



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

Section 42A Report

Light, Signs, Temporary Activities, Natural Features and Landscapes

**Reply Report for Hearing Stream 2,
2 December 2024**

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1. Purpose and Scope of Report

- 1.1 The purpose of this Reply Report is to outline where my recommendations on the Light, Signs, Temporary Activities, Natural Features and Landscapes chapters have altered, as a result of the questions arising from the Hearing Panel, submitter evidence or matters traversed at the hearing. It also addresses other matters arising in submitter evidence or during the course of the hearing where I consider further comment may be of benefit to the Hearing Panel. As such, other than where stated in this Reply Report, my opinions and recommendations remain as set out in the Section 42A Report.
- 1.2 For the avoidance of doubt, where I do not comment further, this is not because I have not carefully considered matters raised in any evidence and in the presentations made by submitters. Rather, I am not persuaded that there is a need to alter my recommendations from that in the Section 42A report, and my reasoning has not changed from what is set out within that report.

2. Format of Report

- 2.1 This report contains three sections relating to Light, Signs, Natural Features and Landscapes chapters as all matters relate to greater enabling Papakāinga, For the reasons noted above, it does not however traverse all matters/topics discussed at the hearing.
- 2.2 A full set of the changes recommended to provisions are contained in **Appendix 1, 2, and 3** to this report, incorporating recommendations made in the Section 42A Report, the Response to Panel Questions and in this Reply Report. Changes recommended in the Section 42A Report are shown by way of ~~red~~ red and ~~red~~ red. Changes recommended in the Response to Panel Questions and in this Reply Report are shown by way of ~~blue~~ blue and ~~blue~~ blue. Changes previously recommended to be deleted but now recommended to be reinstated are shown in ~~blue~~ blue. Changes previously recommended to be added but now recommended not to be included are shown in ~~red~~ red. References to the relevant submitter(s), and where applicable, submitter evidence, identify the scope for each recommended change are provided to the right of the text as comments.
- 2.3 Where required, an evaluation under s32AA of the RMA is undertaken of any further changes recommended.

3. Light

Department of Conservation

Effects of Light on Biodiversity

3.1

The Department of Conservation (DOC) (submission 253.45) sought to amend the LIGHT chapter on the basis that artificial lighting adversely affects Long-tailed bats, a Threatened – Nationally Critical species. DOC proposed including a requirement in the chapter to avoid adverse effects on indigenous biodiversity to align with the no net loss standard required by the National Policy Statement for Indigenous Biodiversity (NPS-IB). In my Section 42A report, I recommended deferring this amendment to the ECO Variation. In response to a question raised by the panel, I confirm this recommendation, as all matters relating to giving effect to the still-applicable parts of the NPS-IB, as well as the protection of biodiversity provisions in other parts of the plan and related submissions, will be addressed in the ECO Variation Section 42A report.

Recommendation

3.2 Where required, an evaluation under s32AA of the RMA is undertaken of any further changes recommended.

3.3 I recommend, for the reasons given above, that:

- The submission from the Department of Conservation (DOC) be deferred to be addressed in the ECO Variation.

Hawke's Bay Airport Limited (HBAL), KiwiRail, and Port of Napier

Light from Vehicles

3.4 Submissions from Hawke's Bay Airport Limited (HBAL), KiwiRail, and Port of Napier commented on LIGHT-R2, which referenced light from vehicles, trains, and aircraft. HBAL sought that the regulation of light from vehicles, trains and aircraft be managed outside the District Plan. In response to submissions 202.22, 168.91, and 198.54 regarding LIGHT-R2, I considered it appropriate to amend the rule to incorporate several of the proposed changes. I recommended reworking LIGHT-R2, as proposed by HBAL (198.54), to remove references to light from vehicles, trains, and aircraft, as these are managed through external safety standards outside the scope of the District Plan.

3.5 In my original Section 42A assessment, I considered it appropriate to remove references to vehicle lighting from the policy framework. In response to questions raised by the panel regarding the retention of provisions regulating light from vehicles, I confirm that it is not necessary to include these references, as vehicle lighting is already managed through external transport and safety regulations. While I acknowledge that vehicle lighting may have localized effects—particularly in areas with high volumes of vehicle movements, such as large-scale developments, transport hubs, or industrial activities—these effects are better

addressed through land use and transport rule frameworks rather than lighting provisions.

- 3.6 Retaining references to vehicle lighting in the LIGHT chapter would not be effective or efficient, as it does not impose any regulatory controls beyond those already in place. Therefore, I recommend removing these references to maintain the focus of the chapter on artificial lighting that is within the control of land use activities.

Recommendation

- 3.7 I recommend, for the reasons given above, that:

- The deletion of light from vehicles in R2 is retained.

Kiwirail

Temporary Lighting

- 3.8 KiwiRail (168.92) sought to amend LIGHT-S1, arguing that the exemption for this standard should include rail corridors as well as roads. They proposed amending the standard to read:

- "Light spill conditions for all land uses other than for the purposes of illuminating a road or rail corridor."

- 3.9 In my original assessment, I considered it appropriate to broaden the exemption in LIGHT-S1 to include rail corridors in addition to roads. In response to a question raised by the Panel, I have further considered whether this exemption should be expanded to provide for other types of temporary lighting. However, I do not consider it necessary or appropriate to further broaden the scope of LIGHT-S1 beyond rail corridors. The amendment to LIGHT-R2 already provides for lighting associated with emergency response, infrastructure maintenance, and temporary transport-related lighting as a permitted activity.

- "LIGHT- R2: Traffic and rail signals and navigation aids, ~~and~~ temporary lighting for the purposes of emergency response or maintenance of the transport network"

- 3.10 Since these activities are explicitly enabled within the rules framework, additional exemptions under LIGHT-S1 would be redundant and unnecessary. My proposed amendment remains that LIGHT-S1 should only be broadened to include rail corridors, as sought by KiwiRail.

Recommendation

- 3.11 I recommend, for the reasons given above, that:

- The scope of exemptions for S1 is retained as in the s42a Report

4. Signs

Ooh Media

Signage on Network utilities.

4.1 oOh!Media (143.8) sought to insert a new policy, SIGN-P12, to specifically provide for advertising signs integrated with network utilities in the road reserve. The proposed policy would read:

- SIGN-P12: Signs that are integrated with network utilities
Enable signs where they are an integrated component of network utilities.

4.2 Additionally, oOh!Media (143.9) sought to amend SIGN-R1, arguing that its application to official and third-party signs is unclear. They proposed inserting a new rule for "signs integrated with network utilities", with specific provisions for third-party digital signs.

4.3 In my original Section 42A assessment, I did not consider it necessary to introduce a new policy or rule framework specifically for signs integrated with network utilities. I considered that the primary focus of the SIGN chapter is to manage the effects of signage, particularly in relation to the road reserve, rather than to provide for third-party advertising. I noted that the management of third-party digital signage is already covered under SIGN-R23 and SIGN-R24, which provide a discretionary framework for:

- Electronic, flashing, or animated signs
- Third-party signs in other zones

4.4 Given this, I did not consider an additional rule for "signs integrated with network utilities" necessary, as existing provisions already address digital and third-party signage through a discretionary consent process.

4.5 In response to the submitter's hearing evidence and questions raised by the Panel regarding whether we could be persuaded to permit this, I have reconsidered my original assessment. The purpose of the SIGN chapter is to manage the effects of signage while ensuring that signs are enabled in appropriate locations and contexts. By allowing signage in suitable locations, the chapter effectively mitigates potential adverse effects and maintains the intended character and amenity of different areas. However, after further discussion with the relevant council officer from the transportation team, it has been confirmed that under the Public Places Bylaw, any third-party signage located within the road reserve or any other Council land is also required to attain the relevant department's approval. This approval process is often undertaken through the resource consent process itself, ensuring that signage in public spaces is appropriately assessed. As a result, I have re-evaluated whether an additional policy and rule framework for signs integrated with network utilities is necessary. While I acknowledge the potential benefit for such signs, I still do not consider it appropriate to provide for this through a specific rule or policy in the SIGN chapter. Existing discretionary

rules (SIGN-R23 and SIGN-R24) already provide a framework for assessing third-party digital signs, ensuring that location-specific considerations are addressed. The Public Places Bylaw already requires permission for signage in public places, meaning that the regulatory framework outside the District Plan is already in place to assess such signs. I consider that allowing signage to be integrated with network utilities is too permissive, as it diverges from the intended purpose of the permissive pathway for network utility infrastructure. Utility structures are designed for functional infrastructure purposes, rather than for advertising. I consider that providing for this directly within the District Plan may blur the distinction between necessary functional signage and commercial third-party signage, which could lead to unintended proliferation which Napier has consistently taken a restrictive approach to as discussed in the original s32 report.

4.6 I consider that the most appropriate regulatory approach remains the existing case-by-case discretionary assessment, which ensures that effects on visual amenity, transport safety, and urban character are properly evaluated.

4.7 Therefore, I maintain my recommendation that the proposed SIGN-P12 and additional rule for "signs integrated with network utilities" not be included. I consider that existing provisions, in combination with the Public Places Bylaw, provide a more effective and efficient approach to managing this issue while ensuring that signage remains appropriately regulated in the public realm.

Recommendation

4.8 I recommend, for the reasons given above, that:

- No further changes are made to enable signs integrated with network utilities.

Catch all rule, Golden Bay and Hawke's Bay Airport Limited

SIGN-R26: Non-complying Catch all rule

4.9 In response to submissions from Golden Bay (180.11; 180.12) and Hawke's Bay Airport Limited (HBAL) (198.147), which opposed the non-complying catch-all rule (SIGN-R26), and in response to a question raised by the Panel regarding whether it would still be beneficial to retain a catch-all provision, I have reviewed my position. After reconsideration, I still consider that the amendments I have proposed provide the most appropriate regulatory framework for capturing signage activities via a permitted-to-restricted discretionary pathway.

4.10 The original SIGN-R26 (Non-Complying Activity Rule) acted as a restrictive catch-all rule for any signage not explicitly provided for within the rule framework. This resulted in a default non-complying status for many otherwise acceptable signage types, creating an unduly onerous and unintended regulatory burden. The revised approach removes the restrictive presumption and replaces it with a permitted presumption, ensuring that signage activities meeting SIGN-S1 – S4 standards

can proceed without unnecessary consent requirements.

- 4.11 Additionally, I consider that the revised permitted-to-restricted discretionary framework ensures that signage activities are appropriately captured while allowing for case-by-case assessment where necessary. Any non-compliance with SIGN-S1 – SIGN-S4 still triggers a resource consent requirement, ensuring oversight where needed. The shift from a non-complying presumption to a permitted presumption better aligns with the objectives of the Signs Chapter and the Strategic Direction of the Plan. The revised approach achieves the intended policy direction while reducing unnecessary regulatory barriers for signage that would otherwise comply with environmental, amenity, and safety standards. Signs associated with heritage buildings and the heritage CBD remain subject to separate rules, ensuring appropriate heritage protection. Digital and electronic signage remains appropriately regulated under SIGN-R23 and SIGN-R25, and minor wording changes (e.g., explicitly adding 'digital') have been proposed to clarify interpretation.
- 4.12 After reassessing the submissions and considering the Panel's question, I confirm that my recommended amendments provide the most effective and efficient means of managing signage activities. The revised framework:
- Removes an overly restrictive non-complying catch-all rule
 - Provides a clear, proportionate regulatory pathway
 - Maintains necessary controls through permitted activity standards and restricted discretionary consent where appropriate
 - Aligns with the objectives and policies of the Signs Chapter and the wider Plan
- 4.13 Therefore, I do not support reinstating a non-complying catch-all rule and maintain that the proposed amendments remain the most appropriate way to manage signage activities within the District Plan.

Recommendation

- 4.14 I recommend, for the reasons given above, that:
- The amendments made in the s42a sign chapter relating to SIGN-R26 are retained.

Heritage New Zealand Pouhere Taonga (HNZPT)

Heritage buildings

- 4.15 Heritage New Zealand Pouhere Taonga (HNZPT) 273.164 sought better protection for heritage in the Signs Chapter. In response, I considered it appropriate to craft a new specific rule to address signage on heritage buildings. In response to the Panel's question regarding the proposed rule, I have reviewed the terminology and consider that the term "Historic Heritage Item" (as identified in Schedule 3) should be used instead for greater clarity and consistency. This is a minor wording change that does not materially impact the scope or intent of the

rule. As such, an s32AA assessment is not required.

4.16 The changes are recommended as follows:

- **SIGN-Ox: Signs on ~~heritage buildings~~ Historic Heritage Items (as identified in Schedule 3) or within the Napier City Heritage Precinct**

Recommendation

4.17 I recommend, for the reasons given above, that:

- SIGN Ox be amended as recommended above and consequential amendment to R2 as shown in Appendix 1

4.18 The recommended amendments are set out in **Appendix 1**.

5. Natural features and landscapes

Network Utilities

5.1 In response to the Panel's question regarding which chapter takes primacy, I note that the National Planning Standards (NPS) do not explicitly state that one must take precedence over the other. Both Network Utilities (NU) and Natural Features and Landscapes (NFL) are district-wide matters, and the NPS is not clear that all provisions be contained within a single chapter for NU or NFL. The NU provisions are broader and apply district-wide; however, within areas containing identified natural features or landscapes, there are objectives and policies to manage effects that might otherwise be permitted. In these areas, a resource consent may be required, depending on the nature of the activity. Given this, my approach was to relocate NFL-P7 to the NU Chapter to ensure that landscape matters are still considered, while avoiding duplication and improving plan usability. This allows network utilities to be managed comprehensively within the NU framework while still addressing their effects on sensitive landscapes. If a more specific rule relates to NFL, that rule should prevail over the broader NU provisions. If the rules are split across both chapters, then both sets of provisions apply. However, if the rules are consolidated into a single chapter, then the more restrictive provisions take precedence.

View shafts or visual corridors

- 5.2 In response to the question raised by the panel I provide background on the View Shafts in AIRPZ and NFL.
- 5.3 In 2020, a landscape assessment was undertaken to identify natural features and landscapes to be mapped in the PDP. This assessment included a landscape area that the Airport sits within. To acknowledge the operational needs of the Airport and its regional significance, the Airport and Napier City Council (NCC) collaborated to explore available options. As part of this process, they engaged a landscape architect (TerraForma) to map out options for protecting key views from within the Airport's vicinity. This also included managing land use and development within the mapped viewshaft areas. The Airport is now submitting against this approach, seeking the removal of visual corridors and viewpoint areas from the Airport. This matter is further discussed in the Airport Zone submissions.
- 5.4 In response to the Panel's question on which chapter takes primacy, reference should be made to the National Planning Standards, particularly regarding Special Purpose Zones. If the Airport Zone does not contain provisions to protect the landscape values of the mapped areas, then the NFL Chapter would take primacy. Previously, NFL provisions did not apply to the Airport Zone due to specific caveats and arrangements made within the Airport Zone itself. Without those provisions in place, the NFL Chapter would apply by default. The panel was seeking clarification on this matter. This does not require a change in my approach from the s42.

Recommendation

- 5.5 I recommend, for the reasons given above, that:
- The additional context is noted.

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, Historic Heritage Items (as identified in Schedule 3) 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: <ol style="list-style-type: none">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: <ol style="list-style-type: none">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, and6. 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 Historic Heritage Items (as identified in Schedule 3)

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 facade 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.

Commented [JS3]: (HNZPT) 273.164 Consequential Amendment

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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.

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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 [FL4]: 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 [FL5]: 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 [FL6]: 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 [FL7]: 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>SIGN-RxA: Permitted</p> <p>Where:</p> <p>a. <u>The sign is no larger than necessary to convey the information.</u></p>	<p>SIGN-RxB</p> <p>Activity status where condition a is not met: Controlled</p> <p>Matters over which control is reserved:</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>Sign-RxA: Permitted</p> <p>Where:</p> <p>a. <u>Compliance with SIGN-S1 – SIGN-S4 is achieved.</u></p>	<p>SIGN-RxB</p> <p>Activity status where condition a is not met: Restricted discretionary activity</p> <p>Matters of discretion are:</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 [FL8]: Golden Bay (180.11; 180.12); HBAL (198.147)

Commented [FL9]: 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 [FL10]: Amelia Longley (222.137)

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

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

Commented [FL13]: 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"> 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. 	<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; 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.

Commented [JS14]: 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>	<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;
<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 [FL15]: Amelia Longley (222.139 and 222.140)

Commented [FL16]: 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>		<ul style="list-style-type: none"> 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians, and 8. The effect on people's health, safety and wellbeing.
Marine Parade Foreshore	<ul style="list-style-type: none"> 1. 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)	<ul style="list-style-type: none"> 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 Space	<ul style="list-style-type: none"> 1. The maximum area of a sign or combination of signs, per site, must not exceed 0.3 m². 	Refer to Open Space Zone chapter
<p>All Mixed Use Zones</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>	<ul style="list-style-type: none"> 1. The maximum area of a sign or combination of signs, per site, must not exceed 4.5 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> <ul 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 value; 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.

Commented [FL17]: Amelia Longley (222.139 and 222.140)

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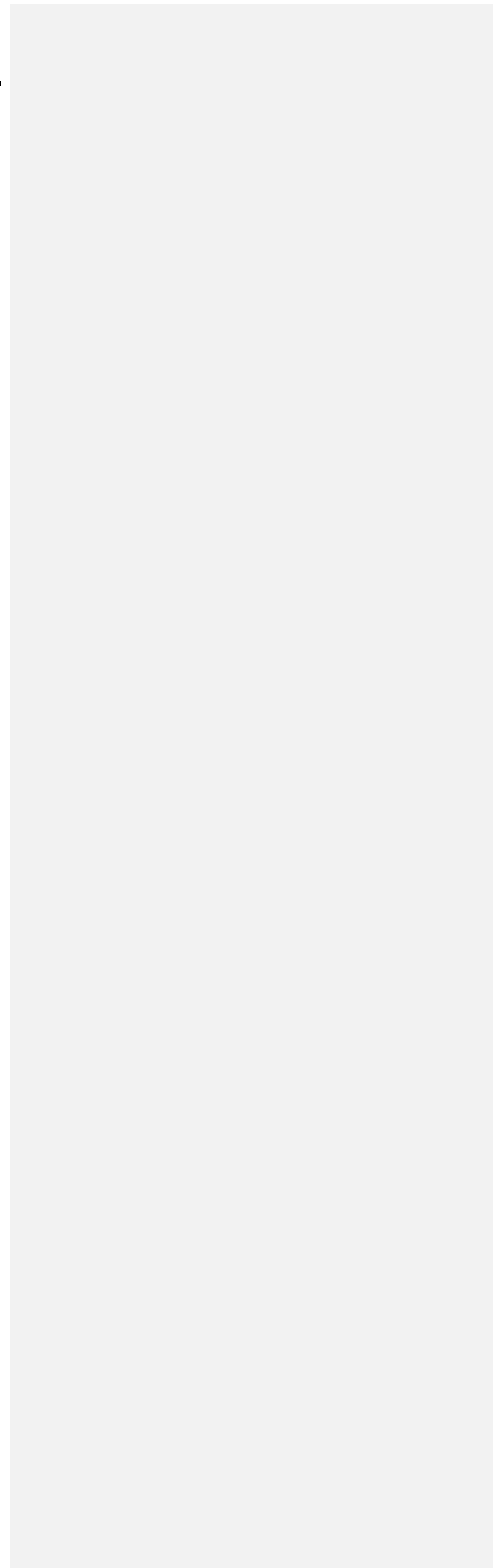
SIGN-S4: Sign illumination		
<p>All zones and precincts</p> <p>Purpose: <i>signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located.</i></p>	<ol style="list-style-type: none"> 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 [JS18]: KiwiRail Holdings Limited (168.108)

Commented [FL20]: NZTA (277.103)

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	<p>or any road <u>or rail</u> user using the road <u>or rail corridor</u> safely.</p> <p>6. <u>Digital images facing or adjacent to a State Highway must:</u></p> <ol style="list-style-type: none"> 1. <u>Be limited to one sign per site</u> 2. <u>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.</u> 3. <u>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;</u> 4. <u>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;</u> 5. <u>In higher speed environments (more than 70km/hr) at all times the digital billboard shall include no more than 5 individual</u> 	
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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 [FL19]: 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 [FL21]: 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.