

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 39. Signs

19 June 2025

Commissioners

Greg Hill (Chair)

Wikitōria Tāne

Allan Goddard

Phil Brodie

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1. Introduction

1. This Decision Report relates to all the submissions received by the Waitomo District Council (Council) on Chapter 39 Signs. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9) and Appendices and Schedules (Part 4).
2. The chapter aims to balance the benefits of signage while maintaining visual **amenity, safety and compatibility with the district's character**.

2. Hearing arrangements

3. The hearing was held in person and online **on 16 and 17 July 2024 in Council's** offices at 15 Queen Street, Te Kūiti. All of the relevant information pertaining to this hearing (i.e., section 42A reports, legal submissions and evidence) is **contained on Council's website**.
4. The following parties submitted on this chapter.

Submission No	Submitter
10.	Waikato Regional Council
17.	Waka Kotahi
51.	KiwiRail Holdings Ltd
43.	Graymont (New Zealand) Ltd
18.	Auckland Waikato Fish and Game
27.	Horticulture NZ
FS23.	Te Nehenehenui Trust

5. No submitters appeared at the hearing in relation to this matter.

3. Section 42A Report

6. Unless otherwise stated in the Panel decision below, the Panel has elected to adopt the outcomes of the Section 42A Report. No further amendments were made in the Section 42A Addendum Report on this chapter.

4. Panel decision

7. Having considered the submissions, the Panel found that:
 - Managing the effects of signs based on their type, scale and location ensures that the number, size and placement of signs aligns with the intended character and function of each zone and precinct.
 - The provisions appropriately balance the benefits of signage with the maintenance of visual amenity, safety and compatibility with the **area's** character.

- The amendments to the definition of, and permitted standards for, digital signs ensures that high illumination and abrupt text changes which could distract motorists, are avoided by introducing measures such as mandatory blackout in case of malfunction and minimum dwell times and transition effects. The changes also enable consultation with Waka Kotahi where this is required.
8. As noted earlier, unless otherwise stated in the Panel decision above, the Panel has elected to adopt the recommendations in the Section 42A Report. No further amendments were made in the Section 42A Addendum Report on this chapter.

5. Conclusion

9. The Panel accepts the recommendations in the section 42A reports and where noted above, the evidence filed by the submitters. The reasons for this are those set out in the section 42A reports, the evidence, and provided in this Decision; collectively forming the section 32AA assessment informing this Decision.
10. Overall, the Panel is satisfied that the provisions of chapter as amended will provide a suitable framework for managing signs in the district, whilst managing any adverse effects.
11. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel



Greg Hill, Chair
Dated: 19 June 2025

6. Appendix 1 – Submission Table

Signs – Submission points in order of plan provision

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
10.127	Waikato Regional Council	Support	General comments about sign provisions	Retain provisions that seek to promote or enhance the safety of the road network.	Accept
10.128	Waikato Regional Council	Support	SIGN-O2	Retain as notified.	Accept
17.93	Waka Kotahi	Support	SIGN-O2	Retain as notified.	Accept
51.47	KiwiRail Holdings Ltd	Support	SIGN-O2	Retain as notified.	Accept
43.67	Graymont (New Zealand) Ltd	Support	SIGN-P1	Retain as notified.	Accept
17.94	Waka Kotahi	Support	SIGN-P3	Retain as notified.	Accept
10.129	Waikato Regional Council	Amend	SIGN-P3	Split SIGN-P3 into two policies.	Accept in part
10.130	Waikato Regional Council	Amend	SIGN-P4	Amend the font size.	Accept
17.95	Waka Kotahi	Support	SIGN-P5	Retain as notified.	Accept
17.96	Waka Kotahi	Support in part	SIGN-P9	Amend SIGN-P9 as follows: ... 4. Digital or illuminated signs which are audible, flash, move, scroll, contain animations or full motion video. or have a high frequency of image changes	Accept
17.97	Waka Kotahi	Support	SIGN-R1	Retain as notified.	Accept in part
18.31	Auckland Waikato Fish and Game	Seek amendment	SIGN-R1	Amend rule as follows: Activity status: PER Where: 1. The sign is required by the New Zealand Transport Agency, KiwiRail, Waitomo District Council, <u>the New Zealand Fish and Game Council</u> or is required to meet legislative requirements such as health and safety legislation.	Accept
43.68	Graymont (New Zealand) Ltd	Support	SIGN-R1	Retain as notified.	Accept
17.98	Waka Kotahi	Support in part	SIGN-R2	Amend SIGN-R2 as follows: (d) Potential positive or adverse effects on road user <u>the transport network</u> and pedestrian safety; and	Accept
17.99	Waka Kotahi	Support in part	SIGN-R10	Amend SIGN-R10 as follows: ...	Accept

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<p>3. The sign must only display still images, and where multiple still images are displayed each image must be displayed for a minimum of 7 seconds</p> <p>and</p> <p><u>Additional matters for digital signs visible from the State Highway:</u></p> <p><u>6. There shall be a maximum of one digital sign per site:</u></p> <p><u>7. There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change.</u></p> <p><u>8. The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the state highway network from which the digital billboard is visible:</u></p> <p><u>9. In low speed environments (70 km/h and less) at all times the digital billboard should include no more than ten individual elements; of which words may only make up eight elements. Additionally, each line of text shall contain a maximum of 40 characters.</u></p> <p><u>10. In higher speed environments (more than 70 km/h) these content controls halve. At all times the digital billboard should include no more than five individual elements; of which words may only make up four elements. Additionally, each line of text shall contain a maximum of 20 characters.</u></p> <p><u>11. The digital sign shall be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved:</u></p> <p><u>Matters over which discretion is restricted:</u></p> <p><u>(h) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p>	
17.100	Waka Kotahi	Support in part	SIGN-R12	<p>Amend SIGN-R12 as follows:</p> <p><u>(h) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p>	Accept in part
27.57	Horticulture NZ	Oppose with amendment	SIGN – R14	<p>Amend SIGN-R14 (1) to read:</p> <p>The sign is located in the commercial, tourism, industrial or rural production zones</p>	Reject
FS23.92	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this	Accept

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	
17.101	Waka Kotahi	Support in part	SIGN- Table 2: SIGN-R15	<p>Amend SIGN-R15 – Table 2 as follows:</p> <p>...</p> <p>6. Signs must not have flashing, or revolving lights, or lasers or intermittently illuminated lights and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance; Additional matters for signage visible from the state highway network:</p> <p>7. <u>Signs should have a minimum lettering height of 120mm where the speed limit is lower than 70km/h, or 160mm where the speed limit is 70km/h or higher;</u></p> <p>8. <u>Signs should have a maximum of 6 words and/ or symbols, with a maximum of 40 characters;</u></p> <p>9. <u>Signs must not obstruct the movement of any pedestrian, motorist, or cyclist;</u></p> <p>10. <u>Signs must not be made of materials likely to reflect headlights from an approaching vehicle.</u></p> <p>Matters over which discretion is restricted:</p> <p>...</p> <p><u>(d) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p>	Accept in part
51.48	KiwiRail Holdings Ltd	Seek amendment	SIGN-R15	<p>Amend SIGN R15 as follows;</p> <p>1.</p> <p>2. Signs must not be located in or project over the railway corridor; and</p> <p>3. Signs must not be located in or project over a road, indicative road, vehicle access point, accessway, service lane or driveway; and</p> <p>4. Signs must not obstruct the line of sight of any road corner, bend, intersection, vehicle or rail crossing; and</p> <p>5. Signs must not be placed within 20 m of a road intersection; and</p> <p>6. Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal; and</p> <p>Signs must not have flashing or revolving lights or lasers and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance</p>	Accept

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
17.102	Waka Kotahi	Support in part	SIGN Table 2: SIGN- R22	Amend SIGN-R22 as follows; <u>Additional matters for signs visible from the State Highway:</u> <u>5. The screen shall incorporate lighting control to adjust brightness in line with ambient light levels;</u>	Accept
17.103	Waka Kotahi	Support in part	SIGN-R22- Matters of Discretion	Amend SIGN-R22 Matters of Discretion as follows; ... (c) <u>The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as</u> Any impact on driver, cyclist and or pedestrian safety; and ... (f) <u>Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u>	Accept
17.07	Waka Kotahi	Support in part	Digital Signs	Delete the definition for 'digital signs' and replace with the following definition: <u>Digital signs: electronic display systems designed to capture attention, primarily, but not exclusively, for the purposes of advertising. The digital signage display may be static or non-static.</u>	Accept

7. Appendix 2 – Decisions Version of the Chapter

Overview

Signs attract customers, warn people of hazards, provide direction and give information about attractions and events. Signs range in type and scale from large billboards to small signs which state the name of a property. Signs can be attached to buildings, freestanding, illuminated, flashing, moving (such as balloons), or digital. They can also be a permanent or temporary feature.

This plan makes provisions for signs dependent on the zone - or in some cases, the precinct - that the site is located within. For each zone, the number, scale, and placement of signs is managed in a manner which supports the outcomes sought for that zone. This includes managing signs that are not directly related to the activity being carried out on a site. For instance, site-related signs attracting customers to purchase goods and services are anticipated on land zoned for commercial, industrial and tourism activities. Signs attracting customers are generally not anticipated in the general rural, rural lifestyle, settlement, **residential, Māori purpose and future urban zones**, unless it is for a home business. However, some flexibility is provided for temporary signs and for signs that warn people of hazards.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- SIGN-O1. Signs contribute to the role, function and character of the zone, precinct and/or scheduled site or feature they are located within.
- SIGN-O2. Signs visible from the transport system and railways must not compromise the safety of the transport system.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- SIGN-P1. Allow signs that are required by legislation, including but not limited to health and safety, dangerous buildings and hazardous substances signs.
- SIGN-P2. Allow signs on roads and railways that assist in directing traffic and promoting safety.
- SIGN-P3. Ensure illuminated, flashing, digital or reflective signs do not adversely affect anticipated levels of character and amenity, and avoid the potential for reverse sensitivity effects including effects on the safety and functioning of roads, particularly at night time.
- SIGN-P4. Take into account economic benefits and positive effects from the placement of signs, particularly signs providing information relevant to community wellbeing.

- SIGN-P5. Ensure the number, design, location and content of any sign does not adversely affect the safe functioning of the land transport network by minimising visual and physical obstructions caused by signs and avoiding clusters of signs which result in visual clutter and driver distraction.
- SIGN-P6. Require that signs relate to the activities undertaken on the site in order to manage visual clutter, promote ease of site identification and maintain anticipated levels of character and amenity. Signs not related to activities on a site are only anticipated in specified zones and precincts.
- SIGN-P7. The type, scale and design of signs support the character and amenity outcomes anticipated in the relevant zone and precinct by acknowledging that:
1. The railway cottage cluster precinct (PREC6), residential, future urban, rural lifestyle and settlement zones have a residential built character, signs are not common and where present, are of a small scale; and
 2. The Māori purpose zone has a mix of large and small buildings including housing, health and community services as well as business activity. Signs are present, but are limited in number and size; and
 3. The open space and natural open space zones have a mix of buildings, structures and open fields. In the natural open space zone, small signs that give information and reflect the values of the site are acceptable. In the open space zone, carefully located sponsorship signs are acceptable; and
 4. The general rural zone and Te Maika precinct (PREC7) have an open character that is relatively free of structures. Signs are not a common feature and large signs, groups or clusters of signs should be avoided; and
 5. The tourism zone has residential, accommodation and business activities and signs are common features which are important for economic wellbeing. The type and design of sign must not result in reverse sensitivity effects; and
 6. The aerodrome precinct, commercial zone and commercial precincts have a business character, where signs are common. It is anticipated that signs are of a larger scale, well located so that windows and architectural features are not obscured and signs avoid creating nuisance. Signs should only relate to businesses that are currently operating; and
 7. The industrial and rural production zones have a comparatively lower level of amenity. Signs are an accepted feature in this working environment; and
 8. The amenity precinct (PREC6) is travelled by hundreds of thousands of visitors to the district every year. A high level of rural amenity is expected in this corridor in order to enhance visitor perceptions of our countryside and protect expansive rural views. Signs are an infrequent feature and where present, are of a small scale and should only relate to businesses that are currently operating on that site.

- SIGN-P8. Ensure signs are of a type, scale and design that is appropriate for each **sign's location, having regard to** the positive and adverse effects of the sign on:
1. The predominant character and amenity values of the zone as identified in SIGN-P7 and the objectives and policies of the relevant zone; and
 2. The character and amenity of surrounding properties and public places; and
 3. Whether there are existing activities in the surrounding area that would be sensitive to the sign; and
 4. The appearance of buildings and the architectural features of those buildings; and
 5. The impact on any gateway entrances to towns; and
 6. The area and whether the sign would add vibrancy or enliven a location; and
 7. The cumulative effects caused by sign proliferation; and
 8. The safe and efficient operation of land transport networks and the safety of road and footpath users.
- SIGN-P9. Signs that are potentially incompatible with the role, function and predominant character of the zone (as identified in SIGN-P7 and the objectives and policies of the relevant zone) in which they are located include:
1. Signs which increase visual clutter; and
 2. Signs which protrude above buildings, fences, walls or verandahs, or are attached to or painted onto roofs; and
 3. Poorly located footpath signs; and
 4. Digital or illuminated signs which are audible, flash, move, scroll, contain animations or full motion video; and
 5. Signs on or affixed to vehicles or trailers which contribute to visual clutter, particularly in the rural environment, or distract road users; and
 6. Signs which do not have a functional need to locate in the area, precinct or zone; and
 7. Signs which cannot offset any adverse effects; and
 8. Signs which compromise the values associated with a scheduled site or feature.
- SIGN-P10. On scheduled features and sites, signs with interpretive information are anticipated where the design and location of the sign does not compromise the values associated with the scheduled feature.
- SIGN-P11. In all zones, temporary signs are anticipated and may reduce expected levels of amenity in the short term. These signs are considered acceptable provided the sign is of an appropriate scale and design, its location does not interfere with the safe functioning of any road or railway and it is removed following the event.
- SIGN-P12. Ensure outcomes associated with signs that are specified in the key moves of each town concept plan are achieved.

Rules

The rules that apply to signs are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- SIGN - Table 1 - Activities Rules; and
- SIGN- Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-wide matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this Plan, including activity status abbreviations.

SIGN - Table 1 - Activities Rules

<p>Unless otherwise specified in a rule, the rules in this table apply to all zones, all precincts and all scheduled sites and features, all roads including new roads approved by way of resource consent EXCEPT the rules for signs on the surface of water, sites and areas of significance to Māori, historic heritage and network utilities are contained within their relevant chapter.</p>		
SIGN-R1.	Official signs	
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign is required by the New Zealand Transport Agency, KiwiRail, the New Zealand Fish and Game Council, Waitomo District Council or is required to meet legislative requirements such as health and safety legislation. <p><i>Note: This rule is not subject to any other rule in this plan.</i></p>		<p>Activity status where compliance is not achieved: N/A</p>
SIGN-R2.	Public information and sponsorship signs	
Open space zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Public information signs erected on a reserve administered by Waitomo District Council, by or with the written permission of Waitomo District Council are permitted; and 2. Sponsorship signs must face internally towards the field or court even where located on a building; and 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The proposed position and location of the sign; and (b) Potential positive or adverse effects on the amenity values and character of the surrounding area including effects on visual amenity values; and

	<p>3. No sign may be illuminated or have flashing or revolving lights or lasers; and</p> <p>4. No sign may be shaped or use images or colours, that could be mistaken for a traffic control device in colour, shape or appearance.</p> <p><i>Note: This rule is not subject to any other rule in this plan.</i></p>	<p>(c) Whether the sign is in keeping with the built and natural features in the area; and</p> <p>(d) Potential positive or adverse effects on the transport network and pedestrian safety; and</p> <p>(e) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter.</p>
SIGN-R3.	Temporary signs	

<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> All the performance standards in SIGN - Table 2 are complied with; and For temporary events and commercial filming, no signs must be erected earlier than 6 weeks before the activity and signs must be removed within 3 days of the end of the activity; and For construction sites, no signs including any fence wrap, must be erected earlier than 6 months before commencement of the construction works and must be removed within 7 days of completion of the construction project; and For property for sale or lease, there is no limit on the duration of the sign provided that once the property is sold or let, the sign must be removed within 7 days; and For electioneering, no sign must be erected earlier than 9 weeks before the election to which it relates and must be removed within 1 day of the election day, unless otherwise required by statute. <p><i>Note: For election signs please also refer to the Waka Kotahi General Election Sign Guidance, 2020.</i></p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and The proposed duration the sign is displayed; and Potential positive or adverse effects on the amenity values and character of the site and surrounding area including effects on visual amenity values; and Whether the sign is in keeping with the built and natural features in the area; and Potential positive or adverse effects on road user and pedestrian safety; and Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter.
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SIGN-R4.	Signs attached to or painted on fences, walls or building facades or any other structure	
Activity Status: PER Where: 1. The sign must not project above the parapet level or the highest part of that portion of the building to which the sign is attached; and 2. This sign is attached to a fence or wall, it must not protrude above the top of the fence or wall; and	Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted: (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and (b) Whether the sign:	

<div>3. The sign must not be located in the railway cottage cluster precinct (PREC1) or amenity precinct (PREC6) or Te Maika precinct (PREC7); and</div> <div>4. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and</div> <div>5. All the performance standards in SIGN - Table 2 are complied with.</div>	<div><div><div>(i) Aligns to the key moves in the relevant town concept plan; and</div><div>(ii) Has positive and/or adverse effects on architectural integrity, amenity values and character of the surrounding area including gateway entrances to townships, visual coherence and heritage values; and</div><div>(iii) Combines with other signs to result in an orderly and coordinated display;</div></div><div>AND</div><div><div>(c) Whether the design or content of the sign would impact on the amenity values and character of the site and surrounding area; and</div><div>(d) Whether there are any special circumstances or functional needs relating to the activity, building, site or surroundings, which affect sign requirements; and</div><div>(e) Potential positive or adverse effects on road user and pedestrian safety; and</div><div>(f) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter; and</div><div>(g) As applicable to the precinct, effects on architectural integrity, amenity, character and heritage and landscape values of the precinct.</div></div></div>	
SIGN-R5.	Signs attached to or painted on verandahs	
Settlement (including PREC4), commercial (including PREC5), industrial, tourism & zones Te Kumi commercial precinct (PREC2) & aerodrome	<div>Activity Status: PER</div> <div>Where:</div> <div><div>1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and</div><div>2. The sign must be under the verandah or within the verandah fascia; and</div><div>3. The sign must not be located on top of the verandah; and</div><div>4. All the performance standards in SIGN - Table 2 are complied with.</div></div>	<div>Activity status where compliance is not achieved: RDIS</div> <div>Matters over which discretion is restricted:</div> <div><div>(a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and</div><div>(b) Whether the location or increased number of signs on the building would impact on the visual amenity of the building, site and surrounding area; and</div><div>(c) Potential positive or adverse effects on road user and pedestrian safety; and</div></div>

precinct, (PREC3)		(d) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter.
All other zones All other precincts	Activity status: DIS	Activity status where compliance is not achieved: N/A
SIGN-R6.	Signs attached to or painted on roofs	
Activity status: DIS Where: 1. The sign is attached to or painted on roofs. <i>Note: There are specific provisions for signs located, anchored, erected, attached to or painted on or above a rooftop or roofline in the aerodrome precinct (PREC3).</i>		Activity status where compliance is not achieved: N/A
SIGN-R7.	Fixed freestanding signs	
Activity Status: PER Where: 1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and 2. All the performance standards in SIGN - Table 2 are complied with.		Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted: (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGNS -Table 2.
SIGN-R8.	Footpath signs including sandwich boards and teardrop flags	
Activity Status: PER Where: 1. The sign must be placed on the footpath/berm immediately outside and in front of the premises to which it relates (otherwise see SIGN-R12); and 2. A consistent 2 m wide clear space must be maintained for pedestrians on the footpath; and 3. The sign must be removed from the footpath or berm at the completion of the day's trading and not returned until the start of the next day's trading; and 4. The sign must not be displayed on or attached to any power or lighting pole, bollard, rubbish bin, plant box, pylon, public sign or other similar structure in a public place, provided that this rule does not apply to signs erected by Waitomo District Council; and 5. The sign must not be placed on any official sign or traffic control devices or their supporting poles, posts or structures; and		Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted: (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and (b) Potential positive or adverse effects on the amenity values and character of the surrounding area; and (c) Whether the design, dimensions, nature, and colour of the sign would impact traffic safety or the integrity of the structure it was attached to; and (d) Whether there are any special circumstances or functional needs relating to the activity, site or surroundings, which affect sign requirements; and

6. The sign must not be displayed on any median strip, kerb projection, roundabout, or any other traffic separation structure on any road; and	(e) Potential positive or adverse effects on road user and pedestrian safety; and
7. All the performance standards in SIGN - Table 2 are complied with.	(f) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter.
SIGN-R9.	Interpretive signs on scheduled features or sites
All scheduled features and sites	<div>Activity Status: PER</div> <div>Where:</div> <div><div>1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and</div><div>2. All the performance standards in SIGN - Table 2 are complied with.</div></div> <div>Note: The rules in this table do not apply to sites and areas of significance to Māori and historic heritage. See their relevant chapter.</div>
SIGN-R10.	Digital signs
Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)	<div>Activity Status: PER</div> <div>Where:</div> <div><div>1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and</div><div>2. The sign must not display a live broadcast or pre-recorded video; and</div><div>3. There shall be a maximum of one digital sign per site; and</div><div>4. There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change; and</div><div>5. The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the transport network from which the digital billboard is visible; and</div><div>6. In speed environments 70 km/h and less, the digital sign must not include more than ten individual elements, of which words may only make up eight elements and each line of text shall</div></div>

	<p>contain a maximum of 40 characters; and</p> <p>7. In speed environments more than 70 km/h, the digital sign must not include more than five individual elements, of which words may only make up four elements and each line of text shall contain a maximum of 20 characters; and</p> <p>8. The digital sign must 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; and</p> <p>9. There must be no sound associated with the sign and no sound equipment installed as part of the sign; and</p> <p>10. All the performance standards in SIGN - Table 2 are complied with.</p> <p><i>Note: If the digital sign is proposed to be attached to a building the maximum size of the sign is contained in SIGN-S3. If the sign is proposed to be freestanding the maximum dimensions and height is contained in SIGN-S5.</i></p>	<p>(h) The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</p>
All other zones, all roads, all other precincts	Activity Status: NC	Activity status where compliance is not achieved: N/A
SIGN-R11.	Signs on or affixed to vehicles or trailers	
All zones, all roads & all precincts except PREC1 and PREC6	<p>Activity Status: RD IS</p> <p>Where:</p> <ol style="list-style-type: none"> Any sign on or affixed to vehicles or trailers parked for the purpose of advertising (excluding temporary signs); and Provided that this rule does not apply to: <ol style="list-style-type: none"> Businesses operating from a vehicle or caravan (eg: coffee carts and food trucks); and Advertising signs adhered onto company vehicles or trailers which are not parked for the purpose of 	Activity status where compliance is not achieved: N/A

	<p>advertising but are used in the day to day operation of that business.</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) Whether the location, design, dimensions, nature, and colour of the sign would impact on the amenity values of the surrounding area; and (b) Potential positive or adverse effects on road user and pedestrian safety; and (c) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter. 	
Railway cottage cluster (PREC1) & amenity precinct (PREC6)	Activity Status: NC	Activity status where compliance is not achieved: N/A
SIGN-R12.	Off-site signs	
Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)	<p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign is not located on the site the activity is carried out on; or 2. For footpath signs including sandwich boards and teardrop flags, the sign is not placed on the footpath/berm immediately outside and in front of the premises to which it relates. <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) Whether the location, design, dimensions, nature, and colour of the sign would impact on the amenity values of the surrounding area; and (b) Whether the sign: <ul style="list-style-type: none"> (i) Aligns to the key moves in the relevant town concept plan; and (ii) Has positive and/or adverse effects on architectural integrity, amenity values and character of the surrounding area including gateway 	Activity status where compliance is not achieved: N/A

	<p>entrances to townships, visual coherence and heritage values; and</p> <p>(iii) Combines with other signs to result in an orderly and coordinated display.</p> <p>AND</p> <p>(c) Whether the sign would contribute to community wellbeing through the promotion of information; and</p> <p>(d) Whether the sign would provide site identification to the travelling public who may be unfamiliar with the area; and</p> <p>(e) Whether there are any special circumstances or functional needs relating to the activity, site or surroundings, which affect sign requirements; and</p> <p>(f) Potential positive or adverse effects on road user and pedestrian safety; and</p> <p>(g) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter; and</p> <p>(h) The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs located adjacent to the state highway network.</p>	
All other zones, all roads, all other precincts	Activity Status: NC	Activity status where compliance is not achieved: N/A
SIGN-R13.	Artificial illumination of signs	
Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and All the performance standards in SIGN - Table 2 are complied with. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and Any impact on the character and amenity values of the surrounding area; and Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians; and

precinct (PREC4)		(d) The hours of operation of the sign; and (e) The type and intensity of illumination and the proposed periods of illumination (f) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter.
All other zones, all roads, all other precincts	Activity Status: DIS	Activity status where compliance is not achieved: N/A
SIGN-R14.	Signs not otherwise provided for in Table 1	

Activity Status: DIS

Where:

1. The sign is located in the commercial, tourism, industrial or rural production zones; and/or
2. The sign is located in Te Kūiti commercial precinct (PREC2), aerodrome precinct (PREC3), Mokau commercial precinct (PREC4) or Te Kūiti CBD precinct (PREC5).

Activity status where compliance is not achieved: NC

SIGN - Table 2 - Performance Standards

SIGN-S1.	Standards for all signs	
<ol style="list-style-type: none"> 1. Signs must not be located in or project over a road, indicative road, vehicle access point, accessway, service lane or driveway; and 2. Signs must not obstruct the line of sight of any road corner, bend, intersection, vehicle or rail crossing; and 3. Signs must not be placed within 20 m of a road intersection; and 4. Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal; and 5. Signs must not have flashing or revolving lights, lasers or intermittently illuminated lights and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance. <p>Additional matters for signs located adjacent to the state highway network:</p> <ol style="list-style-type: none"> 6. Signs must have a minimum lettering height of 120mm where the speed limit is lower than 70km/h, or 160mm where the speed limit is 70km/h or higher; and 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent to which the sign may be an obstruction to sight distances, traffic or railway signs or signals, or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for road users; and (b) The extent to which the sign may physically obstruct vehicles, trains or pedestrians; and (c) Proximity to other signs and intersections and potential adverse effects on the safety of road users including pedestrians; and (d) The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs located adjacent to the state highway network. 	

<p>7. Signs must not have more than 6 words and/ or symbols, with a maximum of 40 characters; and</p> <p>8. Signs must not obstruct the movement of any pedestrian, motorist, or cyclist; and</p> <p>9. Signs must not be made of materials likely to reflect headlights from an approaching vehicle.</p>	
SIGN-S2.	Temporary signs
<p>1. Signs for temporary events and commercial filming must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number: 1 per site; and (ii) Maximum sign face area: 3 m²; and (iii) Maximum height of a freestanding sign: 4 m as measured from ground level. 	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The degree of visual intrusion the sign(s) would have on the surrounding environment; and (b) Where the sign(s) is proposed to be attached to a building, whether the sign would be complementary to the proportions and design of the building; and (c) The content of the sign(s) and whether the sign(s) would promote the wellbeing of the community through advertising events or providing information; and (d) The extent to which the impacts of the sign(s) would be increased or lessened due to: <ul style="list-style-type: none"> (i) The visibility of the sign(s); and (ii) The length of the road frontage; and (iii) The shape of the site, topography, natural and built features in the surrounding area; and/or (iv) Vegetation or other mitigating factors;
<p>2. Construction signs (excluding fence wrap) must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number: 4 per site provided a double-sided sign counts as 2 signs; and (ii) Maximum sign face area: 2 m²; and (iii) Maximum height of a freestanding sign: 4 m as measured from ground level. 	
<p>3. Property for sale or lease signs must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number: 4 per holding provided a double-sided sign counts as 2 signs; and (ii) Maximum sign face area: 2 m²; and (iii) Maximum height of a freestanding sign: 2 m as measured from ground level. 	
<p>4. Election signs must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number of signs: 1 per site; and (ii) Maximum sign face area: 3 m²; and (iii) Maximum height of a freestanding sign: 4 m as measured from ground level. 	<p>AND</p> <ul style="list-style-type: none"> (e) The extent to which a planned arrangement of the sign(s) has been used to avoid any effect of visual confusion or clutter; and (f) The effects on vehicle manoeuvring and site access; and (g) Whether the increased number, height or dimensions of a sign(s) would adversely affect road user and pedestrian safety.

SIGN- S3.	Signs attached to or painted on fences, walls or building facades or any other structure	
Commercial, tourism, industrial & rural production zones All precincts except PREC1, PREC6 & PREC7	<div><div>1. Maximum sign area: 15% of the area of the building façade, fence or wall or 5 m² - whichever is the lesser (applies to the area the business or tenancy occupies); and</div><div>2. Maximum area of digital signs: 1 m² per business:</div></div>	<div>Matters over which discretion is restricted:</div> <div><div>(a) Whether the signs on the building would impact on the visual amenity of the building, site and surrounding area; and</div><div>(b) Whether the signs on the building would detract and distract from any architectural features; and</div><div>(c) The extent to which a planned arrangement of the signs has been used to avoid any effect of clutter; and</div><div>(d) Whether the increased amount of signs on the building would impact on the movement of traffic and safety of road and footpath users, including cyclists and pedestrians.</div></div>
Open space, natural open space, Māori purpose & general rural zones	<div><div>3. Maximum sign area: 2 m²; and</div><div>4. Maximum number: 1 sign per holding for each road frontage.</div></div>	
Residential, settlement, future urban and rural lifestyle zones	<div><div>5. Maximum sign area: 0.5 m2</div><div>6. Maximum number: 1 sign per holding for each road frontage.</div></div> <div><i>Note: In the railway cottage cluster precinct (PREC1), amenity precinct (PREC6) and Te Maika precinct (PREC7) this activity is restricted discretionary. See SIGN-R4.</i></div>	
SIGN-S4.	Signs attached to or painted on verandahs	
Settlement (including PREC4), commercial (including PREC5), industrial, tourism & zones Te Kumi commercial precinct (PREC2) & aerodrome	<div><div>1. Maximum number: 1 sign under the verandah or within the verandah fascia, except where the premises has 2 road frontages in which case signs are limited to a maximum of 2; and</div><div>2. Signs affixed under verandahs must be at least 2.5m above the level of the footpath or veranda deck as applicable.</div></div> <div><i>Note: In all other zones and precincts this activity is discretionary. See SIGN-R5.</i></div>	<div>Matters over which discretion is restricted:</div> <div><div>(a) Whether the signs on the building would impact on the visual amenity of the building, site and surrounding area; and</div><div>(b) Whether the signs on the building would detract and distract from any architectural features; and</div><div>(c) Potential positive or adverse effects on road user and pedestrian safety; and</div><div>(d) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter.</div></div>

precinct, (PREC3)		
SIGN-S5.	Fixed freestanding signs	
Commercial, tourism, industrial & rural production zones All precincts except PREC1, PREC6 & PREC7	<div><div>1.</div><div>Maximum number: 1 sign per road frontage; and</div></div> <div><div>2.</div><div>Maximum sign area: 3 m² visible in any one direction, with a maximum total area of 6m²; and</div></div> <div><div>3.</div><div>Maximum height: 5 m as measured from ground level.</div></div>	<div>Matters over which discretion is restricted:</div> <div><div>(a)</div><div>Whether the signs on the building would impact on the visual amenity of the building, site and surrounding area; and</div></div> <div><div>(b)</div><div>Whether the location or increased number of signs on the building would detract and distract from any architectural features; and</div></div> <div><div>(c)</div><div>Potential positive or adverse effects on road user and pedestrian safety; and</div></div> <div><div>(d)</div><div>Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter; and</div></div> <div><div>(e)</div><div>The extent to which any increase in height is consistent with the scale of buildings in the surrounding area.</div></div>
Open space, natural open space, Māori purpose & general rural zones	<div><div>4.</div><div>Maximum number: 1 sign per road frontage; and</div></div> <div><div>5.</div><div>Maximum sign area: 1.2 m2 visible in any one direction, with a maximum total area of 2.4 m2; and</div></div> <div><div>6.</div><div>Maximum height: 2 m as measured from ground level.</div></div>	
Settlement & future urban zones	<div><div>7.</div><div>Maximum number: 1 sign per road frontage; and</div></div> <div><div>8.</div><div>Maximum area: 0.25 m2 visible in any one direction, with a maximum total area of 0.5 m2; and</div></div> <div><div>9.</div><div>Maximum height: 2 m as measured from ground level.</div></div>	
Residential & rural lifestyle zones & PREC1, PREC6 & PREC7	<div><div>10.</div><div>Maximum number: 1 sign providing there is no existing or proposed footpath sign on that frontage; and</div></div> <div><div>11.</div><div>Maximum sign area: 0.25 m2 visible in any one direction, with a maximum total area of 0.5 m2; and</div></div> <div><div>12.</div><div>Maximum height: 2 m as measured from ground level.</div></div>	
SIGN-S6.	Footpath signs including sandwich boards and teardrop flags	
All zones except residential & rural	<div><div>1.</div><div>Maximum number of signs per premises: 1 per road frontage; and</div></div> <div><div>2.</div><div>Maximum sign face area: 0.5 m²; and</div></div>	<div>Matters over which discretion is restricted:</div> <div><div>(a)</div><div>Whether the increased number or increased size of footpath signs would</div></div>

lifestyle zones All precincts except PREC1, PREC6 & PREC7	3. The sign must not encroach over more than 600 mm of the footpath or berm.	impact on the visual amenity of the building, site and surrounding area; and (b) Whether the increased size of the sign or increased encroachment would impact on road user and pedestrian safety.
Residential & rural lifestyle zones & PREC1, PREC6 & PREC7	4. Maximum number of signs per premises: 1 per road frontage providing there is no existing or proposed freestanding sign on that frontage; and 5. Maximum sign face area: 0.5 m ² ; and 6. The sign must not encroach over more than 600 mm of the footpath or berm.	
SIGN-S7.	Interpretive signs on scheduled features or sites	
All scheduled features and sites	1. One interpretive sign is permitted per site, except where the site has more than one road entrance, in which case, signs are limited to a maximum of one per road entrance; and 2. The maximum sign face area must be no more than 1 m ² , except in the residential, settlement, future urban and rural lifestyle zones and amenity precinct (PREC6) where the maximum sign face area must be no more than 0.5 m ² visible in any one direction; and 3. The maximum height of any sign must not exceed 2 m.	Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted: (a) The extent to which the quality of the sign, its content and the design and graphics used would complement the scheduled site or feature; and (b) The extent to which the sign, supporting structures and the means of affixing the sign detracts from the values of the scheduled site or feature; and (c) The benefits obtained from the placement of the sign including increased understanding of the significance of the scheduled site or feature; (d) Potential positive or adverse effects on the amenity values and character of the surrounding area; and (e) Potential positive or adverse effects on road user and pedestrian safety; and (f) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter.

SIGN-S8.	Artificial illumination of signs and digital signs	
Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)	<ol style="list-style-type: none"> No sign must exceed a luminance of 800cd/m² between dusk and dawn; and The spill of light from artificial lighting on to any adjacent site or road must not exceed 3 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site. Any external lighting must be directed towards the sign and not create a nuisance; and Lighting must be designed to reduce any glare or direct view of the light source when viewed by an observer at ground level or within an adjacent building; and The screen shall incorporate lighting control to adjust brightness in line with ambient light levels. <p><i>Note: In all other zones and precincts this activity is discretionary. See SIGN-R10 and SIGN-R13.</i></p>	<p>Activity status where compliance is not achieved: RD1S</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> Any impact on the character and amenity values of the surrounding area; and Whether the sign is compatible with the built form on the site; and The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as cyclist and pedestrian safety; and The hours the sign will be lit; and The type of illumination used, the frequency and intensity of intermittent or flashing light sources, and the proposed periods of illumination and frequency of image changes; and Whether any cumulative effects arise and/or visual clutter, having regard to existing sign(s); and The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.

Advice notes	
<p>Signs within a road reserve</p> <p><i>Any sign proposed to be located within a road reserve requires the approval of the road controlling authority.</i></p>	
<p>Existing signs</p> <p><i>Where a sign has been erected that does not meet the criteria for an existing use under the Act, Waitomo District Council may require that the sign is removed.</i></p>	
<p>Fixed freestanding signs</p> <p><i>Fixed freestanding signs are not subject to the setback or height to boundary requirements in underlying zones as there are specific rules in this chapter that apply to freestanding signs.</i></p>	
<p>Buildings constructed before 1900</p> <p><i>Where the building is constructed pre-1900, an authority may be required from Heritage New Zealand Pouhere Taonga to erect a sign.</i></p>	
<p>Signs on trailers</p>	

Any sign on or affixed to vehicles or trailers proposed to be located within a road reserve is controlled by Waitomo District Council Bylaws.

Signs on the surface of water, network utilities, sites and **areas of significance to Māori** and historic heritage
See the provisions in their relevant chapter.

8. Appendix 3 – Section 32AA Evaluation

12. A section 32AA evaluation is only required for any changes that are proposed to the provisions of this plan since the original section 32 evaluation report for the proposal was completed. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes.

Provisions not requiring an evaluation

13. An amendment to SIGN-P9 clarifies the intent of the policy point to apply to digital signs that move, scroll, contain animations or full motion video rather than having “a high frequency of image changes”. It is considered that the amendments are minor, for clarification purposes and provide direction to plan users only. A section 32AA evaluation is not required.

Amendment of the application of wider plan provisions

14. This chapter does not require the relevant objectives and policies of part 3 **to be considered or “all” the rules to be considered** when assessing the activity as many will be irrelevant to an application. This wording was erroneously included. RMA schedule 1, clause 16 enables a local authority to make an amendment to its proposed plan, without using the process in schedule 1, to alter any information, where such an alteration is of minor effect, *or to correct any minor errors*. Using RMA schedule 1, clause 16 the Panel has directed that the following amendments are made:

Objectives & Policies

Refer also to the relevant objectives in Part 2 District - Wide Matters ~~and Part 3 – Area Specific Matters~~

Rules

The rules that apply to signs are contained in the tables listed below. To undertake any activity, it must comply with ~~all~~ the rules listed in:

- SIGN - Table 1 - Activities rules; and
- SIGN - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-wide matters; and
- Any relevant provision in Part 3 Area Specific Matters.

15. There is also scope to make these amendments under BP Oil New Zealand Limited and Z Energy Limited (the Fuel Companies) submission to make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document.

Rules

SIGN-R15.	Standards for all signs
<p>1. Signs must not be located in or project over the railway corridor; and</p> <p>2. Signs must not be located in or project over a road, indicative road, vehicle access point, accessway, service lane or driveway; and</p> <p>3. Signs must not obstruct the line of sight of any road corner, bend, intersection, vehicle or rail crossing; and</p> <p>4. Signs must not be placed within 20 m of a road intersection; and</p> <p>5. Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal; and</p> <p>6. Signs must not have flashing or revolving lights, or lasers or intermittently illuminated lights and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance.</p> <p><u>Additional matters for signs located adjacent to the state highway network:</u></p> <p>7. <u>Signs must have a minimum lettering height of 120mm where the speed limit is lower than 70km/h, or 160mm where the speed limit is 70km/h or higher; and</u></p> <p>8. <u>Signs must not have more than 6 words and/ or symbols, with a maximum of 40 characters; and</u></p> <p>9. <u>Signs must not obstruct the movement of any pedestrian, motorist, or cyclist; and</u></p> <p>10. <u>Signs must not be made of materials likely to reflect headlights from an approaching vehicle.</u></p>	<p>Matters over which discretion is restricted:</p> <p>(a) The extent to which the sign may be an obstruction to sight distances, traffic or railway signs or signals, or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for road users; and</p> <p>(b) The extent to which the sign may physically obstruct vehicles, trains or pedestrians; and</p> <p>(c) Proximity to other signs and intersections and potential adverse effects on the safety of road users including pedestrians; and</p> <p>(d) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs located adjacent to the state highway network.</u></p>

Effectiveness and efficiency

16. KiwiRail requested that SIGN-R15 is amended to remove the requirement for signs to not be erected in a manner that obstructs railway operations. The submitter noted that the railway itself may contain signs and this standard prevents that. It is neither effective or efficient to have a rule that inhibits the operation of railway network signage. It is more efficient to rely on the other criteria within the standard to ensure that sign location is safe relative to railway corridor operations.
17. Waka Kotahi requested SIGN-R15 is amended to include additional performance standards to ensure that signage visible from the state highway network is consistent with the relevant Waka Kotahi signage guidance (Traffic Controls

Device Manual and Planning Policy Manual: Third Party Signs on and visible from the state highway corridor). This approach is efficient and effective as it provides greater certainty for applicants and decision-makers by relying on the nationally consistent provisions contained in the guidance for signs in the state highway corridor.

Costs and benefits

18. On balance, costs should be reduced to the rail and state highway network operators. There is no change to rules which would adversely impact the safe and efficient operation of either network. There is no change to costs to applicants who must adhere to the sign rules regardless, but there is benefit by providing consistency with the provisions contained in the Waka Kotahi guidance for signs. It ensures applicants clearly understand the parameters of signage in the state highway corridor before an application is lodged.

Risk of acting or not acting

19. In this instance the information is complete and there is no risk of amending this rule.

Decision about the most appropriate option

20. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly SIGN-O2 and SIGN-P2 and P8.8.

Digital signs means technologies such as LCD, LED and projection to display content including digital images, video, streaming media and information electronic display systems designed to capture attention, primarily, but not exclusively, for the purposes of advertising. The digital signage display may be static or non-static.

SIGN-R10.	Digital signs	
Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and 2. The sign must not display a live broadcast or pre-recorded video; and 3. The sign must only display still images, and where multiple still images are displayed, each image must be displayed for a minimum of 7 seconds, and 	<p>Activity status where compliance is not achieved: RD IS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and (b) Any impact on the character and amenity values of the site and surrounding area; and (c) Potential positive or adverse effects on road user and footpath user safety,

precinct (PREC4)	<p><u>There shall be a maximum of one digital sign per site; and</u></p> <ol style="list-style-type: none"> 4. <u>There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change; and</u> 5. <u>The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the transport network from which the digital billboard is visible; and</u> 6. <u>In speed environments 70 km/h and less, the digital sign must not include more than ten individual elements, of which words may only make up eight elements and each line of text shall contain a maximum of 40 characters; and</u> 7. <u>In speed environments more than 70 km/h, the digital sign must not include more than five individual elements, of which words may only make up four elements and each line of text shall contain a maximum of 20 characters; and</u> 8. <u>The digital sign must 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; and</u> 9. There must be no sound associated with the sign and no sound equipment installed as part of the sign; and 10. All the performance standards in SIGN - Table 2 are complied with. <p><i>Note: If the digital sign is proposed to be attached to a building the maximum size of the sign is contained in SIGN-R17. If the sign is proposed to be freestanding the maximum dimensions and height is contained in SIGN-R19.</i></p>	<p>including motorists, cyclists and pedestrians; and</p> <ol style="list-style-type: none"> (d) The hours of operation of the sign; and (e) The type and volume of sound proposed and illumination used, the frequency and intensity of intermittent or flashing light sources, the proposed periods of illumination and frequency of image changes; and (f) Whether the sign is compatible with the built form on the site; and (g) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter; <u>and</u> (h) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u>
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SIGN-R22.	Artificial illumination of signs and digital signs	
Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)	<ol style="list-style-type: none"> 1. No sign must exceed a luminance of 800cd/m² between dusk and dawn; and 2. The spill of light from artificial lighting on to any adjacent site or road must not exceed 3 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site. 3. Any external lighting must be directed towards the sign and not create a nuisance; and 4. Lighting must be designed to reduce any glare or direct view of the light source when viewed by an observer at ground level or within an adjacent building; and 5. The screen shall incorporate lighting control to adjust brightness in line with ambient light levels. <p><i>Note: In all other zones and precincts this activity is discretionary. See SIGN-R10 and SIGN-R13.</i></p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Any impact on the character and amenity values of the surrounding area; and (b) Whether the sign is compatible with the built form on the site; and (c) The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as Any impact on driver, cyclist and or pedestrian safety; and (d) The hours the sign will be lit; and (e) The type of illumination used, the frequency and intensity of intermittent or flashing light sources, and the proposed periods of illumination and frequency of image changes; and (f) Whether any cumulative effects arise and/or visual clutter, having regard to existing sign(s); and (g) The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.

Effectiveness and efficiency

21. This assessment relates to digital and illuminated signs being amendments to SIGN-R10, R22 and R15.6 and the definition of digital signs.
22. **Waka Kotahi requested the definition for 'digital signs' was replaced to refer to 'electronic display systems' in order to encompass activities such as media walls, interactive digital signage, digital menu boards and posters all of which display video or multimedia content for information or advertising purposes.**
23. The amended definition of digital signs is considered to be effective and efficient as it is more likely to future proof the activity in comparison to the notified definition. Amendments to SIGN-R12 are considered to be effective and efficient in managing the distracting effect of digital signage, its illumination, use of potential use of images and wording transition. It is also considered that increasing the dwell time to no less than 30 seconds, including criteria for image

content and a minimum and maximum transition time will have a similar effect. These changes will be effective in reducing the potential for drivers to focus their **attention of the sign's messaging rather than the road.**

Costs and benefits

24. There is a cost to implementing these provisions. For example, requiring that all signage includes lighting control to adjust brightness in line with ambient light levels introduces additional expense. Conversely, this has the benefit of ensuring that the brightness of the sign is consistent with the surrounding environment, reducing the potential for driver distraction and the potential for this to cause an accident. There is also the increased likelihood of a digital sign triggering the need for a restricted discretionary consent.

Risk of acting or not acting

25. In this instance the risk on not acting outweighs the risk of acting in terms of providing for the safe and efficient operation of the roading network and avoiding the associated social and monetary costs of road accidents. As such, it is considered that there is sufficient information to justify this change.

Decision about the most appropriate option

26. The recommended provisions are the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly SIGN-O2 and SIGN-P3, P5 and P9.4.