



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

SECTION 42A REPORT

Hearing Stream 2 - SIGNS Report on submissions and further submissions on the Proposed Napier City District Plan

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Subject: Proposed Napier City District Plan
Hearing Stream 2, Signs
Signs
Definitions relating to signs

Executive Summary

- i. This report considers submissions received by Napier City Council in relation to the relevant objectives, policies, rules, standards, definitions, and appendices of the Proposed Napier City District Plan as they apply to the Signs chapter in the Proposed District Plan, namely the:
 - *Signs*
 - *Definitions*
- ii. There were a number of submissions and further submissions received in relation to these parts of the Proposed District Plan. The submissions received were varied and sought a range of outcomes. The purpose of this report is to provide the Hearings Panel with a summary and an analysis of the submissions received on the relevant chapters and to recommend possible amendments to the Proposed Plan in response to those submissions.
- iii. The following are considered to be the key issues in contention with respect to the relevant chapters:
 - a. *Enabling signage where appropriate*
 - b. *Protect effects on the transport network*
 - c. *Definitions*
- iv. This report addresses these key issues, as well as any other relevant issues raised in the submissions. There are a number of matters not in contention or needing further consideration, for example where no submissions were received in relation to an objective, policy, rule or standard. It is recommended that these matters are adopted as notified and no further consideration of them is required, with the exception of any consequential changes that need to be made as a result of submissions.
- v. **Appendix A** of this report sets out the recommended drafting amendments ('track changes') to the various relevant chapters in a consolidated manner. These recommendations take into account all of the relevant matters raised in submissions and relevant statutory and non-statutory documents. References to a submitter number, submission point and abbreviation for their title provide the scope for each recommended change (including consequential changes in response to recommended relief on primary submission points). Where no amendments are recommended to a provision, submission points that sought the retention of the provision without amendment are not referenced.
- vi. **Appendix B** of this report sets out the recommended responses to submissions by way of a summary table of submissions for each of the particular relevant chapters.
- vii. This report is to be read in conjunction with the Section 42A Report Part 1 – Strategic Direction¹ and with the Section 42A – Overview Report.

These reports provide background information including the review process undertaken, consultation carried out, statutory context, procedural, and administrative matters relating to the plan review to inform the Hearings Panel, submitters and general public of the steps taken to reach the hearings stage and to inform the strategic direction of the Proposed District Plan.

¹ [Section-42A-Report-Strategic-Direction.pdf](#)

- viii. Where Proposed District Plan provisions are recommended for amendment as a result of submissions, the reasoning for the amendments is given in the hearing report, including the reasons outlined under Section 32AA to consider the appropriateness of the proposed provisions and the benefits and costs of any policies, rules or other methods.

Interpretation

Abbreviations used throughout this s42 reports and supporting documents are as set out in *Tables 1 and 2* below.

Table 1: Abbreviations

Abbreviation	Means
GRZ	PDP General Residential Zone
HBRC	Hawkes Bay Regional Council
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
MFE	Ministry for the Environment
MRZ	PDP Medium Density Residential Zone
NES	National Environmental Standard
NESTF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement or else National Planning Standards, MFE 2019 depending upon context
NPS-ET	National Policy Statement on Electricity Transmission 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-UD	National Policy Statement on Urban Development 2020
RPS	Hawkes Bay Regional Policy Statement (contained in the RRMP)
RRMP	Hawkes Bay Regional Council Regional Resource Management Plan (2006)
S32	Section 32 of the Resource Management Act 1991
S32AA	Section 32AA of the Resource Management Act 1991
the Act / the RMA	Resource Management Act 1991
the Council / NCC	Napier City Council
the Operative Plan/ODP	Operative Napier City District Plan
the Proposed Plan/PDP	Proposed Napier City District Plan

Table 2: Abbreviations of Submitters and Further Submitters Names addressed in this report

Abbreviation	Means
HNZPT	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc
KiwiRail	KiwiRail Holdings Limited
Fuel companies	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
NZTA	Waka Kotahi NZ Transport Agency
oOh!Media	oOh!Media Street Furniture New Zealand Limited
Ravensdown	Ravensdown Limited

In addition, references to submissions includes further submissions, unless otherwise stated.

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APPENDIX A - *Recommended Amendments to Plan Provisions*

APPENDIX B - *Summary of Recommended Responses to Submissions and Further Submissions*

1. Introduction

1.1 Purpose of the Section 42A Report

1. This report has been prepared under section 42A of the Resource Management Act 1991 (“RMA”). It discusses the various issues raised by submissions and makes recommendations on either retaining the Proposed District Plan (“PDP”) provisions without amendment or making amendments to the PDP in response to those submissions in order to assist the Hearings Panel in drafting the Council’s decisions on the Signs chapter and related definitions.
2. It considers submissions received by Napier City Council in relation to the relevant strategic directions, objectives, policies, rules, definitions, and appendices as they apply to the relevant chapters in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
3. This report discusses general issues or topics arising, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions based on the preceding assessment and evaluation contained in the report. Where necessary, other parts of the PDP have been addressed in this report.
4. The conclusions reached and recommendations made in this report are not binding on the Hearings Panel. It should not be assumed that the Hearings Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

1.2 Author, Code of Conduct and Supporting Evidence

5. My name is Jeriel Sajan and I am employed by the Council as a Policy Analyst. My qualifications include a Bachelor of Business Studies, 2019, Eastern Institute of Technology and Master of Public Policy, 2024, University of Auckland.
6. I have over 2 years’ experience working as a resource management policy analyst.
7. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court in 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
8. The scope of my evidence relates to Signs. Other than when I state that I am relying on the evidence or advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
9. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given the reasons for those opinions.
10. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

11. The I have not relied on any expert evidence, literature, legal cases or other material other than the s.32 report for the PDP as notified.

1.3 Procedural Matters

12. At the time of writing this report there has not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on the Signs.

2. Statutory Considerations and Planning Framework

2.1 Overview

13. As set out in the Section 42A Report Part 1 Strategic Direction, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP, including in relation to this topic. This report details all relevant consultation and includes a comprehensive assessment of the statutory considerations considered prior to public notification of the PDP, as well as changes to the planning framework in the intervening period. For efficiencies in reporting, this has not been repeated within this topic specific report. Where higher order documents are specifically relevant to the analysis on submissions, this has been addressed in the assessment of submissions by issue/theme in this report.
14. In addition to the Part 1 Strategic Direction report, the following Section 32 Evaluations Reports are relevant to the relevant provisions that will be addressed in this S42A report:

- [Section-32-Report-Part-2-Signs-Chapter.pdf \(napier.govt.nz\)](#)

2.2 Section 32AA

15. Section 32 of the RMA requires that the objectives of the proposal be examined for their appropriateness in achieving the purpose of the RMA, and the provisions (policies, rules, standards or other methods) of the proposal are to be examined for their efficiency, effectiveness and risk. The effects of new policies and rules on the community, the economy, cultural, historic heritage matters and the environment needs to be clearly identified and assessed as part of this examination.
16. Where changes are proposed to the as-notified provisions, a further assessment needs to be undertaken to confirm that the new provisions are appropriate at a level of detail that corresponds to the scale and significance of the changes.
17. Where there is a significant departure from the notified PDP provisions, I have undertaken a S32AA evaluation in respect to the recommended amendments in my assessment on a topic basis within the analysis of submissions.

2.3 Strategic Objectives

18. The strategic objectives of the Proposed District Plan provide a framework for ensuring a consistent policy direction for all chapters. The strategic objectives particularly relevant to this topic are:
 - SD-HH-O1: Character, culture, heritage and landscapes
Napier's distinctive character, culture, heritage, and landscapes are recognised, celebrated, maintained, protected, and enhanced.
 - SD-SRCC-O1: Risk and vulnerability
Risk and vulnerability of people and property from natural hazards is minimised.

- SD-TI-O1: Enabling infrastructure
Infrastructure that supports economic growth, including the port, airport, transportation, and electricity transmission networks, is enabled and protected
- SD-TI-O2: Transport
Napier's transport network optimises connectivity, public health and safety, and encourages active and public transport modes.
- SD-TI-O3: Managing adverse effects of infrastructure
The adverse effects of infrastructure are managed with regard to the economic, social, environmental, and cultural benefits and the technical and operational needs of infrastructure.
- SD-UFD-O3: Napier CBD
A vibrant and sustainable Napier CBD, with a mix of complementary activities and public spaces that encourage inner city/fringe city living.
- SD-UFD-O4: Economic activity
Economic activity and innovation are enabled in appropriate locations.
- SD-UFD-O5: Centre Zones
Centre zones provide for community and economic wellbeing by:
 - a. being the focal points for economic and community life, including through the agglomeration of retail, hospitality, and community facilities;
 - b. allowing efficient provision of infrastructure and public amenities through economies of scale, and
 - c. being highly accessible to the community(s) they serve.
- SD-UFD-O6: Industrial zones
Industrial development contributes to economic wellbeing of the region while promoting the efficient use of infrastructure.
- SD-UFD-O10: Quality environment
Attractive, safe, and healthy environments to live, work, and play.

19. The above strategic objectives have been considered alongside the higher order planning documents and legislation when informing the analysis of submissions in this report, including the s32AA assessments.

2.4 Trade Competition

20. There are no known trade competition issues raised within the submissions.

3. Consideration of Submissions and Further Submissions

3.1 Overview

21. In total, there were 40 submission points in relation to the Signs chapter and 4 further submission points, as well as 4 submission points raised in relation to the definition of Signs.

22. Submissions on the provisions relevant to this topic raised a number of issues which have been grouped into sub-themes within the applicable parts of this S42A report. Some of the submissions are addressed under a number of headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.

23. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission-by-submission approach. I have organised the evaluation in accordance with common themes that appear on the residential chapters in the PDP as notified.
24. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. Specific recommendations on each submission / further submission are contained in **Appendix B**.
25. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves, the applicable S32 Reports, and the overlays and maps on the ePlan. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission / s, the evaluation and recommendation are set out in the body of this report. I have provided a marked-up version of the residential chapters with recommended amendments in response to submissions as **Appendix A**.
26. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission. In general, further submissions may not be specifically mentioned.
27. This report only addresses definitions that are specific to the residential provisions in the PDP.
28. For each identified topic, the consideration of submissions has been undertaken in the following format:
 - Matters raised by submitters;
 - Assessment; and
 - Summary of recommendations and consequential amendments in Appendix A.

3.2 Late submissions

29. No submissions on this topic were received after the close of submissions date of 15th December 2023.

4. Submissions on Signs

4.1 Issue #1 – Enabling Signage Where Appropriate

4.1.1 Objectives

Matters raised by submitters

A number of submitters submitted on the objectives as they relating to enabling signage where it is appropriate:

30. oOh!Media (143.7) supports Objectives SIGN-O1 and SIGN-O2 because they consider these objectives enable signage that meets community needs without detracting from visual amenity, enhances city vibrancy, and ensures public and transport safety, and seeks retention of these objectives.
31. KiwiRail (168.105) supports SIGN-O2 because they consider it ensures transport safety, and seeks retention of the objective as proposed.

32. HNZPT (273.164) oppose the SIGN objectives because they consider the objectives do not adequately manage adverse effects on heritage values, and seeks the addition of new objectives to address signage on heritage buildings and precincts.
- **SIGN-O3: Signs on heritage buildings**
Signs located on heritage buildings complement the heritage values and architectural features
Relates to SIGN-I3 and SIGN-I4 and SIGN-I6
 - **SIGN-O4: Heritage Precincts and Overlays**
Signage in the Heritage Precincts and Overlays provides for businesses' locational and promotional needs while contributing to heritage values and streetscapes
Relates to SIGN-I3 and SIGN-I6
33. HNZPT (273.165) supports SIGN-P7 because they consider the policy ensures signs do not obscure or compromise significant heritage values, and seeks retention of the policy as notified.
34. KiwiRail (168.106) supports SIGN-P9 because they consider the policy ensures that signs do not obstruct, distract, or cause nuisance to traffic, pedestrians, or the safety of the transport network, and seeks retention of the policy as proposed.
35. HNZPT (273.166) supports SIGN-P10 because they consider the policy appropriately manages signage on heritage buildings, and seeks retention of the policy as notified.
36. HNZPT (273.167) supports SIGN-P11 because they consider the policy appropriately manages signage in the Napier City Heritage Precinct, and seeks retention of the policy as notified.
37. oOh!Media (143.8) seeks to insert a new policy because they consider there should be a specific policy and rules to regulate advertising signs integrated with network utilities in the road reserve, as follows:
- **SIGN-P12: Signs that are integrated with network utilities**
Enable signs where they are an integrated component of network utilities

Assessment

38. In response to submissions 143.7, 168.105, 273.165, 273.166, 273.167, and 168.106, which seek to support and retain the notified objectives and policies SIGN-O1, SIGN-O2, SIGN-P7, SIGN-P10, SIGN-P11, and SIGN-P9, I consider these appropriate as they align with the purpose of the chapter in effectively managing signage to balance community needs, heritage preservation, and transport safety.

39. In response to submission 273.164 I have reviewed the objectives of this chapter and conclude that there is a gap relating to the protection of heritage values from inappropriate signage. The inclusion of such an objective would link to SIGN-I3, SIGN-I4, SIGN-I6, SIGN-P8, SIGN-P10 and SIGN-P11. The relevant strategic direction objectives also support the inclusion of objectives that specifically relate to heritage. However I do not believe it is necessary to include two additional objectives, and that one more general objective relating to the protection of heritage values is considered sufficient. The PDP as notified, does not include rules for signage within any heritage overlay or precinct other than the Napier City Historic Heritage Precinct, and it is therefore not necessary to address this matter within a policy. HNZPT has also not sought the inclusion of a new rule to manage signs within heritage overlays. I consider it appropriate to address the gap in the policy framework with a new objective as follows:

SIGN-Ox: Signs on heritage buildings or within the Napier City Historic Heritage Precinct

Signs located on heritage buildings or within the Napier City Historic Heritage Precinct provide for locational and operational needs while complementing heritage values and architectural features.

Relates to SIGN-I3, SIGN-I4 and SIGN-I6

S32AA Evaluation

The current PDP lacks objectives that directly address signage management for heritage buildings and precincts, creating a gap in handling potential adverse effects on heritage values. While general provisions cover visual amenity and safety, they do not account for the specific needs of heritage environments.

The addition of a new objective will fill this gap by introducing an objective focused on protecting the heritage values and architectural features of heritage buildings, structures and areas while still allowing necessary signage for businesses and other needs.

These new objective will make the PDP more effective by ensuring that heritage values are explicitly considered in signage decisions. This aligns with the plan's broader goal of balancing development with the preservation of Napier's historical and cultural features, providing clearer rules for both developers and the community.

The proposed objective fits with the PDP's overall aim to protect Napier's unique identity. It will help balance business needs with heritage preservation, making the policy framework more robust and targeted for managing signage in sensitive heritage areas.

Environmental	The introduction of a heritage-focused signage objective will help minimise the environmental impact on heritage buildings, structures and areas, ensuring that signage is designed in a way that is sympathetic to the historic values.
Economic	The new objective supports businesses located in heritage precincts by allowing for signage that meets locational and promotional needs while preserving the unique character of the area. This can enhance the appeal of heritage precincts for tourism and commerce, contributing to economic growth.
Social	Protecting heritage values through signage management helps maintain community identity and pride in Napier's historical areas. This helps foster a sense of identity and connection to the city's cultural heritage.

Cultural	The addition of this objective ensures that heritage values are safeguarded in line with cultural preservation principles. These changes will help to maintain the integrity of culturally significant sites, contributing to the protection of Napier's historical and architectural heritage
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The introduction of a new objective brings several benefits by a comprehensive policy framework for managing signage within heritage environments, filling a gap in the current Signs Chapter. This new objective enhances the protection of Napier's historic character while still supporting business needs. It aligns with the broader PDP objectives related to preserving cultural and architectural heritage and also supports economic development by allowing signage that is sensitive to heritage values, which in turn enhances the attractiveness of heritage precincts. No changes have been made to the rules relating to signage on or within heritage buildings or precincts, and there will not be any additional regulatory hurdles for businesses/owners to meet.

In conclusion, the introduction of a new objective is appropriate because it addresses a critical gap in managing signage impacts on heritage buildings and precincts. This objective offers clear guidance on how to balance business needs with the preservation of Napier's historic character, contributing to both economic and cultural sustainability. The benefits of protecting heritage values and aligning the PDP with its broader objectives outweigh the potential costs of increased compliance or restrictions on signage in heritage areas.

40. In response to submission 143.8, seeking the inclusion of a new policy, I consider this inappropriate as it does not align with Napier's intended approach for signage management. SIGN-P2: Allow appropriate signs where compatible with the area already addresses these activities, and it is not the chapter's intent to provide for advertising signs specifically, but rather to manage the effects of signage.

Summary of recommendations

41. Hearing Stream 2 SIGN Recommendation 1: Accept submissions 143.7, 168.105, 273.165, 273.166, 273.167, and 168.106, to retain notified objectives and policies (O1, O2, P7, P10, P11, and P9). Accept in part submission 273.164 to include a new objective for protecting heritage. Reject submission 143.8, to include new policy for advertising signs integrated with network utilities.

4.1.2 Signs relating to significant infrastructure

Matters raised by submitters

42. Golden Bay (180.11) seeks to oppose the rules table because they consider it unclear which SIGN rules apply to the PORTZ Zone and seeks a review of the application of SIGN provisions to this zone to ensure clarity and reflect the character of the area. Golden Bay (180.12) seeks to oppose the SIGN provisions because they consider it is unclear which rules apply to signs in the PORTZ Zone and seeks a review and amendment to the SIGN – Signs – Rules Table and Standards Table to clarify their application and ensure they reflect the character and amenity of the PORTZ Zone, similar to the approach in the industrial zones.

43. Hawke's Bay Airport Limited (HBAL) (198.147) seeks to amend the Signs chapter for the Airport Zone because they consider the current restrictions are unduly onerous and not reflective of modern airports and seeks significant amendments to permit signage while maintaining road safety. Sera Chambers (FS 560.198) seeks to oppose submission 198.147 because they consider the changes to flight paths and noise levels have not been transparent and seeks that the submission and all proposed changes be disallowed.
44. Hawke's Bay Airport Limited (198.148) seeks to amend SIGN-R14 because they consider the current restrictions are overly burdensome for modern airport operations and seeks amendments to allow more flexibility for signage while ensuring road safety.

Assessment

45. Submissions 180.11, 180.12 and 198.147 all raise concerns relating to SIGN-R26, which provides a catch-all rule for signs not otherwise provided for within the rule framework as a non-complying activity. The concerns of submitters specifically relate to how signage is provided for within the Airport Zone and the Port Zone. The rules framework does not provide for free-standing signs other than those located adjacent to a state highway or road with a speed limit greater than 50km/hr, temporary signs, signs that are flashing or electronic, third-party signs, for road-side stalls, at service stations and transport depots, at sportsgrounds or within road corridors. Signs located within sites such as the Airport or Port, for informational purposes would therefore automatically fall to a non-complying activity status. In addition to this, SIGN-S3 (sign area) does not provide a maximum sign area for special zones, such as the Airport Zone and the Port Zone. In my opinion, the amenity and operational needs most closely align with the 'All industrial zones and precincts' provisions of this standard, which sets a no maximum area for signs or combinations of signs per site. I recommend that the AIRPZ and PORTZ is added to this row of SIGN-S3 and that a new rule is inserted to provide for all free-standing signs not otherwise provided for within Rules SIGN-R1 to SIGN-R25 as a permitted activity, subject to compliance with standards SIGN-S1 – SIGN-S4. SIGN-R26 needs to be deleted to remove the restricted-presumption and replace it with a permissive-presumption. A consequential change is also required to address signs in the AIRPZ and PORTZ in the Assessment Criteria. Further consequential changes are required to other rules as outlined below. I recommend to reject submission FS 560.198.

Section 32AA Evaluation

The move from a restrictive presumption for the catch-all 'everything else' rule to a permissive presumption rule is a change that requires analysis, consideration of the costs and benefits and whether there are any alternatives. As noted above, a large number of signs outside of the city centre would automatically fall into SIGN-R26 – Activities not otherwise provided for. This includes permanent static, non-reflective signs located within the suburban commercial, mixed use, industrial or residential areas that are free-standing or attached to a fence. Signs such as these would automatically be a Non-Complying Activity, without the chance to meet the standards set out in SIGN-S1 – S4. This would lead to perverse outcomes.

The s32 assessment for the PDP does not identify this as a change from the ODP, nor explain the reasoning behind this change.

In considering whether the change to a permitted presumption would result in the inadvertent permitting of any sign activity, otherwise intended to be controlled through resource consent, it appears that the only possible consequential change needed to address this would be to add the word 'digital' to SIGN-R23 and SIGN-R25. It is possible that 'electronic' and 'digital' can be interpreted as the same, but to align with the wording used in SIGN-R21, I recommend adding 'digital' to these two rules.

A new catch-all permitted rule as recommended would still require permitted activities to comply with SIGN-S1 – SIGN-S4, with non-compliance requiring resource consent as a Restricted Discretionary Activity.

The change recommended will be more efficient for both Council and the Plan User, and will achieve the intended approach to the management of signs. The change aligns with the objectives and policies of the Signs chapter and the Strategic Objectives.

Environmental	The introduction of a permitted activity will not pose any increase risks to the environment.
Economic	The new permitted activity rule will be a more efficient approach to managing signs. The use of a Non-Complying Activity rule for the catch-all 'all other activities' would have resulted in a number of otherwise complaint signs requiring resource consent.
Social	The recommended catch-all permitted activity rule still requires compliance with the standards, which will ensure the signage is appropriately sized and located in a manner that does not impact on the enjoyment of the urban and rural environments.
Cultural	Signs on heritage buildings and within the heritage CBD are still managed through a separate rule.

Alternatives

- a. **Status quo** – making no change will result in a large number of businesses and organisations being caught by a non-complying rule, resulting in unnecessary resource consents for what would otherwise be compliant (and appropriate) signs.
- b. **Introduce new rules to manage free-standing or signs on walls/fences that comply with the standards** – In considering the various types of signs and how they have been captured by the rule framework, it appears that these types of signs are the only signs left that have not been captured. This is therefore an option, however any sign not already captured through the existing rules, provided they meet all the standards would be considered appropriate. It is therefore more efficient to amend the catch-all rule from non-complying to permitted.

In conclusion, I consider the recommended change to the rule framework to be the most efficient and effective means of managing signs. The recommended change aligns with the objectives and policies of the chapter and the relevant strategic direction objectives.

46. Submission 198.148 seeks to amend SIGN-R14 as they consider it too onerous for modern airport operations. I note, this rule only relates to signs that are directed toward a state highway outside of a 50km/hr speed limit. Any free-standing sign within the airport site directed away from the state highway would be captured by the new rule recommended above. No evidence has been provided by the submitter as to the appropriate minimum lettering height for this rule. In contrast NZTA has also submitted seeking amendments to SIGN-R14 seeking a greater level of restrictions. My recommendation is to accept in part their relief sought, and is therefore to reject submission 1198.148.

Summary of recommendations

47. Hearing Stream 2 TEMP Recommendation 2: Accept 180.11, 180.12, and 198.147, and reject 198.148. Reject submission FS560.198.

4.1.3 Rules relating to enabling signage where appropriate.

Matters raised by submitters

38. Napier City Council (196.70) seeks to amend SIGN-R10 and SIGN-R11 because they consider the word "Stadium" is incorrectly spelt in the rule heading and seeks to correct the spelling. Napier City Council (196.71) seeks to amend SIGN-R20 because they consider referencing the Electoral Act 1993 will assist plan users in ensuring compliance with both the Act and the District Plan, and seeks the addition of a reference to the Electoral Act 1993 at the end of the rule.
39. Amelia Longley (222.135) seeks to support the rules that provide for signs within the Stadium Zone because they consider the rules appropriate, and seeks retention of SIGN-R10.
40. Amelia Longley (222.136) seeks to support the rules for signs within the Stadium Zone because they consider the rules appropriate, and seeks retention of SIGN-R11.
41. Amelia Longley (222.137 and 222.138) seeks to amend the rules for signs on parks and reserves because they consider signage is necessary for official purposes and for identification and conveying other information. They seek the insertion of two new rules. The first is for official signs (222.138), as defined in the PDP 'means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.' The second is for all other free-standing signs (222.137). The two requested new rules are as follows:

SIGN-Rx Official signs in all Open Space and Recreation Zones

SIGN-RxA: Permitted

Where:

1. The sign is required to meet legislative requirements, such as health and safety legislation; or
2. The sign provides information or instruction relating to public safety, such as equipment use, property entrances or for security purposes, and is no larger than necessary to convey the information.

Activity Status where compliance not achieved: Controlled

Matters over which control is reserved::

1. The location of the sign;
2. The size and height of the sign.

SIGN-Rx Free-standing signs in all Open Space and Recreation Zones

SIGN-RxA: Permitted

Where:

Compliance with SIGN-S1 – Sign-S4 is achieved

Activity status where compliance not achieved: Restricted Discretion

Matters over which discretion is limited:

1. The effects of non-compliance with any relevant Signs Standards and any

- relevant matters of discretion in the infringed effects standards.
- 2. The proposed duration of the display period.
- 3. Potential positive or adverse effects on the amenity values and character of the surrounding area.
- 4. Whether the sign would be in keeping with the built and natural features in the area and is visually appropriate in the area.
- 5. Whether the design and nature of the sign or support structure affects the potential impact of the sign.
- 6. Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians.
- 7. Whether the sign would combine with existing signage on the site or in the surrounding area, to create visual clutter.

42. Amelia Longley (222.139 and 222.140) seeks to oppose SIGN-S3 (0.3m² sign area for Open Space Zone) because they consider it too small for open space zones, which often cover large areas with multiple entrances and exits, and seeks deletion of the proposed standard to maintain consistency with the Operative District Plan. The submitter seeks to apply the standard that applies only to the Sports and Active Recreation Zones to all Open Spaces Zone as follows:

SIGN S3: Sign Area

Open Space (~~Sports and Active Recreation Zones~~) nbsp;

1. The maximum area of a sign or combination of signs per site, must not exceed 6m²
2. This standard does not apply to signs that are orientated internally and not visible from off the site.

Refer to Open Space Zone chapter

43. Sera Chambers (150.114) seeks to amend the rules for balloon signage (SIGN-R12) because they consider the rule should protect the enjoyment of adjoining property rights, and seeks the addition of a condition to ensure this. This is supported by Sera Chambers FS 549.150.114.
44. HNZPT (273.168) seeks to support SIGN-R2 because they consider the rule appropriately controls signage on building facades in the Napier City Heritage Precinct, and seeks retention of the rule as notified.
45. HNZPT (273.169) seeks to support SIGN-R25 because they consider the rule controls digital, flashing, and animated signs in the Napier City Heritage Precinct, and seeks retention of the rule as notified.
46. oOh!Media (143.9) seeks to amend SIGN-R1 because they consider it unclear in its application to official and third-party signs, and seeks the insertion of a new rule for "signs integrated with network utilities" with specific provisions for third-party digital signs.
47. Ravensdown (246.87) seeks to support the Signs - Standards Table SIGN-S3 because they consider it important that industrial sites are not restricted from meeting health and safety signage obligations, and seeks retention of the no maximum area of signage for industrial zones as notified.
48. Ravensdown (246.88) seeks to support SIGN-S4 because they consider the sign illumination standard ensures signage lighting does not result in light spillage or distraction, and seeks retention of the standard as notified.

Assessment

49. In response to Napier City Council (196.70), I consider it appropriate to amend SIGN-R11 by correcting the spelling of "Stadium" as this is a minor error and enhances the clarity of the provisions. SIGN-R10 uses the correct spelling of 'Stadium' and so does not require correction. In response to Napier City Council (196.71), I consider it appropriate to reference the Electoral Act 1993 in SIGN-R20 as this ensures consistency with higher-order documents and improves compliance for plan users.
50. In response to Amelia Longley (222.135) and (222.136), I consider it appropriate to retain SIGN-R10 and SIGN-R11 (albeit with a minor correction) as these rules effectively manage signage within the Stadium Zone, supporting both community needs and the intended function of the zone.
51. In response to Amelia Longley (222.137 and 222.138), I consider it appropriate to amend the rules for signs on parks and reserves as this will provide clear provisions for necessary identification and informational signage, ensuring that such signs are visually appropriate, safe, and in harmony with the surrounding environment. The inclusion of associated matters supports clarity and consistency in signage management within these areas. I consider these amendments appropriate as they align with higher-order documents and provide necessary clarity for identification and official signage in parks and reserves. These changes ensure that signage serves its legislative and public safety purposes while maintaining appropriate size and location controls. I do not consider this amendment requires a s32AA assessment, as it aligns with the chapter's existing objectives and purpose without significantly altering current abilities. The amendment is primarily for clarification and enhancing usability. However, I consider it necessary to make some adjustments to the rules as requested for clarity and consistency reasons, and because conditions duplicate the definition of official sign, as follows:

SIGN-Rx Official signs in all Open Space and Recreation Zones

SIGN-RxA: Permitted

Where:

- ~~1. The sign is required to meet legislative requirements, such as health and safety legislation; or~~
- ~~2. The sign provides information or instruction relating to public safety, such as equipment use, property entrances or for security purposes, and is no larger than necessary to convey the information.~~

SIGN-RxB

Activity Status where ~~condition a is compliance not achieved met:~~

Controlled

Matters over which control is reserved::

1. The location of the sign;
2. The size and height of the sign.

SIGN-Rx All other Free-standing signs in all Open Space and Recreation Zones

SIGN-RxA: Permitted

Where:

1. Compliance with SIGN-S1 – Sign-S4 is achieved

Activity status where condition a is compliance not achieved met: Restricted Discretion

Matters over which discretion is limited are:

1. The effects of non-compliance with any relevant Signs Standards and any relevant matters of discretion in the infringed effects standards.
2. The proposed duration of the display period.
3. Potential positive or adverse effects on the amenity values and character of the surrounding area.
4. Whether the sign would be in keeping with the built and natural features in the area and is visually appropriate in the area.
5. Whether the design and nature of the sign or support structure affects the potential impact of the sign.
6. Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians.
7. Whether the sign would combine with existing signage on the site or in the surrounding area, to create visual clutter.

52. In response to Amelia Longley (222.139 and 222.140), I consider the opposition to the 0.3m² sign area standard appropriate, as open space zones typically cover large areas with multiple entry and exit points. SIGN-S3 has a number of different sign area standards across multiple Open Space zones, including both 6m² where they face outward and no limit for signs in the Sports and Active Recreation Zone, 4.5m² for the Marine Parade Foreshore, no limit for the Stadium Zone, and 0.3m² for Open Space Zone. The submitter, in submission 222.139 has sought a maximum sign area of 0.6m² for all Open Space Zones. This is less permissive than the allowed sign area for the Marine Parade Foreshore and the Stadium Zone (both Open Space Zones), and so direction is sought from the submitter whether the relief sought is what is intended. Further clarification with Amelia concluded that she wanted the 6m² maximum to apply to the Open Space Zone, Natural Open Space Zone and Sports and Active Recreation Zone (all Open Space and Recreation Zones) and for the 'no maximum' standard to apply to the Stadium Zone. My recommendation will be withheld until clarification is sought. I therefore recommend the following changes:

SIGN-S3: Sign area		
All Open Space and Recreation Zones (Sports and Active Recreation Zone);	<ol style="list-style-type: none"> 1. The maximum area of a sign or combination of signs, per site, must not exceed 6m² 2. This standard does not apply to signs that are orientated internally. 	Refer to Open Space Zone chapter
Open Space	1. The maximum area of a sign or combination of signs, per site, must not exceed 0.3m²	Refer to Open Space Zone chapter
All industrial zones and precincts; Sports and Active Recreation Zone, and Stadium Zone (excludes the Marine Industrial Specific Control Area and <u>Wastewater Treatment Specific Control Area</u>)		

53. In response to Sera Chambers (150.114), I consider that adding a condition for balloon signage to protect the enjoyment of adjoining property rights is inappropriate. The current rules, policies, and objectives in Napier's plan already effectively manage the impact of signage on the community and environment, ensuring a balance between allowing signage and mitigating its effects. Introducing this additional condition would create unnecessary complexity without significantly enhancing the chapter's effectiveness. In addition, the relief sought would introduce a condition that requires a subjective assessment by the Plan User and by Council officers.

54. In response to HNZPT (273.168) and (273.169), I consider it appropriate to retain SIGN-R2 and SIGN-R25 as notified. These rules effectively control signage on building facades and regulate digital, flashing, and animated signs within the Napier City Heritage Precinct, ensuring the preservation of heritage values while managing the potential impacts of signage.

55. In response to oOh!Media (143.9), I do not find it necessary to amend Rule SIGN-R1, as its primary focus is on signage required for the road reserve, not third-party signs. The management of third-party digital signage is already sufficiently covered under SIGN-R23 and SIGN-R24, which provide a discretionary framework for electronic, flashing, or animated signs and third-party signs in other zones. Therefore, no additional rule for "signs integrated with network utilities" is required in this instance.

56. In response to Ravensdown (246.87) and (246.88), I consider it appropriate to retain both SIGN-S3 and SIGN-S4 as notified. Retaining SIGN-S3 ensures that industrial sites are not unduly restricted from meeting their health and safety signage obligations, particularly given the importance of clear and visible signage in industrial zones. Retaining SIGN-S4 is also appropriate as it effectively controls sign illumination, preventing issues such as light spillage or distraction, which supports both safety and visual amenity.

Summary of recommendations

57. Hearing Stream 2 Part 2 Recommendation 2: Accept in part Napier City Council (196.70), and accept (196.71). Accept Amelia Longley (222.135) and (222.136). Accept HNZPT (273.168) and (273.169). Accept Ravensdown (246.87) and (246.88). Accept Amelia Longley (222.137) and (222.138). Reject Sera Chambers (150.114 and FS 549.150.144). Reject oOh!Media (143.9). Recommendation on 222.139 and 22.140 is withheld until clarification is received on the intended relief sought.

4.2 Issue #2 – Protect Effects on the Transport Network

4.2.1 Issues & Objectives

Matters raised by submitters

58. NZTA (277.93) supports SIGN-I2 because they consider signage can contribute to visual clutter and create hazards for pedestrians and traffic, and seeks retention of the provision as notified.
59. NZTA (277.94) seeks to amend SIGN-O2 because they consider signage should not compromise the safe and efficient operation of the transport network, and seeks amendments to clarify this objective, as follows:
- a. Different types of signs of an appropriate size, design and positioned at suitable locations contribute to a vibrant city, and safe community, and do not compromise the safety or efficiency of the transport network.
60. KiwiRail (FS 233.277.94) supports the amendment proposed by NZTA to SIGN-O2 because they consider the modification is appropriate, and seeks the amendment to be allowed.
61. KiwiRail (168.105) supports SIGN-O2 because they consider it ensures transport safety, and seeks retention of the objective as proposed.
62. NZTA (277.95) supports SIGN-P3 because they consider the policy effectively limits third-party signage in Rural Production and Rural Lifestyle zones, and seeks retention of the provision as notified.
63. NZTA (277.96) supports SIGN-P5 because they consider the policy effectively controls visual clutter, and seeks retention of the provision as notified.
64. NZTA (277.97) supports SIGN-P6 because they consider limits on third-party signage in rural areas help reduce potential adverse visual and distraction effects for state highway users, and seeks retention of the provision as notified.

65. NZTA (277.98) supports SIGN-P9 because they consider the policy appropriately controls signage obstruction and hazards to ensure transport safety, and seeks retention of the provision as notified.
66. NZTA (277.99) supports SIGN-R1 because they consider the permitted status of official signs ensures the safe and efficient operation of the transport network, and seeks retention of the provision as notified.
67. NZTA (277.101) seeks to amend SIGN-R21B because they consider digital, electronic, flashing, or animated signs can create adverse visual and distraction effects that compromise transport safety, and seeks amendments to SIGN-S4 and related matters of control to complement changes requested, as follows:

SIGN-R21B

Activity status where condition b and standards are not meet: restricted discretionary

Matters of discretion are:

[...]

6. Any hazard, safety risk, or obstruction ~~to motor vehicles, vehicular traffic or pedestrians~~ with the potential to adversely affect any users of the transport network;

7. where fronting, facing or visible from a state highway the outcome of consultation with NZTA New Zealand Transport Agency for signs visible from the state highway network.

68. KiwiRail (FS 233.277.101) supports the amendments to SIGN-R21B because they consider the suggested matters of discretion will assist in assessing resource consents, and seeks the amendment to be allowed.
69. NZTA (277.102) supports the discretionary activity status for electronic, flashing, or animated signs in SIGN-R22 because they consider these signs can compromise the safety and efficiency of the transport network, and seeks retention of the provision as notified.
70. NZTA (277.100) seeks to amend SIGN-R14A because they consider controlling the adverse effects of sign distraction and proliferation is necessary to ensure transport safety, and seeks amendments to the rule to include standards for signs facing or visible from state highways. They seek to amend SIGN-R14A as follows:

~~SIGN-R14A: Signs located on land adjacent to state highways outside of 50km/h speed limit fronting, facing or visible from a state highway~~

Activity status: Permitted

Where:

1. Signs directed towards the state highway shall have a minimum lettering height of 120 mm in areas of up to 70km/h speed limit and 160 mm in areas above 70km/h speed limit; and
2. Signs have a maximum of 6 words and/or symbols, with a maximum of 40 characters; and
3. Signs must not obstruct the movement of any pedestrian, motorists, or cyclist; and
4. Signs must not be made of materials likely to reflect headlights from an approaching vehicle; and
5. The activity is not illuminated and used for the purpose of:
 - a. Interpretation sign
 - b. Official sign
 - c. Directional sign
 - d. Real estate sign

- e. Railway and traffic signs
- f. Election signs
- g. Temporary signs
- h. Veranda signs
- i. Real estate signs; or
- j. Infrastructure signs; and
- k. Compliance with SIGN-S1, SIGN-S2, SIGN-S3 and SIGN-S4 is achieved.

SIGN-R14B

Activity status where conditions and standards are not met: Restricted Discretionary

-
- x. The matter of discretion of any infringed standard
 - x. Approval from NZTA is required.

71. NZTA (277.103) seeks to amend SIGN-S4 by adding new conditions and matters of discretion because they consider managing the effects of digital signage is necessary to maintain transport safety, and seeks additional criteria for image content, dwell time, and transition time, as well as consultation with NZTA for signs visible from state highways, as follows:

Additional matters for digital signs visible from the State Highway

7. There shall be a maximum of one digital sign per site;

8. There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change.

9. The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the state highway network from which the digital billboard is visible;

10. In low-speed environments (70 km/h and less) at all times the digital billboard should include no more than ten individual elements; of which words may only make up eight elements. Additionally, each line of text shall contain a maximum of 40 characters.

11. In higher speed environments (more than 70 km/h) these content controls have. At all times the digital billboard should include no more than five individual elements; of which words may only make four elements. Additionally, each line of text shall contain a maximum of 20 characters.

12. The digital sign shall be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved; [...]

Matters of Discretion are:

[...]

8. The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as any hazard, Any hazard, safety risk or obstruction to motor vehicles, vehicular traffic, or pedestrian

9. Outcome of consultation with New Zealand Transport Agency for signs visible from the state highway network.

72. KiwiRail (168.107) seeks to amend SIGN-S1 because they consider a clause should be included specifying that signs must not be located within the rail corridor, and seeks the amendment to reflect this requirement, as follows:

1. All signs (other than a moveable, footpath sign) must be contained solely within the site boundaries.
2. Where a building has no verandah, the minimum vertical clearance to the base of any sign (other than a moveable, footpath sign) attached at right angles to the building facade from the footpath must be 2.5 m.
3. Signs must not be located on or over a road, including the road reserve, or within the rail corridor.
4. Signs must not obscure any important architectural feature of a heritage building (listed in the District 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.

73. KiwiRail (168.108) seeks to amend SIGN-S4 because they consider the standard should specify that signs must not obstruct rail signals or traffic, and seeks the inclusion of provisions regarding visual obstruction, light spill, and digital sign content to maintain transport safety.

Amend as follows:

1. All signs whether illuminated internally, externally or by other means:
 - a. must not visually obstruct traffic control signals or rail signals, and
 - b. ...
 3. The external illumination of signs by spotlights or floodlights shall be focused only on the device to be illuminated, and shall be directed away from residential zoned sites, the rail corridor and roads.
 5. Electronic signs, including digital signs must:
 - a. not flash or contain moving images;
 - b. not use animated or videos;
 - c. not play music;
 - d. not have sound or music;
 - e. not obstruct or obscure any traffic control device or rail signal (including partially)
 - f. not impair or obstruct the vision or view of any driver, motorists or any road or rail user using the road or rail corridor safely.
- Matters of discretion are:
Purpose of the sign:
1....
7. Any hazard, safety risk or obstruction to motor vehicles, vehicular or rail traffic, or pedestrians

74. In response to submissions 277.93, 168.105, 277.95, 277.96, 277.97, 277.98, 277.99, 277.102 and 168.105 from NZTA and KiwiRail, I consider it appropriate to retain the provisions as notified. These submissions collectively emphasise the need for effective management of signage to ensure the safety and efficiency of the transport network, particularly in rural areas, state highways, and heritage precincts. Retaining provisions like SIGN-I2, SIGN-O2, SIGN-P3, SIGN-P5, SIGN-P6, SIGN-P9, SIGN-R1 and SIGN-R22 is consistent with the objectives of the Signs Chapter, which aims to prevent visual clutter, limit third-party signage, control signage obstruction, and ensure that signage does not pose hazards to road users. This alignment with the transport network's safety goals ensures that the PDP effectively balances signage management with the need to maintain a safe and efficient transport network.
75. In response to NZTA's submission (277.94) and KiwiRail's further submission (FS 233.277.94), I consider it appropriate to amend SIGN-O2 as requested. The amendment clarifies that signage must not compromise the safe and efficient operation of the transport network by emphasising appropriate sign placement, size, and design. This strengthens the safety focus of the objective, making it clearer that transport network safety takes priority, which is crucial for high-traffic areas. While it may impose stricter controls on businesses, the benefits of increased safety outweigh the reduced flexibility.
76. In response to NZTA's submission (277.101) and KiwiRail's further submission (FS 233.277.101), I consider it appropriate to amend SIGN-R21B. Regulating digital, electronic, flashing, or animated signs helps mitigate potential distractions that could compromise transport safety. The additional matters of discretion ensure that consultation with NZTA is incorporated for signs visible from state highways, and the provision appropriately limits signage content and design to minimize hazards.
77. In response to NZTA's submission (277.100), I find it appropriate to amend SIGN-R14A to ensure the adverse effects of sign distractions and proliferation near state highways are controlled. The amendments include specific standards for signs directed toward highways with a speed limit of more than 50km/hr, which are intended to enhance safety and ensure signage does not obstruct or distract drivers. In response to NZTA's submission (277.100), I partly accept their relief sought, and consider it appropriate to place additional restrictions on signs in order to protect the functional and safety needs of the state highway network. With regards to the sign being visible from the state highway, I do not consider this is appropriate as sign internal to the site (but setback considerably and not facing the State Highway, could be considered 'visible' and caught by this rule. Whether a sign is visible is also a subjective consideration. With regards to new condition (5) as shown above, I do not consider it appropriate to limit the types of signage that can be displayed on sites adjoining or facing a state highway to those listed. There are separate rules for these different types of signs. Limiting signage to the types of signs listed would significantly limit the ability of businesses and other organisations to display signage, when it is the effects of this signage that should be the matter that is controlled. In addition, there needs to be some minor changes made to this rule to ensure consistency in the way the rule is written with other rules, and for grammatical improvement. I recommend the following changes to SIGN-R14A:

SIGN-R14A: Signs located on land adjacent to state highways outside of 50km/h speed limit fronting or facing or visible from a state highway

Activity status: Permitted

Where:

1. Signs directed towards the state highway shall have a minimum lettering height of 120 mm in areas of up to 70km/h speed limit and 160 mm in areas above 70km/h speed limit; and
2. Signs have a maximum of 6 words and/or symbols, with a maximum of 40 characters; and
3. Signs ~~must~~ do not obstruct the movement of any pedestrian, motorists,

- or cyclist; and
4. ~~Signs must are not be made of materials likely to reflect headlights from an approaching vehicle; and~~
5. ~~The activity is Signs are not illuminated; and and used for the purpose of:~~
- l. ~~Interpretation sign~~
 - m. ~~Official sign~~
 - n. ~~Directional sign~~
 - o. ~~Real estate sign~~
 - p. ~~Railway and traffic signs~~
 - q. ~~Election signs~~
 - r. ~~Temporary signs~~
 - s. ~~Veranda signs~~
 - t. ~~Real estate signs; or~~
 - u. ~~Infrastructure signs; and~~
 - v. ~~The sign Ccompliance with SIGN-S1, SIGN-S2, SIGN-S3 and SIGN-S4 is achieved.~~

~~**Note:** Approval from NZTA is also required.~~

SIGN-R14B

Activity status where conditions and standards are not met: Restricted Discretionary

....

~~x. The matter of discretion of any infringed standard~~

~~x. Approval from NZTA is required.~~

78. In response to NZTA's submission (277.103), I consider it appropriate to amend SIGN-S4 to manage the effects of digital signage on transport safety. The proposed criteria for image content, dwell time, and transitions are essential to reducing visual distractions for drivers, particularly on state highways. The inclusion of consultation with NZTA further strengthens the consistency of these provisions with safety standards, ensuring that road users are not subjected to distracting or unsafe signage. Some minor adjustments to the way this new standard is incorporated into SIGN-S4 will be required, but will retain the thrust of the relief sought.
79. In response to KiwiRail's submissions (168.107 and 168.108), I consider it appropriate to amend the SIGN standards to restrict signs within the rail corridor and ensure that signs do not obstruct rail signals or cause light spill near critical transport infrastructure. These amendments provide clarity on the placement and illumination of signs, further protecting the safety of rail operations and road users. The standards ensure that signage is safely integrated into the transport environment without compromising operational safety.

S32AA Evaluation:

As notified, the current PDP includes provisions to manage signage impacts, but there are gaps related to ensuring that signage does not compromise the safety and efficiency of the broader transport network, particularly with respect to visual clutter, distractions caused by digital signage, and hazards created by signage placement near key transport routes. While some rules address these issues, the framework would benefit from clearer objectives and provisions to ensure the transport network is adequately protected from signage impacts and align with the way signs are managed throughout the country.

Recommended Changes:

- Amendments to SIGN-O2:
Clarify the objective to ensure that signage does not compromise the safe and efficient operation of the transport network. This will emphasise the importance of managing signage to avoid creating distractions or hazards for road users, aligning with the broader goals of the PDP.
- Addition of Provisions in SIGN-R14 and SIGN-R21B:
Introduce specific criteria to manage digital, flashing, and animated signs near state highways and rail corridors. These provisions will help reduce visual clutter and manage potential hazards related to sign distraction for drivers and pedestrians.
- Restriction of Signs in Rail Corridors:
Add a clause to the relevant standards prohibiting signs within rail corridors to prevent safety hazards and operational disruptions for rail traffic.

The proposed changes improve the effectiveness of the PDP by directly addressing gaps in the existing signage management framework. Clearer rules regarding digital signage, rail corridors, and signage near state highways will mitigate potential distractions and hazards, ensuring safer roads and transport networks. The efficiency of the plan is enhanced by providing developers, businesses, and the public with clearer guidelines for signage placement, design, and content near key transport routes. This will streamline decision-making and reduce conflicts over signage that could potentially interfere with traffic flow or cause safety issues.

The recommended changes align with the PDP’s strategic objectives to protect infrastructure while supporting business and community needs. By clarifying the signage rules and introducing specific protections for transport networks, the PDP better balances development with infrastructure safety and efficiency. The amendments also ensure that signage management aligns with the PDP’s overarching goals of fostering well-managed, safe, and efficient development across the district.

Environmental	The inclusion of clearer signage rules will help reduce the environmental impact of traffic congestion and accidents caused by signage distractions or obstructions. By maintaining efficient traffic flow, the recommended changes indirectly support environmental sustainability by reducing emissions from prolonged traffic disruptions.
Economic	The proposed changes could protect the economic productivity of the transport network by reducing the risk of delays, accidents, or disruptions caused by poorly placed or distracting signage. This will ensure that businesses, freight, and residents maintain access to essential roadways, minimizing disruptions to commerce. On the flipside, there will be additional restrictions for those wishing to erect signage, especially if they are located on sites facing the state highway network.

Social	Enhancing signage management contributes to public safety, reducing the risk of accidents caused by sign-related distractions or obstructions. This also supports the social well-being of the community by ensuring safe access to roads and transport services during daily commutes and other activities.
Cultural	While the proposed changes do not directly impact cultural activities, they ensure that signage near key transport routes does not detract from the safety and accessibility of roads and public spaces, allowing for the safe operation of events or activities with cultural significance.

The proposed amendments to the Signs Chapter enhance the protection of the transport network by introducing clearer guidelines for signage placement, design, and content near state highways and rail corridors, reducing risks associated with signage distractions and visual clutter in high-risk areas. These changes improve road safety, provide clearer guidance for developers, businesses, and event organisers, and help maintain efficient traffic flow, minimising environmental impacts such as emissions caused by delays. While the amendments may impose additional compliance requirements and result in longer approval processes for digital or flashing signs near key transport routes, these potential costs are outweighed by the benefits of improved safety and operational clarity. Overall, the amendments effectively align the PDP with its broader goals of protecting infrastructure and promoting safe, efficient development.

Summary of recommendations

80. Hearing Stream 2 SIGN Recommendation 3: Accept submissions 277.93; 277.95; 277.96; 168.105; 277.97; 277.98; 277.99; 277.102; 168.105; 277.94; FS233.277.94; 277.101; FS233.277.101; 168.107; 168.108. Accept in part 277.100 and 277.103.

4.3 Issue #3 – Definitions

4.3.1 Definitions

Matters raised by submitters

81. The Fuel Companies (215.193 and 215.195) and NZTA (277.8) support and seek the retention of the definition of Sign.

82. Telco (151.78) seek to amend the definition of Sign as follows:

Means....

- c. For the purposes of...
 - i.....
 - iv. provision of information concerning infrastructure; and

Assessment

83. The definition of Sign is taken directly from the National Planning Standards. The definitions provided in the National Planning Standards are mandatory if the term is used in the same context as that provided in the Standards. In this case it is, and therefore it is appropriate to retain the definition of Sign as notified.

Summary of recommendations

84. Hearing Stream 2 SIGN Recommendation 4: Accept submissions 215.193; 215.195; and 277.8. Reject submission 151.78,

5. Minor and Inconsequential Amendments

85. Pursuant to Schedule 1, Clause 16(2) of the RMA, a local authority may make an amendment, without using the process in this schedule, to its proposed plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.
86. As noted in this report, there appears to be an error in SIGN-S3 with two standards for sign area within the Sports and Active Recreation Zone. One standard provides no maximum area of a sign or combination of signs per site, while the other requires:
- d. The maximum area of a sign or combination of signs per site, must not exceed 6m².
 - e. This standard does not apply to signs that are oriented internally and not visible from off the site.
87. It is not clear which standard is intended to be the correct one, and clarification has been sought from Napier City Council's Parks and Reserves Department on the matter.
88. The recommended amendments are set out in the 'track changes' versions of the applicable chapters, which are provided at **Appendix A**.

6. Conclusion

89. As discussed further within Parts 2 to 5 of this S42A Report, a wide range of submissions and further submissions have been received with respect to the residential provisions within the PDP. Submissions have been analysed, with my recommendations set out at **Appendix A and B**.
90. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
91. For the reasons set out in the S32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- Achieve the purpose of the Resource Management Act 1991 ("RMA") where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - Achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

92. I recommend that:
- The Independent Hearings Panel accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and
 - The PDP is amended in accordance with the changes recommended in **Appendix A** of this report.

APPENDIX A – Recommended Amendments to Plan Provisions

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

SIGN - Signs

Introduction

Signs are an important tool to communicate desired messages for various purposes including destinations, education, safety, hazards, community events and business activities. Signs are essential for the information they provide, adding vibrancy and colour and they contribute indirectly to economic viability.

There is a large range of different types of signs with the potential to generate very varied effects in different environments. If the size, location, design and positioning of the signs are not managed appropriately, they have the potential to cause visual clutter, be a safety hazard, cause visual obstruction, degradation of heritage features, and erosion of the amenity of the local and the wider environment.

There are specific provisions to control signs in different locations including those located in the Napier City Heritage Precinct to recognise the distinctive art deco character and heritage values of that area.

Issues

SIGN-I1: Signs provide an important function for safety, education, identifying locations, provision of information and advertising

Signs identify the location of a place or land use, or may promote or advertise particular land uses, services or products. The function performed by signage contributes to the efficient and effective functioning of the city. Signs have both positive and adverse effects.

SIGN-I2: Signs can contribute to visual clutter and create a hazard or other nuisance for pedestrians and traffic

Signs located on or above footpaths and/or close to roads, can have adverse effects on the efficient and safe movement of vehicular and pedestrian traffic. Inappropriately designed and located signs can obstruct sight lines and interfere with traffic flows, pedestrian movement at street level, and be a distraction for drivers. It is critical that signs are designed and located to avoid creating a nuisance or being a hazard for pedestrian and vehicular traffic.

SIGN-I3: Inappropriate signs can detract from the character, views, vistas, and values of an area

Signs in business and commercial areas are important for identifying business premises and the services that the business offers. In other areas, signs are mainly used to provide information, location identification and directions.

Signs can have adverse effects ranging from clutter, visual distraction from building architecture or landscape features, varying scale in the context of existing land uses, to traffic hazards and distraction and nuisance effects for people in the area. Performance standards are necessary to ensure that signs will not detract from the visual amenities of the environment where they are located.

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SIGN-I4: The architectural features of Napier’s art deco era or other heritage buildings, are an important part of the local identity, and signs have the potential to obscure features and damage the fabric of a building

Throughout the city there are buildings, structures, and areas that are recognised as having heritage values. Unsympathetic design, colour, size, location of signs, and inappropriate methods of fixing signage can adversely affect these values.

SIGN-I5: The same sign can have very different effects in different places and areas

The various zones in the district plan have different characteristics and therefore are managed differently. For example, the scale of buildings, types of land use, noise, and amenity levels differ in residential, rural, industrial, commercial and open space zones. These different characteristics mean that signs that are appropriate in one area may not be appropriate in another.

There are activities such as home businesses, local shops, and social and community facilities that rely on signs to direct people to their location. Signs also perform a necessary function to alert people to hazards. Due to the nature of each area, the adverse effects of signs in retail, commercial or industrial environments are not likely to be as significant as other environments. Signs in the commercial and industrial environments tend to be bolder and larger, contributing to the character identified with these zones. The same sign in a residential area can have significant impacts.

SIGN-I6: Inappropriate signage design, placement, and scale within the Napier City Heritage Precinct have negative impacts on heritage values and streetscapes

The Napier City Heritage Precinct identifies the concentration of art deco era buildings that makes Napier unique. Signs associated with the heritage resource should not undermine or compromise the heritage elements or values that are identified and need to be protected.

Objectives

SIGN-O1: Signs that meet the needs of the community and do not detract from the visual amenity of the area

Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located.

Relates to SIGN-I1, SIGN-I2, SIGN-I3, SIGN-I4, SIGN-I5 and SIGN-I6.

SIGN-O2: Well-designed and appropriately located signage enhances city vibrancy, ensures public and transport safety, and contributes to community wellbeing

Different types of signs of an appropriate size, design and positioned at suitable locations contribute to a vibrant city **and** safe community, **and do not compromise the safety or efficiency of the transport network.**

Relates to SIGN-I1, SIGN-I2, SIGN-I3, SIGN-I5 and SIGN-I6

Commented [JS1]: (NZTA) (277.94)

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SIGN-Ox: Signs on heritage buildings or within the Napier City Heritage Precinct

Signs located on heritage buildings or within the Napier City Heritage Precinct provide for locational and operational needs while complementing heritage values and architectural features

Relates to SIGN-I3 and SIGN-I4 and SIGN-I6

Commented [FL2]: HNZPT (273.164)

Policies

SIGN-P1: Provide for positive effects of signs on the environment

The types and different design and style of signs reflect the unique elements of activities and create diversity and interest in the environment.

Relates to SIGN-O1 and SIGN-O2

SIGN-P2: Allow appropriate signs where compatible with the area

Outline the characteristics, qualities and attributes of the neighbourhood and ensure that the sign design and positioning is compatible, meets the needs of the community and relates to the setting.

Relates to SIGN-O1 and SIGN-O2

SIGN-P3: Manage signs outside of rural areas

Signs outside of the Rural Production and Rural Lifestyle Zones must relate to the product sold or the site upon which the sign is located and have a clear purpose or intended use.

Relates to SIGN-O2

SIGN-P4: Allow and/or restrict signs in certain zones including rural areas

Different signs suit different locations; digital signs are more suited to commercial, industrial and sports stadium areas and are more restricted in character areas and residential zones. Signs within the Rural Production and Rural Lifestyle Zones that relate to rural produce and activities do not need to be located at the site where produce is sold.

Relates to SIGN-O2

SIGN-P5: Signs do not result in visual clutter

The location, number, construction, placement, proportions and illumination of a sign or signs, does not create visual clutter or compromise amenity values; and signs are not in place longer than needed.

Relates to SIGN-O1

SIGN-P6: Signs relate to the services or products at the site

Signs must relate to the particular land uses, services, or products on the site or have economic benefits in rural areas.

Relates to SIGN-O1 and SIGN-O2

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SIGN-P7: Ensure signs do not obscure or compromise significant values

Signage does not obscure features or diminish heritage values, line of sight to any natural or physical landmark, cultural or spiritual values, or compromise the interests or associations of importance to tangata whenua.

Relates to SIGN-O1 and SIGN-O2

SIGN-P8: Enable signs to be in keeping with the character of an area

Signs contribute to a sense of vibrancy and are compatible with the role, function, and predominant character of the zone in which they are located.

Relates to SIGN-O1 and SIGN-O2

SIGN-P9: Control obstruction and hazards

Ensure that signs do not create an obstruction, hazard, distraction or a nuisance to traffic, pedestrians, or the efficiency and safety of the transport network.

Relates to SIGN-O1 and SIGN-O2

SIGN-P10: Manage signs on heritage buildings

Signs located on heritage buildings complement the heritage values and architectural features.

Relates to SIGN-O1 and SIGN-O2

SIGN-P11: Napier City Heritage Precinct

Control signage in the Napier City Heritage Precinct that provides for businesses locational and promotional needs while contributing to heritage values and streetscapes. Consider the Napier Art Deco Design Guide to ensure that the location, dimensions, design, construction and scale of any sign are consistent with and complement the heritage values, architectural features and streetscape of the Napier City Heritage Precinct.

Relates to SIGN-O1 and SIGN-O2

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SIGN - Signs - Rules Table

SIGN-R1: Any sign within the road reserve that complies with the New Zealand Traffic Control Devices 2004	
SIGN-R1A Activity Status: Permitted Where: 1. The activity complies with all of the standards	SIGN-R1B Activity Status where conditions or standards are not met: Restricted Discretionary Matters of discretion are: 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on views and heritage values; 3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of a building; 5. The design and appearance of the sign, and 6. The dimensions of the sign. Notification: Non-notified

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SIGN-R2: Signs on the building facade (excluding the side wall) in the Napier City Heritage Precinct or on any scheduled heritage building

SIGN-R2A

Activity Status: Permitted

Where:

1. The activity complies with all of the standards;
2. Signs shall be limited to the purposes of stating the business name, type or occupant and/or the property name;
3. Architectural building features shall not be obscured;
4. Unpainted surfaces shall remain unpainted;
5. No more than one sign per business with a single road frontage;
6. Where the business premises has frontage to more than one road, one sign is permitted on the facade of the building facing each road frontage;
7. No signage shall be attached to backing boards unless perpendicular to the wall;
8. The base of the sign shall be no less than 2.5 m above ground level;
9. Where the sign is parallel to the facade, the sign including its support structure must not extend more than 50 mm from the facade to which it is attached;
10. Where the sign is not parallel to the facade, the sign including its support structure must not extend more than 1 m from the façade to which it is attached, and the thickness of the sign must not be greater than 50 mm, and
11. The area of the sign must not exceed 1.2 m²

SIGN-R2B

Activity Status where conditions and standards are not met: Restricted
Discretionary

Matters of discretion are:

1. The placement and location of the sign;
2. Any effects (including cumulative) of signs on the amenity values of the area;
3. The effects on heritage values;
4. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians;
5. The impact on the appearance of the building;
6. The design and appearance of the sign, and
7. The dimensions of the sign.

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SIGN-R3: Signs on the building facade (side walls) in the Napier City Heritage Precinct	
<p>SIGN-R3A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards; 2. Signs shall be limited to the purposes of stating the business name, the type or occupant, and/or the property name; 3. Unpainted surfaces shall remain unpainted, 4. Not more than one sign on a side wall per business, 5. The base of the sign shall be no less than 2500 mm above ground level; 6. Where the sign is parallel to the facade, the sign including its support structure must not extend more than 50 mm from the facade to which it is attached; 7. Where the sign is not parallel to the facade, the sign including its support structure must not extend more than 400 mm from the facade to which it is attached, and the thickness of the sign must not be greater than 50 mm; 8. The area of the sign must not exceed 5% of the exposed side wall area or 8 m², whichever is the lesser, and 9. Signage or lettering shall be set back from the corner of a wall by a minimum of 500 mm. 	<p>SIGN-R3B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The placement and location of the sign; 2. Any effects (including cumulative) of signs on the amenity values of the area; 3. The effects on heritage values; 4. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 5. The impact on the appearance of the building; 6. The design and appearance of the sign, and 7. The dimensions of the sign.

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SIGN-R4: Signs on a verandah fascia in the Napier City Heritage Precinct	
<p>SIGN-R4A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards; 2. There shall not be more than one sign mounted or painted on the verandah fascia per business premises with a single road frontage; 3. Where the business premises has frontage to more than one road, one sign is permitted on the verandah fascia facing each road frontage; 4. Individual letters shall be applied directly to the fascia, or be painted directly on the fascia; 5. Any lettering shall be fully contained within the fascia mouldings; 6. Lettering shall not extend beyond the height or length of the fascia; 7. Signs must be parallel to the fascia and must not exceed a horizontal distance of 50 mm from the fascia, and 8. No sign shall be mounted on the verandah roof. 	<p>SIGN-R4B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on heritage values; 3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of the building; 5. The design and appearance of the sign, and 6. The dimensions of the sign.

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SIGN-R5: Signs mounted under a verandah in the Napier City Heritage Precinct	
<p>SIGN-R5A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. There shall not be more than one sign mounted under the verandah per business premises. 3. One additional sign is permitted for each road frontage entrance, additional 10 m of road frontage or part thereof where: <ol style="list-style-type: none"> a. the business premises has frontage to more than one road, and b. the business premises has more than one entrance. 4. The business premises has a road frontage in excess of 10 m. 5. The base of a sign is at least 2.5 m above ground level. 6. The area of the sign must not exceed 1.5 m² 7. The sign or signs shall not protrude from the verandah towards the road. 	<p>SIGN-R5B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on heritage values; 3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of the building; 5. The design and appearance of the sign, and 6. The dimensions of the sign.

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SIGN-R6: Temporary signs in the Napier City Heritage Precinct	
<p>SIGN-R6A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. Sale of property <ol style="list-style-type: none"> a. any temporary sign or signs (in total) must be on or within the site to which the sign relates; b. in the case of subdivision, no sign may be erected until a Section 224 certificate is signed; c. no sign or any part of a sign shall obscure architectural features of the building, and d. the area (in total) of the sign or signs shall not exceed 2 m². 3. Auction of property <ol style="list-style-type: none"> a. any temporary sign or signs must be on or within the site to which the sign relates; b. no signs may be erected more than six weeks before the date of the auction; c. no sign or any part of a sign shall obscure architectural features of the building, and d. the area (in total) of the sign or signs shall not exceed 2m². 4. The sign is removed within one week of the sale of the property. 5. No sign can obstruct architectural features of heritage buildings 6. Community, educational, cultural or sporting events <ol style="list-style-type: none"> a. 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 shall be removed within seven days after the event has occurred. 	<p>SIGN-R6B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values and character of the area; 2. The effects on heritage values; 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of the building; 5. The design and appearance of the sign; 6. The dimensions of the sign, and 7. The duration of the sign placement.

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SIGN-R7: Any moveable footpath sign in the Inner City Commercial Zone or Napier City Heritage Precinct

SIGN-R7A

Activity status: Permitted

Where:

1. No more than one moveable footpath sign per business premises;
2. The sign does not protrude more than 600 mm from the front of the business premises and must be located directly outside the business premises to which it relates;
3. The maximum dimensions of the sign are 600mm wide by 600 mm deep by 900 mm high;
4. Moveable footpath signs must comply with relevant Advertising Standards Authority requirements;
5. The moveable footpath sign must have a wide base that can be identified easily by people who are visually impaired. To improve visibility, the base or a strip on the base must be of a colour in contrast to the footpath.
6. Moveable, footpath signs must be safe and have no sharp edges or protrusions that may create an obstacle or a safety hazard for pedestrians.
7. Moveable, footpath signs must be weighted to ensure stability and must be taken inside when there is a risk that wind gusts may topple them or change their position. Bases designed to be weighted by water must be kept in operating order. To prevent them collapsing in windy conditions, easel-type boards must have a mechanism that locks them in their open position.

Note: Refer to Council's Schedule of Fees and Charges

SIGN-R7B

Activity Status where conditions and standards are not met: Restricted
Discretionary

Matters of discretion are:

1. Any effects (including cumulative) of signs on the amenity values and character of the area;
2. The effects on heritage values;
3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians;
4. The impact on the appearance of the building;
5. The design and appearance of the sign, and
6. The dimensions of the sign.

APPENDIX A – Recommended Amendments to Plan Provisions

SIGN-R8: Banners located on the Municipal Theatre	
<p>SIGN-R8A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards; 2. The banner is for advertising a function or event held at the Municipal Theatre; 3. The banner is located on and securely attached to, the Municipal Theatre building, and 4. The architectural features of the building are not obscured. 	<p>SIGN-R8B</p> <p>Activity status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The design and appearance of the banner; 2. The effects on heritage values, and 3. Location and method of attachment.
SIGN-R9: Banners outside the Napier City Heritage Precinct	
<p>SIGN-R9A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards; 2. The banner is securely attached to a building or structure; 3. The banner is not attached between two buildings or located over a road, and 4. The banner and means of attaching it are maintained. 	<p>SIGN-R9B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on heritage values; 3. The design and appearance of the sign; 4. The dimensions of the sign; 5. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians; 6. The location and placement of the sign and alternatives for location and placement; 7. The number of signs allowed by the consent for any one destination, and 8. The duration of the consent.

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SIGN-R10: Signs within sportsgrounds at McLean Park, Blue Water Stadium, Park Island, and within the Stadium Zone

SIGN-R10A	SIGN-R10B
<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards; 2. All commercial signs must face into the park or sportsground, and 3. The sign is not obtrusively visible from any location outside of the grounds or from the road. 	<p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on amenity values of the area; 2. The effects of heritage values; 3. The design and appearance of the sign; 4. The dimensions of the sign; 5. The location of the sign; 6. The location of any proposed signs; 7. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 8. The visibility of the sign outside of the park or sports ground; 9. The location and placement of the sign and alternatives for location and placement, and 10. The effects on the use of the playing field.

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SIGN-R11 Temporary signs on Stadium Stadium Zone boundary associated with temporary activities

Commented [FL3]: NCC (196.70)

SIGN-R11A

Activity Status: Permitted

Where the following activity conditions are met:

1. A temporary sign or signs must not exceed 2.5m² per sign.
2. 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.
3. No sign is to be erected or placed in a way as to cause an obstruction, or a public safety or traffic hazard.

SIGN-R11B

Activity Status when compliance not achieved:

Matters of discretion are restricted to:

1. Any effects (including cumulative) of signs on amenity values of the area;
2. The effects of heritage values;
3. The design and appearance of the sign;
4. The dimensions of the sign;
5. The location of the sign;
6. The location of any proposed signs;
7. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians;
8. The visibility of the sign outside of the park or sports ground;
9. The location and placement of the sign and alternatives for location and placement, and
10. The effects on the use of the playing field.

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SIGN-R12: Balloons with a tethering point located more than 75 m from any site which is in a residential, open space, rural zone, or any precinct	
<p>SIGN-R12A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. No more than one captive balloon per site. 2. The balloon is not located in the Napier City Heritage Precinct. 3. The balloon must be tethered at a height <ol style="list-style-type: none"> a. not exceeding 60 m b. not exceeding the airport height restrictions. 	<p>SIGN-R12B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The size, design, and appearance of the balloon or inflated sign; 2. The location of the sign; 3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 4. Air traffic safety, and 5. The effects on heritage values. <p>Note: The written approval of the Civil Aviation Authority as an affected person must be obtained 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.</p>

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SIGN-R13: Signs at service stations and transport depots	
<p>SIGN-R13A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. No more than two free-standing signs per site. 3. Any freestanding sign must comply with the height standards for the respective zone. 4. The maximum area for any sign for a service station and/or transport depots: <ol style="list-style-type: none"> a. must not exceed 6.5 m² in area for the first free standing sign, and b. the second free-standing sign must not exceed 2.5 m² in area. 5. The sign is consistent with best practice guide AS / NZS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting. 	<p>SIGN-R13B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters set out in the standards not met; 2. Any effects (including cumulative) of signs on the amenity values of the area; 3. The effect on heritage values; 4. The design and appearance of the sign; 5. The dimensions of the sign; 6. The location of the sign; 7. The location of any proposed signs, and 8. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians.

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SIGN-R14: Signs located on land adjacent to state highways outside of 50km/h speed limit fronting or facing a state highway

SIGN-R14A

Activity Status: Permitted

Where:

1. Signs directed towards the state highway shall have a minimum lettering height of 120 mm in areas of up to 70km/h speed limit and 160 mm in areas above 70km/h speed limit; and
2. Signs have a maximum of 6 words and/or symbols, with a maximum of 40 characters; and
3. Signs must not obstruct the movement of any pedestrian, motorists, or cyclist; and
4. Signs must not be made of materials likely to reflect headlights from an approaching vehicle; and
5. The sign is not illuminated; and
6. Compliance with SIGN-S1 – SIGN-S4 is achieved.

Notes:

1. The control of signs within the legal state highway road reserve outside of areas with a 50km/h speed limit is achieved through a New Zealand Transport Agency By-law.
2. Any person wishing to erect a sign within the state highway road reserve outside of areas with a 50km/h speed limit must obtain approval from the New Zealand Transport Agency.
3. Signs on a state highway road reserve within a 50km/h speed limit area are administered by the Napier City Council.

SIGN-R14B

Activity Status where conditions and standards are not met: Restricted
Discretionary

Matters of discretion are:

1. The matters set out in the standards not met;
2. Any effects (including cumulative) of signs on the amenity values of the area;
3. The design and appearance of the sign;
4. The dimensions of the sign;
5. The location of the sign;
6. The number of signs allowed by the consent for any one destination;
7. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians, and
8. Whether the sign will affect any access sightlines.
9. The matter of discretion of any infringed standards

Commented [FL4]: NZTA (277.100)

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SIGN-R15: Signs on building facades outside of the Napier City Heritage Precinct	
SIGN-R15A Activity status: Permitted Where: <ol style="list-style-type: none">1. The sign complies with all of the standards, and2. The sign and its support structures do not exceed a horizontal distance of 1 m from the building facade.	SIGN-R15B Activity Status where conditions and standards are not met: Restricted discretionary Matters of discretion are: <ol style="list-style-type: none">1. The placement and location of the sign;2. Any effects (including cumulative) of signs on the amenity values of the area;3. The effects on heritage values;4. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians;5. The impact on the appearance of the building;6. The design and appearance of the sign, and7. The dimensions of the sign.

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SIGN-R16: Signs located on a verandah fascia outside of the Napier City Heritage Precinct	
<p>SIGN-R16A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign complies with all of the standards; 2. The sign must be parallel to the verandah fascia and must not exceed a horizontal distance of 250 mm from the verandah fascia; 3. The base of the sign must be at least 2500 mm above ground level; 4. The sign's vertical dimension does not exceed 1000 mm, and 5. The sign does not extend beyond the length of the verandah fascia. 	<p>SIGN-R16B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on heritage values; 3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of the building, 5. The design and appearance of the sign, and 6. The dimensions of the sign.

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SIGN-R17: Signs mounted under a verandah outside of the Napier City Heritage Precinct	
<p>SIGN-R17A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign complies with all of the standards. 2. There shall not be more than one sign mounted under the verandah per business premises. 3. One additional sign is permitted for each road frontage entrance, additional 10 m of road frontage or part thereof where: <ol style="list-style-type: none"> a. the business premises has frontage to more than one road, or b. the business premises has a road frontage in excess of 10 m. 4. The base of a sign is at least 2.5 m above ground level. 5. Signs shall not exceed the length of the verandah at right angles to the road. 6. The maximum area of the sign must not exceed 1.5 m². 	<p>SIGN-R17B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on heritage values; 3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of the building, 5. The design and appearance of the sign, and 6. The dimensions of the sign.

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SIGN-R18: Temporary sign for sale of property and auction of property outside of the Napier City Heritage Precinct	
<p>SIGN-R18A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards; 2. The sign or signs must not exceed 2.5 m² in area in total; 3. The sign must be on or within the site to which the sign relates; 4. No sign is to be erected or placed in a way as to cause a public safety or traffic hazard; 5. In the case of subdivision, no sign may be erected until a Section 224 certificate is signed; 6. In the case of an auction or event, no signs may be erected more than six weeks before the date of the auction or event, and 7. The sign is removed within one week of the sale of the property. <p>Notes: These provisions for temporary signs are in addition to provisions for permanent signage and the maximum sign area for each zone in the standards.</p>	<p>SIGN-R18B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on heritage values; 3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of the building; 5. The design and appearance of the sign; 6. The dimensions of the sign, and 7. The duration of the sign placement

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SIGN-R19: Signs for roadside stalls in the Rural Production Zone or Rural Lifestyle Zone	
<p>SIGN-R19A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign must not exceed 2.5 m² in area; 2. Any sign not located on the site to which it relates must be within 1 km of the roadside stall that it advertises; 3. Each roadside stall shall only erect one temporary sign, which shall be displayed for no more than four months in a calendar year; 4. Signs must not be located on or over, a road including the road reserve, or land vested as reserve under the Reserves Act 1977, and 5. Written permission shall be obtained from the landowner prior to any temporary sign being attached to the landowner's fence. <p>Notes:</p> <ol style="list-style-type: none"> 1. Any person wishing to erect a sign within the state highway road reserve outside of areas with a 50km/h speed limit must obtain approval from the New Zealand Transport Agency. 2. The control of signs within the legal state highway road reserve outside of areas with a 50km/h speed limit is achieved through a New Zealand Transport Agency By-law. 3. Signs on a state highway road reserve within a 50km/h speed limit area are administered by the Napier City Council. 	<p>SIGN-R19B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area; 2. The effects on heritage values; 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians; 4. The impact on the appearance of the building; 5. The design and appearance of the sign; 6. The dimensions of the sign, and 7. The duration of the sign placement.

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SIGN-R20: Temporary signs on private property for electioneering, election advertisement, and similar purposes

SIGN-R20A

Activity Status: Permitted

Where:

1. For a postal ballot, signs must not be in place prior to the first day of candidate nominations, and must be removed by 12 noon on the Friday immediately following the final polling day;
2. In the event of an election day, no signs may be erected more than nine weeks prior to the polling day and must be removed one day prior to the polling day;
3. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on privately owned land;
4. No sign is to be erected or placed in a way as to cause an obstruction, or a public safety or traffic hazard;
5. No sign can obstruct architectural features of heritage buildings, and
6. The sign complies with the rules and standards for signs on or adjacent to a state highway.

Note: Signs are also required to comply with the Electoral Act 1993

SIGN-R20B

Activity Status where conditions and standards are not met: Restricted
Discretionary

Matters of discretion are:

1. Any effects (including cumulative) of signs on the amenity values of the area;
2. The effects on heritage values;
3. Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians;
4. The impact on the appearance of the building;
5. The design and appearance of the sign;
6. The dimensions of the sign, and
7. The duration of the sign placement

Commented [FL5]: NCC (196.71)

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SIGN-R21: Any digital, electronic, flashing or animated signs (including revolving lights) in the General Industrial Zone, Light Industrial Zone, Large Format Retail Zone, Mixed Use Zone, City Centre Zone (with the exception of the Napier City Heritage Precinct), and the Sport and Active Recreation Zone

SIGN-R21A

Activity Status: Permitted

Where:

- a. The sign must directly relate to the activities of the site it is located on and should not be for third-party advertising, and
- b. The sign complies in all respects with the relevant conditions and standards in SIGN-S1 - SIGN-S4.

SIGN-R21B

Activity Status where condition b and standards are not met: Restricted
Discretionary

Matters of discretion are:

1. Purpose of the sign
2. Any effects (including cumulative) of the sign on the amenity values and character of the area;
3. The effects on heritage values;
4. The visual impact on the appearance of the building (if affixed to a building) or character of an area;
5. The orientation, strength, intensity and colour of the illuminated sign, and
6. Any hazard, safety risk, or obstruction ~~to motor vehicles, vehicular traffic or pedestrians with the potential to adversely affect any users of the transport network;~~
7. where fronting, facing or visible from a state highway the outcome of consultation with NZTA New Zealand Transport Agency for signs visible from the state highway network.

Activity Status where condition a is not met: Discretionary

Commented [FL6]: NZTA (277.101)

SIGN-Rx: Any sign, not already provided for by SIGN-R1 to SIGN-R25

SIGN-RxA

Activity status: Permitted

Where:

- a. The sign must directly relate to the activities of the site it is

SIGN-RxB

Activity Status where conditions and standards are not met: Restricted
Discretionary

Matters of discretion are:

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<p>located on and should not be for third-party advertising, and</p> <p>b. <u>The sign complies in all respects with the relevant conditions and standards in SIGN-S1 - SIGN-S4.</u></p>	<ol style="list-style-type: none"> <u>The placement and location of the sign;</u> <u>Any effects (including cumulative) of signs on the amenity values of the area;</u> <u>Any hazard, safety risk, or obstruction to vehicular traffic or pedestrians;</u> <u>The design and appearance of the sign, and</u> <u>The dimensions of the sign.</u>
<p>SIGN-Rx: Official signs in all Open Space and Recreation Zones</p>	
<p><u>SIGN-RxA: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The sign is no larger than necessary to convey the information.</u></p>	<p><u>SIGN-RxB</u></p> <p><u>Activity status where condition a is not met:</u> Controlled</p> <p><u>Matters over which control is reserved:</u></p> <ol style="list-style-type: none"> <u>The location of the sign;</u> <u>The size and height of the sign.</u>
<p>SIGN-Rx: All other signs in all Open Space and Recreation Zones</p>	
<p><u>Sign-RxA: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance with SIGN-S1 – SIGN-S4 is achieved.</u></p>	<p><u>SIGN-RxB</u></p> <p><u>Activity status where condition a is not met:</u> Restricted discretionary activity</p> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <u>The effects of non-compliance with any relevant Signs Standards and any relevant matters of discretion in the infringed effects standards.</u> <u>The proposed duration of the display period.</u> <u>Potential positive or adverse effects on the amenity values and character of the surrounding area.</u> <u>Whether the sign would be in keeping with the built and natural features in the area and is visually appropriate in the area.</u>

Commented [FL7]: Golden Bay (180.11; 180.12); HBAL (198.147)

Commented [FL8]: Amelia Longley (222.138)

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	<p>5. Whether the design and nature of the sign or support structure affects the potential impact of the sign.</p> <p>6. Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians.</p> <p>7. Whether the sign would combine with existing signage on the site or in the surrounding area, to create visual clutter.</p>
<p>SIGN-R22: Any sign, other than an official sign, constructed using reflective materials or located on or over a road, including the road reserve, and any banner in the Napier City Heritage Precinct, with the exception of banners located on the Municipal Theatre</p>	
Activity Status:	Discretionary
<p>SIGN-R23: Any <u>digital</u> electronic, flashing, or animated sign (including revolving lights) in all other zones (except for the Napier City Heritage Precinct)</p>	
Activity Status:	Discretionary
<p>SIGN-R24: Third party signs (excluding temporary signs for legitimately established roadside stalls within the Rural Production Zone and Rural Lifestyle Zone)</p>	
Activity Status:	Discretionary
<p>SIGN-R25: Any <u>digital</u> electronic, digital, flashing or animated sign (including revolving lights) in the Napier City Heritage Precinct</p>	
Activity Status:	Non-complying
<p>SIGN-R26: Activities not otherwise provided for</p>	
Activity Status:	Non-complying

Commented [FL9]: Amelia Longley (222.137)

Commented [FL10]: Golden Bay (180.11; 180.12); HBAL (198.147)

Commented [FL11]: Golden Bay (180.11; 180.12); HBAL (198.147)

Commented [FL12]: Golden Bay (180.11; 180.12); HBAL (198.147)

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SIGN - Signs - Standards Table

SIGN-S1: Sign position		
<p>All zones and precincts</p> <p>Purpose: <i>signs meet the communication, education and health and safety needs of the community, and do not detract from the heritage values, visual amenities or character of the environment where they are located.</i></p>	<ol style="list-style-type: none"> All signs (other than a moveable, footpath sign) must be contained solely within the site boundaries. Where a building has no verandah, the minimum vertical clearance to the base of any sign (other than a moveable, footpath sign) attached at right angles to the building facade from the footpath must be 2.5 m. Signs must not be located on or over a road, including the road reserve or within the rail corridor. Signs must not obscure any important architectural feature of a heritage building (listed in the District 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>Matters of discretion are:</p> <ol style="list-style-type: none"> Purpose of the sign; Any effects (including cumulative) of signs on the amenity values or character of the area; The effects on heritage values; The design and appearance of the sign; The dimensions of the sign; The location and placement of the sign; Any hazard, safety risk or obstruction to vehicular traffic or pedestrians, and The effect on people's health, safety and wellbeing.

Commented [JS13]: KiwiRail Holdings Limited (168.107)

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SIGN-S2: Sign height		
<p>All zones and precincts</p> <p>Purpose: <i>meet the communication, education and health and safety needs of the community, and do not detract from the heritage values, visual amenities or character of the environment where signs are located.</i></p>	<ol style="list-style-type: none"> 1. In the Napier City Heritage Precinct, where a sign is attached to a building, the sign must not exceed the height of the building to which it is attached. 2. All signs, including their support structures, must comply with the height standard for aerials, lines and support structures in the relevant zone. 3. With the exception of the Napier City Heritage Precinct, where a sign is attached to a building, the sign must not exceed a vertical distance of 2 m beyond the height of the building that it is attached to. 4. Where there is conflict between any of the height control limits, the lowest height must prevail. 5. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land. 	<p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Purpose of the sign; 2. Any effects (including cumulative) of signs on the amenity values or character of the neighbouring properties or area; 3. The effects on heritage values; 4. The design, dominance and appearance of the sign; 5. The dimensions of the sign; 6. The location and placement of the sign; 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians, and 8. The effect on people's health, safety and wellbeing.

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SIGN-S3: Sign area		
<p>All residential zones and precincts; the Jervoistown Specific Control Area and Jervoistown Development Areas 1 and 2; Rural Specific Control Area; (Rural) Settlement Zone; Te Whanganui-a-Orotū Ahuriri Estuary [Stormwater and Ecology] Zone; Māori Special Purpose Zone; Boat Harbour Precinct / Boat Harbour Zone</p>	<ol style="list-style-type: none"> 1. The maximum area of a sign or combination of signs, per site must not exceed 0.3 m² 2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land. 	<p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Purpose of the sign; 2. Any effects (including cumulative) of signs on the amenity values or character of the neighbouring properties or area. 3. The effects on heritage values; 4. The dominance, design and appearance of the sign; 5. The dimensions of the sign; 6. The location and placement of the sign; 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians, and 8. The effect on people's health, safety and wellbeing.
<p>Purpose: signs meet the communication, education and health and safety needs of the community and do not detract from the visual amenities or character of the environment where they are located.</p>		
<p>All commercial zones and precincts (except the Napier City Heritage Precinct)</p>	<ol style="list-style-type: none"> 1. The maximum area of a sign or combination of signs, per site must not exceed 5 m². 2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land. 	<p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Purpose of the sign; 2. Any effects (including cumulative) of signs on the amenity values or character of the area; 3. The effects on heritage values;

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<p>Purpose: signs meet the communication, education and health and safety needs of the community, and do not detract from the heritage values, visual amenities or character of the environment where they are located</p>		<ol style="list-style-type: none"> 4. The design and appearance of the sign; 5. The dimensions of the sign; 6. The location and placement of the sign; 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians, and 8. The effect on people's health, safety and wellbeing.
<p>All industrial zones and precincts; Sports and Active Recreation Zone, and Stadium Zone; PORTZ: AIRPZ (excludes the Marine Industrial Specific Control Area and Wastewater Treatment Specific Control Area)</p> <p>Purpose: signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located.</p>	<ol style="list-style-type: none"> 1. There is no maximum area of a sign or combination of signs per site 	
<p>All rural zones and precincts and the</p>	<ol style="list-style-type: none"> 1. The maximum area of a sign or combination of 	<p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Purpose of the sign;

Commented [FL14]: Amelia Longley (222.139 and 222.140)

Commented [FL15]: Golden Bay (180.11; 180.12); HBAL (198.147)

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<p>Mission Special Character Zone; the Marine Industrial Specific Control Area; and the Wastewater Treatment Specific Control Area (excludes the Jervoistown Specific Control Area; the (Rural) Settlement Zone; and Rural Specific Control Area)</p> <p><i>Purpose: signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located.</i></p>	<p>signs, per site must not exceed 2.5 m².</p> <p>2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.</p>	<p>2. Any effects (including cumulative) of signs on the amenity values or character of the area;</p> <p>3. The effects on heritage values;</p> <p>4. The design and appearance of the sign;</p> <p>5. The dimensions of the sign;</p> <p>6. The location and placement of the sign;</p> <p>7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians, and</p> <p>8. The effect on people's health, safety and wellbeing.</p>
<p>Settlement Zone</p> <p><i>Purpose: signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the</i></p>	<p>1. The maximum area of a sign or combination of signs, per site must not exceed 4.5 m².</p> <p>2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.</p>	<p>Matters of discretion are:</p> <p>1. Purpose of the sign;</p> <p>2. Any effects (including cumulative) of signs on the amenity values or character of the area;</p> <p>3. The effects on heritage values;</p> <p>4. The design and appearance of the sign;</p> <p>5. The dimensions of the sign;</p> <p>6. The location and placement of the sign;</p>

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<i>environment where they are located.</i>		<ol style="list-style-type: none"> Any hazard, safety risk or obstruction to vehicular traffic or pedestrians, and The effect on people's health, safety and wellbeing.
Marine Parade Foreshore	<ol style="list-style-type: none"> The maximum area of a sign or combination of signs, per site, must not exceed 4.5 m². 	Refer to Open Space Zone and Coastal Environment chapters
All Open Space and Recreation Zones (Sports and Active Recreation Zone)	<ol style="list-style-type: none"> The maximum area of a sign or combination of signs per site, must not exceed 6 m². This standard does not apply to signs that are orientated internally and not visible from off the site. 	Refer to Open Space Zone chapter
Open Space	<ol style="list-style-type: none"> The maximum area of a sign or combination of signs, per site, must not exceed 0.3 m². 	Refer to Open Space Zone chapter
All Mixed Use Zones Purpose: <i>signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located</i>	<ol style="list-style-type: none"> The maximum area of a sign or combination of signs, per site, must not exceed 4.5 m². There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land. 	Matters of discretion are: <ol style="list-style-type: none"> Purpose of the sign; Any effects (including cumulative) of signs on the amenity values or character of the area; The effects on heritage value; The design and appearance of the sign; The dimensions of the sign; The location and placement of the sign; Any hazard, safety risk or obstruction to vehicular traffic, or pedestrians, and The effect on people's health, safety and wellbeing.

Commented [FL16]: Amelia Longley (222.139 and 222.140)

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SIGN-S4: Sign illumination		
<p>All zones and precincts</p> <p>Purpose: <i>signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located.</i></p>	<ol style="list-style-type: none"> 1. All signs whether illuminated internally, externally or by other means: <ol style="list-style-type: none"> a. must not visually obstruct traffic control signals <u>or rail signals</u>, and b. must comply with the conditions relating to light spill in the condition table for the respective zone. 2. Lighting for the purpose of external illumination of signs must be securely attached to the verandah roof, building or sign and must be directed solely at the sign to be illuminated. 3. The external illumination of signs by spotlights or floodlights shall be focused only on the device to be illuminated, and shall be directed away from residential zoned sites and roads <u>or rail corridor</u>. 4. The illuminated sign complies with the standards relating to lux light spill for the respective zone. 5. Electronic signs, including digital signs must: <ol style="list-style-type: none"> 1. not flash or contain moving images; 2. not use animated or videos; 3. not play music; 4. not have sound or music; 5. not obstruct or obscure any traffic control device <u>or rail signals</u>, (including partially) 6. not impair or obstruct the vision or view of any driver, motorists 	<p>Activity Status where standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Purpose of the sign; 2. Any effects (including cumulative) of signs on the amenity values and character of the area; 3. The effects on heritage values; 4. The visual impact on the appearance of the building (if affixed to a building) or character of an area; 5. The design and appearance of the sign; 6. The dimensions of the sign; 7. The orientation, strength, intensity and colour of the illuminated sign, and 8. Any hazard, safety risk or obstruction to motor vehicles, vehicular traffic, or pedestrians. 9. <u>The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as any hazard Any hazard, safety risk or obstruction to motor vehicles, vehicular traffic, or pedestrian</u> 10. <u>Outcome of consultation with New Zealand Transport Agency for signs visible from the state highway network</u>

Commented [JS17]: KiwiRail Holdings Limited (168.108)

Commented [FL19]: NZTA (277.103)

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or any road or rail user using the road or rail corridor safely.

6. Digital images facing or adjacent to a State Highway must:
 1. Be limited to one sign per site
 2. Have a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change.
 3. Have a dwell time not exceeding the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the state highway network from which the digital billboard is visible;
 4. In low-speed environments (70km/hr or less) at all times the digital billboard shall include no more than 10 individual elements, of which words may only make up 8 elements. Additionally each line of text shall contain a maximum of 40 characters;
 5. In higher speed environments (more than 70km/hr) at all times the digital billboard shall include no more than 5 individual

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	<p><u>elements, of which words may only make 4 elements. Each line of text shall contain a maximum of 20 characters; and</u></p> <p>6. <u>The digital sign shall be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved.</u></p> <p>7. <u>All other digital images must:</u></p> <ol style="list-style-type: none">1. be static only;2. be displayed with a dwell time of a minimum of 8 seconds for static images only, and3. contain a dissolve transition to another image of above 0.5 seconds.	
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Commented [FL18]: NZTA (277.103)

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Assessment criteria

For controlled and restricted discretionary activities, only those objectives, policies and criteria that relate to the matters over which the Council has control or discretion for the activity, will be relevant.

For discretionary activities, the following criteria identify those matters, which Council may assess the activity against. However, for discretionary activities, Council's discretion is not limited to the following matters.

SIGN-AC1: Activity

Non-statutory guidance	
Purpose: <i>to encourage appropriate signage that contributes positively to the city, by preserving the unique Art Deco character; and to enhance the visual appeal of signage in the Napier City Heritage Precinct</i>	Art Deco Napier City Design Guide September 2020 and subsequent amendments

SIGN-AC2: All rule infringements

All signs

- a. The appearance of the sign.
- b. Whether the sign is necessary for identifying a hazard, the security of bird nesting or breeding sites, for traffic safety or the general information of the public.
- c. Whether there are adverse effects on amenity values of adjacent properties or the surrounding area.
- d. Whether the signage is of a design, scale or intensity that is compatible with the characteristics of the area, particularly areas zoned as open space.
- e. Whether the sign obscures or diminishes the values associated with historic heritage or has adverse effects on cultural values.
- f. Whether there is any adverse effect on the efficient movement and safety of people on footpaths and other public open spaces.
- g. Whether any sign in the Industrial, Commercial, Rural Zones or Precincts; the Sport and Active Recreation Zone, **AIRPZ, PORTZ**, or the Rural Specific Control Area can be seen from any other zone.
- h. Whether the sign creates glare or the spillage of light, nuisance or distraction effects.
- i. The extent to which the signage creates visual clutter, a barrier or tripping hazard, or any cumulative effect.
- j. Whether the signage reflects the interests or associations of importance to tangata whenua.
- k. Any effect that the sign may have on a reserve, land held under the Conservation Act 1987, and a significant landscape or natural area including the Ahuriri Estuary and foreshore/coastal environment.

Commented [FL20]: Golden Bay (180.11; 180.12); HBAL (198.147)

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- I. The extent to which the type, scale and design are appropriate for the location of each sign, having particular regard to:
 - i. the predominant character and amenity values of the zone, especially the effect on surrounding properties and public places;
 - ii. the appearance of buildings and the architectural features of those buildings;
 - iii. the purpose of the sign and if it has a functional need in the location;
 - iv. whether the sign would add vibrancy and enliven a location;
 - v. the cumulative effects caused by sign proliferation, and
 - vi. the safe and efficient operation of transport networks and the safety of all road and footpath users.

- m. The extent to which the signage (including moving, digital and flashing signs) is designed, located and operated appropriately, having regard to:
 - i. the predominant character and amenity values of the zone, especially the effect of visual intrusion the sign would have on surrounding properties and public places;
 - ii. whether the sign is permanent or temporary;
 - iii. the effects on character and amenity values of the surrounding area;
 - iv. whether there are existing activities, such as residential activities in the surrounding area that would be sensitive to this type of signage;
 - v. the impact on any entrance corridor, notable tree or identified feature;
 - vi. whether the sign combines with existing signage to contribute to the vibrancy of the surrounding area or to create visual clutter;
 - vii. whether the sign impacts on the safety of road users as well as the efficiency of the roading network
 - viii. whether the extent of the impact of the sign is increased or lessened due to:
 - a. frequency and intensity of light sources;
 - b. frequency of image changes;
 - c. the prominence of the sign due to its illuminated or animated nature and ability to draw the eye;
 - d. the nature of surrounding land activities and in particular residential activities, and
 - e. the proximity of the display to other properties and the likely effects of such intermittent or changing images upon those properties and their occupants.
 - ix. whether adverse effects can be mitigated, having regard to:
 - a. the design, dimensions, nature and colour of the sign or support structure;
 - b. the location and visibility of the sign, and
 - c. vegetation or other mitigating features.
 - x. if the proposal is consistent with the best practice guide AS / NZS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting, and
 - xi. potential positive or adverse effects on the character of the surrounding area.

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Hazard, safety risk or obstruction to vehicular traffic or pedestrians.

- n. Whether the sign creates a hazard or risk taking into account:
 - i. the proximity to intersections, traffic signage and traffic controlling devices
 - ii. the speed environment and average daily traffic volumes of the road;
 - iii. the safety of all road and footpath users, including the potential for the sign to cause distraction or confusion to motorists;
 - iv. whether the sign obstructs or poses a tripping hazard to pedestrians, and
 - v. whether any identified adverse effects can be mitigated by sensory technology and other measures.
- o. Any adverse effect on traffic safety, including if the sign 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.

Signs on buildings in the Napier City Heritage Precinct

- p. Whether the sign complements or contrasts with the consistency in height, scale, materials, age and design of Napier's art deco, stripped classical and spanish mission heritage.
- q. Whether the sign/s is necessary, and effectively and discreetly identifies businesses and building occupants.
- r. Whether there has been consultation with the Art Deco Trust, and the extent to which the views of the Trust have been implemented.
- s. Whether the signs are integrated in the location and are appropriate for the design of the building; taking into account,
 - i. the dimensions of the sign and if it relates to the dimensions of the building facade;
 - ii. is located to suit the building elements (windows, columns, parapets, verandahs);
 - iii. if the proportions and composition of the building are respected, and
 - iv. use a lettering style, colour and background that is compatible with the building.
- t. The extent to which the signage and method of fixing the sign to the heritage feature may affect a place, site or area with historic heritage value.
- u. The extent to which historic heritage values, windows, or features will be obscured, lost, damaged or destroyed.
- v. The extent to which the adverse effects on heritage values are irreversible.
- w. Whether there are opportunities to remedy or mitigate any previous damage to heritage values.
- x. The potential for damage to immediate or adjacent heritage values.
- y. The magnitude or scale of any effect on heritage values.
- z. The degree to which unique or special materials and/or craftsmanship are retained.
- aa. Whether the activity will lead to cumulative adverse effects on historic heritage.
- bb. Whether the distinct elements of an historic place, site, or area will be maintained.

Appendix B – Summary of Recommended Responses to Submissions and Further Submissions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)	Officer's Recommendation
SIGN - Signs /Objectives /	oOh!Media Street Furniture New Zealand Limited	143.7	Support	Supports provisions which enable signage	To retain Objectives: - SIGN-O1: Signs that meet the needs of the community and do not detract from the visual amenity of the area - SIGN-O2: Well-designed and appropriately located signage enhances city vibrancy, ensures public and transport safety, and contributes to community wellbeing	Open Submission	Accept
SIGN - Signs /Policies /	oOh!Media Street Furniture New Zealand Limited	143.8	Amend	Considers that a specific policy and rules should be included in the Proposed Plan to regulate advertising signs which are integrated with network utilities in the road reserve. Considers the management approach in the Auckland Unitary Plan to be appropriate. Refer to original submission for further details.	To insert a new policy for 'signs integrated with network utilities'. Insert a new policy <u>SIGN-P12: Signs that are integrated with network utilities</u> <u>Enable signs where they are an integrated component of network utilities</u>	Open Submission	Reject
SIGN - Signs / - Rules Table /	oOh!Media Street Furniture New Zealand Limited	143.9	Amend	Considers SIGN-R1 unclear in its intended application to official signs (the primary purpose of the Traffic Control Devices Manual) or to third party signs in the road reserve, noting the Traffic Control Devices Manual "Part 3" relates to advertising signs (including third-party signs). Seeks clarification as there are no other directly relevant provisions for advertising displays that are integrated with network utilities (such as street furniture). Seeks specific provisions for third party digital signs in a road reserve to be a permitted activity subject to standards (including a specific set of policies, rules and standards). Considers the management approach in the Auckland Unitary Plan to be appropriate. Refer to original submission for further details.	Insert a new rule for 'signs that are integrated with network utilities'. Where a sign will not meet the permitted activity standards, such an activity should be provided for as a Restricted Discretionary activity. The matters of discretion that are appropriate are consistent with those that are otherwise included in other rules of the Proposed Plan for other types of signs that are a Restricted Discretionary activity.	Open Submission	Reject
SIGN - Signs / - Rules Table	Sera Chambers	150.114	Amend	considers that the rule should be amended to include another condition for permitted activity status to protect the enjoyment of adjoining property rights as a guiding principle.	Seeks to amend to add: <u>4. the balloon must not impact the enjoyment of existing adjoining property owner rights as a guiding principles.</u>	Open Submission	Reject
SIGN - Signs / - Rules Table	Sera Chambers	FS 549.150.114	Support	Agree with submitter. Refer full submission 150 from Sera Chambers.	Allowed		Reject
SIGN - Signs /Objectives /SIGN-O2: Well-designed and appropriately located signage enhances city vibrancy, ensures public and transport safety, and contributes to community wellbeing	KiwiRail Holdings Limited	168.105	Support	Supports this objective which seeks to ensure transport safety	Retain as proposed.	Open Submission	Accept
SIGN - Signs /Policies /SIGN-P9: Control obstruction and hazards	KiwiRail Holdings Limited	168.106	Support	Supports this policy which aims to ensure that signs don't obstruct, distract or cause nuisance to traffic, pedestrians, or the efficiency and safety of the transport network.	Retain as proposed.	Open Submission	Accept

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SIGN - Signs / - Standards Table	KiwiRail Holdings Limited	168.107	Amend	Supports this standard but seeks a clause specifying that signs must not be located within the rail corridor.	Amend as follows: <ol style="list-style-type: none"> All signs (other than a moveable, footpath sign) must be contained solely within the site boundaries. Where a building has no verandah, the minimum vertical clearance to the base of any sign (other than a moveable, footpath sign) attached at right angles to the building facade from the footpath must be 2.5 m. Signs must not be located on or over a road, including the road reserve, <u>or within the rail corridor.</u> Signs must not obscure any important architectural feature of a heritage building (listed in the District 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. 	Open Submission	Accept
SIGN - Signs / - Standards Table	KiwiRail Holdings Limited	168.108	Amend	Supports this standard but seeks rail signals, safety and traffic to also be specified.	Amend as follows: <ol style="list-style-type: none"> All signs whether illuminated internally, externally or by other means: <ol style="list-style-type: none"> must not visually obstruct traffic control signals <u>or rail signals</u>, and must comply with the conditions relating to light spill in the condition table for the respective zone. Lighting for the purpose of external illumination of signs must be securely attached to the verandah roof, building or sign and must be directed solely at the sign to be illuminated. The external illumination of signs by spotlights or floodlights shall be focused only on the device to be illuminated, and shall be directed away from residential zoned sites, <u>the rail corridor</u> and roads. The illuminated sign complies with the standards relating to lux light spill for the respective zone. Electronic signs, including digital signs must: <ol style="list-style-type: none"> not flash or contain moving images; not use animated or videos; not play music; not have sound or music; not obstruct or obscure any traffic control device <u>or rail signal</u> (including partially) not impair or obstruct the vision or view of any driver, motorists or any road <u>or rail</u> user using the road <u>or rail corridor</u> safely. Digital images must: <ol style="list-style-type: none"> be static only; be displayed with a dwell time of a minimum of 8 seconds for static images only, and contain a dissolve transition to another image of above 0.5 seconds. <p>Matters of discretion are: Purpose of the sign; <ol style="list-style-type: none"> Any effects (including cumulative) of signs on the amenity values and character of the area; The effects on heritage values; The visual impact on the appearance of the building (if affixed to a building) or character of an area; The design and appearance of the sign; The dimensions of the sign; The orientation, strength, intensity and colour of the illuminated sign, and Any hazard, safety risk or obstruction to motor vehicles, vehicular or rail traffic, or pedestrians. </p>	Open Submission	Accept

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SIGN - Signs / - Rules Table /General	Golden Bay	180.11	Oppose	<p>Opposes as it is not clear which SIGN rules apply to signs in the PORTZ Zone. Rules SIGN-R1 to SIGN-R8, SIGN-R10 to SIGN-R14, SIGN-R19, SIGN-R21, SIGN-R22, SIGN-R24 and SIGN-R25 specifically to signs in the road reserve, specific parks, certain precincts or zones, on certain buildings or in relation to specific activities, whereas as Rules SIGN- R9, SIGN-R15 to SIGN-R18, SIGN-R20 and SIGN-S23 apply in areas outside those specified. Rule SIGN-R26 acts as a non-complying activity default for signs not otherwise provided for. Notes assumption regarding applicability of Rules SIGN-R15 to SIGN-R18, particularly Rule SIGN-R15 regarding signs on building facades, in the PORTZ Zone. Notes that Standards SIGN-S1, SIGN-S2, and SIGN-S4 are likely applicable due to their reference to "All zones and precincts," but not Standard SIGN-S3, which does not mention the PORTZ Zone. Considers that an absence of any control on sign area in the PORTZ Zone is appropriate, if that is what is intended, submitter would be concerned if signs in the PORTZ Zone fell to non-complying status under Rule SIGN-R26 in the absence of specific references elsewhere.</p> <p>Seeks a review of the application of the SIGN provisions to the PORTZ Zone and make consequential amendments as necessary to clarify which provisions apply. Seeks that any SIGN provisions applying to the PORTZ Zone must reflect the workaday character and amenity of the area. In that context it is noted that, explicitly, no limitation on sign area or combination of signs per site applies in the industrial zone (SIGN-S3). Considers that a similar approach is warranted for the PORTZ Zone.</p>	<p>Review the application of the SIGN provisions to the PORTZ Zone and consequentially amend the SIGN – Signs – Rules Table and SIGN – Signs – Standards Table as appropriate to provide clarity as to their application and so that, as a consequence, a similar approach is adopted as that that applies in industrial zones.</p>	Open Submission	Accept
SIGN - Signs / - Standards Table /General	Golden Bay	180.12	Oppose	<p>Opposes as it is not clear which SIGN rules apply to signs in the PORTZ Zone. Rules SIGN-R1 to SIGN-R8, SIGN-R10 to SIGN-R14, SIGN-R19, SIGN-R21, SIGN-R22, SIGN-R24 and SIGN-R25 specifically to signs in the road reserve, specific parks, certain precincts or zones, on certain buildings or in relation to specific activities, whereas as Rules SIGN- R9, SIGN-R15 to SIGN-R18, SIGN-R20 and SIGN-S23 apply in areas outside those specified. Rule SIGN-R26 acts as a non-complying activity default for signs not otherwise provided for. Notes assumption regarding applicability of Rules SIGN-R15 to SIGN-R18, particularly Rule SIGN-R15 regarding signs on building facades, in the PORTZ Zone. Notes that Standards SIGN-S1, SIGN-S2, and SIGN-S4 are likely applicable due to their reference to "All zones and precincts," but not Standard SIGN-S3, which does not mention the PORTZ Zone. Considers that an absence of any control on sign area in the PORTZ Zone is appropriate, if that is what is intended, submitter would be concerned if signs in the PORTZ Zone fell to non-complying status under Rule SIGN-R26 in the absence of specific references elsewhere.</p> <p>Seeks a review of the application of the SIGN provisions to the PORTZ Zone and make consequential amendments as necessary to clarify which provisions apply. Seeks that any SIGN provisions applying to the PORTZ Zone must reflect the workaday character and amenity of the area. In that context it is noted that, explicitly, no limitation on sign area or combination of signs per site applies in the industrial zone (SIGN-S3). Considers that a similar approach is warranted for the PORTZ Zone.</p>	<p>Review the application of the SIGN provisions to the PORTZ Zone and consequentially amend the SIGN – Signs – Rules Table and SIGN – Signs – Standards Table as appropriate to provide clarity as to their application and so that, as a consequence, a similar approach is adopted as that that applies in industrial zones.</p>	Open Submission	Accept

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SIGN - Signs / - Rules Table/SIGN-R10: Signs within sportsgrounds at McLean Park, Blue Water Stadium, Park Island, and within the Stadium Zone SIGN-R11 Temporary signs on Stadium Zone boundary associated with temporary activities	Napier City Council	196.70	Amend	Stadium is incorrectly spelt in the rule heading. This is an error.	Correct spelling of "Stadium".	Open Submission	Accept in part
SIGN - Signs / - Rules Table/SIGN-R20: Temporary signs on private property for electioneering, election advertisement, and similar purposes	Napier City Council	196.71	Amend	To assist plan users, reference to the Electoral Act 1993 is recommended as compliance with that act is also required in addition to the District Plan.	Add to the end of the rule: Note: Signs are also required to comply with the Electoral Act 1993 (or similar relief).	Open Submission	Accept
SIGN - Signs/Rules/SIGN-R1	Hawke's Bay Airport Limited ("HBAL")	198.147 (Renotified Submission)	Amend	HBAL is concerned that as drafted, the Signs chapter puts in place an unduly onerous restriction on signage within the Airport Zone, with signage appearing to default to discretionary or non-complying. This is not reflective of the nature of signage at modern airports. HBAL considers that the Signs chapter requires significant amendments to permit signage within the Airport Zone, subject to requirements around maintaining road safety (such as SIGN-R1).	HBAL considers that the Signs chapter requires significant amendments to permit signage within the Airport Zone, subject to requirements around maintaining road safety (such as SIGN-R1).	Open Submission	Accept
SIGN - Signs/Rules/SIGN-R14	Hawke's Bay Airport Limited ("HBAL")	198.148 (Renotified Submission)	Amend	HBAL is concerned that as drafted, the Signs chapter puts in place an unduly onerous restriction on signage within the Airport Zone, with signage appearing to default to discretionary or non-complying. This is not reflective of the nature of signage at modern airports. HBAL considers that the Signs chapter requires significant amendments to permit signage within the Airport Zone, subject to requirements around maintaining road safety (such as SIGN-R14).	HBAL considers that the Signs chapter requires significant amendments to permit signage within the Airport Zone, subject to requirements around maintaining road safety (such as SIGN-R14).	Open Submission	Reject
SIGN - Signs / - Rules Table /	Amelia Longley (NCC)	222.135	Support	Support rules that provide for Signs within the Stadium Zone	Retain SIGN-R10	Open Submission	Accept
SIGN - Signs / - Rules Table	Amelia Longley (NCC)	222.136	Support	Support rules that provide for Signs within the Stadium Zone.	Seeks to Retain SIGN-R11.	Open Submission	Accept

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SIGN - Signs / - Rules Table /	Amelia Longley (NCC)	222.137	Amend	No rules provided for signs on parks and reserves (other than for flashing signs in the Sport and Active Recreation Zone) Sign are necessary for identification of parks and to convey information about what type of activities are acceptable / where facilities are etc.	Insert new provisions s sought (or words to that effect) and provide/link to associated standards. SIGN-RxB <u>Activity Status where compliance not achieved:</u> RDIS <u>Matters over which discretion is limited:</u> 1. <u>The effects of non-compliance with any relevant Signs Standards and any relevant matters of discretion in the infringed effects standards.</u> 2. <u>The proposed duration of the display period.</u> 3. <u>Potential positive or adverse effects on the amenity values and character of the surrounding area.</u> 4. <u>Whether the sign would be in keeping with the built and natural features in the area and is visually appropriate in the area.</u> 5. <u>Whether the design and nature of the sign or support structure affects the potential impact of the sign.</u> 6. <u>Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians.</u> 7. <u>Whether the sign would combine with existing signage on the site or in the surrounding area, to create visual clutter.</u>	Open Submission	Accept
SIGN - Signs / - Rules Table /	Amelia Longley (NCC)	222.138	Amend	No provision for official signs in parks that are often required to convey legislative requirements such as health and safety legislation and public safety measures etc.	Insert new provisions as sought (or words to that effect) and provide/link to associated standards. SIGN-Rx Official signs in Open Space and Recreation Zones <u>Activity status: PERMITTED</u> <u>Where:</u> 1. <u>the sign is required to meet legislative requirements, such as health and safety legislation; or</u> 2. <u>the sign provides information or instruction relating to public safety, such as equipment use, property entrances or for security purposes, and is no larger than reasonably necessary to convey the information</u> <u>Activity status where compliance not achieved: CONTROLLED</u> <u>Matters over which control is reserved:</u> 1. <u>The location of the sign.</u> 2. <u>The size and height of the sign.</u>	Open Submission	Accept
SIGN - Signs / - Standards Table	Amelia Longley (NCC)	222.139	Amend	Amend to include sign area for all Open Space Zones. A maximum site area of 6m2 is consistent with current provisions in the Operative District Plan	Amend as sought or words to that effect. SIGN S3: Sign Area Open Space (Sports and Active Recreation Zones) nbsp; 1. The maximum area of a sign or combination of signs per site, must not exceed 6 m2. 2. This standard does not apply to signs that are orientated internally and not visible from off the site. Refer to Open Space Zone chapter	Open Submission	Accept
SIGN - Signs / - Standards Table	Amelia Longley (NCC)	222.140	Oppose	0.3m2 is too small for open space zones which often cover large area and have multiple entrances/ exits. Amendment to standard above will provide for signage in a manner consistent with Operative Plan. There is no case for reducing the area of signage from the Operative District Plan Limits.	Seeks to Delete.	Open Submission	Accept

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SIGN - Signs / - Standards Table	Ravensdown Limited (Ravensdown)	246.87	Support	Supports Signs - Standards Table SIGN-S3: Sign area as it is acknowledged that various SIGN rules (e.g., Rule SIGN-R14 to SIGN-R17), and standards, may apply to any new signage that Ravensdown may intend to put up at its three sites in the city. An important consideration, for Ravensdown, in relation to signage rules is that industrial sites are not restricted, by these rules, from meeting their various health and safety signage obligations under other legislation (i.e., HSNO, Health and Safety at Work Act 2015 etc). For this reason, the fact that this standard specifies that there is no maximum area of signage within industrial zones, is supported.	Retain the no maximum area of signage, for industrial zones, as provided for by Standard SIGN-S3, as notified.	Open Submission	Accept
SIGN - Signs / - Standards Table	Ravensdown Limited (Ravensdown)	246.88	Support	Supports SIGN-S4: Sign illumination Standard as this Standard outlines a range of requirements for ensuring that signage illumination, including lighting, does not result in light spillage or distraction. The proposed requirements are considered appropriate.	Retain Standard SIGN-S4 as no fied.	Open Submission	Accept
SIGN - Signs /Objectives /General	Heritage New Zealand Pouhere Taonga	273.164	Oppose	Opposes SIGN - Signs Objectives as despite SIGN Issues 3, 4 and 6 referring to the potential for signs to have an adverse effect on heritage values, neither of the 2 Objectives specified for this Section explicitly contain an objective of managing these effects. It is requested that SIGN-O4 and SIGN-O5 contained in the Draft District Plan, be reinstated into the Proposed District Plan. It is also recommended that the previously drafted Objective relating to Napier City Heritage Precinct, be extended to cover other heritage Precincts and Overlay areas.	Seeks to amend SIGN - Signs Objectives with the addition of new Objectives as follows: <u>SIGN-O3: Signs on heritage buildings</u> <u>Signs located on heritage buildings complement the heritage values and architectural features</u> <u>Relates to SIGN-I3 and SIGN-I4 and SIGN-I6</u> <u>SIGN-O4: Heritage Precincts and Overlays Signage in the Heritage Precincts and Overlays provides for</u> <u>businesses' locational and promotional needs while contributing to heritage values and street</u> <u>scapes</u> <u>Relates to SIGN-I3 and SIGN-I6</u>	Open Submission	Accept in part
SIGN - Signs /Policies /SIGN-P7: Ensure signs do not obscure or compromise significant values	Heritage New Zealand Pouhere Taonga	273.165	Support	Supports Policy SIGN-P7: Ensure signs do not obscure or compromise significant values as they seek to appropriately manage signage in areas with historic value, including scheduled heritage buildings and the Napier City Heritage Precinct.	Retain Policy SIGN-P7: Ensure signs do not obscure or compromise significant values as notified.	Open Submission	Accept
SIGN - Signs /Policies /SIGN-P10: Manage signs on heritage buildings	Heritage New Zealand Pouhere Taonga	273.166	Support	Supports Policy SIGN-P10: Manage signs on heritage buildings as it seeks to appropriately manage signage in areas with historic value, including scheduled heritage buildings and the Napier City Heritage Precinct.	Retain Policy SIGN-P10: Manage signs on heritage buildings in its entirety as notified.	Open Submission	Accept
SIGN - Signs /Policies /SIGN-P11: Napier City Heritage Precinct	Heritage New Zealand Pouhere Taonga	273.167	Support	Supports Policy SIGN-P11: Napier City Heritage Precinct as it seeks to appropriately manage signage in areas with historic value, including scheduled heritage buildings and the Napier City Heritage Precinct.	Retain Policy SIGN-P11: Napier City Heritage Precinct as notified.	Open Submission	Accept
SIGN - Signs / - Rules Table	Heritage New Zealand Pouhere Taonga	273.168	Support	Supports SIGN - Rule SIGN-R2: Signs on the building facade (excluding the side wall) in the Napier City Heritage Precinct or on any scheduled heritage building as it seeks to control signage within the Napier City Heritage Precinct.	Retain SIGN - Rule SIGN-R2: Signs on the building facade (excluding the side wall) in the Napier City Heritage Precinct or on any scheduled heritage building as notified.	Open Submission	Accept
SIGN - Signs / - Rules Table	Heritage New Zealand Pouhere Taonga	273.169	Support	Supports Rule SIGN-R25: Any electronic, digital, flashing or animated sign (including revolving lights) in the Napier City Heritage Precinct as the general intent of this rule, to control digital and flashing signage in the Napier City Heritage Precinct is supported.	Retain Rule SIGN-R25: Any electronic, digital, flashing or animated sign (including revolving lights) in the Napier City Heritage Precinct as notified.	Open Submission	Accept

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SIGN - Signs /Issues /SIGN-I2: Signs can contribute to visual clutter and create a hazard or other nuisance for pedestrians and traffic	NZ Transport Agency Waka Kotahi (NZTA)	277.93	Support	Supports the issue recognising the adverse effects signage can have on the safety and efficiency of the transport network.	Retain as notified.	Open Submission	Accept
SIGN - Signs /Objectives /SIGN-O2: Well-designed and appropriately located signage enhances city vibrancy, ensures public and transport safety, and contributes to community wellbeing	NZ Transport Agency Waka Kotahi (NZTA)	277.94	Amend	Seeks amendments to provide for signage that does not compromise the safe and efficient operation of the transport network.	Amend the objective as follows: Different types of signs of an appropriate size, design and positioned at suitable locations contribute to a vibrant city, and safe community, <u>and do not compromise the safety or efficiency of the transport network.</u>	Open Submission	Accept
SIGN - Signs /Objectives /SIGN-O2: Well-designed and appropriately located signage enhances city vibrancy, ensures public and transport safety, and contributes to community wellbeing	KiwiRail Holdings Limited	FS 233.277.94	Support	KiwiRail agrees that the modification of the objective is appropriate.	Allowed		Accept
SIGN - Signs /Policies /SIGN-P3: Manage signs outside of rural areas	NZ Transport Agency Waka Kotahi (NZTA)	277.95	Support	Supports the directive of the policy to limit third party signage in Rural Production and Rural Lifestyle zones and be clear in their purpose/ intended use.	Retain as notified.	Open Submission	Accept
SIGN - Signs /Policies /SIGN-P5: Signs do not result in visual clutter	NZ Transport Agency Waka Kotahi (NZTA)	277.96	Support	Supports the policy controlling visual clutter effects.	Retain as notified.	Open Submission	Accept
SIGN - Signs /Policies /SIGN-P6: Signs relate to the services or products at the site	NZ Transport Agency Waka Kotahi (NZTA)	277.97	Support	Supports limits on third party signage in rural areas, as it limits potential adverse visual and distraction effects for users of the state highway network.	Retain as notified.	Open Submission	Accept
SIGN - Signs /Policies /SIGN-P9: Control obstruction and hazards	NZ Transport Agency Waka Kotahi (NZTA)	277.98	Support	Supports the directive of the policy recognizing the adverse effects signage poses to the safety and efficiency of the transport network.	Retain as notified.	Open Submission	Accept
SIGN - Signs / - Rules Table/SIGN-R1: Any sign within the road reserve that complies with the New Zealand Traffic Control Devices 2004	NZ Transport Agency Waka Kotahi (NZTA)	277.99	Support	Supports the permitted status of Official Signs as it provides for the safe and efficient operation of the transport network.	Retain as notified.	Open Submission	Accept

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SIGN - Signs / - Rules Table/SIGN-R14: Signs located on land adjacent to state highways outside of 50km/h speed limit	NZ Transport Agency Waka Kotahi (NZTA)	277.100	Amend	<p>Considers amendments to this rule to appropriately control adverse effects resulting from sign distraction and sign proliferation and the associated effects on the transport network. Submitter's proposed amendments ensure the safety of the transport network and all transport network users, is required in accordance with SIGN-I2. Supports expanding the rule to include any signs fronting, facing or visible from the state highway network, to ensure adverse effects are appropriately identified and managed, consistent with relevant NZTA signage guidance (Traffic Controls Device Manual and Planning Policy Manual: Third Party Signs on and visible from the state highway corridor)</p> <p>to ensure that the safety of the state highway network is not compromised as a result of signage.</p> <p>Notes that NZTA has identified signs that are considered to have acceptable effects on the safety and efficiency of the transport network and that these meet the appropriate standards. Each sign that does not align with the standards outlined in this rule should be assessed on its merits and suitability to face the state highway to ensure signs do not increase the distraction for users of the transport network (and therefore safety) and proliferation of signs resulting in visual clutter.</p> <p>Supports managing the effects of Digital Signage in order to maintain transport safety, and do not support a permitted activity status for illuminated sign visible from the state highway network.</p>	<p>Amend SIGN-R14A as follows: <u>Signs located on land adjacent to state highways outside of 50km/h speed limit fronting, facing or visible from a state highway</u> Activity Status: Permitted Where: Signs directed towards the state highways shall have a minimum lettering of 120 mm in areas up to 70km/h speed limit and 160mm in areas above 70km/h speed limit; and <u>Signs have a maximum of 6 words and/ or symbols, with a maximum of 40 characters; and</u> <u>Signs must not obstruct the movement of any pedestrian, motorist, or cyclist; and</u> <u>Signs must not be made of materials likely to reflect headlights from an approaching vehicle; and</u> <u>The activity is not illuminated and used for the purpose of: Interpretation sign; Official sign, Directional sign; Real estate sign; Railway and traffic signs; Election signs; Temporary signs; Veranda signs; Real estate signs; or Infrastructure signs; and</u> <u>Compliance is activated with:</u> <u>Infrastructure signs; and</u> <u>Compliance is activated with:</u> <u>SIGN-S1</u> <u>SIGN-S2</u> <u>SIGN-S3</u> <u>SIGN-S4</u> <u>All Zones - Restricted Discretionary</u> <u>Where compliance is not achieve with SIGN-R14A (the above)</u> <u>Matters of discretion are restricted to:</u> <u>The matters of discretion of any infringed standard.</u> <u>Approval from NZTA is required</u></p>	Open Submission	Accept in part
SIGN - Signs / - Rules Table	NZ Transport Agency Waka Kotahi (NZTA)	277.101	Amend	<p>Supports the management of digital, electronic, flashing or animated signs, as these activities have the potential to create adverse visual and distraction effects with the potential to compromise the safety and efficiency of the transport network. Notes the rule as currently drafted sets an overly permissive activity status for illuminated signs with short dwell times and limited management of the signs content. Support amendments to SIGN-S4 and amendments to the matters of control to complement the amendments to the standard. Recommends amendments to the rules of the chapter to widen the assessment of effects to users of the transport network to encompass alternative transport modes.</p>	<p>Amend SIGN-R21B as follows: Activity status where condition b and standards are not meet: restricted discretionary Matters of discretion are: [...] 6. Any hazard, safety risk, or obstruction to motor vehicles, vehicular traffic or pedestrians <u>with the potential to adversely affect any users of the transport network;</u> 7. <u>where fronting, facing or visible from a state highway the outcome of consultation with NZTA New Zealand Transport Agency for signs visible from the state highway network.</u></p>	Open Submission	Accept
SIGN - Signs / - Rules Table	KiwiRail Holdings Limited	FS 233.277.101	Support	<p>KiwiRail agrees that the suggested matters of discretion will assist in the assessment of any applicable resource consents.</p>	Allowed		Accept
SIGN - Signs / - Rules Table	NZ Transport Agency Waka Kotahi (NZTA)	277.102	Support	<p>Supports a discretionary activity status for electronic, flashing or animated signs, as these signs create adverse visual and distraction effects with the potential to compromise the safety and efficiency of the transport network.</p>	Retain as notified.	Open Submission	Accept

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)	Officer's Recommendation
SIGN - Signs / - Standards Table	NZ Transport Agency Waka Kotahi (NZTA)	277.103	Amend	Supports managing the effects of Digital Signage to maintain transport safety. Considers that digital signs can compromise safety or cause confusion with road signs, necessitating control over size, design, location, and management. Additional considerations are recommended for digital signs visible from the state highway network. Considers a 8 second dwell time is very short as drivers should not see an image change, with a maximum of 5% of drivers only seeing one image change. Multiple image changes can cause a distraction and increase driver's risk. In the event that a dwell time cannot be determined, the dwell time should be no less than 30 seconds. SIGN-S4 does not include any criteria on image content. Restrictions on image content are proposed to minimize driver distraction. Therefore, considers that SIGN-S4 needs to be amended to include criteria for image content. Supports a minimum transition time of 0.5 seconds to avoid instant transitions. Supports the insertion of a clause to ensure no illuminated signage is visible from the state highway network as drafted in SIGN-R14. Supports a provision giving councils discretion to consider adverse effects on transport safety, seeking minor wording amendments for broader consideration. To ensure that signage does not compromise the safety of the state highway network, considers that an additional matter of discretion is required to ensure consultation is undertaken with Waka Kotahi for signage that is visible from the state highway network.	<p><u>Amend SIGN-S4 as follows:</u></p> <p><u>Additional matters for digital signs visible from the State Highway</u></p> <p><u>7. There shall be a maximum of one digital sign per site;</u></p> <p><u>8. There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change.</u></p> <p><u>9. The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the state highway network from which the digital billboard is visible;</u></p> <p><u>10. In low-speed environments (70 km/h and less) at all times the digital billboard should include no more than ten individual elements; of which words may only make up eight elements. Additionally, each line of text shall contain a maximum of 40 characters.</u></p> <p><u>11. In higher speed environments (more than 70 km/h) these content controls halve. At all times the digital billboard should include no more than five individual elements; of which words may only make four elements. Additionally, each line of text shall contain a maximum of 20 characters.</u></p> <p><u>12. The digital sign shall be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved; [...]</u></p> <p><u>Matters of Discretion are:</u></p> <p><u>[...]</u></p> <p><u>8. The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as any hazard Any hazard, safety risk or obstruction to motor vehicles, vehicular traffic, or pedestrian</u></p> <p><u>9. Outcome of consultation with New Zealand Transport Agency for signs visible from the state highway network.</u></p>	Open Submission	Accept in part
SIGN - Signs	Sera Chambers	FS 560.198	Oppose	<p>Oppose all of points listed with further notes below:</p> <p>Oppose 198.136 and applicable to reference points above – The shape files sent to NCC on 18 June 2023 and again on 13 November 2023, have not been made available to the public to view as part of this consultation process so how does the public know what they are agreeing too in terms of an Airport Business Precinct and similar requests? Hawke's Bay Airport Limited (HBAL) and Airways Corporation of New Zealand (Airways) installed new flight paths over Napier on 30 November 2023 without advising affected residents. They were implemented on 30 November 2023, and more flight paths have been implemented in 2024. This has resulted in an increase of 20+ flights over and directly beside my property a day, the majority at under 1000m, with passenger numbers projected to double by 2030 (to 1 million passengers).</p> <p>HBAL and Airways choose not to own up to their error that they approved the Airways wholly owned Aeropath system without consulting affected residents. They say that their acoustic analyst, Marshall Day, says that the noise is reasonable.</p> <p>Refer https://www.planesensewellington.com as an example of where the exact same issue has occurred – not consulting with affected residents on flight path changes and the issues that residents have been facing. Marshall Day was the acoustic specialist in this instance also, and upon reviewing the changes by actually measuring the noise in the impacted areas, found the noise impacts to be more significant than they forecasted. The website shows all of the same issues that decisions by Airways and Marshall Day have now repeated with HBAL.</p>	<p>Disallowed.</p> <p>Opposes the submitter's submission including all changes of wording and I seek that the whole further submission be disallowed. Refer full submission from Sera Chambers 150 and further submission 549 and further submission 550 and the submission attached.</p> <p>Refer to further submission 560.</p>		Reject

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				<p>I have been asking for answers, and I have asked for mitigation prior to implementation. I have been asking for mitigation since. HBAL advised via email on 26 June 2024 that they believe the noise is reasonable and for compliance with the Napier City District Plan, there is only a small change to current noise exposure (according to their email an increase of 6+ decibels a day for my property with no supporting report information). They have not installed a noise monitor outside my property as requested, they have not provided all information on how the acoustic analysis information was reached, and they have not provided a copy of the AirBiz report Hawke's Bay Assumptions Pack – Flight Tracks – dated 27 November 2019 as referenced in the Marshall Day Acoustics report dated 24 July 2023 which was originally requested on 9 May 2024. They have not been open and transparent with the community.</p> <p>They have not provided sufficient answers to my many OIA queries regarding the above.</p> <p>Airways Legal Counsel advised via email that on average I would receive 1-2 extra flights a day over my property. I have been keeping extensive records and I have many videos which show that this information is false. Based on data available on flightaware.com in May 2024 I received a total of 432 flights directly over or beside my property (average of 13.9 a day for the month - 23 flights in one day on 9 May) and in June 2024, up to 28 June 2024 I received a total of 601 flights directly over or beside my property (average of 21.4 over 28 days - 34 flights in one day on 21 June) and there were flights cancelled due to fog.</p> <p>Oppose 198.160 and applicable to reference points above - The HBAL's letter dated 20 April 2023 and the Notice of Requirement (NOR) requesting D173: Airport Purposes to be rolled over have not been made available to the public to view as part of this consultation process so how does the public know what they are agreeing too? D173: Airport Purposes should not be rolled over the Operative District Plan until its extent and what it is fully related to is known to the public. Oppose 198.163 and applicable to reference points above – HBAL seek that the mapped layer is amended to reflect the extent requested in Appendix 1 of the NOR lodged on 26 July 2023. This has not been made available to the public to view as part of this consultation process so how does the public know what they are agreeing too? Their submission advises of designation information including 4.139 that HBAL-2: Airport purposes ensures that the operation and function of the Airport can occur without consent, provided the specified conditions are met, and protected into the future. This means that the Airport can do what it likes. This is favouring a strategic asset over the wider community. The Te Tupu Ngatahi Supporting Growth Alliance in Auckland advised that in Auckland, once NORs are lodged with their Council the formal Resource Management Act 1991 process begins and Auckland Council decide whether a Notice of Requirement should be publicly notified. They advised that all of their projects are publicly notified which means people and groups are able to lodge submissions with Council and a public hearing is held where all submitters are able to be heard. HBAL should not be given consent to do what it likes when it is affecting the community.</p>			

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				<p>This was brought to the attention of Napier City Council as part of the suggested feedback to the Significance and Engagement Policy that any changes to a major asset should be publicly notified but was discounted. Land being defined in the District Plan has the same meaning as in section 2 of the RMA (as below):</p> <p>a. includes land covered by water and the airspace above land; and b. in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and c. in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.</p> <p>Adjoining landowners should be notified and able to have their say on the enjoyment of adjoining property owners and their property rights as a guiding principle and the option to have the impact mitigated by the entity affecting their enjoyment.</p> <p>HBAL, Airways, Marshall Day, Mitchell Daysh Limited and all other entities that have contributed to the HBAL submission must be held accountable for providing a submission that is not open and transparent. Their requests for amendments, deletions or opposition likely favour their interests over the wider community or are not completely open and transparent. This includes areas where it lists making changes including not allowing certain development due to bird strikes, being exempt from trip generations and having no trip or bike provisions, creating an Airport Business Precinct, prioritising freight, requiring provision of acoustic treatment for residential activities in airport boundaries (without mitigation by the entity if they choose to change these boundaries or flight paths and with no consultation – and this includes outside of their airport boundaries and the noise and health/environmental impacts that they are generating to affected residents, especially upon take-off and landing), rolling over Appendix 7 of the Plan for their obstacle limitation surfaces for aircraft approaching and departing the airport at the expense of adjoining property owners, applying designations to areas at the expense of adjoining landowners and putting their interests first over the community - who as part stakeholders, should be considered in their decision making.</p> <p>I implore Napier City Council, who is a shareholder in HBAL, to do the right thing by their residents and to not allow any of the changes to the sections that this entity is proposing or has proposed to occur until the affects to the wider community are full reviewed. I also ask that Napier City Council put their community wellbeing first over strategic assets.</p>			

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Definitions /Definitions /SIGN	Chorus New Zealand Limited, Connexa Limited, Aotearoa Tower Group (trading as FortySouth), One New Zealand Group Limited and Spark New Zealand Trading Limited	151.78	Amend	Supports The definition , although explicit recognition of signs associated with infrastructure should be included.	Amend the definition as follows: SIGN means any device, character, graphic or electronic display, whether temporary or permanent; which a. is for the purposes of— i. identification of or provision of information about any activity, property or structure or an aspect of public safety; ii. providing directions; or iii. promoting goods, services or events; iv. <u>provision of information concerning infrastructure</u> ; and b. is projected onto, or fixed or attached to, any, structure or natural object; and c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice	Open Submission	Reject
Definitions /Definitions /OFFICIAL SIGN	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	215.193	Support	Official sign The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Official Sign	Open Submission	Accept
Definitions /Definitions /SIGN	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies)	215.195	Support	Sign The Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Sign	Open Submission	Accept
Definitions /Definitions /SIGN	NZ Transport Agency Waka Kotahi (NZTA)	277.8	Support	Supports as Council has amended definition to be consistent with the National Planning Standards definition.	Retain as notified.	Open Submission	Accept