

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of a hearing of a submission lodged by
oOh!Media Street Furniture New Zealand Limited
in respect of the 'Signs' Chapter of the Proposed
Napier City District Plan

**STATEMENT OF EVIDENCE OF ANTHONY BLOMFIELD FOR
OOH!MEDIA STREET FURNITURE NEW ZEALAND LIMITED ON THE
PROPOSED NAPIER CITY DISTRICT PLAN – HEARING 2**

PLANNING

18 NOVEMBER 2024

1. INTRODUCTION

1.1 My name is Anthony James Blomfield.

Qualifications and relevant experience

1.2 I am a planner and resource management consultant with Bentley & Co Limited, an independent planning consultancy based in Auckland. I have been with this company since 2012.

1.3 I graduated from the University of Auckland with a Bachelor of Planning (Hons) qualification in 2011, and I am an Intermediate Member of the New Zealand Planning Institute.

1.4 I have provided resource management advice to oOh!Media Street Furniture New Zealand Limited (**oOh**) and its predecessor (Adshel) for over 10 years, in respect of policy and strategy matters, and I have been involved in the preparation of many resource consent applications and approvals under various Bylaws for billboards and signage on oOh's network of bus and pedestrian shelters throughout New Zealand.

1.5 I have presented evidence on numerous occasions and have a comprehensive understanding of:

- (a) The potential adverse effects associated with signs / billboards.
- (b) Consent conditions that are routinely imposed on resource consents for digital billboards (**DBBs**), having been involved in the preparation of over 40 resource consent applications for digital signs and billboards in Auckland, Wellington, Christchurch, and other territories.
- (c) District plan provisions relating to signs / billboards throughout New Zealand.

Expert Witness Code of Conduct

- 1.6 I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Purpose and scope of evidence

- 1.7 My evidence has been prepared in support of oOh's primary submission (Submission 143) on the Signs provisions of the Proposed Napier City District Plan (**Proposed Plan**).
- 1.8 My evidence will:
- (a) Provide a background to oOh and its submission on the Proposed Plan;
 - (b) Provide a summary of the Council's response in the s 42A Report to oOh's submission; and
 - (c) Evaluate the relief sought by oOh in relation to the request for provisions for signs on network utilities, having regard to the Council's analysis of the relief sought.
- 1.9 I have read:
- (a) The Council's s 42A Report for Hearing Stream 2 – Signs (**s 42A Report**) prepared by Ms Jeriel Sajan;
 - (b) Relevant submissions and further submissions; and
 - (c) The s 32 analysis prepared by the Council for the Signs provisions.

- 1.10 I have had regard to:
- (a) Section 32 of the RMA, which requires an evaluation of the objectives, policies and rules that are relevant to oOh's primary submission; and
 - (b) Section 32AA of the RMA, which requires a further evaluation for any changes that have been proposed since the original evaluation report under s 32 of the RMA was completed.
- 1.11 Where I recommend a change to the provisions, I have provided an evaluation of the change in accordance with s 32AA.
- 1.12 The changes that I recommend to the provisions of the Signs Chapter are set out in **Attachment 1** of my evidence.

2. EXECUTIVE SUMMARY

- 2.1 oOh is a provider of commercial 'out of home' advertising and has contracts with several territorial authorities (including Napier City Council) to integrate advertising with bus and pedestrian shelters (and other types of network utilities) within the road reserve. The revenue generated from the advertising funds the provision and ongoing maintenance of this public infrastructure at no cost to the territorial authority.
- 2.2 oOh's submission sought a bespoke set of provisions for the display of signage that is integrated with 'network utilities', to better enable such activities to support the benefits of public infrastructure. The relief sought by oOh's submission is for a new policy to support signage on network utilities, a new rule, and a permitted activity status for such signage, which is to be subject to a suite of standards that control the effects of signage in relation to scheduled features, amenity and traffic safety.
- 2.3 The Council's s 42A Report does not support the relief sought by oOh. The reasons provided are that the provisions do not align with the intended approach for the management of signage.

- 2.4 The provisions of the Proposed Plan seek to recognise and provide for the national, regional and local importance and benefits of network utilities, including the transport network. The revenue generated by advertising is an important contributor to the funding, installation, operation and maintenance of network utilities, and it is appropriate that such signage is effectively provided for.
- 2.5 The notified provisions of the Proposed Plan require that all 'third party signs' (excluding temporary signs for legitimately established roadside stalls within the Rural Production Zone and Rural Lifestyle Zone) are a discretionary activity, irrespective of whether the attributes of a zone or area are compatible with such an outcome.
- 2.6 The Proposed Plan applies a generic approach to managing third-party signage, without regard to the particular environments and locations where it might be appropriate, or the unique benefits of third-party signage in supporting network utilities. The provisions are not well suited to managing the small-scale signage that oOh operates, which are typically located in the road reserve or a public place in commercial areas and along arterial corridors, and which are integrated with network utilities.
- 2.7 Such advertising is an appropriate and accepted element within road corridors and other public places. Subject to appropriate controls, the integration of third-party advertising with network utilities can be managed in a manner that implements the policies of the Proposed Plan for Network Utilities and Signs.
- 2.8 With that being said, I consider that there are locations where it is appropriate that resource consent should be required, including where the third-party advertising is proximate to a scheduled historic heritage place or residential zone, or located within an identified archaeological site or sites of significance to Māori.
- 2.9 I recommend new rules and standards to provide for and manage signage on network utilities. I also recommend a new Policy to provide for such signage, to implement Objectives SIGN-O1 and O2. The amendments that I recommend to the Signs chapter are set out in **Attachment 1** of my evidence, and comprise:

- (a) A policy that manages signs where they are an integrated component of network utilities.
- (b) A permitted activity status for signs that are integrated with network utilities where:
 - (i) The sign does not exceed 2.5m² per display (maximum two displays) and is no larger than the network utility to which it is attached.
 - (ii) The sign is not located within a residential zone, a rural zone, an open space zone (except the Open Space Active Sport and Recreation Zone) or a Special Purpose zone (except the Special Purpose Stadium Zone).
 - (iii) The sign is not located within the Napier City Heritage Precinct or within 30m of a scheduled heritage item.
 - (iv) The sign is not located on a Site of Significance to Māori.
 - (v) The sign complies with other standards for the illumination of 'static' and 'digital' signs, and in relation to the content of signs in relation to traffic safety matters.

2.10 I consider it appropriate for infringements to the permitted standards to be provided with a restricted discretionary activity status, as the nature and scale of effects of the activity are readily understood and manageable. I have recommended suitable matters of discretion that include consideration of the functional requirements of the network utility, which reflects the Proposed Plan's acknowledgement of the role and benefits of network utilities.

2.11 For completeness, the Public Places Bylaw 2021 regulates signage in the road reserve. A permission from the Council is required for all signage in public places. Therefore, any unintended consequences of the provisions that I am recommending will be avoided.

2.12 I have undertaken an evaluation of my recommended provisions pursuant to s 32AA of the RMA. In conclusion, my recommended provisions will:

- (a) Give effect to, and most efficiently and effectively achieve, the objectives of the Signs and Infrastructure chapters by supporting the provision of important public network utilities through the revenue generated by advertising;
- (b) Better enable the social and economic well-being of people and communities than the notified provisions;
- (c) Promote the sustainable management of resources, achieve the purpose of the RMA, and give effect to Part 2 and other provisions of the RMA.

3. SUMMARY OF OOH'S SUBMISSION

3.1 oOh is a provider of commercial 'out of home' advertising on bus and pedestrian shelters (and other types of infrastructure) within eight regions throughout New Zealand. oOh holds contracts with several territorial authorities (including Napier City Council) to provide high quality bus and pedestrian shelters within the road reserve and other Council-controlled public places, the installation, ongoing maintenance and cleaning of which is funded at no cost to the territorial authority or to the ratepayers through the revenue generated by third-party advertising. This service enhances the functionality and amenity of public transport networks, and the general pedestrian environment.

3.2 oOh's advertising products within the road reserve and public places include a mix of 'static' advertising units and 'digital' advertising units, which are integrated with the structure of the bus and/or pedestrian shelter. The products provide for the advertising of businesses, goods and services unrelated to the function of the shelter (third party advertising). The street-based and pedestrian-orientated nature of the advertising and partnership with territorial authorities, provides opportunities to display important civic and emergency messaging. For example, territorial authorities often run public information campaigns

from the advertising, and during the COVID-19 pandemic the displays were used to display important information to the public.

- 3.3 Currently, oOh operates 10 'static' advertising units that are integrated with bus shelters within Napier City. The advertising units are of a small scale and are primarily orientated to pedestrians and are operated consistently across its national network in terms of advertising content and display operation.
- 3.4 oOh's submission is concerned with the manner in which the Proposed Plan provides for the integrated display of third-party advertising on network utilities (including street furniture such as transport and pedestrian shelters).
- 3.5 oOh's services and products provide important funding for the improvement and ongoing maintenance and viability of the city's infrastructure, and oOh's submission is that the Proposed Plan must include specific provision for the integrated display of third-party advertising on network utilities. oOh submits that the Proposed Plan should classify such activities as a permitted activity.
- 3.6 The relief sought by oOh includes amendments to the Signs chapter to provide for signs on network utilities, in the form of:
- (a) A new policy which would enable signs where they are an integrated component of network utilities (submission 143.8);
 - (b) A new rule to apply a permitted activity status to signs that are integrated with network utilities, subject to compliance with standards, with non-compliance with the standards requiring resource consent as a restricted discretionary activity where a standard is not complied with (submission 143.9); and
 - (c) New assessment criteria that would apply to a proposal that does not comply with the proposed standards (submission 143.9).

4. COUNCIL RESPONSE

oOh submission 143.8 and 143.9

- 4.1 The s 42A Report recommends that oOh’s submission is rejected for the following reasons:
- (a) The creation of a new policy for signs that are an integrated component of network utilities is not appropriate as it does not align with the intended approach for signage management.
 - (b) It is not the chapter’s intent to provide for advertising signs specifically, but rather to manage the effects of signage.
 - (c) 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. No additional rules are necessary.

5. RESPONSE TO S 42A REPORT

Network Utilities

- 5.1 The Proposed Plan (within the ‘Network Utilities’ chapter) appropriately recognises that:¹ [emphasis added]

Network utilities are an essential part of the district’s infrastructure, and their efficient and effective supply and maintenance are important for enabling communities to undertake their everyday activities, for the functioning of the district, and for facilitating and maintaining the health, safety, and general wellbeing of its residents. It also aligns with a number of strategic objectives for the District Plan relating specifically to aligning infrastructure planning with land use planning, supporting economic growth, optimising connectivity, public health and safety, and consideration of the long-term risk of natural hazards and climate change.

- 5.2 The public transport network is supported by structures such as bus shelters, which are important for enabling communities to undertake their everyday activities. Other utilities, such as telecommunication facilities, similarly enable the functioning of the district. The installation,

¹ PART 2 – DISTRICT-WIDE MATTERS / Energy, Infrastructure, and Transport / NU – Network utilities: Introduction.

upgrade, operation, and maintenance of this infrastructure has a cost to the network utility operator (and consequently to the users of the utility or ratepayers).

5.3 The value of this type of infrastructure is well understood and recognised by the provisions of the Proposed Plan:

(a) Objective NU-O1 seeks to achieve safe, effective, efficient and resilient network utilities throughout the city.

(b) Policy NU-P1 requires recognition of the national, regional, and local importance and benefits of network utilities, including by enabling their operation, maintenance, repair, and upgrade.

5.4 The ability to fund the installation, operation, and maintenance of network utilities through the revenue generated by third-party advertising supports the implementation of the above objective and policy.

Signs

Objectives and policies

5.5 With respect to signs, the objectives of the Proposed Plan are:

(a) Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenity of the area (SIGN-O1).

(b) Well-designed and appropriately located signage enhances city vibrancy, ensures public and transport safety, and contributes to community well-being (SIGN-O2).

5.6 The use of third-party signage as an integrated component of network utilities implements these objectives, which recognise the benefits of signage in meeting the needs of the community and contributing to community well-being.

5.7 To implement these objectives, the policies of the Proposed Plan:

- (a) Provide for positive effects of signs on the environment (Policy SIGN-P1);
- (b) Allow appropriate signs where compatible with the area (Policy SIGN-P2);
- (c) Manage signs outside of rural areas (Policy SIGN-P3);
- (d) Allow and/or restrict signs in certain zones including rural areas (Policy SIGN-P4), with the explanation of this policy acknowledging that *“different signs suit different locations”*, and in particular *“digital signs are more suited to commercial, industrial and sports stadium areas, and are more restricted in character areas and residential zones”*;
- (e) Signs do not result in visual clutter (Policy SIGN-P5);
- (f) Signs relate to the services or products at the site (Policy SIGN-P6);
- (g) Ensure signs do not obscure or compromise significant values (Policy SIGN-P7), such as heritage values, sightlines of natural or physical landmarks, cultural or spiritual values, and the interests or associations of importance to tangata whenua;
- (h) Enable signs to be in keeping with the character of the area (Policy SIGN-P8);
- (i) Control obstructions and hazards (Policy SIGN-P9);
- (j) Manage signs on heritage buildings (Policy SIGN-P10); and
- (k) Control signs in the Napier City Heritage Precinct (Policy SIGN-P11).

5.8 The use of third-party signage as an integrated component of network utilities implements these policies, in that they can be managed in terms of their location, scale, illumination, and operation to be compatible with the surrounding environment and avoid the key effects of concern including visual clutter, and significant values such as heritage and cultural values.

- 5.9 To this end, I recommend that the following policy is added:

SIGN-PX: Manage signs that are an integrated component of network utilities

Signs, including signs that do not relate to a particular land use, that form part of network utilities contribute to the needs of the community and community well-being. Their location, scale, illumination, and operation need to be managed to ensure that they are compatible with the environment.

- 5.10 Further, I recommend an amendment to Policy SIGN-P6 to ensure this is not in conflict with the policy that I have recommended. The amendment that I recommend to Policy SIGN-P6 is:

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, or support the operation, maintenance, upgrade and development of network utilities.

Activity status

- 5.11 Rule SIGN-R24 requires that all ‘third party signs’ (excluding temporary signs for legitimately established roadside stalls within the Rural Production Zone and Rural Lifestyle Zone) are a discretionary activity, irrespective of whether the attributes of a zone or area are compatible with such an outcome.
- 5.12 This ‘blanket’ approach to the third-party signage does not efficiently or effectively provide for signage that is integrated with, and serves an important supporting function of, network utilities.
- 5.13 The Proposed Plan applies a generic approach to managing third-party signage, without regard to the particular environments and locations where it might be appropriate, or the unique benefits of third-party signage in supporting network utilities. The provisions are not well suited to managing the small-scale signage that oOh operates, which are typically located in the road reserve or a public place in commercial areas and along arterial corridors, and which are integrated with network utilities.
- 5.14 Such advertising is an appropriate and accepted element within road corridors and other public places. Subject to appropriate controls, the integration of third-party advertising with network utilities can be

managed in a manner that implements the above policies of the Proposed Plan.

- 5.15 With that being said, I consider that there are locations where it is appropriate that resource consent should be required, including where the third-party advertising is proximate to a scheduled historic heritage place or residential zone, or located within an identified Site of Significance to Māori.
- 5.16 With regards to the above, I recommend the following standards to manage the effects of signage on network utilities:
- (a) A standard to limit the scale of the sign to 2.5m² per display (maximum two displays), and to ensure the sign is no larger than the network utility to which it is attached.
 - (b) A standard that signs are not located within a Residential zone, a Rural zone, an Open Space zone (except the Open Space Active Sport and Recreation Zone) or a Special Purpose zone (except the Special Purpose Stadium Zone).
 - (c) A standard that signs are not located within the City Centre Heritage Precinct or within 30m of a scheduled heritage item.
 - (d) A standard that signs are not located on a Site of Significance to Māori.
 - (e) A standard to require compliance with Standard SIGN-S4 which controls the illumination of 'static' and 'digital' signs, and the content of signs in relation to traffic safety matters.
 - (f) A standard that exempts the signs from being subject to other conflicting rules and standards.
- 5.17 I consider it appropriate for infringements to the permitted standards to be provided with a restricted discretionary activity status, as the nature and scale of effects of the activity are readily understood and manageable. I have recommended suitable matters of discretion that relate to:

- (a) The effects (including cumulative effects) of signs on the amenity values and character of the area.
 - (b) The effects on heritage values and Sites of Significance to Māori.
 - (c) The design and appearance of the sign.
 - (d) The dimensions of the sign.
 - (e) Any hazard, safety risk or obstruction to motor vehicles, vehicular traffic, or pedestrians.
 - (f) The extent to which an infringement is necessary to provide for the functional needs or operational needs of network utilities.
- 5.18 The provisions that I recommend will provide certainty to oOh and other network utility operators as to the types of third-party advertising signs that are permitted and the resource consent processes involved for other signs.
- 5.19 With regards to the evaluation of oOh's submission within the s 42A Report, I do not agree that the relief sought by oOh is not aligned with the approach of the Signs chapter. Rather, in my opinion, the bespoke set of provisions that I have recommended will be consistent with the objectives and policies for network utilities and for signage.
- 5.20 The amendments that I recommend to the Signs chapter are set out in **Attachment 1** of my evidence.
- 5.21 For completeness, the Public Places Bylaw 2021 regulates various activities, for the purpose "*to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained for the well-being and enjoyment of citizens, residents, visitors and businesses within the district*".²
- 5.22 Under clauses 3.1.e) and 4.1.c) 10 of the Public Places Bylaw 2021, written permission is required from the Council for all signage in public

² Public Places Bylaw 2021, Napier City Council, at section 1.2. Available: <https://www.napier.govt.nz/assets/Document-Library/Bylaws/Public-Places-Bylaw-Docs-2021.pdf>

places. Therefore, the Council regulates and restricts signage in public places as part of its broader remit of managing public spaces, thereby avoiding the potential for any unintended consequences of the provisions that I am recommending.

5.23 In my opinion, a permitted activity status will avoid the duplication of these regulatory processes, and the inefficiencies and costs that are generated by overlapping regulatory requirements and processes.

5.24 Related to this, I consider that it would be helpful for users of the Proposed Plan for the Introduction to the Signs chapter to state that the Public Places Bylaw 2021 applies to signage in public places.

6. SECTION 32AA EVALUATION

6.1 Section 32AA RMA requires that any change made to a proposed district plan are to be subject to a further evaluation, which must be undertaken in accordance with s 32(1) to (4), at a level of detail that corresponds to the scale and significance of the changes.

6.2 An evaluation of the provisions of a proposed plan must, pursuant to section 32 RMA:

- (a) Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA (s 32(1)(a));
- (b) Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives (s 32(1)(b)) by:
 - (i) identifying other reasonably practicable options for achieving the objectives; and
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
 - (iii) summarising the reasons for deciding on the provisions

- (c) Assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions (s 32(2)), including the opportunities for:
 - (i) Economic growth that are anticipated to be provided or reduced; and
 - (ii) Employment that are anticipated to be provided or reduced
- (d) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (s 32(2)(c)).

6.3 I have provided an examination of the provisions I am recommending below.

Objectives are the most appropriate way to achieve the purpose of the Act (s 32(1)(a))

6.4 Ms Sajal has not recommended any amendments to Objective SIGN-O1, and recommends the following to Objective SIGN-O2:

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.

6.5 Ms Sajal has also proposed a new Objective SIGN-Ox:

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.

6.6 The objectives have been examined in the s 32 analysis prepared by the Council, and the amendments and new objective proposed by Ms

Sajal have subsequently been examined (pursuant to s 32AA) in the s 42A Report.

- 6.7 In the context of oOh's submission, I have not recommended any changes to the objectives. Therefore, I have not provided any further examination.

Other reasonably practicable options for achieving the objectives (s 32(1)(b)(i))

- 6.8 The reasonably practicable options for achieving the objectives are:
- (a) The provisions recommended by the Council; and
 - (b) The provisions I have recommended in **Attachment 1**.

The efficiency and effectiveness of the provisions in achieving the objectives (s 32(1)(b)(ii))

- 6.9 The provisions that are supported by the Council will result in inefficiencies for signage on network utilities, by requiring a resource consent for all third party signs in all zones, including where bus services operate and where bus stops and integrated advertising signs are appropriate and anticipated elements. The provisions will not efficiently or effectively achieve the objectives for signs, or the objectives of the Network Utilities chapter.
- 6.10 My recommendations will establish an appropriate framework of provisions, including a policy, a permitted activity status for signs that are integrated with network utilities in locations where they are anticipated, standards to manage and control signage in relation to features or environments in which it is appropriate to enable a degree of assessment and discretion, and matters of discretion to guide the assessment of such signage. My recommended provisions will enable signage which will in turn contribute to the efficient provision of important network utilities. The provisions that I recommend are the most efficient and effective option to achieve the objectives for Signs and Network utilities.

Benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions (s 32(2)(a))

- 6.11 The notified provisions that are supported by the Council will:
- (a) Not sufficiently enable the benefits of network utilities (which are enabled by the revenue generated by advertising).
 - (b) Result in economic effects / costs to the operators of network utilities and signage by necessitating costly resource consents, and by generating uncertainty which will affect the planning, funding, and timing of the provision of infrastructure (which is otherwise enabled by the Proposed Plan).
 - (c) As a result of the economic effects above, result in economic and social effects / costs to the public by creating inefficiencies to the provision of network utilities, the cost of which may be 'passed' to customers and/or ratepayers.
- 6.12 Conversely, the provisions that I recommend will:
- (a) Avoid the economic effects / costs to the operators of network utilities and advertising identified above.
 - (b) Generate benefits to the public, communities and businesses by appropriately providing for signage that contributes to the funding, implementation and maintenance of public network utilities that provides for the economic, social and cultural well-being of people and communities.
 - (c) Avoid environmental, economic, social and cultural costs / effects to people and communities that might be generated by signage, by managing the effects of signage in relation to environmental attributes and in relation to traffic safety.
 - (d) Avoid any unintended effects / costs by enabling signage in public places, noting that the Council otherwise regulates such signage as part of its wider remit of managing public places under the Public Places Bylaw 2021.

Risk of acting or not acting if there is uncertain or insufficient information
(s 32(2)(c))

- 6.13 With regards to the preceding assessment, there is sufficient and certain information about the subject matter of the proposed provisions. It is not necessary to undertake an assessment of the risk of acting or not acting in respect of the proposed provisions.

Reasons for deciding on the provisions (s 32(1)(b)(iii))

- 6.14 The provisions that are recommended in **Attachment 1**:
- (a) Give effect to, and most efficiently and effectively achieve, the objectives of the Signs and Network Utilities chapters by supporting the provision of important public infrastructure through the revenue generated by advertising;
 - (b) Better enable the social and economic well-being of people and communities than the notified provisions; and
 - (c) Promote the sustainable management of resources, achieve the purpose of the RMA, and give effect to Part 2 and other provisions of the RMA.

Anthony Blomfield

18 November 2024

ATTACHMENT 1

Amendments recommended by Anthony Blomfield shown in **blue highlighted text**.

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.

Signs that are located within a public place are also regulated by the Public Places Bylaw 2021.

Policies

...

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, **or support the operation, maintenance, upgrade and development of network utilities**.

Relates to SIGN-O1 and SIGN-O2

...

SIGN-Px: Manage signs that are an integrated component of network utilities

Signs, including signs that do not relate to a particular land use, that form part of network utilities contribute to the needs of the community and community well-being. Their location, scale, illumination, and operation need to be managed to ensure that they are compatible with the environment.

Relates to SIGN-O1 and SIGN-O2

SIGN – Signs – Rules Tables

Insert the following rule between “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” and “SIGN-Rx: Any sign, not already provided for by SIGN-R1 to SIGN-R25” (proposed in the s 42A Report)

SIGN-Rx: Any sign that is integrated with a network utility	
<p>SIGN-RxA</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There are no more than two signs per network utility; 2. The sign or signs do not exceed 2.5 m² in area per sign, and are no larger than the network utility to which it is attached; 3. The sign is not located within the City Centre Heritage Precinct; 4. The sign is not located within 30m of a scheduled heritage item; 5. The sign is not located within a Residential Zone, a Rural Zone, and Open Space Zone (except the Sport and Active Recreation Zone) or a Special Purpose Zone (except the Stadium Zone); 6. No sign is not erected or placed in a way as to cause a public safety or traffic hazard; 7. The sign is not located within a Site of Significance to Māori; 8. Illuminance complies with Standard SIGN-S4. <p>Note: Except where otherwise specified above, signs that are integrated with a network utility are not subject to any other rule or standard in this chapter.</p>	<p>SIGN-RxB</p> <p>Activity Status where conditions or standards are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative effects) of signs on the amenity values and character of the area; 2. The effects on heritage values and Sites of Significance to Māori; 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 extent to which any infringement is necessary to provide for functional needs or operational needs of the network utility.