

2012

Monitoring Report for the Signs Provisions



Policy and Planning

Queenstown Lakes District Council

July 2012

Executive Summary

This report assesses the effectiveness and efficiency of the signs provisions of the Queenstown Lakes District Plan.

It is difficult to monitor the effectiveness of the objective, policies and rules as these are used in conjunction with the provisions of the Signs Bylaw. Also as enforcement is only triggered by a complaint it is difficult to know which signs are legal and a result of the bylaw/district plan and which are not. Also the assessment of the impact of signs on visual amenity is very subjective.

Generally the objective is appropriate and the policies are addressing the relevant matters. However both the objective and the policies need to be reworded to provide more clarity and guidance on what is acceptable.

Generally across the district signs do convey necessary information, while avoiding or mitigating any adverse effects on public safety, convenience and access or on the visual amenities of the District's important landscape, townscape, heritage and water area values. It is difficult to assess how much is due to the Signs Bylaw and how much to the district plan objective, policies and rules.

However there are some areas, such as the Queenstown Town Centre zone where the number, design and location of signs is creating clutter and adversely affecting townscape values. Given that this area is where a large proportion of the resource consents for signs are it is assumed that some of the existing signs in the town centre are illegal signs.

So it appears that the objectives, policies and rules and Signs Bylaw are generally effective except for a few areas of the district such as the town centres.

In terms of efficiency this report shows that the current process is not very efficient, particularly in town centre areas, as follows:

- The numbers of applicants who are required to apply for a resource consent for a non-complying activity to erect a standard retail sign in the town centre zones. (Because the permitted area of signs has already been taken up by other tenants in the building).
- The large numbers of resource consent applications for non-complying activity signs in the town centre areas, particularly the Queenstown town centre. These applications are mostly non-notified and are generally approved. This indicates that the current non-complying activity status is inappropriate.
- The probable number of illegal signs due to lack of enforcement

A number of matters have been identified in this report that if addressed would improve the efficiency and the effectiveness of the current provisions. These matters need to be addressed through the District Plan review process and are as follows:

1. A full analysis of which high level mechanism/s should be used for the management of signs – The Signs Bylaw, the district plan or a combination of the two mechanisms.

2. Rewording of the objective and policies to ensure they are clear and guide the management of signs appropriately.
3. Revising the district plan rules so they:
 - are clear
 - are easy to understand/use
 - allow for adequate signage on single buildings with multiple tenancies in the town centre, business and industrial zones
 - ensure temporary signs are temporary
 - require sign platforms on new buildings in the town centre zones
 - allow for appropriate event signs (that may be off site signs)
 - ensure the activity status for signs are clear
 - provide/link to design guidance for signs
 - cross reference to the signs bylaw if the bylaw mechanism is retained
 - are consistent with the bylaw standards
 - provide a clear consent process for signs

1. Introduction

Section 35 of the Resource Management Act states that:

***Every local authority shall monitor-
...[(b)] the efficiency and effectiveness of policies, rules, or other methods....***

and take appropriate action (having regard to the methods available to it under this Act) where this is shown to be necessary.

This monitoring report fulfils the requirements of section 35(b) in relation to the Signs Chapter of the District Plan. This report monitors the effectiveness and efficiency of the signs objective, policies, and methods including rules.

Findings in this report will assist in informing the review of the Queenstown Lakes District Plan, due to be publicly notified in October 2013.

Signs are managed within the district through the Signs Bylaw 2005, the Queenstown Lakes District Plan 2009 and the On-Road Directional Signage Policy 2011. This report only monitors the signs provisions of the Queenstown Lakes District Plan 2009.

2. History of the Signs provisions

The Proposed District Plan 1995

The Proposed District Plan (1995) contained an outdoor advertising chapter (chapter 18) which contained an objective, policies and methods. It did not contain any rules. Signs were controlled through the Signs Bylaw 1995.

A number of submissions were received on chapter 18. The main aspects of the chapter that were changed as a result of submissions was that signs rules were included in this chapter of the district plan. Permitted rules were included to work in conjunction with the Signs Bylaw. However the rules structure allowed for signs that do not meet the permitted activity criteria (Signs Bylaw) to be assessed against the objective and policies in the plan. The purpose of this approach was that the signs bylaw provided a quick, cheap process for erecting a sign. For signs that didn't comply with the signs bylaw the district plan rules provided a process for them to be considered against the objective and policies and the adverse effects on the environment assessed.

Concerns were also raised that the Signs Bylaw was too restrictive. A working party was set up to consider this.

Variation 2001

In 2001 due to the current disarray of signs throughout the District it was considered that both the District Plan and the Bylaw were deficient in their control over signs.

So in June 2001 the Planning, Policy and Consents Committee initiated the preparation of a Variation to the District Plan to *“ensure that appropriate provisions and/or methods*

for controlling signs are provided to maintain and enhance the quality of the environment, in particular visual amenity, and to enable the community to provide for its social, economic and cultural wellbeing.”

In preparing the Variation significant research and consultation was undertaken. It was considered at that time, from the research and consultation, that it would be better to provide for signs solely through the Proposed District Plan, and provide appropriate guidance to the community via guidelines. The variation took some time to prepare and in the meantime Chapter 18 of the District Plan was made operative. So the variation became a plan change.

The draft plan change was presented to the Strategy Committee on 11 November 2003. The Strategy Committee resolved:

“That the matter be left lying on the table for further information to be gained which will not be to amend the initial report but to come back with regard to suggestions on how the committee can simplify this into something that can be enforced.”

A further report was presented to the Strategy Committee in September 2004 where consideration of controlling all signs under a Bylaw was discussed. The Committee resolved that:

“The Committee approves further work on the Signs Policy Bylaw and Plan Change so that it can be brought back to the committee in November 2004.”

A report was brought back to Committee in November 2004, outlining the benefits associated with controlling signage under a bylaw. Council resolved to:

- *“Recommend to Full Council that a bylaw is the most appropriate way to control signage*
- *That a plan change is initiated to remove all reference to signage in the district plan.*
- *Approve the establishment of a sub committee to assist in the finalisation of the bylaw and development of signs guideline.”*

A sub committee was established and formulated the provisions for the bylaw. This was approved by the Strategy Committee for Special Consultative Procedure with the draft bylaw being publically notified in October 2005. Submissions closed in late December 2005 with 150 submissions being received. The hearings for the Signs Bylaw were held in March 2006.

The hearings panel found that:

- *“The current provisions should be enforced before making further changes.*
- *The Bylaw should be updated to address signage not already covered by the District Plan.*
- *Signage that complies with the District Plan will require a permit under the Bylaw (as is currently the case).*
- *Signage that does not comply with the District Plan provisions will require resource consent (as is currently the case).*
- *A plan change to remove Section 18 Signs from the District Plan should not be progressed at this stage.”*

The Council ratified the Hearing's Panel decisions and adopted the Signs Bylaw 2006. They also authorised the CEO to agree to a compliance strategy for signage. This was to cover approval procedures, priorities for enforcement, costs and the nature of reporting back. Also if illegal signs are discovered once the business has been informed of this in writing the compliance department is given the authority to require the sign to be removed immediately.

They also authorised a concerted, proactive effort be placed on enforcing the current signage provisions. This was to address illegally established signage throughout the district, starting with the town centre zones. They requested that a press release be issued informing the public of this change in policy regarding the enforcement of signage and that a report be brought back to the full council in six months time on the findings of the enforcement program.

In March 2007 a report was taken to Full Council outlining how enforcement of the Queenstown Lakes District Signs Control Bylaw 2006 and the signs rules of the District Plan were progressing. The report also provided a preliminary assessment of the effectiveness of this regulatory framework in achieving the desired outcomes. The Council asked for a final full report on the effectiveness of the Bylaw and enforcement programme as soon as practicable after December 2007. This was because only three months enforcement action had taken place. A year of enforcement action was considered more appropriate as the visual outcome of enforcement would then be more apparent.

3. How the signs provisions work

Currently signs are controlled through a signs bylaw and rules in the district plan. The purpose of the signs bylaw is to provide a process for the permitting of signs that is cheap, quick and convenient. Signs that do not comply with the provisions of the Bylaw need to apply for a resource consent.

The district plan is structured so that any sign that is not listed as a non-complying or prohibited activity and complies with the relevant zone standards (the rules are meant to mimic the provisions of the Signs Bylaw) is a permitted activity. If signs do not meet the zone standards but are not listed specifically as non-complying activities or prohibited activities they are assessed as non-complying activities.

The signs rules are in Appendix 1 of this report.

There has been some criticism of this dual approach - the Signs Bylaw and district plan objectives, policies and rules. The criticisms of the existing approach are summarised as follows:

- Cost
- Time
- Efficiency
- Certainty
- Clarity
- Inflexibility

- Fairness
- Overlap
- Visual clutter and amenity values
- Enforcement

These matters and the high level issue of whether using the bylaw in conjunction with the district plan is appropriate and effective will be considered in the next stage of the review of the signs chapter. A consultation brochure will be produced on this and other issues regarding the provisions of signs chapter of the district plan.

4. What do the Signs provisions seek to achieve?

The Objective is as follows:

Outdoor signs which convey necessary information, while avoiding or mitigating any adverse effects on public safety, convenience and access or on the visual amenities of the District's important landscape, townscape, heritage and water area values.

The objective recognises that signs are necessary but that they should not adversely affect public safety, convenience, access and the visual amenity of the district.

The policies seek to protect the character of different parts of the district (including special provisions for waterfront and outdoor areas and entrances to the district settlements and sites of natural or historical interest) by controlling the number, size and scale and design of signs. One policy outlines the importance of signs in commercial areas by enabling a wide range of sign types provided they are consistent with public safety, access needs and the character of the area. Another policy seeks to ensure that signs do not adversely affect traffic safety through confusion or distraction to or obstructing the views of motorists or pedestrians. There is also a policy that seeks to ensure that signs do not pose a danger to property or people.

Policies

- 1 *To ensure the number, size, location and nature of outdoor signs in different areas are in accordance with the character and amenity of those areas and the community's desire to maintain and/or enhance the environment, appearance or visual amenity through attention to:*
 - *lettering design*
 - *site specific locations*
 - *relationship to background surroundings*
 - *the number, area and height of signs*
 - *ensuring signs are designed in sympathy with local amenity, visual and heritage values*
 - *the effect of illumination on adjoining properties and public places.*
- 2 *To ensure that waterfront signage only provides essential information and directions for people.*

- 3 *To ensure the display of outdoor signs does not adversely affect traffic safety by causing confusion or distraction to, or obstructing the views, of motorists or pedestrians.*
- 4 *To ensure all signs are constructed and placed in a manner which does not pose a danger to property or people.*
- 5 *To ensure outdoor signs in or over public places or attached to utilities, community facilities or public reserves, other than in business areas, are limited to signs necessary for direction, public information or public safety.*
- 6 *To enable a wide range of sign types within commercial areas consistent with public safety, access needs and the overall character of the area.*
- 7 *To ensure outdoor signs are limited to those relating to a particular activity, the use of land or buildings, and located on the site of that activity, land or building.*
- 8 *To support the establishment of information signs, and lay-bys, at the entrance to the District's settlements, and at sites of natural or historical interest.*

Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Through rules in the District Plan.
- (b) Through the implementation of conditions on resource consents for additional controls on the location, number, size and type of outdoor signs.

(ii) Other Methods

- (a) The preparation and implementation of a Council Bylaw relating to the location, number, size and type of outdoor signs.
- (b) The exercise of control as owner and designating authority for all roads in the District, other than State Highways.
- (c) Encouragement to Transit New Zealand for the implementation of Transit New Zealand Bylaw (1987/3) regarding advertising signs on State Highways.
- (d) Through the Annual Plan, as resources are available, to support the establishment of information signs for the District's settlements and for sites of historical and natural interest.

The methods outline that the control of signs is through the signs bylaw and rules in the district plan. Method (ii)(c) seeks to encourage NZTA to enforce the Transit New Zealand Bylaw (1987/3) regarding advertising signs on State Highways. There is also a

method that seeks to secure funding for information signs for the district settlements and for sites of historical and natural interest through the annual plan process.

5. How appropriate is the Objective?

This report will primarily focus on the efficiency and effectiveness of the policies, rules and other methods. However, it is also worth considering whether the objective formulated at the time the District Plan was developed is still appropriate. The single objective for the district is:

Objective 1

Outdoor signs which convey necessary information, while avoiding or mitigating any adverse effects on public safety, convenience and access or on the visual amenities of the District's important landscape, townscape, heritage and water area values.

This objective has a number of components to it which are:

- **signs which convey necessary information**
- **while avoiding or mitigating any adverse effects on public safety**
- **while avoiding or mitigating any adverse effects on convenience and access**
- **while avoiding or mitigating any adverse effects on the visual amenities of the District's important landscape, townscape, heritage and water area values**

It is considered that this objective addresses all the relevant issues for signs. That of the provision of necessary information but the protection of public safety, convenience, access and visual amenities of important landscapes, townscapes, heritage values and water areas. The objective states that signs are necessary but they can have adverse effects.

While the objective is considered appropriate it does need to be reworded.

6. How effective are the Signs Policies and Methods?

It is difficult to assess how effective the district plan has been given the following:

- The dual approach – use of bylaw and district plan
- Lack of enforcement
- Subjective nature of visual assessment

As enforcement for signs is undertaken only on a complaint basis and monitoring of resource consent conditions it is likely that there are as number of illegal signs throughout the district. So it is difficult, for example, to look at the Queenstown town centre, and determine which signs are illegal, which have been approved through the bylaw and have a sign permit and which signs have been through a resource consent application. Based on this the following assessment of the effectiveness of the policies and methods is rather subjective.

6.1 Effectiveness of the Policies

Objective 1 has eight supporting policies. These are set out below with a comment on each.

- 1 *To ensure the number, size, location and nature of outdoor signs in different areas are in accordance with the character and amenity of those areas and the community's desire to maintain and/or enhance the environment, appearance or visual amenity through attention to:*
 - *lettering design*
 - *site specific locations*
 - *relationship to background surroundings*
 - *the number, area and height of signs*
 - *ensuring signs are designed in sympathy with local amenity, visual and heritage values*
 - *the effect of illumination on adjoining properties and public places.*

This policy is generally effective in that signs are usually in accordance with the character and amenity of the area they are within. Therefore the residential areas of the district have very few signs and if they are there they tend to be small and integrate with the area. However the town centres, business and industrial areas have lots of signs which are often large and obtrusive. Signs are very necessary in the town centres, business and industrial areas so it is important to strike a balance between providing information and maintaining amenity values.

- 2 *To ensure that waterfront signage only provides essential information and directions for people.*

This policy is effective in many waterfront parts of the district. However some of the commercial activities along the Queenstown waterfront do have a large numbers of signs or signs with garish colours which creates a very cluttered appearance dominated by signs. Some complaints have been received about signs on the Queenstown waterfront which have resulted in signs being removed.





- 3 *To ensure the display of outdoor signs does not adversely affect traffic safety by causing confusion or distraction to, or obstructing the views, of motorists or pedestrians.*

This policy appears to be effective as there are no obvious signs that adversely affect traffic safety by causing confusion or distraction to, or obstructing the views, of motorists or pedestrians. This is probably because if signs are erected that affect traffic safety complaints are received and the sign is altered or removed.

- 4 *To ensure all signs are constructed and placed in a manner which does not pose a danger to property or people.*

This policy appears to be effective as there are no obvious signs that pose a danger to property or people. This is probably because if signs are erected that pose a danger to property or people complaints are received and the sign is altered or removed. A high proportion of complaints received about signs, especially since 2007, are about sandwich boards on footpaths in the Queenstown and Wanaka town centres.

- 5 *To ensure outdoor signs in or over public places or attached to utilities, community facilities or public reserves, other than in business areas, are limited to signs necessary for direction, public information or public safety.*

This policy appears to be effective as there are no obvious signs attached to utilities, community facilities or public reserves that convey anything more than necessary directional, public information or public safety information. However there are signs in public places, such as the waterfront in Queenstown that are advertising rather than signs necessary for direction, public information or public safety. Some of the complaints recorded on the complaints register do relate to signs on reserves and signs at the Queenstown waterfront.

- 6 *To enable a wide range of sign types within commercial areas consistent with public safety, access needs and the overall character of the area.*

There are a wide range of signs in the commercial areas of the district. Not all of these signs consistent with the overall character of the area especially in the Queenstown town centre. Also a number of signs have been erected over the years in the town centres, especially sandwich boards, which impede public access. When complaints are received about these signs they are removed.

7 *To ensure outdoor signs are limited to those relating to a particular activity, the use of land or buildings, and located on the site of that activity, land or building.*

Over the years a number of off site signs have appeared but following complaints have been removed. The policy has been relatively effective.

9 *To support the establishment of information signs, and lay-bys, at the entrance to the District's settlements, and at sites of natural or historical interest.*

There are few information signs, at the entrance to the District's settlements. However there are more signs and interpretation panels being erected at sites of natural or historical interest. For example the information panels on the Ballarat Street Bridge in Queenstown.

Generally signs in the district do convey necessary information and do not impact on public safety, convenience and access. Some complaints have been received about sandwich boards impeding access in the town centres (particularly in Queenstown), illegal signs in the town centres, off site signs and real estate signs across the district. Enforcement has ensured that these signs have been removed where they are unauthorised. Whether signs in the district have adverse effects on the visual amenities of the district's important landscape, townscape, heritage and water values is more difficult to assess. It is very subjective.

Generally signs in the district's town centres do not adversely affect townscape values. Some areas are, however, cluttered with many signs. This is because some retailers consider that more signs are better. It is presumed that many of these signs are illegal.

The Urban Design Panel and Lakes Environmental planners, when considering new development within the town centres, encourage applicants to design appropriate sign platforms at the same time as designing a new building or refurbishing an existing building. As redevelopment continues in the town centres more signs platforms will be included on buildings which will improve the townscape values of the town centres and reduce some clutter.

Overall the policies cover the relevant matters when managing signs. However some re writing is required to provide more clarity and guidance of what is acceptable.

Some images of existing signs relating to these policies are below.







7.3 Effectiveness of the Methods

The methods identified in the district plan are:

Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Through rules in the District Plan.
- (b) Through the implementation of conditions on resource consents for additional controls on the location, number, size and type of outdoor signs.

(ii) Other Methods

- (a) The preparation and implementation of a Council Bylaw relating to the location, number, size and type of outdoor signs.
- (b) The exercise of control as owner and designating authority for all roads in the District, other than State Highways.
- (c) Encouragement to Transit New Zealand for the implementation of Transit New Zealand Bylaw (1987/3) regarding advertising signs on State Highways.
- (d) Through the Annual Plan, as resources are available, to support the establishment of information signs for the District's settlements and for sites of historical and natural interest.

It is difficult to determine which signs are consented, either through the bylaw or the district plan, and which signs are illegal. So any assessment of the how effective the district plan has been at managing the effects of signs on visual amenity is difficult. Generally the rules combined with the Bylaw have not been completely effective at protecting the visual amenities of the District's important landscape, townscape, heritage and water area values. There is some clutter in the town centres. Some retailers believing that lots of signs are needed where in fact one well designed sign that integrates well with the building would suffice. Many of these signs are probably illegal. However it is important to recognise that signs are a necessary part of commercial, business and industrial areas especially as the district is a destination for tourists. However there is a fine balance that must be struck.

A number of issues with the signs provisions in the district plan have been raised by Lakes Environmental planners and consultant planners to date. Consultation with the community regarding signs provisions is planned. It is anticipated that further issues will be raised through this consultation.

The following issues have been identified, to date, in relation to the signs rules:

General Chapter Wide

- It is difficult to read the long lists of zones to which the sign rules do and do not apply.
- There are no interpretive diagrams for sign types or sizes, e.g. a two storey commercial buildings in town centre showing permitted signage. These are present in the Bylaw but not in District Plan.
- There are no sign rules for some of the Section 12 Special Zones – namely Frankton Flats A and Remarkables Park Activity Area 8.
- Some of the signs rules are poorly worded and are ambiguous.

Definition of signs

- There is a lack of clarity over what is a sign and what is not a sign. Are the following signs?
 - Signs that are visible through or in a shop window
 - Sculptures,
 - A sign draped over a vehicle
 - Signs on parked trailers
 - Corporate colours



- A number of different types of signs are referred to in the district plan signs chapter. Some are defined and some are not. These definitions and types of signs are not consistent between the bylaw and the district plan.

Activity Status

- Sign rules are zone standards and not site standards. This means that any sign which breaches the standards defaults to a non-complying activity. This is not appropriate in zones such as town centre, industrial and business zones where signs are an anticipated part of the character of the area.
- Signs are a 'controlled activity' as part of a new building or alteration to a building in town centre zones but not in other zones like business and industrial.

Size Limits

- In town centre zones the rules limit the total area of signs to 5m² or 15% of the ground floor area of that face of the building, whichever is less. 5m² is not sufficient in town centre locations where there are large buildings often with multiple tenancies. (15% does not apply once 5m² is exceeded). The first tenancies often take up the full 5m² for the building forcing all others tenants in the building to apply for a resource consent for a non-complying activity for their signage. The resource consent process is expensive and time consuming for a sign. This is mainly a problem for older buildings with multiple tenants.
- Related to the above, sign rules are in terms of 'ground floor areas' of a 'building' which does not take into account multiple tenancies.
- Sign rules are generally written per building. These rules do not translate well for the jetties in Queenstown Bay. Is 15% of the ground floor area of the jetty or 5m² of signage appropriate on jetties?
- The plan does not contain any assessment matters or guidance for the appropriate amount of signage for tenancies in a large building where the 5m maximum has already been used up, e.g. 15% of tenancy.

Temporary signs

- Some applicants for temporary signage have reapplied several times for the same sign. The nature of the sign is, therefore, no longer temporary.

Event signs

- Some events signs need to be located off site. The bylaw only allows for this through a dispensation which is an inefficient process given the number of events held in the district.

Two activity status for signs on buildings in Town Centre Zones

- If a sign does not meet the zone standards it must be processed as a non-complying activity. However in all town centre zones rule 10.6.3.2 states that all buildings in respect of external appearance, materials, signage, lighting and impact on the streetscape are a controlled activity. So many signs appear to get processed as a controlled or discretionary activity through this rule rather than through a sign permit or a resource consent for a non-complying activity.

Sign platforms

- Where a building is altered or a new building erected in one of the town centre zones the applicant is encouraged to include signage platforms that identify the location and the size of signs, in their application. This forces designers to think about the location and size of signs at the design phase. However the district plan rules do not require sign platforms on new buildings in town centre zones.

Design guidance

- There is no design guidance for signs within the town centre. This would be useful for retailers, sign writers and planners.

Links to Bylaw

- It is confusing for the public having bylaw and District Plan neither of which are well referenced to each other. There is no single place to look for the rules on signs. This is especially confusing for retailers in the town centre zones and business/industrial areas where signs are anticipated.
- There are inconsistencies between Bylaw standards and District Plan rules. For example for veranda face signs and off site signs
- There is no link to the Signs Bylaw in the signs rules in the district plan. When people read the rules, they determine that their sign is a permitted activity and think that is all they need to do. In fact they need a signs permit under the Signs Bylaw.

Processing of consents for signs

- Where sign platforms are identified on a building in the town centre often the detail of the sign is submitted at a later stage. A condition is usually attached to the controlled activity consent for the building requiring approval from the Council for the plans and specifications of proposed signs. When the details of the sign are submitted to Lakes Environmental and the planner approves the sign a letter is sent to the applicant approving the design of the sign. Subsequent signs, when tenancies change, are processed the same way. There is no cost recovery for this assessment and the applicant has no official consent for the details of the sign.

Bylaw/District plan rules

- The issue of whether the current dual mechanism for managing signs is appropriate is outlined in section 3 of this report. Further work needs to be undertaken to examine what the appropriate mechanism is for the management of signs in the district.

8. How efficiently are Signs rules processed?

An analysis of costs of processing consents for signs has not been undertaken. Due to the range of application types and huge variation in associated costs this information provides little opportunity for meaningful analysis.

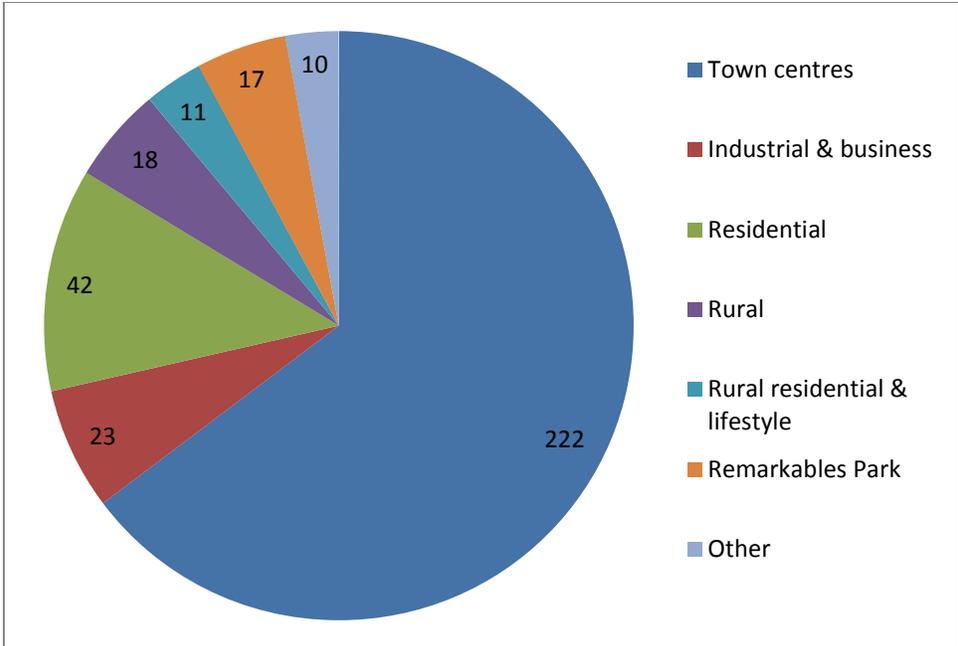
8.1 How many resource consents have been triggered?

The signs rules became operative in October 2003. A desk top review of resource consent applications lodged with Council for signs from 1 November 2003 until 1 February 2012 was undertaken. The records for resource consent applications are limited prior to 2007, with an accurate system for monitoring applications introduced in August 2009. Often signs will be included in an application for the alteration to a building or new building in the town centres but the word sign is not included in the activity description. Therefore this list of resource consents for signs since 2003 may not be a complete list.

Note: Due to the dual approach for the management of signs (the use of the Signs Bylaw and the District Plan) many signs will have received sign permits rather than resource consents. The signs permits are not included in this assessment as this is a monitoring report on the district plan chapter on signs.

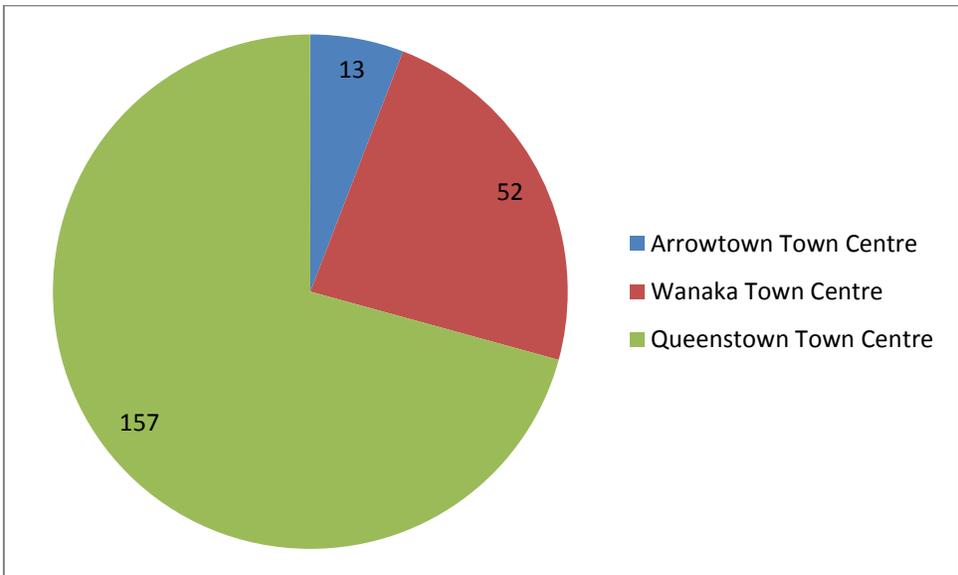
The number of resource consents triggered by the signs rules across the district since November 2003 is 343. This figure includes applications for variations to existing consents.

The analysis of the zones within which these applications for signs are located is below:



Town centres

The majority of resource consent applications for signs are located in the town centres. 222 (64%) of these applications are for signs in the town centre zones. The split within the town centre zones is shown below:



A large proportion of applications for signs consents are within the Queenstown town centre. Most of these applications in the Queenstown town centre are solely for signs and with only 43 (27%) being for change of external appearance of a building and signs. These applications would have been required as the proposed signs did not meet the signs bylaw standards. Just fewer than half the applications in Wanaka Town Centre for signs are for change of external appearance of a building and signs with just over half solely for signs. Only one application in Arrowtown Town Centre for signs is for change

of external appearance and signs with all the rest solely for signs (therefore not complying with the signs bylaw standards).

Business and industrial areas

There were 23 applications for signs in the industrial and business zone with about half in each zone. These applications were for signs on business and industrial activities which did not meet the signs bylaw provisions.

Residential

There were 42 applications for signage within the residential zones with half in the high density zone and half in the low density zone. The applications generally were for signage for existing commercial premises/visitor accommodation, real estate signs, and temporary signage.

Rural

18 of the applications for signs are within the rural zone. These applications are for activities within the rural area such as Wanaka Airport, Cardrona ski field or for temporary events or property sales signs.

8.2 Notification

Only 15 of the applications were publically notified, 5 of which were in the town centres and 4 in the industrial and business zones.

8.3 Summary with regard to efficiency

Although an analysis of costs has not been undertaken it is noted that despite a high proportion of consents falling into the discretionary or non-complying status very few applications in the monitoring period were notified or went to a hearing.

Generally applications for a resource consent for signs cost about \$820 and generally take 20 working days to process. A sign permit costs \$146 and is usually processed in 3 working days (provided all the required information is provided).

Where these resource consent applications are for signs that are outside the parameters of normal signs in a town centre, business or industrial area requiring a resource consent is appropriate. In these situations the process is efficient in terms of cost and timeliness.

However where a person is required to apply for a non-complying activity resource consent for their sign because the permitted sign allowance has been already used by other tenants this system is neither efficient nor equitable. This matter needs to be taken into account when considering the signs provisions through the district plan review.

9. Conclusion

Generally the objective is appropriate and the policies are addressing the relevant matters. However both the objective and the policies need to be reworded to provide more clarity and guidance on what is acceptable.

It is difficult to monitor the effectiveness of the objective, policies and rules as these are used in conjunction with the provisions of the Signs Bylaw. As enforcement is only triggered by a complaint or consent condition monitoring it is difficult to know which signs are legal and a result of the bylaw/district plan and which are not. Also the assessment of the impact of signs on visual amenity is very subjective.

In terms of efficiency this report shows that the current process is not very efficient, particularly in town centre areas, as follows:

- The numbers of applicants who are required to apply for a resource consent for a non-complying activity to erect a standard retail sign in the town centre zones. (Because the permitted area of signs has already been taken up by other tenants in the building).
- The large numbers of resource consent applications for non-complying activity signs in the town centre areas, particularly the Queenstown town centre. These applications are mostly non-notified and are generally approved. This indicates that the current non-complying activity status is inappropriate.
- The probable number of illegal signs due to lack of enforcement.

A number of matters have been identified in this report that if addressed would improve the efficiency of the current provisions. These matters need to be addressed through the District Plan Review process and are as follows:

1. A full analysis of which high level mechanism/s should be used for the management of signs – The Signs Bylaw, the district plan or a combination of the two mechanisms.
2. A rewording of the objective and policies to ensure they are clear and guide the management of signs appropriately.
3. Revising the district plan rules so they:
 - a. are clear
 - b. are easy to understand/use,
 - c. allow for adequate signage on single buildings with multiple tenancies in the town centre, business and industrial zones
 - d. ensure temporary signs are temporary
 - e. require sign platforms on new buildings in the Town Centre zones
 - f. allow for appropriate event signs (that may be off site signs)
 - g. ensure the activity status for signs are clear
 - h. provide/link to design guidance for signs
 - i. cross reference to the Signs Bylaw if the bylaw mechanism is retained
 - j. are consistent with the Signs Bylaw standards
 - k. provide a clear consent process for signs

Appendix 1 – Existing Signs rules

18.2 Signs - Rules

18.2.1 Activities

Any activity which complies with all the relevant zone standards and is not listed as a Controlled Non-Complying or Prohibited Activity, shall be a Permitted Activity.

18.2.2 Controlled Activities

The following shall be **Controlled Activities**

- (a) All signs within the Jacks Point Zone, with the exercise of Council's control limited to:
 - Colour;
 - Design;
 - Consistency with any relevant Council approved development controls and design guidelines; and
 - Consistency with public sign policy and controls throughout the District
- (b) All signs within the Mount Cardrona Station Special Zone, with Council's control limited to:
 - (i) Colour and materials
 - (ii) Design
 - (iii) Location
 - (iv) Size
 - (v) Consistency with the Mount Cardrona Station Design Guidelines (2008)

18.2.3 Non-Complying Activities

The following shall be **Non-Complying Activities**.

- (a) signs on, or attached to, the roof of a building.
- (b) All activities that do not meet the zone standards shall be Non-Complying Activities.

18.2.4 Prohibited Activities

The following shall be **Prohibited Activities**.

- (a) signs projecting above the roofline of the building to which the sign is attached
- (b) flashing signs
- (c) moving signs
- (d) signs creating any optical illusion
- (e) signs attached to any vehicle parked in or visible from any road or public place for the principle purpose of commercial advertising

- (f) signs attached to a tree unless the sign identifies solely the species of tree and/or its classification under the District Plan.

18.2.5 Zone Standards

TOWNSHIP, TOWN CENTRE, (EXCEPT WITHIN THE TOWN CENTRE TRANSITION SUB-ZONE), CORNER SHOPPING CENTRE, AIRPORT MIXED USE, BUSINESS & INDUSTRIAL ZONES, BUSINESS SUBZONE (THREE PARKS ZONE), COMMERCIAL CORE SUBZONE (THREE PARKS ZONE), REMARKABLES PARK ZONE ACTIVITY AREAS 3 AND 5, BALLANTYNE ROAD MIXED USE ZONE ACTIVITY AREAS B AND C AND ACTIVITY AREA 2 OF THE KINGSTON VILLAGE SPECIAL ZONE

(i) Ground Floor Signs

- (a) Ground floor areas with frontage to a road, footpath, service lane or access way: signs on the ground floor areas of each face of a building shall not exceed 5m² in total area or 15% of the ground floor area of that face of the building, whichever is less.

Provided that if the building also has frontage to a road the signs on the face of the building adjacent to the service lane or access way shall not exceed 2% of the ground floor area of the face of the building adjacent to the service lane or access way.

- b) Standards:

Sign Type	Maximum Area	Additional Standards
Wall Signs	2m ²	
Verandah Face Signs	Shall not together with other ground floor signs exceed the area specified in 18.2.5(i)(a) above	Shall not exceed 600mm in depth
Under Verandah Signs	Shall not together with other ground floor signs exceed the area specified in 18.2.5(i)(a) above	Shall be at 2.5m above the surface of the road, footpath, service lane or access way
Free-standing Signs	2m ²	Shall not project over and any road or service lane. Shall not project over a footpath unless it is 2.5m above the level of the footpath and does not project more than a metre over the footpath.
Flatboards	1m ²	Shall be located on the site maximum of two flatboards or one sandwich board per site.

(ii) Other Signs

- (a) Standards:

Sign Type	Maximum Area	Additional
Above Ground Floor Signs	2 m ²	

Sign Type	Maximum Area	Additional
Arcade Directory Sign	3 m ²	Shall list only the names of the occupiers of the arcade. Shall be displayed at the entrances to the arcade only.
Upstairs Entrance Sign	1.5m ²	Shall contain only the name of the activity of the occupier using that entrance.
Above Verandah Signs	2 m ²	

LOW DENSITY RESIDENTIAL, LOW DENSITY AND MEDIUM DENSITY RESIDENTIAL SUBZONES (THREE PARKS ZONE), HIGH DENSITY RESIDENTIAL, THE TOWN CENTRE TRANSITION SUB-ZONE, RESIDENTIAL ARROWTOWN HISTORIC MANAGEMENT, RURAL RESIDENTIAL ZONES, REMARKABLES PARK ZONE (except Activity Areas 3, 5 and 8), BALLANTYNE ROAD MIXED USE ZONE ACTIVITY AREAS D AND E AND ACTIVITY AREAS 1, 3 AND 4 OF THE KINGSTON VILLAGE SPECIAL ZONE

- (i) On any site signage shall:
- have a maximum area of 0.5 m²
 - either be attached to a building or be free-standing
- (ii) If the sign is located at the front of the site it shall:
- not project over any road or service lane
 - not extend over any footpath unless
- (b) it is at least 2.5 m above the footpath
- (c) it does not extend more than 1m over a footpath
- (iii) Notwithstanding (i) above signage for recreation grounds, churches, medical facilities, nursing homes, educational institutions and community buildings shall have a maximum of 2m² per site and either by attached or by free-standing
- (iv) Notwithstanding (i) above, visitor accommodation in Residential Zones may have two signs at each separate entrance/exit:
- One sign which identifies the site and has a maximum area of 2m²
 - One sign which contains the words 'vacancy' and 'no and does not exceed 1m x 0.15m in dimension.

RURAL AREAS, HYDRO GENERATION ZONE, RESORT, RURAL VISITOR, BENDEMEER, TOURISM AND COMMUNITY FACILITIES SUBZONE (THREE PARKS ZONE), PENRITH PARK AND RURAL LIFESTYLE ZONES AND REMARKABLES PARK EXCEPT ACTIVITY AREA 3, 8.

- (i) On any site signage shall:
- have a maximum area of 2 m²
 - be located on the site
 - not project over any road or service lane
 - not extend over any footpath unless
- (a) it is at least 2.5m above the footpath
- (b) it does not extend more than 1m over a footpath.

DISTRICT WIDE

Event Signs

- (i) Signs shall be:
 - erected no more than 2 months before the date an event
 - limited to 2 m² in size
 - removed within 24 hours of the completion of the event
 - limited to 2 signs fronting the State Highway and 2 signs fronting onto other roads.

Banners

- (i) Banners shall be:
 - limited to 1 per site
 - erected for a maximum of 2 weeks before a specific event
 - removed within 24 hours of the completion of the event
 - limited to 3 m² in size

Signs in Reserves

- (i) Any signage shall:
 - contain only the name of the reserve; and
 - have a maximum area of 1 m²
- (ii) Business Signs Operating in Reserves shall:
 - be attached to the building to which it relates or be free-standing
 - have a maximum area of 1 m²
 - be limited to one sign per business operating in a reserve.

Exemptions

The following signs shall be exempt from the above standards:

- (i) Signs required by Acts of Parliament
All signs required to be displayed by any legislation and displayed in accordance with the provisions of that legislation.
- (ii) Real Estate Signs
- (iii) Electioneering Signs

18.3 Assessment Matters

18.3.1 General

- i. The Assessment Matters are other methods or matters included in the District Plan in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- ii. In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant Assessment Matters set out below.
- iii. In the case of Controlled and Discretionary Activities, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).
- iv. In the case of controlled Activities, the assessment matters shall only apply in respect to conditions that may be imposed on a consent.

18.3.2 Assessment Matters

In considering whether or not to grant consent or impose conditions on a resource consent, the Council shall have regard to, but not be limited by, the following assessment matters.

i Controlled Activity - Signs within the Jacks Point Zone

Conditions may be imposed to ensure

- (a) The colour of the sign is sympathetic to the surrounding landscape;
- (b) The design of the sign, including lighting, is consistent with and sympathetic to the surrounding built environment.
- (d) The design of the sign is consistent with any relevant Council approved development.
- (e) The design of the sign is consistent with public sign policy and controls throughout the District.

ii Controlled Activity – Signs within Mount Cardrona Station Special Zone

The extent to which:

- (a) The colour and materials complement the external appearance of surrounding buildings;
- (b) The design, location and size complements the surrounding built environment and does not dominate built form;
- (c) The design is consistent with other signs in the vicinity;
- (d) The size, colour and location do not adversely affect traffic safety;
- (e) The signage is consistent with the Mount Cardrona Station Design Guidelines (2008).

Questions for Discussion at Signs Workshop – 24 February 2011

Documented Problems with Existing District Plan

The following list covers most of the known problems with Section 18 to be addressed through the District Plan review. Are there others?

General Chapter Wide
Difficult to read the long lists of zones to which the sign rules do and do not apply
No interpretive diagrams for sign types or sizes, e.g. a two storey commercial buildings in town centre showing permitted signage. These are present in the Bylaw but not in District Plan.
No sign rules for some of the Section 12 Special Zones – namely Frankton Flats A and Remarkables Park Activity Area 8.
Activity Status
Sign rules are zone standards and not site standards, meaning any sign which breaches limits defaults to non-complying (when signs are an anticipated part of some environments e.g. town centres)
Signs are a 'controlled activity' as part of buildings in Town Centre zone but not in other zones like Business and Industrial.
Size Limits
Total limit of 5m ² is not sufficient in town centre locations where there are large buildings with multiple tenancies. (15% does not apply once 5m ² is exceeded)
First tenant in a larger building often maxes out the 5m ² limit, forcing all others tenants in the building go for a non-complying consent. Mainly a problem for older buildings with multiple tenants, some of whom have got consents and others have not.
Related to the above, sign rules are in terms of 'ground floor areas' of a 'building' which does not take into account multiple tenancies.
Sign rules are generally written per building. For the jetties in Queenstown Bay, they don't always have a 'building', although the jetty itself is a 'building' but you may not want 15% or 5m ² of signage on jetties.
Sign rules are per 'building' and while they provide for a 15% of building or 5m ² maximum, this does not take account of multiple tenancies. No assessment matters or guidance for the appropriate amount of signage for tenancies in a large building where the 5m ² maximum has already been used up, e.g. 15% of tenancy.
Definition
Lack of clarity over when signs within a building that are visible through a window are counted and when they are not. Definition of 'sign' captures them.
Broad definition of 'sign' captures things like sculptures, the bra fence, and even things like merchandise or a mannequin wearing clothes in a shop window.
Links to Bylaw
Confusing for public having bylaw and District Plan, no single place to look.
Inconsistencies between Bylaw and District Plan, e.g. for veranda face signs, section 32.4. (c) of bylaw says Veranda Face Signs – shall have a maximum height of 0.450 metres, but District Plan rule states they shall not exceed 0.6m in depth. Different prohibited signs.
No link to the Signs Bylaw – people read rules, see they comply and think that is all they need to do (permit being missed).

Questions for Consideration

Prohibited Signs

1. Prohibited signs include the following:

- (a) signs projecting above the roofline of the building to which the sign is attached
- (b) flashing signs
- (c) moving signs
- (d) signs creating any optical illusion
- (e) signs attached to any vehicle parked in or visible from any road or public place for the principle purpose of commercial advertising
- (f) signs attached to a tree unless the sign identifies solely the species of tree and/or its classification under the District Plan.

Is this list appropriate, should any other types of signs e.g. buildings painted as signs, be added to the list? Note list of prohibited signs under bylaw includes:

- (a) signs that are flashing, moving, animated or created by the use of unshaded bulbs or strip lighting or that create an optical illusion;
- (b) signs displayed on a roof;
- (c) signs projecting above the roofline of the building to which the sign is attached or, if the sign is not attached to the building, above the roofline of a building to which the sign relates;
- (d) signs displaying any information, words, images or models (human or mannequin) which are sexually explicit, lewd or otherwise offensive.
- (e) signs attached to any trailer or vehicle, parked or visible from any road or public place for the principal purpose of attracting attention.
- (f) signs imitating or attempting to imitate any traffic direction and safety sign as required by Transit New Zealand.
- (g) offsite signs; except for temporary event signs with Council approval and Transit New Zealand, if required.
- (h) sky signs.
- (i) signs not using the English alphabet except for signs permitted or authorised under this Bylaw and containing no more than 20% of their written content in a script other than English alphabet may be displayed in association with ethnic-related activities.
- (j) noise signs;
- (k) illuminated sign where the illumination exceeds 150cd/m².
- (l) Neon lit signs except in the Queenstown and Wanaka Town Centre zones.

Non-Complying Signs

2. Non-complying signs specifically include:

- (a) Signs on or attached to the roof of a building

Is this list appropriate, should any other types of signs e.g. any of the prohibited signs, be added to the list?

3. Currently signs which do not meet the size limits fall into the non-complying category. Feedback has been received that this is an inappropriate category.

What consent category should signs that exceed the relevant limits have?

Controlled Activity Signs

4. All signs within the Jacks Point (Resort) and Mt Cardrona Station Special Zones require a controlled activity consent. Should this approach be replicated for other special zones / all zones with control over size etc?

Permitted Event Signs

5. Signs associated with events include:

- (i) Signs shall be:
- erected no more than 2 months before the date an event
 - limited to 2 m² in size
 - removed within 24 hours of the completion of the event
 - limited to 2 signs fronting the State Highway and 2 signs fronting onto other roads.
- (i) Banners shall be:
- limited to 1 per site
 - erected for a maximum of 2 weeks before a specific event
 - removed within 24 hours of the completion of the event
 - limited to 3 m² in size

Should rules be more permissive for event signs given their temporary nature?

Exempted 'District Wide' Signs

6. The following signs are excluded altogether:

- i. Signs required by Acts of parliament

- ii. Real Estate Signs
- iii. Electioneering Signs

Should any other signs be completely excluded? E.g. DOC signs on conservation land?

Should real estate signs be limited to one per company per site?

Permitted Signs – Commercial Areas

7. The following signs are permitted in commercial areas:

Standards for Ground Floor Signs

(a) *Ground floor areas with frontage to a road, footpath, service lane or access way: signs on the ground floor areas of each face of a building shall not exceed 5m² in total area or 15% of the ground floor area of that face of the building, whichever is less.*

Provided that if the building also has frontage to a road the signs on the face of the building adjacent to the service lane or access way shall not exceed 2% of the ground floor area of the face of the building adjacent to the service lane or access way.

b) *Standards:*

Sign Type	Maximum Area	Additional Standards
Wall Signs	2m ²	
Verandah Face Signs	Shall not together with other ground floor signs exceed the area specified in 18.2.5(i)(a) above	Shall not exceed 600mm in depth
Under Verandah Signs	Shall not together with other ground floor signs exceed the area specified in 18.2.5(i)(a) above	Shall be at 2.5m above the surface of the road, footpath, service lane or access way
Free-standing Signs	2m ²	Shall not project over and any road or service lane. Shall not project over a footpath unless it is 2.5m above the level of the footpath and does not project more than a metre over the footpath.
Flatboards	1m ²	Shall be located on the site maximum of two flatboards or one sandwich board per site.

Standards for other signs (i.e. not ground floor)

Sign Type	Maximum Area	Additional
Above Ground Floor Signs	2 m ²	
Arcade Directory Sign	3 m ²	Shall list only the names of the occupiers of the arcade. Shall be displayed at the entrances to the arcade only.
Upstairs Entrance Sign	1.5m ²	Shall contain only the name of the activity of the occupier

		using that entrance.
Above Verandah Signs	2 m ²	

Are these size limits appropriate?

Permitted Signs – Rural type Areas

8. The following signs are permitted in rural type areas:

RURAL AREAS, HYDRO GENERATION ZONE, RESORT, RURAL VISITOR, BENDEMEER, TOURISM AND COMMUNITY FACILITIES SUBZONE (THREE PARKS ZONE), PENRITH PARK AND RURAL LIFESTYLE ZONES AND REMARKABLES PARK EXCEPT ACTIVITY AREA 3, 8.

(i) On any site signage shall:

- have a maximum area of 2 m²
- be located on the site
- not project over any road or service lane
- not extend over any footpath unless
 - (a) it is at least 2.5m above the footpath
 - (b) it does not extend more than 1m over a footpath.

Are these size limits appropriate?

Permitted Signs – District Wide

Event Signs

(i) Signs shall be:

- erected no more than 2 months before the date an event
- limited to 2 m² in size
- removed within 24 hours of the completion of the event
- limited to 2 signs fronting the State Highway and 2 signs fronting onto other roads.

Banners

(i) Banners shall be:

- limited to 1 per site
- erected for a maximum of 2 weeks before a specific event
- removed within 24 hours of the completion of the event
- limited to 3 m² in size

Signs in Reserves

- (i) Any signage shall:
- contain only the name of the reserve; and
 - have a maximum area of 1 m²
- (ii) Business Signs Operating in Reserves shall:
- be attached to the building to which it relates or be free-standing
 - have a maximum area of 1 m²
 - be limited to one sign per business operating in a reserve.

Are these size limits appropriate?

What about signs for other activities in reserves that are not businesses? E.g. sports clubs

Should signs in reserves be limited to just containing the name of the reserve? What about interpretation panels?

Signs Issues and Options

Summary

We think the District Plan rules need revising so they:

- 1 are clear
- 2 are easy to understand and use
- 3 allow for adequate signage on single buildings with multiple tenancies in the town centre, business and industrial zones
- 4 require sign platforms on new buildings in the Town Centre zones
- 5 allow for appropriate event signs (including off site signs)
- 6 ensure the activity status for signs are clear
- 7 link to design guidance for signs
- 8 provide a clear consent process for signs

What do you think?

Please send your comments to:
Policy & Planning
Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348

Email services@qldc.govt.nz

Or comment online at
www.qldc.govt.nz/district_plan_review

Comments should be received by 30 November 2012 although feedback on these issues will be welcome at any time during the review process.

What are we doing?

We're currently reviewing the District Plan and looking at what works well and what needs to be changed. As part of this process we've been monitoring the provisions for the management of signs and how they are working.

This has helped us identify some areas that we think can be improved and we'd like your feedback.

You can see the full monitoring report at www.qldc.govt.nz/monitoring.

The Current Situation

Signs are controlled through the Signs Bylaw and the District Plan. If a sign complies with the provisions of the Bylaw a sign permit alone is required (cost \$146).

However if a sign does not comply with the provisions of the Bylaw a resource consent for a non complying activity is required (currently an initial deposit of \$820).

What Mechanism to Use?

The current dual system of the Signs Bylaw and the District Plan can be confusing, time consuming and costly. This is frustrating for retailers in the town centre, business and industrial zones where signs are anticipated. We recognise that whatever system is used it needs to be clear, simple and cost effective.

District Plan (Council's preferred option) Signs could be managed solely under the District Plan (removing the Bylaw). Typical signs would be a permitted activity (meaning no resource consent or signs permit and no cost). If the sign does not meet the permitted standards a resource consent for a discretionary activity would be required.

We recognise that the current rules need changing to allow typical signs, especially in town centre, business and industrial zones with only those outside the standards requiring a resource consent.

Signs Bylaw Alternatively we can stay with the current system of requiring a signs permit for a sign and if these sign bylaw limits are exceeded a resource consent (non-complying activity) is required.

Proposed Changes

The monitoring report on signs identified a number of possible amendments to the current District Plan.

Definition of signs Revise the definition of a sign so it is clear and easy to understand. Should any of the following be defined as signs?



Signs that are visible through or in a shop window



Sculptures



A sign draped over a vehicle



Signs on parked trailers



Corporate colours

Activity Status Currently if signs don't comply with permitted activity standards they become a non-complying activity which makes it hard to get a resource consent. We believe this is too onerous and that they should become a discretionary activity which would simplify the consent process.

Size Limits Currently the signs rules are structured so that tenants in multi tenanted buildings often have to apply for a resource consent for a standard sign. This is expensive, time consuming and inefficient. Permitted sign rules in town centres, industrial, and business areas need to be amended to enable an allowance for all tenancies in multi tenanted buildings.

Event Signs Some events signs need to be located off site. The Bylaw only allows this through a dispensation which is an inefficient process. We think that the event signs rules need to be amended to allow for off-site signs.

Sign Platforms Where a building is altered or a new building erected in one of the town centre zones the applicant is encouraged to include signage platforms. This ensures that designers think about the location and size of signs at the design phase. However the District Plan rules do not require this. Should the rules be amended to require signage platforms on new buildings in the town centre zones?

Design Guidance Would informal design guidance for signs in town centres be useful for retailers, sign writers and planners?

What do you think?