

**Chapter 59****ART DECO QUARTER SIGNS****INTRODUCTION**

The Art Deco Quarter is Napier City's foremost shopping precinct as well as being the most important public place and pedestrian area. As such there are many factors that create a vital and vibrant area. These include the use of signs for both informational, directional purposes and for advertising purposes.

However, the size, location and nature of signs can have effects on the visual amenities and character of buildings and sites in the Zone. In addition, signs can be obtrusive and/or provide a hazard and nuisance to pedestrian and vehicular traffic.

It is the Council's intention to manage the effects of signs in the Art Deco Quarter in a manner that allows for the continuation of a bustling and vibrant Art Deco Quarter.

**59.1 RESOURCE MANAGEMENT ISSUES**

The following resource management issues have been identified as significant in the Art Deco Quarter:

**59.1.1 The retention and enhancement of amenity of the Art Deco Quarter.**

Amenity in terms of commercial/retail activity is different to levels of amenity expected elsewhere in the City. Within the Art Deco Quarter, it is recognised that businesses need signs to attract customers. However, large numbers of signs can often confuse the intended message or fail to convey a message. Amenity, in terms of signs, is considered to be when signs are not overly visually intrusive, signs are designed to be in harmony or sensitive to the building or area where they are located, and signs convey their message clearly. The Council considers that it is important to control the use of signs in order to maintain and enhance the amenity of the Art Deco Quarter.

**59.1.2 The balance between commercial signs and achieving architectural and streetscape quality.**

By their very nature, signs depend for their effectiveness for capturing attention. This is especially so in the Art Deco Quarter. However, for Napier City, the Art Deco Quarter is also an important historic area, which contains substantial numbers of Art Deco and other heritage buildings. To ensure that the viability and vitality of the commercial area is retained and that the Art Deco and other heritage buildings are maintained, then a balance between commercial signs and achieving architectural and streetscape quality is required to be established. It is the intent of the Council to protect and enhance architectural and streetscape quality and the economic base of the City through the provision of appropriate signs.

**59.1.3 The adverse effects on heritage values through inappropriate signs.**

Within the Art Deco Quarter, signs are considered to have adverse effects on the heritage value of Art Deco and other heritage buildings. Previously some signs have been of an inappropriate size, colour and/or design and this has caused signs to detract from the building or site on which it is located. To avoid, remedy or mitigate these adverse effects on the heritage character of the Art Deco Quarter, signs need to be designed that address elements such as scale, materials, colour, style and placement. The Council intends to develop a design guide to encourage businesses in the Art Deco Quarter to develop appropriate signs.

**59.1.4 Signs located on or above footpaths and/or close to roads, have the potential to create safety hazards and other nuisance for pedestrians and vehicular traffic.**

Signs located on or above footpaths and/or close to roads can become a deterrent to the efficient and safe movement of vehicular and pedestrian traffic. Pedestrians are unable to move about freely at road level and vehicular traffic is distracted by inappropriately designed and located signs that obstruct sight lines and interferes with traffic flows. It is critical that signs are designed and located to avoid creating a nuisance or hazard to pedestrian and vehicular traffic.

**OBJECTIVES, POLICIES AND METHODS**

The following objectives, policies and methods apply to all signs in the Art Deco Quarter.

**Objective 59.2**

To promote simplicity and clarity in the form of a sign and the message it conveys, in order to avoid, remedy or mitigate any adverse effects on amenity values.

*This objective relates to Issue 59.1.1.*

**Policies**

To achieve this objective, the Council will:

- 59.2.1 Ensure that the location, dimensions, design, construction and scale of any sign are consistent with the amenity of the area.
- 59.2.2 Ensure that signs are maintained to a tidy and legible standard.

***Principal Reasons for Adopting Objective and Policies***

*Signs that are well designed address many elements of design such as scale, materials, colour, placement and context. Such signs are also clear and easy to read and blend/suit the environment in which they are located.*

*It is also considered that signs that are maintained in a tidy, legible manner goes some way to enhancing the amenity of the Art Deco Quarter. It also encourages pride in the area and helps to discourage vandalism.*

## Methods

- (1) District Plan Rules.
- (2) Design Guide on Signs (Education and Liaison).
- (3) Incentives and grants for signs.
- (4) Bylaws.

### **Reasons for Methods**

*Rules in the District Plan will enable control of the type, size, placement and number of signs permitted within the Art Deco Quarter. This provides a reasonable degree of certainty and is considered the best means of avoiding, remedying or mitigating the adverse effects on the amenity from signs in the Art Deco Quarter. At the same time, a design guide on signs will enable the education of retailers and others in the Art Deco Quarter of what are signs appropriate for the area. Incentives and grants for signs can encourage the establishment of signs that enhance the amenity of the area. Bylaws will ensure that signs are maintained to a reasonable standard and do not contain objectionable content.*

### **Objective 59.3**

To encourage signs that contribute to the maintenance, retention and restoration of Art Deco and other identified heritage character of the commercial/retail area.

*This objective relates to Issue 59.1.2.*

## Policies

To achieve this objective, the Council will:

- 59.3.1 Ensure that signs erected on the Art Deco and other identified heritage buildings complement the heritage values of the structure.
- 59.3.2 Avoid visual clutter which detracts from the appreciation of a heritage building or area by promoting simplicity and clarity in the form of a sign.

### **Principal Reasons for Adopting Objective and Policies**

*The historic character of the Art Deco Quarter is an important consideration when signs are being established. Napier's Art Deco Quarter has a national and international reputation for its Art Deco architecture. Signs that relate to the Art Deco or other historic character, enhance this reputation and encourage people to visit the Art Deco Quarter. In turn, this keeps the area a busy and vibrant place.*

*However, too many signs, or signs which do not relate to the historic character of the building can be a distraction from the building, thereby diminishing the effectiveness of both the signs and the historic character of the building to attract people. Therefore, quality signs that are clear and simple to view and understand are encouraged.*

## Methods

- (1) District Plan Rules.
- (2) Design Guide on Signs (Education and Liaison).
- (3) Incentive and Grants for signs.

**Reasons for Methods**

Rules in the district plan enable thresholds to be set for signs in different locations on a building. For example, the size of a sign mounted above a veranda. This will provide certainty for plan users and is the best means of avoiding, remedying or mitigating the adverse effects of signs in the Art Deco Quarter.

The use of a design guide and incentive grants will help encourage and educate Inner City Retail businesses to adopt signs that are sensitive and appropriate in design and that relate to the architecture and style of the buildings of the Art Deco Quarter.

**Objective 59.4**

To provide for a range of signs to meet the needs of the community, which do not give rise to problems of visibility for road users or cause nuisance or hazard to other land uses, vehicular traffic or pedestrians.

*This objective relates to Issue 59.1.3.*

**Policies**

To achieve this objective, the Council will:

- 59.4.1 Ensure the location of signs does not have an adverse effect on vehicular traffic.
- 59.4.2 Ensure that the location of signs does not have an adverse effect on pedestrians or other land uses.
- 59.4.3 Encourage different types of signs to be used, where appropriate, to minimise any hazard risk or nuisance effects.

**Principal Reasons for Adopting Objective and Policies**

*Inappropriate size, design and location of signs can have an adverse effect and become a hazard for vehicular traffic and pedestrians through the obstruction of sight lines, distraction of drivers and interference with traffic flows. Key factors which ensure adverse effects, nuisance and hazards are minimised, include controls on the number, type, height, location and construction of signs. When these elements are absent, the potential for adverse effects increases significantly. Accordingly, careful management of these factors is required within the Art Deco Quarter.*

**Methods**

- (1) District Plan Rules
- (2) Transit New Zealand and Land Transport Safety Authority regulations.

**Reasons for Methods**

*Rules in the district plan will ensure that signs do not adversely effect, or create hazard or nuisance to pedestrians or vehicular traffic. Transit New Zealand and the Land Transport Safety Authority regulations specify rules that all signs on public roads throughout New Zealand must comply with, therefore ensuring nuisance and hazard is minimised.*

**Objective 59.5**

To promote the efficient use of signs by managing the adverse effects that they have on the environment.

*This objective relates to Issues 59.1.4.*

**Policies**

To achieve this objective, the Council will:

- 59.5.1 Promote standards that recognise the realistic and operational requirements of existing and new commercial/retail activity with regard to signs.
- 59.5.2 Ensure the scale and intensity of signs is proportional to the scale and intensity of the land uses occurring in the immediate vicinity.

***Principal Reasons for Adopting Objective and Policies***

*The scale or number and dimensions of signs can often overwhelm a building or area where signs are located. This is especially so in the limited area of the Art Deco Quarter. A plethora of signs can also result in the signs message being missed. In order to avoid this, the Council will promote the use of simple and effective signs, where messages are clearly receivable and understandable. At the same time the Council, recognises that businesses need to advertise in order to maintain their day to day operations, but that this should not adversely effect other land uses attempting to do the same.*

**Methods**

- (1) District Plan Rules.
- (2) Design Guide on Signs.

***Reasons for Methods***

*Rules in the district plan will ensure that the operational requirements of land uses in the Art Deco Quarter are recognised and provided for. This is to ensure that signs are clear, simple and in proportion with the land uses occurring within the zone. Concurrently with this the design guide on signs will also ensure operational requirements of land uses are met, but will encourage businesses and land uses to do this in a manner that enhances the amenity and other character of the Art Deco Quarter.*

**59.6 ANTICIPATED ENVIRONMENTAL RESULTS**

- (1) Sign design and placement that is sensitive to the Art Deco and other heritage features of the Art Deco Quarter.
- (2) Avoidance of obstruction, hazards or nuisance to vehicular traffic and pedestrians.
- (3) Clear and simple signs that are appropriate for the continuation of land use in the Art Deco Quarter.
- (4) Signs that retain and enhance the amenity of the Art Deco Quarter.

**ART DECO QUARTER – SIGN RULES**

This chapter contains rules managing the signs in the Art Deco Quarter.

All rules apply to the Art Deco Quarter, unless otherwise stated and are in addition to the rules elsewhere in this Plan. Appendix 15 provides examples of the different types of signs discussed in the following Activity and Condition Table. Appendix 15 provides examples only and does not replace the following rules and conditions.

**59.7 Summary of Rules for Signs in Art Deco Quarter**

The following is a quick reference guide that summarises the Art Deco Quarter Signs Activity Table. It is intended as a guide only and should not be used in place of the Art Deco Quarter Signs Activity Table elsewhere in this chapter.

Rule Number and Description		Classification	Page Number
Rule 59.8	Any sign that is not a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity and complies in all respects with the relevant conditions.	Permitted	7
Rule 59.9	Signs mounted on a building facade.	Permitted	7
Rule 59.10	Signs mounted on a veranda fascia.	Permitted	8
Rule 59.11	Signs mounted under a veranda.	Permitted	8
Rule 59.12	Signs mounted on a veranda roof.	Permitted	8
Rule 59.13	Official signs.	Permitted	9
Rule 59.14	Temporary signs, including signs for the sale or auction of property, elections and concerts, fairs, circuses and any other similar events.	Permitted	9
Rule 59.15	Warning signs and emergency service signs.	Permitted	10
Rule 59.16	Banners.	Permitted	10
Rule 59.17	Captive balloons.	Permitted	11
Rule 59.19	Any permitted activity or controlled activity that does not comply with all the relevant conditions, unless stated elsewhere in this Chapter.	Restricted Discretionary	11
Rule 59.20(a)	Any sign, other than an official sign, constructed using reflective materials.	Discretionary	11
Rule 59.20(b)	Any flashing or animated sign, including revolving lights.	Discretionary	11
Rule 59.20(c)	Any sign, other than an official sign, located on or over a road, including the road reserve.	Discretionary	11
Rule 59.20(d)	Banners in locations other than those identified in this Chapter.	Discretionary	12
Rule 59.20(e)	Any moveable, footpath sign	Discretionary	12

## ART DECO QUARTER SIGNS – ACTIVITY TABLE

PERMITTED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p><b>59.8 Signs Generally</b></p> <p>1. Any sign, unless stated by a rule elsewhere in this Chapter is a permitted activity provided that:</p> <p>a) It complies in all respects with the relevant conditions in the respective zone's condition table and the relevant conditions elsewhere in this Chapter.</p> <p>b) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</p> <p>NOTE: All signs must comply with the New Zealand Traffic Regulations 1976.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19.</p>
<p><b>59.9 Sign Mounted on a Building Facade</b></p> <p>1. Any sign mounted on a building facade, other than a side wall, is a permitted activity provided that:</p> <p>a) There must be not more than one sign mounted on the building facade per business, except where:</p> <p>(i) The business premise has frontage to more than one road, in which case one sign is permitted on the façade of the building facing each road frontage.</p> <p>b) Where a veranda exists in respect of the business premises, no sign is located on the veranda roof.</p> <p>c) The base of the sign must be at least 2.5 metres above ground level.</p> <p>d) Where the sign is parallel to the facade, the sign including its support structure must not extend more than 50mm from the facade to which it is attached.</p> <p>e) Where the sign is not parallel to the facade, the sign including its support structure must not extend more than 1.2 metres from the facade to which it is attached, and the thickness of the sign must not be greater than 50mm.</p> <p>f) The area of the sign must not exceed 1.2m<sup>2</sup>.</p> <p>g) The sign complies in all respects with the relevant conditions in the Art Deco Quarter Signs Condition Table elsewhere in this Chapter.</p> <p>2. Any sign on a side wall is a permitted activity provided that:</p> <p>a) There must not be more than one sign on a side wall per business premises.</p> <p>b) The area of the sign must not exceed 5% of the side wall area or 8m<sup>2</sup>, whichever is the lesser.</p> <p>c) The sign complies in all respects with the relevant conditions in the Art Deco Quarter Signs Condition Table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- The placement and location of the sign.</li> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> </ul>

<p><b>59.10 Sign Mounted on a Veranda Fascia</b></p> <p>1. The construction, erection, or placement of a sign on a veranda fascia is a permitted activity provided that:</p> <p>a) There must not be more than one sign mounted on a veranda fascia per business premises, except where:</p> <p>(i) The business premise has frontage to more than one road, in which case one sign is permitted on the veranda fascia of the building facing each road frontage.</p> <p>b) The sign must be parallel to the veranda fascia and must not exceed a horizontal distance of 50mm from the veranda fascia.</p> <p>c) The base of the sign must be at least 2.5 metres above ground level.</p> <p>d) The sign must not extend above or below the line of the veranda fascia, except that for a horizontal distance of 1 metre, the sign may have a vertical dimension of not greater than 600mm.</p> <p>e) The sign does not extend beyond the length of the veranda fascia.</p> <p>f) The sign complies in all respects with the relevant conditions in the Art Deco Quarter Signs Condition Table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> </ul>
<p><b>59.11 Sign Mounted Under a Veranda</b></p> <p>1. The construction, erection, or placement of a sign mounted under a veranda is a permitted activity provided that:</p> <p>a) There must be no more than one sign under the veranda per business premise, except where:</p> <p>i) The business premises has frontage to more than one road.</p> <p>ii) The business premises has more than one entrance.</p> <p>iii) The business premises has a road frontage in excess of 10 metres.</p> <p style="padding-left: 40px;">In which case one additional sign is permitted for each road frontage, entrance or additional 10 metres of road frontage or part thereof.</p> <p>b) The sign must be at least 2.5 metres above ground level.</p> <p>c) The sign does not exceed the length of the veranda at right angles to the road.</p> <p>d) The maximum area of the sign must not exceed 1.5 m<sup>2</sup>.</p> <p>e) The sign must comply in all respects with the relevant conditions in the Art Deco Quarter Signs Condition Table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> </ul>
<p><b>59.12 Signs Mounted on a Veranda Roof</b></p> <p>1. The construction, erection or placement of a sign mounted on a veranda roof is a permitted activity provided that:</p> <p>a) There must not be more than one sign mounted on the veranda roof per business premise, except where:</p> <p>(i) The business premise has frontage to more than one road, in which case one sign is permitted on the veranda roof of the building facing each road frontage.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> </ul>

<p>b) There must be no sign mounted on the veranda roof where a sign exists on the building's facade.</p> <p>c) The sign must be positioned perpendicular to the façade and placed at the front edge of the veranda roof.</p> <p>d) The thickness of the sign must not exceed 50mm.</p> <p>e) The area of the sign must not exceed 1.2m<sup>2</sup>.</p> <p>f) The height of the sign, including its support structures must not exceed 700mm above the height of the veranda roof.</p> <p>g) The sign complies in all respects with the relevant conditions in the Art Deco Quarter Signs Condition Table elsewhere in this Chapter.</p>	
<p><b>59.13 Official Signs</b></p> <p>1. An official sign is a permitted activity provided that:</p> <p>a) It is located on or above a road.</p> <p>b) It is in accordance with the Traffic Regulations.</p> <p>c) It need not comply with the conditions elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- The effects of the sign on vehicular and pedestrian traffic safety.</li> <li>- The effects on heritage values.</li> </ul>
<p><b>59.14 Temporary Signs</b></p> <p>1. The following temporary signs are a permitted activity provided that they comply in all respects with the relevant conditions elsewhere in this Chapter.</p> <p>a) Sale of Property</p> <p>i) Any temporary sign or signs must not exceed 2m<sup>2</sup> in area on or within the site to which the sign relates, provided that in the case of subdivision, no sign may be erected until a Section 224 certificate is signed.</p> <p>b) Auction of Property</p> <p>i) Any temporary sign or signs must not exceed 2m<sup>2</sup> in area on or within the site to which the sign relates, provided that no signs may be erected more than six weeks before the date of the auction.</p> <p>c) Electioneering and Similar Purposes</p> <p>i) A candidate may erect temporary signs on private property</p> <ul style="list-style-type: none"> <li>• In the event of a postal ballot, not more than three months prior to the final polling day and must be removed one day prior to the final polling day.</li> <li>• In the event of an election day, not more than three months prior to the polling day and must be removed one day prior to the polling day.</li> </ul> <p>ii) There must be no election signs constructed, erected or placed in an Open Space Environment or on any land vested as Reserve under the Reserves Act 1977, including any roads.</p> <p>iii) There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.</p> <p>iv) No sign is to be erected or placed in a way as to cause a public safety or traffic hazard.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The impact on the appearance of any buildings.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The duration of the sign placement.</li> </ul>

<p>d) Concerts, Conventions, Fairs, Circuses and Similar Events</p> <p>i) A temporary sign or signs may be placed on the site where the event is to be held for a period of not more than six weeks prior to the event and must be removed at the conclusion of the event.</p>	
<p><b>59.15 Warning Signs and Emergency Services Signs</b></p> <p>1. Warning signs are a permitted activity provided that:</p> <p>a) All hazardous facilities must be adequately sign-posted to indicate the nature of the substances stored, used, or otherwise handled.</p> <p>NOTE: Adherence with the Code of Practice for Warning Signs for Premises Storing Hazardous Substances of the New Zealand Chemical Industry Council, or other Code of Practices approved by the New Zealand Fire Service are useful documents to assist with satisfying this condition.</p> <p>b) It is for the purposes of advising and/or warning people of hazards such as the proximity of explosives or flammable fuels or electrical danger or endangering public health or safety, or similar, and may be displayed on any property in any zone.</p> <p>c) The maximum area of the sign must not exceed 1m<sup>2</sup>.</p> <p>2. Directional signs for the purposes of emergency services are a permitted activity provided that:</p> <p>a) The sign indicates or directs people to the presence of an emergency service facility.</p> <p>b) The sign need not be located on the site to which it relates.</p> <p>c) The maximum area of the sign must not exceed 1m<sup>2</sup>.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- The number of signs allowed by the consent for any one destination.</li> <li>- The location of any proposed signs.</li> <li>- The effects of the sign on traffic safety.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The health, safety and wellbeing of people.</li> <li>- The effects on heritage values.</li> </ul>
<p><b>59.16 Banners</b></p> <p>1. A banner is a permitted activity provided that:</p> <p>a) It is for advertising a recreational activity, non-profit organisation or a function or event held at the Municipal Theatre.</p> <p>b) It is positioned in one of the following locations:</p> <p>i) The intersection of Dalton Street and Emerson Street.</p> <p>ii) The intersection of Emerson Street and Hastings Street.</p> <p>iii) Tennyson Street, opposite the Municipal Theatre.</p> <p>iv) Hastings Street, between Dickens Street and Emerson Street.</p> <p>c) The banner is securely attached to a building or structure.</p> <p>d) Any banner positioned in the Tennyson Street location, must only be for advertising functions and events being held at the Municipal Theatre.</p> <p>e) There must be no banner positioned in the Hastings Street location, unless the Dalton Street location is occupied.</p> <p>f) There must be no banner positioned in one of the above locations for greater than 7 days prior to the commencement of the advertised function or event.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The duration of the placement of the sign.</li> </ul>

<p><b>59.17 Captive Balloons</b></p> <p>1. A captive balloon is a permitted activity provided that:</p> <ol style="list-style-type: none"> <li>a) The tethering point for the captive balloon must not be located on, or within 75 metres of any site that is in a residential, open space or rural environment.</li> <li>b) There must be only one captive balloon per site.</li> <li>c) The captive balloon must be tethered at a height: <ol style="list-style-type: none"> <li>i) Not exceeding 60 metres measured from ground level.</li> <li>ii) Not exceeding the Airport height restrictions shown in Appendix 7.</li> </ol> </li> <li>d) Where there is conflict between any of the height control lines or limits, the lowest height must prevail.</li> <li>e) The written approval of the Civil Aviation Authority as an affected person will be necessary in relation to any resource consent application for a captive balloon. This is to ensure that the balloons do not impede the safe passage of aircraft.</li> </ol>	<p>The Council will restrict its discretion to the matters referred to in Rule 59.19 including the following:</p> <ul style="list-style-type: none"> <li>- The duration of the consent.</li> <li>- The design and appearance of the sign.</li> <li>- The location of the sign.</li> <li>- The likely effect of the sign on traffic safety.</li> <li>- The effects on air traffic safety.</li> <li>- The effects on heritage values.</li> </ul>
<b>CONTROLLED ACTIVITIES</b>	
<p><b>59.18 Controlled Activities</b></p> <p>1. There are no controlled activities in respect of signs.</p>	
<b>RESTRICTED DISCRETIONARY ACTIVITIES</b>	
<p><b>59.19 Signs Not Complying With Conditions</b></p> <p>1. Any subdivision, use or development of land in rules 59.8 to 59.18 that does not comply with all of the relevant conditions in the Signs Activity Table and Condition Table is a restricted discretionary activity, unless stated by a rule elsewhere in this Plan.</p>	<p><b>Matters the Council will restrict its discretion to for restricted discretionary activities.</b></p> <p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> <li>- The matters identified in the second column of the Signs activity table and/or condition table.</li> <li>- The cumulative effect of non-compliance with more than one condition.</li> <li>- In respect of a controlled activity failing to comply with all of the relevant conditions, those matters the Council had reserved its control over.</li> <li>- The matters set out in Chapter 1.6.5.</li> <li>- The assessment criteria in Chapter 59.26 of this Plan where applicable.</li> </ul>
<b>DISCRETIONARY ACTIVITIES</b>	
<p><b>59.20 Discretionary Activities</b></p> <p>1. The following signs are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the relevant assessment criteria elsewhere in this Plan. The Council's discretion is unrestricted.</p> <ol style="list-style-type: none"> <li>a) Any sign, other than an official sign, constructed using reflective materials.</li> <li>b) Any flashing or animated sign including revolving lights.</li> <li>c) Any sign, other than an official sign, located on or over a road, including the road reserve.</li> </ol> <p>NOTE: Refer to Rule 59.13 for official signs.</p>	

<p>d) Any banner in a location other than those identified elsewhere in this Chapter.</p> <p>e) Any moveable, footpath sign. Refer Appendix 15A for design criteria.</p>	
<p><b>PROHIBITED ACTIVITIES</b></p>	
<p>59.21 <b>Prohibited Activities</b></p> <p>1. There are no prohibited activities in respect of signs.</p>	

## ART DECO QUARTER SIGNS – CONDITION TABLE

CONDITIONS FOR PERMITTED ACTIVITIES AND CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p><b>59.22 Sign Location</b></p> <p>1. The following location conditions shall apply to all signs, unless stated by a rule elsewhere in this Plan:</p> <p>a) All signs must be contained solely within the site boundaries.</p> <p>b) Where a building has no veranda, the minimum vertical clearance of any sign (other than a moveable, footpath sign) attached at right angles to the building facade from the footpath must be 2.5 metres.</p> <p>c) All signs must be located only on the site to which they relate.</p> <p>d) There must be no sign located on or over a road including the road reserve, or land vested as reserve under the Reserves Act 1977.</p> <p>e) Any sign must not obscure any significant architectural feature of a heritage building (listed in Appendix 13 to this Plan) including but not limited to windows, parapets, cornices, features or materials with a decorative pattern, and any other architectural elements that are a feature of the building.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location and placement of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The effect on people's health, safety and wellbeing.</li> </ul>
<p><b>59.23 Sign Height</b></p> <p>1. The following height conditions shall apply to all signs, unless stated by a rule elsewhere in this Plan:</p> <p>a) All signs, including their support structures, must comply with the height conditions for aeriels, lines and support structures in the Art Deco Quarter Condition Table.</p> <p>b) Where a sign is attached to a building, the sign must not exceed the height of the building to which it is attached.</p> <p>c) Where there is conflict between any of the height control limits, the lowest height must prevail.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location and placement of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The effect on people's health, safety and wellbeing.</li> </ul>
<p><b>59.24 Illumination of Signs</b></p> <p>1. The following sign illumination conditions shall apply to all signs, whether illuminated internally, externally or by other means:</p> <p>a) Any illuminated sign must not visually obstruct traffic control signals.</p> <p>b) The illuminated sign must comply with the conditions relating to light spill in the Art Deco Quarter Condition Table.</p> <p>c) Lighting for the purpose of external illumination of signs must be securely attached to the veranda roof, building or sign, and must be directed solely at the sign to be illuminated.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The orientation, strength, intensity and colour of the illuminated sign.</li> <li>- Any hazard (including actual or potential) for vehicular and pedestrian traffic.</li> </ul>
<p><b>59.25 Heritage</b></p> <p>1. The relevant provisions of Chapter 56 (Heritage) of this Plan must be complied with.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Refer to Chapter 56 (Heritage) of this Plan.</li> </ul>

**59.26 ASSESSMENT CRITERIA**

Some discretionary activity and restricted discretionary rules refer to assessment criteria to assist the Council in considering resource consent applications. The Council will have regard to the Assessment Criteria outlined below for Art Deco Quarter Signs when considering an application under Sections 104 and 105 of the Act.

**1. General**

The following criteria will be used by the Council in considering a resource consent application for a Discretionary Activity or Restricted Discretionary Activity for non-compliance with one or more conditions in the relevant activity table and/or condition table.

- a) Any unusual circumstances including, but not limited to, those listed below:
  - i) Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
  - ii) Particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
  - iii) Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective adjacent screening.

**2. Signs.**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

- a) Whether the values of Art Deco and other heritage buildings are maintained.
- b) Whether or not any significant architectural features of the building is obscured.
- c) Whether there are adverse effects on amenity levels of the surrounding environments.
- d) Whether there is any adverse effect on the efficient movement and safety of people on footpaths and other public open spaces.
- e) Whether the sign creates severe nuisance or distraction effects.
- f) Any adverse effect on traffic safety, including if it obstructs drivers sight lines, causes confusion or a distraction for drivers and/or creates actual or potential adverse effects on the safe movement of traffic.
- g) Any cumulative effect of an additional sign.

**59.27 PRINCIPAL REASONS FOR RULES****1. Signs Mounted on Building Facades**

Signs on the building facade are considered to be the most detrimental to the visual appearance of buildings, especially for Art Deco buildings. Signs on the building facade can cover and/or destroy the architectural features of the building. However it is recognised that for some land uses, especially those located in buildings without verandas, or on above-ground floors of a building, a building facade sign may be the only means of stating their presence. Signs on the building facade are therefore permitted through the rules, but with standards that ensure the level of adverse effects is minimised.

**2. Signs on Side Walls**

Signs on side walls are considered to have a lesser impact than signs that are located on the front facade of a building. However it is recognised that side walls (including the rear walls) of buildings are often just as visible as front facades and the effects of signs on these walls can be just as great. Therefore conditions have been established to minimise the effects of signs on side walls.

**3. Signs Mounted on Veranda Fascias**

A veranda fascia is considered to be an important feature of an Art Deco building. For this reason it is considered that the retention of the veranda fascia in as an original condition as possible to enhance Art Deco character is essential. Signs on veranda fascia's can detract from the heritage features of a building. Therefore care in the size, and design and appearance of such signs is encouraged, so that they fit with the heritage values of the building.

**4. Signs Mounted on the Veranda Roof**

It is considered that signs above the veranda are more intrusive, and can detract from or obscure heritage features of a building. Also, signs located at the far edge of the veranda are not visible from the road level. For both of these reasons, provisions have been established that attempt to avoid the visual effects on buildings, and ensure that signs are visible from the road.

**5. Signs Mounted Under Verandas**

Signs mounted below the veranda are important in the direction and location of land uses in the Art Deco Quarter. However, such signs can cause adverse effects for pedestrian and vehicular traffic through both obstruction and distraction. Provision is made in the rules to control the number, height and length of signs mounted below the veranda, to avoid such adverse effects.

**6. Official Signs**

The Traffic Regulations provide for signs on roads for the purposes of traffic warnings, safety, information and advice. Their function, design and location is controlled by the Traffic Regulations. Consequently, it is not necessary for the Plan to place additional controls on such signs throughout the City.

**7. Moveable, Footpath Signs**

Moveable, footpath signs are important for attracting peoples attention, however, they can cause visual clutter and impede pedestrian movement. It is important that moveable, footpath signs shall not restrict pedestrian movement and cause traffic hazards. Also moveable, footpath signs should be designed to reduce the likelihood of toppling over and injuring pedestrians. Therefore provisions have been included that reduce any adverse effects moveable, footpath signs may have on the Inner City Retail Environment.

**8. Temporary Signs**

It is recognised that signs such as “For Sale” signs and Electioneering signs are only required for a short and temporary duration. There may be effects from such signs, however due to their short duration, this effect is considered to be minimal. Any detraction from amenity caused by temporary signs can often be outweighed by community interest in receiving information.

**9. Warning and Emergency Services Signs**

Warning signs and signs for the purposes of emergency services are considered essential to the recognition of dangerous goods or areas, and important to the safe and efficient functioning of the City, particularly in the event of an emergency. Such signs ensure that public health and safety is recognised and protected.

**10. Banners**

The Council considers that banner signs are inappropriate in locations other than those specified. The locations listed are appropriate as any adverse effects can be minimised through careful management. The Council does not want to encourage the use of banners throughout the City as the potential for adverse visual and safety effects would be greatly increased and could not be effectively managed.

**11. Captive Balloons**

The Council considers that signs associated with Captive Balloons have the potential to be extremely visible across the City. Captive balloons require careful management to ensure that potential adverse effects on the safe passage of air traffic, especially near flight paths, and the effects on ground traffic i.e. distraction, are avoided.

**12. Location**

The location of a sign has the potential to adversely effect the area in which it is placed. The Council considers the potential adverse effects from the inappropriate location of signs to be considerable. Therefore the Council has included rules to limit the location of signs to ensure that there is safe and efficient movement around the City, free from any obstruction or any other hazard or nuisance a sign may present.

**13. Height**

The height of a sign has the potential to adversely effect the amenity of the area in which it is placed and the potential to create a hazard to users of the area. The Council considers the potential adverse effects from signs that are excessive in height to be considerable. Therefore the Council has included rules to limit the height of signs to ensure that there is safe and efficient movement around the City, free from any obstruction or any other hazard or nuisance a sign may present, and to ensure that amenity values are maintained.

**14. Illumination of Signs**

Illuminated signs are a commonly used advertising tool. Their prominence can, if poorly located or designed, create a nuisance or hazard for adjacent land uses through glare or the spillage of light. However, illuminated signs can also add to the visual amenity of an area. At the same time illuminated signs also have greater potential to be hazardous to vehicle movement and safety. These adverse effects can be more significant where the illumination is by intermittent or flashing sources of light. For this reason, flashing signs are discretionary.