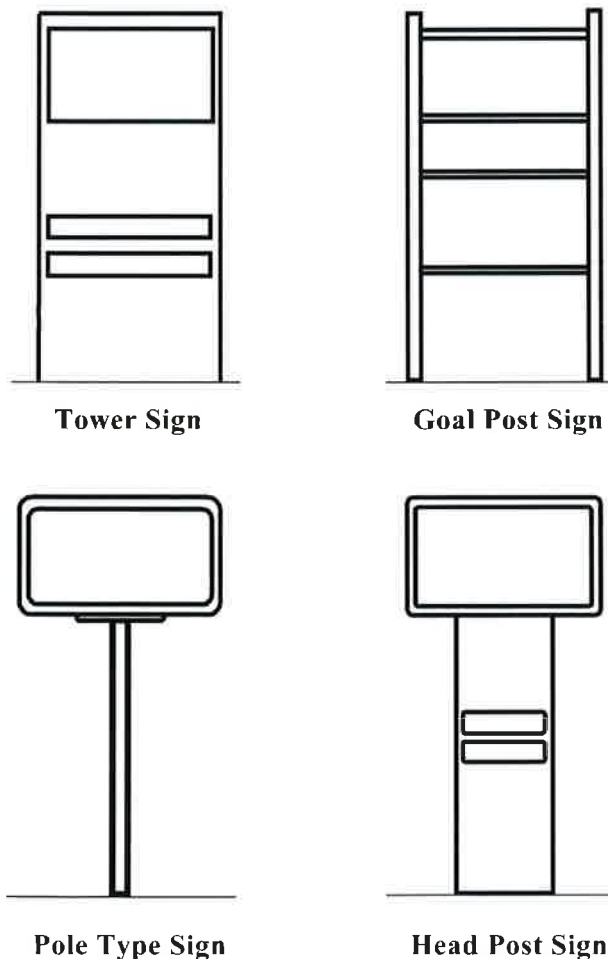
Signs permitted in the Business 2 and 3 Environments:

a) Signs affixed to a canopy fascia not exceeding a total area of 2.5m², provided that no more than 30% of the sign(s) area is above the verandah height.

b) Primary Identification Signs

An activity is permitted to have one Primary Identification Sign, comprising either the Tower, Goal Post/Pole sign, or Head and Post arrangement.

Figure A12.2 - Primary Identification Signs



a) Tower Sign, Goal Post Sign and Pole Type Signs

The sign and supporting structure shall not exceed 8.0m in height and 2.0m in width, provided the sign's leading edge contains no graphics and symbols having a depth greater than 0.3m.

b) Head and Post Type Signs

The sign and supporting structure shall not exceed 8.0m in height, provided the signs leading edge contains no graphics and symbols having a depth greater than 0.3m. The total area of this sign (head and post) shall not exceed 12.0m². The vertical support (post) shall not exceed 2.0m in width, and a maximum area of 8.0m². The head of the sign shall not exceed 2.0m in height, and 4.0m in width.

c) Pricing Signs and Promotional Signs

In addition to the primary identification sign, one pricing sign or promotional sign is permitted per street frontage.

A pricing sign shall not exceed a height of 3.0m, and be no greater than 1.2m in width. The sign's area shall not exceed 3.0m², provided the signs leading edge contains no graphics and symbols having a depth greater than 0.3m.

A promotional sign shall not exceed a maximum height of 2.0m and be no greater than 1.2m in width. It shall not exceed 2.0m² in area, provided the sign's leading edge contains no graphics and symbols having a depth no greater than 0.3m.

d) Signs on the façade of any shop shall not exceed 3.0m² in area.

e) Traffic directional signage (entry, exit signs) are permitted as required, provided they shall not exceed 0.9m in height and 0.5m² in area.

A12.3 Illumination of Signs

Any signs permitted by A12.2 (above) shall only be illuminated when the activity is in operation. The level of illumination shall be controlled by the Artificial Lighting Rules contained within the Business 2 and 3 Environments.

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IN THE MATTER of the Resource
Management Act 1991

BETWEEN THE NATIONAL
TRADING COMPANY
OF NEW ZEALAND
LIMITED

(RMA 725/01)

A N D CALTEX NEW
ZEALAND LIMITED

(RMA 735/01)

Applicants

A N D THE WHANGAREI
DISTRICT COUNCIL
Respondent

BEFORE THE ENVIRONMENT COURT

Environment Court Judge L.J. Newhook sitting alone under Section 279 of the Act

In Chambers at Auckland on the 7th day of February 2005

CONSENT ORDER

Having considered the reference lodged in this matter, the reply filed by the Respondent and the consent memorandum submitted on behalf of the parties this Court hereby **ORDERS** that:

Rule 30.9 of the Respondent's Proposed District Plan be amended to read as follows:



30.9 Signs	
<p>a) The construction or placement of a sign which is not visible from a public place is a permitted activity.</p> <p>b) The construction or placement of a sign which is visible from a public place is a permitted activity if:</p> <ul style="list-style-type: none"> i) The sign is required under health and safety legislation; or ii) The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; or iii) The sign relates to goods or services available on site or is a property name sign; and iv) No more than 5 signs are displayed per site; and v) The sign is not flashing or moving; and vi) Illuminated signs comply with the Artificial Lighting Rule; and vii) A free standing sign is no higher than 3.5m; and viii) The total area of all signs is no greater than 3.0m² on sites with frontage less than 25.0m; or ix) On sites with frontage greater than 25.0m, the total area of all signs shall be 0.12m² per metre of frontage to maximum area of 6.0m²; or x) As an alternative to subparagraphs (iv) to (ix) above, signs complying with the standards set out in Appendix 12 are permitted activities; and xi) The sign does not obscure any official signs or traffic signals; and xii) Where the road has a speed limit of 70kph or greater, the sign is located so as to provide an unrestricted view to the motorist for a minimum distance of 250.0m; and xiii) Where establishments on rear sites share an access way, a sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way; and <p>c) Signs not visible beyond the site on which they are located are a permitted activity.</p> <p>Note: other categories of signs including temporary signs can also be approved under the council's bylaws.</p>	<p>The construction or placement of a sign that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> i Traffic safety ii Whether the proposed sign will have an effect on visual amenity values by: <ul style="list-style-type: none"> • Being visually inappropriate to the neighbourhood. The Council will ensure that general advertising signs do not dominate a site or the surrounding area and will limit such signs accordingly. • Being visually obtrusive on Living, Countryside, Coastal Countryside or Open Space Environments. In general, the height of freestanding signs should be related to the height of surrounding buildings. • Creating an effect of clutter in the immediate neighbourhood because of poor relationship to other signs or elements. In general, clutter will be determined by the amount of signage in relation to the frontage of the site. • Being sensitive (in terms of scale, form and harmony) to the building on which or place where it is to be erected or displayed, to the immediate surroundings, or to the places from which it can be seen. • Obscuring or detracting from important visual aspects of the City, such as visual landmarks, or buildings or areas of architectural or heritage value. • Obscuring or detracting from landscape elements in the front yard of a site. • Being of such construction that its method of support or fixing is not aesthetically incorporated into its design. iii The additional matters listed in Section 2.3.3.”



(b) Rule 31.9 of the Plan be amended to read as follows:

31.9 Signs	
<p>a) The construction or placement of a sign which is not visible from a public place is a permitted activity.</p> <p>b) The construction or placement of a sign which is visible from a public place is a permitted activity if:</p> <p>i) The sign is required under health and safety legislation; or</p> <p>ii) The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; or</p> <p>iii) The sign relates to goods and services available on site or is a property name sign; and</p> <p>iv) The sign(s) is ancillary on site signage, such as menu boards, traffic direction signs, height restriction signs, parking signs, drive through signs; and</p> <p>v) No more than 3 signs are displayed per site; and</p> <p>vi) The sign is not flashing or moving; and</p> <p>vii) Illuminated signs comply with the Artificial Lighting Rule; and</p> <p>viii) A free standing sign is no higher than 8.5m; and</p> <p>ix) The total area of all signs is no greater than 2.5m² on sites with frontage less than 25.0m; or</p> <p>x) On sites with frontage greater than 25.0m, the total area of all signs shall be 0.1m² per metre of frontage to a maximum of 6.0m²; or</p> <p>xi) As an alternative to subparagraphs (iv) to (x) above, signs complying with the standards set out in Appendix 12 are permitted activities; and</p> <p>xii) The sign does not obscure any official signs or traffic signals; and</p> <p>xiii) Where the road has a speed limit of 70 kph or greater, the sign is located so as to provide an unrestricted view to the motorist for a minimum distance of 250.0m; and</p> <p>xiv) Where a number of establishments on rear sites share an access way, a sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way; and</p>	<p>Construction or placement of a sign that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p><i>Discretion is restricted to:</i></p> <p>i. Traffic safety</p> <p>ii. Whether the proposed sign will have an effect on visual amenity values by:</p> <ul style="list-style-type: none"> • Being visually inappropriate to the neighbourhood. The Council will ensure that general advertising signs do not dominate a site or the surrounding area and will limit such signs accordingly. • Being visually obtrusive on Living, Countryside, Coastal Countryside or Open Space Environments. In general, the height of freestanding signs should be related to the height of surrounding buildings. • Creating an effect of clutter in the immediate neighbourhood because of poor relationship to other signs or elements. In general, clutter will be determined by the amount of signage in relation to the frontage of the site. • Being sensitive (in terms of scale, form and harmony) to the building on which or place where it is to be erected or displayed, to the immediate surroundings, or to the places from which it can be seen. • Obscuring or detracting from important visual aspects of the City, such as visual landmarks, or buildings or areas of architectural or heritage value. • Obscuring or detracting from landscape elements in the front yard of a site. • Being of such construction that its method of support or fixing is not aesthetically incorporated into its



<p>c) Signs not visible beyond the site on which they are located are a permitted activity.</p> <p>Note: other categories of signs including temporary signs can also be approved under the council's bylaws.</p>	<p>design.</p> <p>iii. Those additional matters listed in Section 2.3.3."</p>
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(c) The text of Appendix 12 of the Plan be amended to read as follows:

"APPENDIX 12 – SIGNS IN THE BUSINESS 2 AND 3 ENVIRONMENTS

A12.1 Introduction

This Appendix contains details of signs that are a permitted activity on any site in the Business 2 and 3 Environments. The signs permitted by the performance standards in this Appendix are an alternative to those signs permitted in the Business 2 and 3 Environments. These alternative signs rules recognise that certain activities such as service stations, supermarkets and fast food outlets have specific requirements.

A12.2 Alternative Signs Rules

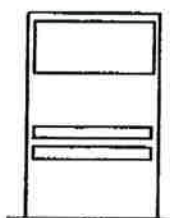
The following signs are permitted in the Business 2 and 3 Environments:

a) Canopy fascia signs

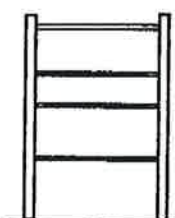
Signs affixed to a canopy fascia not exceeding a total area of 2.5m², provided that no more than 30% of the sign(s) area is above the verandah height.

b) Primary Identification Signs

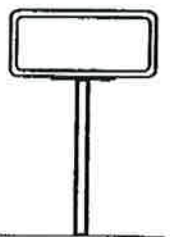
An activity is permitted to have one Primary Identification Sign, which may include (but is not limited to) the following:



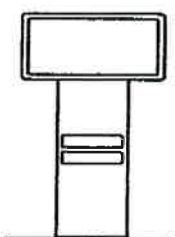
Tower Sign



Goal Post Sign



Pole Type Sign



Head Post Sign

Any Primary Identification Sign shall comply with the following dimensions:



- (i) The sign and any supporting structure shall not exceed 9.0m in height, and 3.5m in width; and
- (ii) The total area of signage on the sign shall not exceed 19.8m²; and
- (iii) The sign's leading edge shall contain no graphics or symbols having a depth greater than 0.3m.

Where a site has more than one road boundary, additional Primary Identification Signs are permitted provided that:

- (i) There is no more than one Primary Identification Sign on each road boundary; and
- (ii) There is a minimum separation distance of 25m between the Primary Identification Signs on any site.

c) Pricing Signs and Promotional Signs

In addition to any Primary Identification Sign(s), one pricing sign or promotional sign is permitted per road frontage.

A pricing sign shall not exceed a maximum height of 3.2m, and be no greater than 1.4m in width. The sign's area shall not exceed 4.0m², provided the sign's leading edge contains no graphics and symbols having a depth greater than 0.3m.

A promotional sign shall not exceed a maximum height of 2.0m, and be no greater than 1.2m in width. The sign's area shall not exceed 2.2m², provided the sign's leading edge contains no graphics and symbols having a depth no greater than 0.3m.

d) Façade Signs

Signs on the façade of any shop shall not exceed 3.0m² in area.

e) Traffic Directional Signage

Traffic directional signage (entry, exit signs) are permitted as required, provided they shall not exceed 0.9m in height and 0.5m² in area.

f) Daylight Angles/Building Setbacks

Notwithstanding that a sign is usually exempt from the definition of "building", the following criteria will apply:

- (i) On any site located in the Business 2 or 3 Environment and located adjacent to a site in a Countryside, Coastal Countryside, or Living Environment, any signs must comply with any daylight angle or building setback rule (with the exception of setbacks to any road) of the adjacent Environment.
- (ii) On any site located in the Business 2 or 3 Environment and located adjacent to a site in an Open Space Environment, any signs must comply with any daylight angle or building setback rule (with the exception of setbacks to any road) of the Living 1 Environment."

- (e) There is no order for costs.

The appeals are otherwise dismissed.



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L.J. Newhook
Environment Judge

40 Business 2 Environment Rules

40.3.6 Signs

<p>a) The construction or placement of a sign which is not visible from a public place or neighbouring property (s) is a permitted activity.</p> <p>b) The construction or placement of a sign which is visible from a public place or neighbouring property(s) is a permitted activity if:</p> <ol style="list-style-type: none"> i. The sign is required under health and safety legislation; or ii. The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; or iii. The sign relates to goods and services available on site, or is a property name sign, or is a community sign; and iv. The sign does not obscure any official signs or traffic signals; and v. The sign is static and not flashing; and vi. If illuminated, the sign is not within 20.0m of any road intersection; and vii. No more than 5 signs are displayed per site; and viii. A free standing sign is no higher than 3.5m; and ix. The total area of all signs is no greater than 3.0m² on sites with frontage less than 25.0m; and x. On sites with frontage greater than 25.5m, the total area of all signs shall be 0.12m² per metre of frontage to maximum area of 6.0m²; and xi. As an alternative to iv) to ix) above, signs complying with the standards set out in Appendix 12 are permitted activities; and xii. Where the road has a speed limit of 70kph or greater, the sign is located so as to provide an unrestricted view for the motorist for a minimum distance of 250.0m; and xiii. Where establishments on rear sites share an access way, a 	<p>The construction or placement of a sign that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> i. Traffic safety; ii. Whether the proposed sign will have an effect on visual amenity values by: <ul style="list-style-type: none"> • Being visually inappropriate to the neighbourhood. The Council will ensure that general advertising signs do not dominate a site or the surrounding area and will limit such signs accordingly. • Being visually obtrusive on Living, Countryside or Open Space Environments. In general, the height of freestanding signs should be related to the height of surrounding buildings. • Creating an effect of clutter in the immediate neighbourhood because of poor relationship to other signs or elements. In general, clutter will be determined by the amount of signage, in relation to the frontage of the site. • Being sensitive (in terms of scale, form and harmony) to the building on which it is to be erected or displayed, to the immediate surroundings or to the places from which it can be seen. • Obscuring or detracting from important visual landmarks of the City, such as visual landmarks, or buildings or areas of architectural or heritage value. • Obscuring or detracting from landscape elements in the front yard of a site. • Being of such construction that its method of support or fixing is not aesthetically incorporated into its design. iii. The additional matters listed in Chapter 2.3.3.
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sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way.

Notes:

1. Signs within the legal road boundary, or on road verges and road reserves are regulated by Council Bylaws.
2. Temporary signs, and signs on vehicles are regulated by Council Bylaws.
3. Signs located in public places are regulated by Council Bylaws.

3.1

41 Business 3 Environment Rules

41.3.7 Signs

<p>a) The construction or placement of a sign which is not visible from a public place or neighbouring property(s) is a permitted activity.</p> <p>b) The construction or placement of a sign which is visible from a public place or neighbouring property(s) is a permitted activity if:</p> <ol style="list-style-type: none">i. The sign is required under health and safety legislation; orii. The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; oriii. The sign relates to goods and services available on site or is a property name sign, or is a community sign; andiv. The sign does not obscure any official signs or traffic signals; andv. The sign(s) is ancillary to on site signage, such as menu boards, traffic direction signs, height restriction signs, parking signs and drive through signs; andvi. The sign is static and not flashing; andvii. If illuminated, the added illuminance (horizontal or vertical) onto any other site measured at the boundary does not exceed 10 lux at any receiving property boundary or 15 lux at any road reserve boundary; andviii. If illuminated, the sign is not within 20.0m of any road intersection; andix. No more than 3 signs are displayed per site; andx. A free standing sign is no higher than 8.5m; andxi. The total area of all signs is no greater than 2.5m² on sites with frontage less than 25.0m; andxii. On sites with frontage greater than 25.0m, the total area of all signs shall be 0.10m² per metre of frontage, to a maximum of 6.0m² ; andxiii. As an alternative to iv) to x) above, signs complying with the standards set out in Appendix 12 are permitted activities; and	<p>Construction or placement of a sign that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p><i>Discretion is restricted to:</i></p> <ol style="list-style-type: none">i. Traffic safety;ii. Whether the proposed sign will have an effect on visual amenity values by:<ul style="list-style-type: none">• Being visually inappropriate to the neighbourhood. The Council will ensure that general advertising signs do not dominate a site or surrounding area and will limit such signs accordingly.• Being visually obtrusive on Living, Countryside, Coastal Countryside or Open Space Environments. In general, the height of freestanding signs should be related to the height of surrounding buildings.• Creating an effect of clutter in the immediate neighbourhood because of poor relationship to other signs or elements. In general, clutter will be determined by the amount of signage in relation to the frontage of the site.• Being sensitive (in terms of scale, form and harmony) to the building on which or place where it is to be erected or displayed, to the immediate surroundings, or to the places from which it can be seen.• Obscuring or detracting from important visual landmarks of the City, such as visual landmarks, or buildings or areas of architectural or heritage value.• Obscuring or detracting from landscape elements in the front yard of a site.• Being of such construction that its method of support or fixing is not aesthetically incorporated into its design.iii. Those additional matters listed in Chapter 2.3.3.
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<p>xiv. Where the road has a speed limit of 70 kph or greater, the sign is located so as to provide an unrestricted view for the motorist for a minimum distance of 250m; and</p> <p>xv. Where a number of establishments on rear sites share an access way, a sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way.</p> <p>Notes:</p> <ol style="list-style-type: none">1. Signs within the legal road boundary, or on road verges and road reserves are regulated by Council Bylaws.2. Temporary signs, and signs on vehicles are regulated by Council Bylaws.3. Signs located in public places are regulated by Council Bylaws.	
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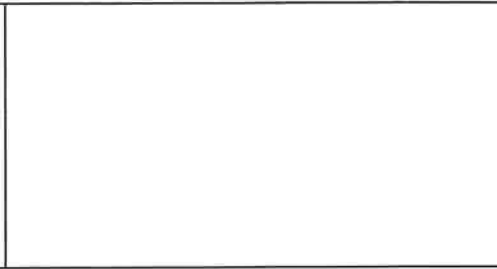
40 Business 2 Environment Rules

40.3.6 Signs

<p>a) The construction or placement of a sign which is not visible from a public place or neighbouring property (s) is a permitted activity.</p> <p>b) The construction or placement of a sign which is visible from a public place or neighbouring property(s) is a permitted activity if:</p> <ol style="list-style-type: none"> i. The sign is required under health and safety legislation; or ii. The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; or iii. The sign relates to goods and services available on site, or is a property name sign, or is a community sign; and iv. The sign does not obscure any official signs or traffic signals; and v. The sign is static and not flashing; and vi. If illuminated, the sign is not within 20.0m of any road intersection; and vii. No more than 5 signs are displayed per site; and viii. A free standing sign is no higher than 3.5m; and ix. The total area of all signs is no greater than 3.0m² on sites with frontage less than 25.0m; and x. On sites with frontage greater than 25.5m, the total area of all signs shall be 0.12m² per metre of frontage to maximum area of 6.0m²; and xi. As an alternative to iv) to ix) above, signs complying with the standards set out in Appendix 12 are permitted activities; and xii. Where the road has a speed limit of 70kph or greater, the sign is located so as to provide an unrestricted view for the motorist for a minimum distance of 250.0m; and xiii. Where establishments on rear sites share an access way, a sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way. 	<p>The construction or placement of a sign that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> i. Traffic safety; ii. Whether the proposed sign will have an effect on visual amenity values by: <ul style="list-style-type: none"> • Being visually inappropriate to the neighbourhood. The Council will ensure that general advertising signs do not dominate a site or the surrounding area and will limit such signs accordingly. • Being visually obtrusive on Living, Countryside or Open Space Environments. In general, the height of freestanding signs should be related to the height of surrounding buildings. • Creating an effect of clutter in the immediate neighbourhood because of poor relationship to other signs or elements. In general, clutter will be determined by the amount of signage, in relation to the frontage of the site. • Being sensitive (in terms of scale, form and harmony) to the building on which it is to be erected or displayed, to the immediate surroundings or to the places from which it can be seen. • Obscuring or detracting from important visual landmarks of the City, such as visual landmarks, or buildings or areas of architectural or heritage value. • Obscuring or detracting from landscape elements in the front yard of a site. • Being of such construction that its method of support or fixing is not aesthetically incorporated into its design.
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Notes:

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2. Temporary signs, and signs on vehicles are regulated by Council Bylaws.
3. Signs located in public places are regulated by Council Bylaws.



xiv. Where the road has a speed limit of 70 kph or greater, the sign is located so as to provide an unrestricted view for the motorist for a minimum distance of 250m; and

xv. Where a number of establishments on rear sites share an access way, a sign situated where the access way adjoins the road may include information relating to some or all of the activities located on sites served by the access way.

Notes:

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