



QUEENSTOWN LAKES DISTRICT COUNCIL
COMMISSION TO CONSIDER PLAN CHANGE 48
Commissioner David Whitney

REPORT & RECOMMENDATIONS OF INDEPENDENT COMMISSIONER
PLAN CHANGE 48 : SIGNS
DATED : 11 NOVEMBER 2014

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Abbreviations

Signs Bylaw or Bylaw – Queenstown Lakes District Signs Control Bylaw 2006
District Plan or Operative District Plan – Queenstown Lakes District Plan
PC 48 – Proposed Plan Change 48
QLDC or the Council – Queenstown Lakes District Council
RMA or the Act – Resource Management Act 1991

1.0 THE HEARING

The hearing on proposed Plan Change 48 and the submissions (including further submissions) thereto took place at the Copthorne Lakefront Hotel at Queenstown on Monday 18 August 2014.

2.0 APPEARANCES & INFORMATION SIGHTED

Submitters:

Ms Barbara East

For Lakes District Museum, the Arrowtown Planning Advisory Group and the Arrowtown Promotion and Business Association

**Ms Sue Patterson
Mr Philip Blakely**

For Town Planning Group Limited; Kopuwai Investments Limited & City Centre Queenstown Limited

Ms Charlene Kowalski

For APN Outdoor Limited

Mr Aidan Kirkby-McLeod

For Remarkables Park Limited

Ms Jenny Carter

For Shotover Park Limited

Ms Jenny Carter

Evidence was also tabled in support of the submission by the **New Zealand Sign and Display Association (Inc)** that was prepared by **Mr Andrew Trevelyan**, Planner and dated 17 August 2014.

Correspondence from or on behalf of other submitters who were unable to attend the hearing was tabled; being correspondence from:

Heritage New Zealand (formerly **New Zealand Historic Places Trust**) dated 1 August 2014.

Anderson Lloyd Lawyers for **Books & Toys (Wanaka) Limited** dated 4 August 2014.

Zomac Planning Solutions Limited for **Progressive Enterprises Limited** dated 8 August 2014.

Mitchell Partnerships Limited for **Queenstown Airport Corporation** dated 14 August 2014.

Officers in Attendance:

Mr Tony Pickard, Senior Policy Planner, Queenstown Lakes District Council. Mr Pickard prepared a section 42A report on Plan Change 48 and the submissions including further submissions received thereto.

Ms Rachel Beer, Planning Support Coordinator, Queenstown Lakes District Council. Ms Beer provided administrative support to the Commission at the hearing.

Mr Marc Bretherton, General Manager Planning and Infrastructure, Queenstown Lakes District Council. Mr Bretherton attended the hearing as an observer on the afternoon of 18 August 2014.

Information Sighted

Mr Pickard's section 42A report was circulated prior to the hearing. Attached to that report as Appendices were the submissions and further submissions; a summary of the decisions requested; the Section 32 Analysis and Appendices; Section 18 : Signs from the Operative District Plan; Plan Change 48 (comprising Section 18 : Signs, relevant Definitions and Interpretative Diagrams); and Plan Change 48 as amended consistent with the recommendations of the section 42A report.

Mr Pickard also provided the Commission with a copy of the decision of Commissioners Taylor & Gilmore on RM 100816 (applicant Night'N'Day Food Stores Limited) that was referred to in the Section 32 Analysis; and a copy of the Queenstown-Lakes District Signs Control Bylaw 2006 that came into force on 4 September 2006.

3.0 INTRODUCTION

Plan Change 48 has been prepared by the Queenstown Lakes District Council and relates to signage. The plan change as notified deletes the existing chapter of the Operative District Plan that relates to signage being Section 18 : Signs; and inserts a new Section 18 Signs instead. PC 48 as notified also amends the existing definition of "Ground Floor Area (For Signs)"; and deletes the existing definition of "Sign and Signage" and inserts a new definition of these terms instead. PC 48 as notified also inserts a series of Interpretative Diagrams relating to signage into Appendix 4 of the Operative District Plan.

The purpose of PC 48 is to simplify and streamline the signage provisions within the District Plan.

The public notice relating to PC 48 as notified advised that until recently, signage has been controlled in the District through both the District Plan and through the Signs Bylaw, the Bylaw now having been discontinued. The PC 48 public notice advised that the signage rules have also been subject to environmental monitoring which has identified areas for improvement. As a consequence the contents of the existing chapter of the Operative District Plan (Section 18 : Signs) are proposed to be deleted in their entirety, and a new chapter provided in its place.

4.0 NOTIFICATION AND SUBMISSIONS

PC 48 was notified for submissions on 12 March 2014 and the period for submissions closed on 9 April 2014. A summary of the decisions requested in submissions was publicly notified on 7 May 2014 and the period for further submissions closed on 21 May 2014.

A total of 21 original submissions and 4 further submissions were received. **Appendix 1** lists the submitters and further submitters; and **Appendix 2** contains a summary of the decisions requested and identifies the further submission points that relate to the relevant points raised in the original submission.

This report assesses the points raised by submitters and further submitters and the Commission makes recommendations in Sections 8.1-8.12 as to whether these points should be **accepted, accepted in part, or rejected.**

5.0 DESCRIPTION OF PLAN CHANGE 48

PC 48 as notified sought a number of amendments to the Queenstown Lakes District Plan. These are as follows:

- **Delete Section 18 : Signs and insert a new Section 18 : Signs instead**
- **Amend Definitions by amending the definition of “Ground Floor Area (For Signs)”;** and **by deleting the definition of “Sign and Signage” and inserting a new definition of “Sign and Signage” instead.**
- **Amend Appendix 4 Interpretative Diagrams by inserting new Interpretative Diagrams relating to Signs.**

Mr Pickard in his section 42A report outlined the background to the preparation of PC 48. Mr Pickard advised that in July 2012 a monitoring report on Section 18 : Signs of the District Plan and the Queenstown-Lakes District Signs Control Bylaw 2006 went to the Council's Strategy Committee. That report identified that:

- The Operative District Plan is inefficient given the number of resource consent applications required for standard retail signs in the Town Centre Zone.
- The non-complying activity status for signs that do not meet the maximum size requirements, particularly within the Queenstown Town Centre Zone, should be reviewed given that these consents are generally processed non-notified and approved.
- In general the rules for signs need to be revised to be clear, concise, easy to use and to resolve the issue of signage allocation for multiple tenancies in single buildings.
- A full analysis should be undertaken to determine which mechanism (District Plan or the Signs Bylaw) should be used to manage signs.

Mr Pickard advised that at a subsequent workshop the Strategy Committee resolved that the future management of signs should be undertaken entirely through appropriate District Plan provisions.

Mr Pickard advised that the Signs Bylaw has now expired and has ceased to have any legal effect. The Commission notes in this context that section 160A of the Local Government Act 2002 confirms that a bylaw is revoked on the date that is two years after the last date on which the bylaw should have been reviewed pursuant to section 158 of that Act. On this basis the Queenstown-Lakes District Signs Control Bylaw 2006 was revoked on or about 4 September 2013.

Mr Pickard informed us that the key objectives of PC 48 are to:

- Simplify the existing provisions;
- Fix the known problems with the existing District Plan provisions;
- Streamline the processing of resource consents; and
- Streamline compliance and enforcement monitoring.

6.0 STATUTORY REQUIREMENTS

Section 73(1A) of the Resource Management Act 1991 (the Act) confirms that a district plan may be changed by a territorial authority in the manner set out Schedule 1 to the Act.

Clause 10 of Schedule 1 requires that a local authority give a decision on the matters raised in submissions, and the reasons for accepting or rejecting the submissions, although the local authority is not required to give a decision that addresses each submission individually. The decision may also make any consequential alterations necessary to the proposed plan change arising from the submissions.

Section 75 of the Act prescribes the contents of district plans. Subsection (3) states:

- (3) a district plan must give effect to-*
- (a) any national policy statement; and*
 - (b) any New Zealand coastal policy statement; and*
 - (c) any regional policy statement.*

Subsection (4) goes on to state that a district plan must not be inconsistent with a water conservation order or a regional plan.

Section 74 requires that a territorial authority shall prepare and change its district plan in accordance with its functions under section 31; the provisions of Part 2; a direction given under section 25A(2); its obligation (if any) to prepare an evaluation report in accordance with section 32; its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and any regulations.

Section 74(2), (2A) and (3) state as follows:

(2) In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—

- (a) Any—*
 - (i) Proposed regional policy statement; or*
 - (ii) Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
- (b) Any—*
 - (i) Management plans and strategies prepared under other Acts; and*
 - (ii) [Repealed]*
 - (iia) Relevant entry in the Historic Places Register; and*

(iii) Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—

to the extent that their content has a bearing on resource management issues of the district; and

(c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

(2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

(3) In preparing or changing any district plan, a territorial authority must not have regard to trade competition or the effects of trade competition.

(emphasis added above by underlining)

The Commission is only empowered to make a recommendation to the territorial authority in terms of the limits of its delegated authority under section 34A (1) of the Act.

7.0 THE EVIDENCE

7.1 Officer's Introductory Remarks

Mr Tony Pickard

Mr Pickard formally presented his section 42A report that was taken as read.

Mr Pickard explained that he has been involved with PC 48 since February 2014; that he had followed on from the work previously undertaken by his colleagues on PC 48; and that he has read all relevant background information. Mr Pickard confirmed that he has visited the town centres of Queenstown, Wanaka, Arrowtown, Glenorchy and Kingston to view signs.

Mr Pickard noted that the submissions received in response to PC 48 express universal support for the control of signs being achieved through the District Plan. He noted the correspondence received from submitters (as listed in Section 2.0 of this report); and Mr Pickard confirmed that there were no issues with respect to the validity of the submissions and further submissions received in response to PC 48.

Mr Pickard responded to a number of questions from the Commission with respect to specific points of detail raised in the section 42A report; and he noted other questions for his later response following the presentations by submitters.

7.2 Submissions and Evidence of Submitters

7.2.1 Barbara East

Ms Barbara East

Ms East confirmed that she previously worked at the Council office in Wanaka and that off-site signage was a persistent issue.

Ms East observed the apparent contradiction between Policy 7 and Policy 11 as contained in PC 48. While Policy 7 refers to ensuring signs are located on the site; Policy 11 provides for off-site signs where it is not practicable to display the sign on the site upon which the activity occurs. Ms East was concerned that it can always be argued that it is not practicable to display a sign on the site concerned. She considered that Policy 11 should be deleted.

Ms East noted that off-site signs are constructed for the benefit of businesses. Generic fingerboard and pre-warning signs have been erected on roads within the District and she favoured these over off-site signs relating to specific businesses. She warned that making provision for off-site signs for any business results in others following suit; and that this becomes “a war”. Ms East considered that off-site signage should be a non-complying or prohibited activity.

Temporary Event Signs are provided for in Activity Table 4 in PC 48. Ms East considered that there should be as many temporary event signs on site as required; but that the number of temporary event signs off-site should be limited. Ms East also considered that a distinction can be drawn between large events and small events; and that no consent should be required for small events and that limited signage should be allowed for such events. Ms East promoted that more banners be allowed for large events, and she suggested up to three.

Ms East noted that the Council's practice of displaying banners on lampposts does not appear to be covered by PC 48. The Commission notes in this context that all roads are designated in the District Plan (see clause A on page A1-17); and that the display of such banners for public purposes is controlled by the roading authority responsible for the designation.

Signs in Reserves are provided for in Activity Table 4 in PC 48. Ms East suggested that signs be allowed if put up to describe an activity that is permitted on the reserve. It is noted in this context that signs associated with designated reserves are authorised by that designation; and that PC 48 would not restrict such signs. The focus of PC 48 is on signs on reserves that provide for businesses conducted on those reserves.

Ms East referred to Real Estate Signs that are also provided for in Activity Table 4 of PC 48. She considered that a maximum of four signs should be permitted per site; and that signs should be removed within, say, one week of the sale of the property. Ms East noted that sometimes real estate signs remain on sites for weeks after the sale, simply as an advertising device for the real estate company.

Ms East also promoted a rule relating to open home signs. Such signs include small signs displayed on the verge and flag signs that are sometimes attached to vehicles during open homes. Ms East expressed concern that such flag signs are getting bigger and bigger; and that open home signs are sometimes left out for longer than is required for the actual open home event.

Ms East noted the provision for Construction Signs that is made in Activity Table 4 of PC 48 and she suggested that up to four signs (not including safety signs) be allowed for the duration of the build.

Ms East also noted that Activity Table 4 in PC 48 provides for sign-written trailers or vehicles or signs attached to any trailer or vehicle that is for the sole purpose of advertising as a discretionary activity. She could not think of any reason why such sign written trailers or vehicles are required and she considered that such activity should have prohibited activity status rather than discretionary activity status. Ms East noted the tendency for such

sign written vehicles and trailers to be left on the roadside during Easter and other busy periods.

7.2.2 Lakes District Museum, the Arrowtown Planning Advisory Group and the Arrowtown Promotion and Business Association

Ms Sue Patterson

Ms Patterson confirmed that she represented the Arrowtown Promotion and Business Association that, along with two other groups, had made a joint submission as lodged by Mr David Clarke.

Ms Patterson noted that the submitters have a common interest in protecting Arrowtown's amenity landscape and built environment.

Ms Patterson referred to the joint submission which emphasised that the submitters do not consider that a one size fits all approach is appropriate for the Arrowtown CBD due to its special character based on its historic associations. Ms Patterson emphasised that her Association supported appropriate and consistent signage to enhance Arrowtown. Such consistency can relate to the style and materials incorporated into signage; and she considered that such requirements need not be onerous.

Ms Patterson emphasised that the submitters have access to designers who would be prepared to create examples of fonts, colours and styles that Council staff could provide to those seeking to establish new signs.

Ms Patterson tabled a document that showed images of old and new Arrowtown prepared by Lindsay Collins Vintage Typography that provides guidance with respect to Arrowtown Historic Precinct signage. This material also included period signage from Jackson Hole in the USA.

Mr Philip Blakely

Mr Blakely is a professional landscape architect who appeared for the Arrowtown Planning Advisory Group and the Lakes District Museum.

Mr Blakely referred to the work of the Arrowtown Planning Advisory Group and particularly to its role in vetting applications for signs in Arrowtown. Mr Blakely noted that whilst the existing mechanism appeared to be an informal approach (as it is not provided for in the Operative District Plan) he considered that such an informal approach could continue. Mr Blakely promoted that all applications for signs in Arrowtown should go through a vetting process that involved the Arrowtown Planning Advisory Group.

The Commission notes that the Signs Bylaw made provision for a report to be prepared by the "Arrowtown Advisory Board" and that such report was to accompany any application for a permit for a sign in the Arrowtown Town Centre Zone. The Commission also notes that amendments to Activity Table 4 promoted in the section 42A report would have the effect of controlling signs on heritage items; and that Heritage Item 386 as identified on page A3-22 of the Operative District Plan includes the "Arrowtown Town Centre (Buckingham Street) Precinct". The effect of such an amendment is that all signs within the Arrowtown Town Centre Precinct would require a resource consent.

Subsequent to the hearing Ms Beer received an email from Mr Clarke dated 26 August 2014. Mr Clarke emphasised that the submission proposes that the Arrowtown Planning Advisory Group vet signage. Mr Clarke advised that the Group currently vets all built development, tree pruning and signage [albeit on an informal basis] that requires resource consent in the "Arrowtown Historic Zones" [being the Arrowtown Town Centre Zone and the

Residential Arrowtown Historic Management Zone]; but that signage is not vetted if it is simply subject to a permit. Mr Clarke expressed concern that this had led to a proliferation of signage that is not appropriate in Arrowtown.

7.2.3 Town Planning Group Limited; Kopuwai Investments Limited & City Centre Queenstown Limited

Ms Charlene Kowalski

Ms Kowalski is a planning consultant with the Town Planning Group Limited. She confirmed that the submitters generally support the proposed amendments to Section 18 : Signs as provided for in PC 48. She expressed support specifically for simplification of the rules by doing away with the Signs Bylaw; by altering the layout of Section 18 : Signs to be in a table format; and by altering the activity status for most signage to either permitted, controlled or discretionary, instead of the current regime which requires a non-complying activity consent for any signage that requires a resource consent.

Ms Kowalski suggested that instead of having full discretionary activity status for signs not meeting the listed rules in Activity Tables 1 and 2; that the status of such non-compliant signs be altered to restricted discretionary, subject to listed criteria to be used to assess applications.

Ms Kowalski promoted that in heritage precincts and on heritage buildings full discretionary or non-complying activity status is preferred to provide flexibility in achieving the best possible results in terms of both protecting the heritage character and value of these areas and structures, and in preserving heritage fabric. Ms Kowalski noted that the section 42A report proposed an amendment to Activity Table 4 that will provide a greater level of scrutiny for signage within these areas, and this is supported by her. Ms Kowalski suggested that the criteria to assess applications on heritage buildings and precincts would benefit by including the matters listed in the **New Zealand Historic Places Trust** (now **Heritage New Zealand**) submission.

Ms Kowalski also noted that the amendments with respect to heritage items in Activity Table 4 as detailed in the section 42A report suggested that signs on any Category 3 Heritage Item be given controlled activity status. Ms Kowalski referred to her previous experience as a reporting planner with the Council and considered that further thought should be given to whether controlled activity status will enable sufficient flexibility to negotiate and achieve the best design solutions. She promoted that all heritage items be subject to discretionary activity status. Alternatively, if controlled activity status is to be applied, additional matters for control should be included. Ms Kowalski noted in this context that matters for control in terms of Rule 18.2.4 (as presented in PC 48) do not include potential effects on heritage fabric; and that cumulative effects are also an important consideration especially with regard to heritage precincts.

Ms Kowalski's opinion is that signage on any heritage building should require full discretionary activity status.

7.2.4 APN Outdoor Limited

Mr Aidan Kirkby-McLeod

Mr Kirkby-McLeod is a town planner and resource management consultant with Bentley and Co based in Auckland. Mr Kirkby-McLeod considered that outdoor advertising (billboards) represents a legitimate field of business activity which has significant economic benefits to a number of sectors, and should be appropriately recognised and provided for by the provisions of the District Plan.

Mr Kirkby-McLeod advised that APN Outdoor Limited is New Zealand's largest outdoor advertising company, and controls a portfolio of billboards comprising over 600 "sites" throughout the country. Mr Kirkby-McLeod confirmed that his initial advice to his client was that the proposed consolidation of the control of signs to the District Plan (rather than the legacy hybrid approach of both District Plan and Bylaw control) was appropriate and should be supported, and that in general the proposed provisions are an improvement in terms of adding clarity to the manner in which the controls are interpreted and applied. Notwithstanding this Mr Kirkby-McLeod considered that PC 48, as notified, contained deficiencies and/or inconsistencies between the objectives, policies, rules and associated definitions. The submission by APN Outdoor Limited seeks to rectify this situation.

Mr Kirkby-McLeod noted that PC 48 provides a definition for the term "Off-Site Sign" and that the scope of this definition encompasses third party advertising, or billboard, signs. Mr Kirkby-McLeod supported an amendment to the definition of "Off-Site Sign" as promoted in the section 42A report that would remove reference to "an event" from this definition. He noted that a definition of Temporary Event Sign is contained in PC 48.

The submitter has sought amendments to the wording of Policy 7 and Policy 11 in order to address the conflict which exists between these two policies. Mr Kirkby-McLeod noted that the section 42A report suggested the insertion of the word "temporary" in Policy 11 on the basis that the effects of the use of temporary signage may be low enough to be considered acceptable.

Mr Kirkby-McLeod considered that the addition of the word "temporary" to Policy 11 would not provide clarity to the situation; and he considered that the recommended amendment is inconsistent with the purpose of PC 48 which, in conjunction with consolidating the control of signs in the District Plan, is to "assist in simplification and to provide clarity and certainty" in the control of signs.

Mr Kirkby-McLeod advised that the purpose of the submitter's involvement in the PC 48 proceedings is to ensure that the provisions of the District Plan are effective, efficient and readily interpreted, so that they can be relied upon to make informed decisions concerning future approaches for the development of off-site signs which Mr Kirby-McLeod considered to be an integral element of the fabric of urban environments. To enable this Mr Kirkby-McLeod considered that it is necessary to improve the language of Policy 7 and Policy 11 and to remove the apparent conflict between the two provisions by:

- 'Re-purposing' Policy 7, away from ensuring that signs are "limited" to those that are site related, toward ensuring that 'site-related' signs are appropriately (and unambiguously) provided for; and
- Amending Policy 11 to clearly direct that the main consideration to be taken into account when determining whether or not an "off-site sign" is appropriate in any circumstance is the ability of the surrounding environmental context to accommodate and visually sustain the sign.

Mr Kirkby-McLeod considered that the proposed wording for Policies 7 and 11 as detailed in the submission by APN Outdoor Limited would provide a clear linkage between the rules in PC 48 and the revised version of Objective 1 as recommended in the section 42A report, which the submitter supports. The amended wording of Policy 7 and Policy 11, as contained in the submission by APN Outdoor Limited, state as follows:

Policy 7 – To ensure signs ~~are limited to those~~ relating to a particular activity and/or the use of land or buildings, and that are located on the site of the activity, land or building are appropriately provided for.

Policy 11 – To provide, in limited circumstances, for offsite signs where ~~it is not practical to display the sign on the site where the activity occurs~~ they are visually compatible with the surrounding environment in which they are located and/or the scale and character of the building to which they are attached.

7.2.5 Remarkables Park Limited

Ms Jenny Carter

Ms Carter is a planner who has 15 years experience in the District, including her time as a policy planner with CivicCorp; 3 years as a self-employed planning consultant; and in recent years as a resource consents planner with Lakes Environmental Limited. Ms Carter now works as a planner for Remarkables Park Limited and related companies.

Ms Carter noted that signage has always been a difficult issue in the Queenstown Lakes District as while rules govern the dimensions of signs, assessment requires subjective judgment on behalf of the planners. She noted that when the Signs Bylaw was put in place in 2006 it was intended that this would supersede the provision made for signs in Section 18 of the District Plan. She also noted the difficulty in evaluating whether the Bylaw and District Plan provisions have been effective given that it is unclear which existing signs have been lawfully permitted/consented. Ms Carter also noted that the cost for a resource consent for a simple sign was some \$820, whereas a permit for a sign costs \$150.

Ms Carter noted that the rules that apply with respect to the Remarkables Park Zone provide for all buildings as controlled activities [in terms of Rule 12.11.3.2] with a requirement that any application for a new building be accompanied by a statement from the Remarkables Park Design Review Board. Ms Carter noted that PC 48 provides signage rules that will result in a two-step approach whereby buildings in the Remarkables Park Zone are to be consented as a controlled activity, and signs are then to be separately consented under the new rules, quite likely as a discretionary activity. Ms Carter considered that it would be more efficient for signage to be assessed as part of the building application in a single integrated manner, with scrutiny being applied by the Remarkables Park Design Review Board. She noted again in this context that the assessment of signs is somewhat subjective depending on the planners opinion; and that debate tended to focus on how big signage should be.

Ms Carter was also concerned that the provision for Above Ground Floor Signs in Activity Table 1 in PC 48 is too restrictive given that 4-5 storey buildings can be anticipated in the Remarkables Park Zone. Ms Carter also considered that if a Signage Platform has been identified on the building and has been through the Remarkables Park Design Review Board process, there appeared to be no particular reason for any more control with respect to such signage. Ms Carter referred to the provisions of the Mt Cardrona Station and Jacks Point Special Zones, where no controls are imposed on the size of signs.

Ms Carter also acknowledged that a distinction had been drawn in PC 48 between the Remarkables Park Zone Activity Areas 3, 5 and 8 that are provided for in Activity Table 1 as Commercial Areas; and other Activity Areas at the Remarkables Park Zone that are provided for in Activity Table 2 as Residential Areas. Ms Carter emphasised that non-residential activities can be anticipated in Activity Areas other than Activity Areas 3, 5 and 8 in the Remarkables Park Zone. Again she considered that all signage in the Remarkables Park Zone should be assessed as part of the resource consent for the building; and that any signage within a Signage Platform approved at the time of resource consent for the building should be a permitted activity.

Ms Carter noted that Rule 12.11.3.2 of the Operative District Plan confirms that the Remarkables Park Design Review Board is to provide a statement for any new building in

the Remarkables Park Zone except where the building has a floor plate of less than 500m² [and is one storey only]. She emphasised that professionals such as architects and planners are members of the Remarkables Park Design Review Board. She considered that the Council should place trust in the Remarkables Park Design Review Board when considering signage at the Remarkables Park Zone which is a commercial area outside the town centres.

The Commission notes that the rules that apply to the Remarkables Park Zone (including Rule 12.11.3.2) make no reference to signs. PC 48 maintains the status quo to the extent that signs are to be addressed in Section 18 : Signs in the Operative District Plan; rather than providing for such signage to be addressed in the context of the consenting of buildings. For completeness it is noted that the current provisions of the Remarkables Park Zone were subject to a private plan change being Plan Change 34 which became operative on 15 November 2012. Rule 12.11.2 clearly provides for the provisions of the District Wide Rules, including Part [Section] 18 : Signs to apply in the context of the Remarkables Park Zone.

7.2.6 Shotover Park Limited

Ms Jenny Carter

Ms Carter explained that Shotover Park Limited is the owner of some 12 hectares of land subject to Proposed Plan Change 19 that is currently the subject of proceedings before the Environment Court. The Commission understands that this land is subject to the Frankton Flats Special Zone B Areas E1 and E2 as detailed in Table 1 – Commercial Areas in PC 48.

Ms Carter advised that every building in Areas E1 and E2 will have status as a controlled activity with respect to external appearance. She again promoted in this context that signage should be addressed as part of the resource consent for buildings; and that no further controls are needed with respect to signs.

Ms Carter also noted that industrial areas are different to commercial areas; and that signs perform a more functional role in industrial areas and that the level of amenity is not the same as, say, in a Town Centre Zone.

Ms Carter referred to the VTNZ building at Glenda Drive that is not visible from State Highway 6. She noted that the planning debate in the context of that building was whether the use of an orange corporate colour scheme was appropriate on that building, or not. She considered that the orange colour scheme is useful in enabling members of the public to find the VTNZ facility.

Ms Carter also considered that the existing standards for signs as incorporated into PC 48 are too onerous. It is noted in this context that the Ground Floor Area provision for signs in Activity Table 1 of PC 48 that applies to Commercial Areas establishes a limit of 15% - and that the size of permitted signs will therefore vary relative to the size of the building concerned.

7.2.7 New Zealand Sign and Display Association (Inc).

Mr Andrew Trevelyan

The written statement of evidence prepared by **Mr Trevelyan** was tabled in support of the submission lodged by the New Zealand Sign and Display Association (Inc). Mr Trevelyan is a planner and urban designer.

Mr Trevelyan noted that the submission related to sign industry standards for signs. The Association promoted that these industry standards be used when selecting appropriate

sign areas. Mr Trevelyan referred to the example of footpath signs and he considered that a blanket 1m² standard [for Sandwich or Flat Board Signs] as a discretionary activity would be unworkable; and he considered that such a blanket provision is not effects based and is out of step with the RMA. Mr Trevelyan requested that the Council works with the Association further to determine appropriate sign sizes for the District.

Mr Trevelyan referred to the use of the term “Lighting” in Activity Table 3. He considered that this term would not help applicants and the Council to assess adverse effects associated with sign lighting. Mr Trevelyan did not consider that the use of the word “artificial” in this context (as suggested in the section 42A report) would assist the Council; and he considered that until the effects that the Council is attempting to manage are clearly stated it is not possible for applicants or Council staff to manage sign lighting on a consistent and fair basis. Mr Trevelyan requested that the Council give further consideration to the matter of sign lighting.

7.2.8 Heritage New Zealand (formerly New Zealand Historic Places Trust)

The correspondence dated 1 August 2014 from **Ms Jane O’Dea** Heritage Advisor-Planning expressed support for the recommendations made in the section 42A report and in particular the discussion of Heritage New Zealand’s submission points on pages 27 and 28 of that report. Heritage New Zealand considers that the recommendation on page 28 of the section 42A report adequately addresses the matters raised in its submission.

7.2.9 Books & Toys (Wanaka) Limited

Correspondence from **Ms Vanessa Robb**, solicitor, of Anderson Lloyd Lawyers dated 4 August 2014 was forwarded on behalf of Books & Toys (Wanaka) Limited.

The correspondence confirmed that the submitter supports the amendment promoted to Item 2 in Activity Table 1 of PC 48 as recommended in the section 42A report which provided for all new and replacement signs located within an approved Signage Platform as a permitted activity.

The submission promotes that PC 48 provide an exemption to the standard in Activity Table 1 which limits signs attached to glazing to 50% coverage. The submitter originally requested that the exemption enable 100% coverage of window glazing for 90 days per calendar year and for a period not exceeding two consecutive weeks.

Ms Robb acknowledged that the section 42A report recommended that the provision for Temporary Sales Signs in Activity Table 4 of PC 48 be amended to provide for such signs to be erected or displayed for no more than 14 days, on no more than four occurrences per year. She advised that the submitter does not support Mr Pickard’s recommendation which would equate to 56 days per calendar year for Temporary Sales Signs; and that the submitter maintains the position that 90 days per calendar year is not contrary to Objective 1 and Policy 13 as provided for in PC 48; and is consistent with the intent of the plan change which is to recognise the importance of signs to businesses in commercial areas.

7.2.10 Progressive Enterprises Limited

Mr MJ Foster of Zomac Planning Solutions Limited forwarded correspondence dated 8 August 2014 on behalf of Progressive Enterprises Limited.

Mr Foster noted the recommendations in the section 42A report that related to the submission by Progressive Enterprises Limited. The submitter considers that the

recommendation to reject the amendments sought that are to provide for supermarket signage is not justified. Mr Foster observed that similar size signage to that proposed in the submission has been consented by the Council for the Five Mile Countdown store which is currently under construction. The submitter also observed that the signage sizes/changes requested by the submitter have been consented without any difficulty across New Zealand in a wide variety of zones containing different land use types including residential environments. The submitter therefore considers that the officer's concerns are unjustified and unfounded.

7.2.11 Queenstown Airport Corporation

Ms Kirsty O'Sullivan of Mitchell Partnerships Limited forwarded correspondence to be presented as evidence on behalf of the Queenstown Airport Corporation.

Ms O'Sullivan advised that the Queenstown Airport Corporation made a number of submissions seeking clarification around the interpretation of various provisions of the Plan; and that specifically the submitter sought (or supported via further submissions) the inclusion of Definitions and/or Interpretative Diagrams for various types of signage. Ms O'Sullivan noted that the section 42A report recommended the acceptance of these submissions and these recommendations are supported by the submitter subject to an amendment to the definition of "Arcade Directory Sign" to refer to externally located signs only, consistent with the intent of PC 48 which is that the provisions, including rules, apply to externally located signs only.

Ms O'Sullivan confirmed that the submitter supports recommendations contained in the section 42A report with respect to the status of Ground Floor Signs and Above Ground Floor Signs in the Queenstown Airport Mixed Use Zone; and the Commission notes that the section 42A report recommends that such signs be provided for as a permitted activity.

Queenstown Airport Corporation supported, through a further submission, a submission by **Town Planning Group (48/16/9)** which sought to increase the signage allowance for large rural properties, and specifically, for the Wanaka Airport in the Rural General Zone.

Ms O'Sullivan noted that given the level of development already in place at Wanaka Airport, the submitter is of the view that a 2m² signage allowance is inappropriate for the largely commercially used site. Due to the title structure at Wanaka Airport and the number of businesses already established at the site; it is likely that every new operator will require resource consent for any new sign due to the proposed size limitations. Given that the submitter considers that a heightened level of development is anticipated in this area (including signage in excess of 2m² per site) the submitter requests that further consideration be given to the existing commercial use of the airport and to the importance of signage for businesses operating at the site, and that the rules be amended accordingly. Ms O'Sullivan suggested that this could be achieved by including the area of the Rural General Zone containing Wanaka Airport into Activity Table 1 of PC 48.

The Queenstown Airport Corporation made a further submission that opposed in part a submission by **Progressive Enterprises Limited (48/21/9)** that related to sign height. The Corporation promoted that if the submission was to be accepted that the consent authority should retain as a matter of control the height of a sign if/when it penetrates Queenstown Airport's obstacle limitation surface.

Ms O'Sullivan noted that the section 42A report recommends that no changes be made to the assessment matters with respect to height. Notwithstanding this the Queenstown Airport Corporation requests that should the height allowance for freestanding signs be

increased to 9 metres, that the consent authority retain some ability to consider whether such height is appropriate in the wider receiving environment.

7.3 The Officers Report and Response to Matters Raised by Submitters

Mr Pickard's section 42A report dated 15 July 2014 discussed the matters raised by submitters and further submitters in response to PC 48 to assist the Commission in its consideration of these matters.

Following the presentation of evidence and the tabling of evidence and correspondence, Mr Pickard responded to questions raised by the Commission at the commencement of the hearing and addressed the matters raised at the hearing.

Mr Pickard responded to questions raised at the commencement of the hearing and to other matters raised during the course of the hearing by the Commission as follows:

1. Electioneering Signs

Mr Pickard agreed that it would be appropriate for Electioneering Signs to be subject to more specific standards similar to Real Estate Signs. It was noted in this context that the Bylaw provided specific standards for electioneering signs. Standards could relate to the area of signs (maximum 3m²) and to establishing an end point (time limit) for the display of signs. It is noted that the Bylaw required that such signs be removed before the election/referendum day.

2. Town Centre Rules

In the section 42A report (on page 27) Mr Pickard had recommended that reference to "Signage" be changed to "Sign Platforms" in Rules 10.6.3.2i, 10.7.3.2i and 10.9.3.2i which relate to the Queenstown Town Centre Zone, the Wanaka Town Centre Zone and the Corner Shopping Centre Zone, respectively. On reflection Mr Pickard considered that any such reference should be deleted given that Signage and Sign Platforms are to be subject to the provisions in Section 18 : Signs, only.

3. Off-Site Signs

Mr Pickard noted the evidence of Mr Kirkby-McLeod with respect to billboards. Off-site signs include a range of signs from pre-warning signs, at the lower end of the continuum; through to billboards at the other extreme. Given the wide range of possible signage that falls within this category Mr Pickard considered that full discretionary activity status remains appropriate for such activity.

4. Corporate Colours

At page 26 of the section 42A report Mr Pickard recommended the insertion of a note which confirms that the definition of Sign and Signage includes corporate colour schemes. Mr Pickard advised the Commission that consideration had been given to excluding corporate colour schemes from the definition of Sign and Signage. On reflection and following consultation with his colleagues Mr Pickard is adamant that corporate colour schemes should be included within the definition of Sign and Signage. The Commission has noted that the definition of "Sign" in the Operative District Plan (and the corresponding definition in PC 48) refers to "background" which would include a corporate colour scheme.

5. Policy 11

Mr Pickard had recommended in his section 42A report the insertion of the word “temporary” in Policy 11; such recommendation being made on page 9 of his report. Mr Pickard confirmed that his reference to “temporary” in this context was not intended to convey a temporal element but instead was intended to refer to minor effects on the environment.

Mr Pickard then responded to the matters raised in the correspondence that had been tabled and by the submitters who appeared at the hearing on 18 August 2014.

Mr Pickard acknowledged that **Heritage New Zealand** had expressed support for the recommendations contained in the section 42A report at page 28 relating to signs on or in any item listed in the inventory of protected features at Appendix 3 of the Operative District Plan. Mr Pickard had confirmed at the commencement of the hearing that reference to a “heritage item” would be more appropriate than referring to a “feature” in Activity Table 4 of PC 48. This is because the word “feature” is used to refer specifically to particular items in lists in Appendix 3.

Mr Pickard responded to the **Books & Toys (Wanaka) Limited** suggestion that Temporary Sales Signs be displayed for up to 90 days per calendar year. He considered that such a period was excessive and would adversely affect the appearance of the building. Mr Pickard maintained his recommendation that Temporary Sale Signs be displayed for a maximum of 56 days per annum. This would be sufficient to cover sales periods at peak times such as Christmas/New Year, Easter, Queens Birthday Weekend and Labour Weekend.

Mr Pickard also maintained his recommendations with respect to the submission lodged on behalf of **Progressive Enterprises Limited**. He noted that supermarkets are specific land use activities that do have their own requirements in terms of signage. Mr Pickard favoured PC 48 which provides a general approach with respect to signage; with the specific requirements of particular land use activities that require additional signage that breach the standards in PC 48 to be subject to the resource consent process. Apart from supermarkets some other land use activities such as service stations are likely to require signage that may be different to that associated with commercial activities in general. Mr Pickard emphasised that PC 48 is more about addressing the effects of activities on the environment than about tailoring rules to meet the needs of specific commercial end users.

Mr Pickard agreed that the Arcade Directory Sign definition should refer to “an externally located” sign as promoted by **Queenstown Airport Corporation**. Mr Pickard also considered that the provision in Activity Table 1 Rule 2 of PC 48 for all new and replacement signs located within an approved Signage Platform to be a permitted activity could be replicated in Activity Tables 2 and 3; and with respect to Rules 3, 8 and 9 in Activity Table 4. The Commission considers in this context that provision for Signage Platforms is appropriate in the context of Commercial Areas; but that such provision is not considered necessary in other parts of the District.

Mr Pickard acknowledged the point raised by **Queenstown Airport Corporation** in relation to the Rural General Zone provisions affecting Wanaka Airport. Mr Pickard considered that it was an open question whether more specific reference should be made to the Wanaka Airport in the rules.

Mr Pickard also acknowledged, in the context of the height of Free Standing Signs, that a breach of the 3 metre height rule would default to discretionary activity status notwithstanding that freestanding signs that comply with the standards are already a discretionary activity. The status of such activity does not change if the height rule is breached.

Mr Pickard responded to Mr Trevelyan's evidence for the **New Zealand Sign & Display Association (Inc)**. Mr Pickard had recommended that the term "artificial" be inserted into Rules 1 and 2 of Activity Table 3 in PC 48; but he noted that an alternative would be to refer to "internal illumination" or "external lighting" instead. Mr Pickard also confirmed that his recommendation stands with respect to the submitter's suggestion that the areas of signs should coincide with sign industry standards that are used by manufacturers of plywood sheets.

Mr Pickard responded in general terms to the matters raised by submitters who appeared in person by noting that the section 42A report generally accepted the matters raised in submissions; and he also noted that amendments were incorporated into the latest version of Section 18 : Signs that is attached as Appendix F to the section 42A report.

In response to the evidence of Mr Kirkby-McLeod for **APN Outdoor Limited** Mr Pickard considered that billboards are at the extreme end of the continuum of off-site signs. Mr Pickard did not favour the use of hoarding type advertising in the district and while off-site signs are a discretionary activity; billboard type hoardings may be at the prohibited end of the continuum. Mr Pickard acknowledged that providing for off-site signs as a discretionary activity was a somewhat blunt instrument given the wide range of signage that may qualify for consideration as a discretionary activity.

Mr Pickard also responded to Ms Carter's evidence for **Remarkables Park Limited**. He noted that Rule 12.11.2 that applies in the Remarkables Park Zone provides for signs to be subject to Section 18 : Signs. That rule confirms that District Wide Rules apply unless they are inconsistent with the specific provisions of the Remarkables Park Zone. Mr Pickard emphasised that the status quo is to be maintained with respect to the control of signs via Section 18 : Signs in the Remarkables Park Zone and that this situation will be unaffected by PC 48.

Mr Pickard acknowledged that the Remarkables Park Zone has different needs with respect to the control of signage, than, say, Town Centre Zones. As a consequence the section 42A report provides for some relaxation with respect to the status of signage in the Remarkables Park Zone.

Mr Pickard noted that Ms Carter had emphasised that there is an issue with respect to knowing which signs had been consented or permitted; and which signs were not lawful. Mr Pickard advised that the Council has just employed a monitoring planner and that this reflects the need to undertake more monitoring and enforcement.

Mr Pickard responded to the quality versus quantity issue raised by the submitter. He acknowledged that the effects of signs that are seen within the Remarkables Park Zone are of limited significance compared to the effects of signs that can be viewed from outside that zone. The display of large signs visible from outside the zone would have an effect on the environment. Mr Pickard's comments also applied to the evidence presented in support of the submission by **Shotover Park Limited**.

Mr Pickard also responded to the suggestion made by Ms Kowalski for the **Town Planning Group** and **Kopuwai Investments Limited & City Centre Queenstown Limited** to the effect that full discretionary activity status should be changed to restricted discretionary in Activity Tables 1 and 2 of PC 48. Mr Pickard again emphasised that a range of signs are subject to the rules and he considered that full discretionary status provides flexibility to deal with the varying effects of the complex range of signs that may be proposed in terms of the rules.

8.0 ASSESSMENT

The Act requires that submission points are addressed by grouping them according to the provisions of the plan change to which they relate, or the matters to which they relate. For convenience the Commission has generally followed the format set out in Mr Pickard's section 42A report which is to group submission points on the basis of the following issues.

- Purpose
- Objectives
- Policies
- Rules – Categorisation of Activities
- Activity Table 1 – Commercial Areas
- Activity Table 2 – Residential Areas
- Activity Table 3 – Other Areas
- Activity Table 4 – District Wide
- Assessment Matters
- Definitions
- Effects on Other Plan Provisions
- General

For each issue the report is generally structured as follows:

- Issues and Discussion
- Recommendation(s)

The report contains a general summary of each issue and the main point raised by the submission and/or further submission. The discussion reflects the Commission's assessment of the submission point and provides reasons for the recommendation.

The recommendations relate to the submission points that have been raised in the context of each issue. The recommendations state whether each submission point is to be **accepted, accepted in part or rejected**.

The full list of the submitters and further submitters to PC 48 is provided at **Appendix 1**.

In this report submission points and further submission points are identified by three numbers eg. 48/10/1. This numbering system for submission points and further submission points is used in the Summary of Submissions and Further Submissions that is presented at **Appendix 2**; and this numbering system is used in the Commission's recommendations in Sections 8.1-8.12 of this report.

Attached at **Appendix 3** is PC 48 as amended by the Commission's recommendations.

The Commission confirms that it has given consideration to the full contents of all submissions and further submissions lodged in response to PC 48, copies of which were provided to the Commission prior to the hearing.

Summary of Findings

The fundamental matter for the Commission to determine is whether PC 48 should proceed. Following the Commission's consideration of PC 48 and the submissions and further submissions (including submissions and evidence presented at the hearing), the Section 32 Analysis and the section 42A report and attachments, the Commission has concluded that the proposed plan change is appropriate, subject to amendments.

The Commission acknowledges that PC 48 rationalises the control of signs that have previously been subject to two regulatory mechanisms; the Operative District Plan and the Signs Bylaw. PC 48 will be efficient as signs will be subject to Section 18 : Signs in the District Plan only. The Commission notes that no submissions oppose this fundamental rationalisation.

The Commission discusses the specific issues and points raised in submissions in detail in Sections 8.1-8.12 below. In some instances the Commission has accepted or accepted in part submission points which have resulted in modifications to PC 48 as notified.

The Commission considers it appropriate to simplify the status of those signs that require a resource consent so that these are either a controlled or full discretionary activity. The Commission concurs with the approach taken in PC 48 as notified to the extent that there are signs which are not acceptable and which therefore should have prohibited activity status; and this approach is consistent with the relevant provisions of the Operative District Plan.

The Commission supports the identification of signage platforms to provide certainty for building owners and future tenants, and to reduce the need for resource consents for individual signs.

The Commission considers that a table based format (being proposed Activity Tables 1-4) will provide a more user-friendly format for those who wish to identify the relevant rules relating to signs that apply in any particular zone, or to a specific type of sign across the District.

The Commission is satisfied that it is appropriate to provide specific assessment matters relating to signs and signage platforms in the Arrowsmith Town Centre Zone. The Commission considers that it is appropriate to make provision for Land Development Signs; and to make better provision for Real Estate Signs and Electioneering Signs. The Commission considers it necessary to specifically define the term “Hoarding” which means any sign that is for purely commercial brand awareness purposes and which does not relate to land use activity conducted on the site. The Commission is satisfied that Hoardings should be a prohibited activity in the context of the Queenstown Lakes District.

PC 48 provides for the management of signs to be dealt with in Section 18 : Signs of the Operative District Plan that is a complete code. Accordingly the Commission considers it appropriate to ensure that references to signs in rules elsewhere in the Operative District Plan are deleted to avoid confusion and duplication with respect to this matter.

Where appropriate the wording of the provisions of PC 48 have been refined and improved as a consequence of the Commission’s consideration of submissions and PC 48 as notified. All such amendments are incorporated into PC 48 as presented at **Appendix 3** to this report.

8.1 Purpose

Issues and Discussion

DNZ Property Fund Limited (48/17/2) supported by *Remarkables Park Limited (48/9/16)* and *Shotover Park Limited (48/10/16)* promotes an amendment to the Purpose of signs as detailed in the proposed clause 18.1.1 in PC 48. Reference is made to the possibility that signs may have a positive benefit on the wider environment, as well as the adverse effects that the paragraph as contained in PC 48, as notified, refers to.

All effects should be considered under the Act (both positive and negative). The submitter raises a valid point regarding the positive effects of signage, which can be acknowledged by the inclusion of the suggested text with a minor amendment. Given that the Purpose relates to signs throughout the District it is inappropriate to limit the statement to the “commercial environment” as promoted by the submitter.

At the hearing Mr Pickard agreed that the final sentence in the first paragraph of the Purpose should refer to adverse environmental effects particularly on visual amenity and the Commission considers that an amendment to this effect is appropriate.

Recommendation

That the submission by DNZ Property Fund Limited (48/17/2) supported by *Remarkables Park Limited (48/9/16)* and *Shotover Park Limited (48/10/16)* be **accepted in part**.

As a consequence of this recommendation the first paragraph in clause 18.1.1 Purpose is to be amended to read:

The purpose of signs is to provide information to the general public and to assist to create a sustainable and vibrant community. There are significant positive effects associated with enabling signage to achieve these outcomes. However, signs may have adverse environmental effects particularly on visual amenity and may conflict with traffic and pedestrian safety.

8.2 Objectives

Issues and Discussion

DNZ Property Fund Limited (48/17/3) supported by *Remarkables Park Limited (48/9/17)* and *Shotover Park Limited (48/10/17)* has suggested that Objective 1 in PC 48 be amended to reflect the positive effects of signage. The submitter also suggests that the syntax of the Objective be restructured utilising the numerals (i)-(iii).

The submitter promotes that Objective 1 (in proposed item (iii)) include reference to the external design and appearance of the building on which a sign is proposed. The Commission considers that Objective 1 should be amended to refer to signs creating a sustainable and vibrant community consistent with the change to the Purpose as detailed in Section 8.1 of this report (above). Given that Section 18 : Signs relates to signs only it is considered inappropriate to refer to the external design and appearance of the building upon which a sign is proposed. Given that (iii) is not supported, Objective 1 does not require a numeral based syntax.

The wording of Objective 1 as contained in PC 48 as notified is inconsistent with the wording of Objective 1 as contained in the Council's Section 32 Analysis. The Commission favours the wording as presented in the Section 32 Analysis and has amended Objective 1 as presented in **Appendix 3** to this report accordingly.

Currently Section 18.1 in PC 48 refers to Objectives and Policies only; but should refer to “Purpose, Objectives and Policies” to be consistent with the content of Section 18.1. This amendment is made in **Appendix 3** to this report.

The Commission has noted that PC 48 as publicly notified presented objectives and policies in Section “18.1.3.1”. This is an anomaly and the objectives and policies should be presented under the heading of Section “8.1.2 Objectives and Policies”. This correction is made in PC 48 at **Appendix 3** to this report.

Recommendation

That the submission by DNZ Property Fund Limited (48/17/3) supported by *Remarkables Park Limited (48/9/17)* and *Shotover Park Limited (48/10/17)* be **accepted in part**.

As a consequence Objective 1 is to be amended to state as follows:

Signs which convey necessary information and assist in creating a sustainable and vibrant community, while avoiding or mitigating any adverse effects on public safety, convenience and access and on the District's important landscape, streetscape, cultural heritage and water area visual amenity values.

The heading of Section 18.1 is to be amended to “Purpose, Objectives and Policies” and Section “18.1.3.1” is to be amended to Section “18.1.2 Objectives and Policies” to correct typographical errors.

8.3 Policies

Issues and Discussion

Submissions were lodged in response to certain Policies presented under Objective 1 in PC 48. No submissions raised issues with respect to the Policies presented under Objective 2 which relates to Signs on Waterfronts, Wharves and Jetties.

The submissions lodged in response to the Policies under Objective 1 – Signs are addressed below.

Policy 1

Progressive Enterprises Limited (48/21/1) opposes Policy 1. The submitter considers that the PC 48 should either be withdrawn or redrafted to recognise the signage requirements of supermarkets. The submitter has requested that Policy 1 be amended to recognise signage that is accepted and consented throughout New Zealand for particular land uses.

PC 48 applies to signs throughout the District. The Commission does not consider that it is appropriate to provide specifically for supermarkets which are a specific land use activity with their own particular requirements. The Commission considers that such requirements can best be assessed through the resource consent process.

The Queenstown Lakes District is renowned for its landscape quality and visual amenity. The Commission rejects the contention that Policy 1 should be amended to recognise signage that is accepted and consented throughout New Zealand. The provisions of the Queenstown Lakes District Plan manage the resources of the Queenstown Lakes District and the Commission does not consider that a nationwide generic type approach to the management of signs should be applied in this District.

Policy 2

DNZ Property Fund Limited (48/17/4) requests that Policy 2 be amended to delete “lettering design”; and that the application of Policy 2 be limited to above ground floor level signs only in commercial areas.

The Commission acknowledges that Policy 2 applies across the District and is not limited to commercial areas only. Furthermore Policy 2 applies to all signs and not simply to signs above ground floor level in commercial areas. In all the circumstances the Commission is satisfied that the status quo should be maintained with respect to Policy 2.

Policy 7 and Policy 11

Barbara East (48/1/3) has requested that Policy 11 be deleted as she considers off-site signs relating to businesses to be extremely undesirable in terms of visual amenity. APN Outdoor Limited (48/13/3) supported by *Remarkables Park Limited (48/9/7)* and *Shotover Park Limited (48/10/7)* considers that clarification is needed to the effect that off-site signs can be accommodated in appropriate locations/circumstances. APN Outdoor Limited (48/13/4) and (48/13/5) has promoted amendments to Policy 7 and Policy 11 as detailed in Section 7.2.4 of this report.

Submitters have noted the apparent contradiction between Policy 7 and Policy 11 as Policy 7 limits signs to those located on the site whereas Policy 11 provides for off-site signs albeit in limited circumstances.

The Commission considers that it is appropriate, in limited circumstances, to provide for off-site signs. Accordingly Policy 7 is to be amended to delete the words “are limited to those”. Notwithstanding this the Commission considers that Policy 7 should maintain emphasis on ensuring that signs relating to a particular activity are located on the site concerned.

The Commission has noted that there is a continuum of off-site signs that range from conventional pre-warning signs through to billboards (also known as hoardings) which are commercial advertising devices. The Commission acknowledges Mr Pickard’s comment to the effect that hoardings may be at the prohibited end of the continuum and in these circumstances are unlikely to obtain resource consent, particularly in rural areas. The Commission has also noted that PC 48 contains definitions which distinguish between a Temporary Event Sign and an Off Site Sign.

In all the circumstances the Commission considers that it is appropriate to retain Policy 11 which is to provide, in limited circumstances, for off-site signs; and to insert amended wording to refer to the activity “and/or the use of land or buildings occurs” to be consistent with the language used in Policy 7. For the avoidance of doubt the Commission does not favour the amendment to Policy 11 requested by APN Outdoor Limited (48/13/5) as this would have the effect of watering down Policy 11 by referring to matters which would be considered as a matter of course in the context of considering any application for resource consent for an off-site sign.

The Commission considers that the insertion of the word “temporary” as suggested in the section 42A report would not be appropriate as some off-site signs are likely to be required on a permanent basis. As noted in Section 7.3 it was not intended by Mr Pickard that the use of the term “temporary” in this context would convey a temporal element.

Additional Policies

Shotover Park Limited (48/10/5) supported by *Queenstown Airport Corporation (48/14/11)* has promoted the insertion of new policy provisions that recognise the difference between industrial and service zones and town centres, and that reflect a more appropriate approach to signage within the Shotover Park Limited land.

DNZ Property Fund Limited (48/17/5) supported in part by *Remarkables Park Limited (48/9/18)* and *Shotover Park Limited (48/10/18)* promotes that a policy be added to enable commercial activities within the Remarkables Park Shopping Centre (RPSC) to advertise by permitting ground floor signs and above ground floor signs providing RPSC site standards are met.

The Commission does not consider that it is necessary or desirable to insert additional policies which relate to specific zones given that the policies apply across the District. The Commission notes however that Policy 1 is to ensure that the number, size, location and design of signs in different areas are compatible with the character and amenity of those areas. Policy 1 provides for a distinction to be drawn between different areas when implementing this policy. The Commission also notes that Policy 6 enables a diversity of sign types within commercial areas. Activity Table 1 in PC 48 confirms that commercial areas are deemed to include the full range of commercial and industrial zones within the District.

In all the circumstances the Commission is satisfied that it is not necessary to include additional policies as promoted by the submitters.

Recommendations

1. That the submissions by Barbara East (48/1/3), Shotover Park Limited (48/10/5) supported by *Queenstown Airport Corporation (48/14/11)*, APN Outdoor Limited (48/13/3) supported by *Remarkables Park Limited (48/9/7)* and *Shotover Park Limited (48/10/7)*, APN Outdoor Limited (48/13/5), DNZ Property Fund Limited (48/17/4), DNZ Property Fund Limited (48/17/5) supported in part by *Remarkables Park Limited (48/9/18)* and *Shotover Park Limited (48/10/18)* and Progressive Enterprises Limited (48/21/1) be **rejected**.
2. That the submission by APN Outdoor Limited (48/13/4) be **accepted in part**.
3. As a consequence of these Recommendations Policy 7 and Policy 11 are to be amended to read as follows:

- | | |
|----|--|
| 7 | <u>To ensure signs relating to a particular activity and/or the use of land or buildings are located on the site of that activity, land or building.</u> |
| 11 | <u>To provide, in limited circumstances, for off-site signs where it is not practical to display the sign on the site where the activity and/or the use of land or buildings occurs.</u> |

8.4 Rules- Categorisation of Activities

8.4.1 General

Issues and Discussion

As a consequence of Rule 18.2.3(b) of the Operative District Plan all signs that do not meet the Zone Standards specified in Rule 18.2.5 default to non-complying activity status. A key element of PC 48 is to provide for signs that breach the limits specified in Activity Tables 1-4 to default to a full discretionary activity status. No submitter has opposed this change in status; and the submissions by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/1) and the Town Planning Group (48/16/1) support this element of PC 48.

Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/9) supported by *Queenstown Airport Corporation (48/14/12)* and supported in part by *Remarkables Park Limited (48/9/14)* and *Shotover Park Limited (48/10/14)*, the Town Planning Group (48/16/12) and Progressive Enterprises Limited (48/21/2) supported by *Queenstown Airport Corporation (48/14/13)* promote restricted discretionary activity status rather than full discretionary activity status. The Commission notes in this context that no provision is made for restricted discretionary activities in Section 18 : Signs as provided for in PC 48 as notified.

Section 18 : Signs applies across the District and accordingly the environment within which a particular sign is to be located may vary greatly. The Commission is satisfied that full discretionary status provides the flexibility that is necessary to address the varying effects of the complex range of signs that may be proposed on any particular site in terms of the rules.

The Commission also acknowledges that section 104C of the Act directs that a consent authority must consider only those matters over which it has restricted the exercise of its discretion in its plan or proposed plan, when considering an application for a resource consent for a restricted discretionary activity. Again given the complex range of signs that may be proposed and the varying environments found across the District, the Commission has significant reservations about the appropriateness of applying restricted discretionary activity status for those signs that would otherwise be a full discretionary activity in terms of Rule 18.2.5 of PC 48.

Full discretionary activity status for signs that contravene the rules relating to permitted and controlled activity status signs allows for such applications to be considered on their merits and provides the Council with full discretion to refuse consent to inappropriate signage to protect visual amenity or streetscape values and to avoid other adverse effects, within the District.

The Commission is satisfied that the permitted/controlled/full discretionary regime provided for in PC 48 is appropriate and is consistent with the general intent of PC 48 to simplify and streamline the rules relating to signs in the District.

The section 42A report suggested that a sentence be added to Section 18.2.1 which advises that signs must not breach standards in Activity Tables 1-4, if they are to be considered a permitted activity under Section 18 : Signs. The Commission considers that an amendment to this effect is appropriate subject to Rule 18.2.3 also being referred to.

DNZ Property Fund Limited (48/17/7) supported by *Remarkables Park Limited* (48/9/20) and *Shotover Park Limited* (48/10/20) has requested that Rule 18.3.1(i) that contains assessment matters for controlled activities either be deleted or be made consistent with Rule 18.2.4. The Commission considers that consistency between provisions is important and considers that Rule 18.2.4 should be amended to ensure that the list of matters over which the Council has reserved its control is consistent with Rule 18.3.1(i). The Commission considers that one of these matters should be "Compliance with any relevant design guidelines" rather than "the design guidelines" as suggested in the section 42A report.

Recommendations

1. That the submissions by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/1) and the Town Planning Group (48/16/1) be **accepted**.
2. That the submission by DNZ Property Fund Limited (48/17/7) supported by *Remarkables Park Limited* (48/9/20) and *Shotover Park Limited* (48/10/20) be **accepted in part**.
3. That the submissions by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/9) supported by *Queenstown Airport Corporation* (48/14/12) and supported in part by *Remarkables Park Limited* (48/9/14) and *Shotover Park Limited* (48/10/14), the Town Planning Group (48/16/12) and Progressive Enterprises Limited (48/21/2) supported by *Queenstown Airport Corporation* (48/14/13) be **rejected**.

As a consequence Rule 18.2.1 is to be amended by adding the following sentence as a second paragraph:

Signs must not breach standards in Activity Tables 1 – 4, if they are to be considered a Permitted Activity under Rule 18.2.3.

Rule 18.2.4 is to list the following matters that the exercise of the Council's control shall be limited to in the context of a Controlled Activity:

- Colour and materials
- Design and content
- Location
- Access and safety
- Compliance with any relevant design guidelines

8.4.2 Non-Notification

Issues and Discussion

DNZ Property Fund Limited (48/17/10) supported by *Remarkables Park Limited* (48/9/22) and *Shotover Park Limited* (48/10/22) has sought that provision be made for non-notification of applications for resource consent for ground floor area signs within the Remarkables Park Shopping Centre that do not meet one or more of the permitted activity standards. The Commission does not consider that providing for non-notification of all such applications is appropriate. Within the Remarkables Park Zone Activity Areas 3, 5 and 8 a sign that breaches the relevant standards is a full discretionary activity. It may be that such a sign is considered on a non-notified basis; but limited notification or notification may also be appropriate in terms of the relevant provisions of the Act. In all the circumstances the Commission does not consider that making explicit provision for non-notification in the context of the Remarkables Park Shopping Centre is appropriate.

The section 42A report promoted that a new Rule 18.2.7 be inserted into PC 48 to provide for the non-notification of applications for controlled activities. This suggestion has arisen from Mr Pickard's consideration of the submission discussed in the previous paragraph.

The Commission considers it appropriate to include a rule relating to the non-notification of applications for controlled activities, consistent with the recommendation made in the section 42A report.

Recommendation

That the submission by DNZ Property Fund Limited (48/17/10) supported by *Remarkables Park Limited* (48/9/22) and *Shotover Park Limited* (48/10/22) be **accepted in part**.

An additional Rule 18.2.7 is to be included as follows:

18.2.7 Non-Notification

Any application for resource consent for the following matters shall not require the written approval of other persons and shall not be notified or limited-notified:

- Controlled Activities

8.5 Activity Table 1 – Commercial Areas

8.5.1 Sign Platforms

Issues and Discussion

Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/2) and the Town Planning Group (48/16/2) support the inclusion of Signage Platforms in Activity Table 1.

Books & Toys (Wanaka) Limited (48/11/1) supported by *Remarkables Park Limited* (48/9/3) and *Shotover Park Limited* (48/10/3) has sought clarification that replacement signage within consented signage platforms will, subject to compliance with Activity Table 4, be Permitted Activities.

The section 42A report informed the Commission that part of the intention of the new provisions is that businesses that need to replace signage, on changeover of tenancy or for company advertising promotions, are able to do so without further consents. The Commission is satisfied that Rule 2 in Activity Table 1 should explicitly state that all new and replacement signs located within an approved Signage Platform will have status as a permitted activity.

Remarkables Park Limited (48/9/6) has promoted that Signage Platforms be approved at the time of any resource consent for the building; and that any signage within a Signage Platform be a permitted activity. The Wanaka and Districts Chamber of Commerce (48/12/2) supported by *Remarkables Park Limited* (48/9/4) and *Shotover Park Limited* (48/10/4) has promoted the introduction of a rule to require that the proposed Signage Platform be “designated” at the time of a building or resource consent application.

There is no impediment to an application being made for a Signage Platform at the same time as an application is made for resource consent (if required) for a building. In reality it may well be that resource consent (if required) is sought for a building in the first instance; and that a future owner or tenant may subsequently apply for resource consent for a Signage Platform. The Commission notes in this context that Section 18 : Signs contains all rules specific to signage – rather than having signage rules scattered throughout the District Plan in the rules which apply to any particular zone.

The Commission accepts that the optimum time to identify Signage Platforms is when buildings are proposed; but also acknowledges that it is not practicable to require the identification of Signage Platforms at that time given the uncertainty with respect to future occupancies and their requirements.

Recommendations

1. That the submission by Books & Toys (Wanaka) Limited (48/11/1) supported by *Remarkables Park Limited* (48/9/3) and *Shotover Park Limited* (48/10/3), Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/2) and the Town Planning Group (48/16/2) be **accepted**.
2. That the submission by Remarkables Park Limited (48/9/6) be **accepted in part**.
3. That the submission by Wanaka and Districts Chamber of Commerce (48/12/2) supported by *Remarkables Park Limited* (48/9/4) and *Shotover Park Limited* (48/10/4) be **rejected**.

Rule 2 in Activity Table 1 is to be amended to provide for the following as a permitted activity:

All new and replacement signs located within an approved Signage Platform.

8.5.2 Ground Floor Signs

Issues and Discussion

Wanaka and Districts Chamber of Commerce (48/12/8) seeks the retention of Rule 5 in Activity Table 1 that provides for ground floor signs.

Real Journeys (48/8/1) supports in part the removal of a first come first served basis for multiple tenancies for ground floor signs; but seeks further clarification of how the allocation will work in the case of permitted activities. The Commission simply notes in this context that Activity Table 1 Rule 5(i) confirms that where a building contains more than one commercial tenancy on the ground floor each commercial tenancy shall not display signs larger than 15% of the ground floor area that the tenancy occupies.

Orchard Road Holdings Limited (48/18/1), Wanaka Hardware and Building Supplies Limited (48/19/1) and Willowridge Developments Limited (48/20/1) seek retention of the current provision [Rule 18.2.5(i)(a) of the Operative District Plan] that allows up to 5m² or 15% of the ground floor area of that face of the building as a permitted activity. Activity Table 1 Rule 5 as introduced by PC 48 dispenses with the 5m² limit and simply enables signs that do not cumulatively exceed a total of 15% of the ground floor area. The Commission considers that this is appropriate and is consistent with simplifying the signs provisions.

The section 42A report has promoted that ground floor signs in many of the commercial areas have status as a permitted activity; and the Commission considers that this amendment is appropriate. The Commission concurs with Mr Pickard that within the urban town centres it is appropriate for signs that meet the standards to remain as a controlled activity. Such amendment is relevant to several submissions that have promoted that Rule 5 in Activity Table 1 amend the status of ground floor area signs, which comply with the standards, from controlled activity status to permitted activity status and/or that PC 48 be amended so that it is effective in reducing the need to make applications for resource consents for signage. The relevant submissions include Remarkables Park Limited (48/9/1), Shotover Park Limited (48/10/2), Wanaka and Districts Chamber of Commerce (48/12/3) supported by *Remarkables Park Limited (48/9/5)* and *Shotover Park Limited (48/10/5)*, Queenstown Airport Corporation (48/14/2) and DNZ Property Fund Limited (48/17/6) supported in part by *Remarkables Park Limited (48/9/19)* and *Shotover Park Limited (48/10/19)*.

Recommendations

1. That the submissions by Real Journeys Limited (48/8/1) and Wanaka and Districts Chamber of Commerce (48/12/8) be **accepted**.
2. That the submissions by Remarkables Park Limited (48/9/2), Shotover Park Limited (48/10/2), Wanaka and Districts Chamber of Commerce (48/12/3) supported by *Remarkables Park Limited (48/9/5)* and *Shotover Park Limited (48/10/5)*, Queenstown Airport Corporation (48/14/2), DNZ Property Fund Limited (48/17/6) supported in part by *Remarkables Park Limited (48/9/19)* and *Shotover Park Limited (48/10/19)*, Orchard Road Holdings (48/18/1), Wanaka Hardware and Building Supplies Limited (48/19/1) and Willowridge Developments Limited (48/20/1) be **accepted in part**.

As a consequence of these Recommendations Rule 5 in Activity Table 1 is to be amended to provide for ground floor signs that meet the standards contained in Rule 5 to be a permitted activity (and not a controlled activity) in the following zones:

- Frankton Flats Special Zone A and Special Zone B Areas C1, D, E1 – E2
- Queenstown Airport Mixed Use Zone
- Business & Industrial Zone
- Three Parks Zone (Business & Commercial Core Sub-Zones)
- Remarkables Park Zone (Activity Areas 3, 5 and 8)
- Ballantyne Road Mixed Use Zone (Activity Areas B and C)

8.5.3 Signs on Windows

Issues and Discussion

DNZ Property Fund Limited (48/17/9) supported in part by *Remarkables Park Limited* (48/9/21) and *Shotover Park Limited* (48/10/21) has sought a clear statement that, for the avoidance of doubt, signs and displays within a building (whether or not they are visible from outside the building) are excluded from the signs provisions of Section 18 : Signs. This exclusion would not apply to signs attached to exterior window panes.

The section 42A report recommended that Rule 5(ii) in Activity Table 1 could be usefully amended to clearly state that signs not attached to glazing, or sited anywhere within the enclosed interior of a building, and visible or not, are excluded from the 50% coverage of glazing figure. The Commission notes in this context that the definition of Sign and Signage introduced by PC 48 clearly notes that this definition applies to any external name, figure, character etc.

Books & Toys (Wanaka) Limited (48/11/2) has sought all necessary amendments to provide for an exemption to the 50% glazing rule so that businesses may cover 100% of window glazing with signage for a period not exceeding 90 days in any one calendar year and for a period not exceeding two consecutive weeks.

The Commission acknowledges that Policy 13 in PC 48 is to promote passive surveillance of streets and encourage visual interest for pedestrians. Having regard to this policy the Commission considers that it is reasonable to limit the period during which the 50% coverage of glazing is exceeded by Temporary Sale Signs. The Commission considers that the 90 day period promoted by the submitter is excessive. The section 42A report suggested that Temporary Sale Signs be permitted to be erected for no more than 14 days, provided that there are no more than four occurrences per site per year. This would provide for Temporary Sale Signs to be present for up to 56 days per year. The Commission considers that such provision is appropriate and provides for the sale periods during the Christmas/New Year holidays, Easter, Queens Birthday Weekend and Labour Weekend.

The Commission's conclusion is that Rule 5 in Activity Table 1 should maintain the standard relating to glazing coverage; and that Rule 5 in Activity Table 4 should be amended to provide for Temporary Sale Signs for no more than 14 days, provided that there are no more than four occurrences per site, per year.

Recommendations

1. That the submission by DNZ Property Fund Limited (48/17/9) supported in part by *Remarkables Park Limited (48/9/21)* and *Shotover Park Limited (48/10/12)* be **accepted**.
2. That the submission by Books & Toys (Wanaka) Limited (4/8/11/2) be **accepted in part**.

As a consequence of these Recommendations Rule 5(ii) in Activity Table 1 is to be amended by adding the following:

Signs not attached to glazing, or sited anywhere within the enclosed interior of a building, and visible or not, are not subject to this rule.

Rule 5 in Activity Table 4 is to be amended to read as follows:

Temporary Sale Signs provided that they are erected or displayed for no more than 14 days, provided that there are no more than 4 occurrences per site, per year.

8.5.4 Above Ground Floor Signs/Multiple Tenancies

Issues and Discussion

Mead Stark Limited (48/4/1) has sought that more flexibility be allowed for large buildings with multiple tenancies to have a more flexible allowance to enable signage where appropriate to be granted with no non-complying activity consent required. As noted above Rule 5 in Activity Table 1 has provided greater flexibility and provides for signs up to 15% of the ground floor area per tenancy. Non-complying activity consent is no longer required; and any sign that breaches the rule now defaults to a full discretionary activity.

The Queenstown Lakes District Council (48/7/5) supported by *Queenstown Airport Corporation (48/14/6)* has suggested that further analysis of the need and mechanism to impose the prescriptive measure with respect to above ground floor signs in Rule 6 of Activity Table 1 is requested.

The Wanaka and Districts Chamber of Commerce (48/12/4) has promoted that the allowance for above ground floor signs be treated the same way as ground floor signs. As noted in Section 8.5.2 of this report up to 15% of the ground floor area of a building can be in signage. The Commission considers that equivalent provision at first floor level would be excessive and acknowledges the issue identified in the section 42A report that appropriate provision for signs above ground floor is harder to define because of the varying scale of buildings upon which such signage is to be displayed. The Commission concurs with the section 42A report that default from the stated standards to a full discretionary activity is appropriate to enable all effects of such signage to be assessed with the consent authority having the ability to grant or refuse consent to such signage.

Real Journeys (48/8/2) has promoted amending the provision for above ground floor signage to allow for an allocation for each tenancy. Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/5) supported by *Remarkables Park Limited (48/9/10)*, *Shotover Park Limited (48/10/10)* and *Queenstown Airport Corporation (48/14/7)* and the Town Planning Group (48/16/6) consider that clarification is needed regarding first floor signage on multi tenanted buildings. The submitters consider that an increased allowance should be considered on these buildings and that this should be done on a per tenancy basis. The Commission notes in this context that the section 42A report has recommended

an amendment to Rule 6 in Activity Table 1 to provide the option for above ground floor signs to be 1m² per tenancy up to a maximum of 3m² per floor.

The Wanaka & Districts Chamber of Commerce (48/12/5) has promoted an increase to the 2m² allowance for buildings with verandah area above 3 metres. The submitter promotes that a second sign be allowed on these buildings on the second floor. This submission highlights the potential for signage to be required for several floors above ground floor level.

In all the circumstances the Commission considers that it is appropriate to make provision for above ground floor signs on the basis of the alternative of 1m² per tenancy up to a maximum of 3m² per floor.

Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/6) supported by *Remarkables Park Limited* (48/9/11) and *Shotover Park Limited* (48/10/11) and the Town Planning Group (48/16/7) observes that no consideration has been given to upper floor tenancies with signage on the ground floor. The Commission considers that in such circumstances any ground floor signage would be subject to the 15% limit stated in Rule 5 of Activity Table 1.

The section 42A report advised that it was appropriate to provide for above ground floor signs (in Rule 6 of Activity Table 1) as a permitted activity rather than a controlled activity in various zones, consistent with the amendments promoted in the context of Rule 5 of Activity Table 1 that relates to ground floor area signs. In essence permitted activity status is to be provided for in those commercial areas that are removed from the urban town centres within which controlled activity status is appropriate for signage.

The section 42A report has also recommended minor changes with respect to Rule 3 and Rule 4 in Activity Table 1 which the Commission considers to be appropriate for reasons of clarity.

Recommendations

1. That the submission by Real Journeys Limited (48/8/2) be **accepted**.
2. That the submissions by Mead Stark Limited (48/4/1), Queenstown Lakes District Council (48/7/5) supported by *Queenstown Airport Corporation* (48/14/6), Wanaka and Districts Chamber of Commerce (49/12/5), Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/5) supported by *Remarkables Park Limited* (48/9/10), *Shotover Park Limited* (48/10/10) and *Queenstown Airport Corporation* (48/14/7), Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/6) supported by *Remarkables Park Limited* (48/9/11) and *Shotover Park Limited* (48/10/11), the Town Planning Group (48/16/6) and the Town Planning Group (48/16/7) be **accepted in part**.
3. That the submission by the Wanaka and Districts Chamber of Commerce (48/12/4) be **rejected**.

As a consequence of the above Recommendations Rule 6 in Activity Table 1 is to be amended to state:

Above Ground Floor Signs that cumulatively do not exceed 2m² in area per building or 1m² per tenancy up to a maximum of 3m² per floor.

Rule 6 in Activity Table 1 is also to provide for above ground floor signs that comply with the standards to be a permitted activity (and not a controlled activity) in the following zones:

- Frankton Flats Special Zone A and Special Zone B Areas C1, D, E1 – E2
- Queenstown Airport Mixed Use Zone
- Business & Industrial Zone
- Three Parks Zone (Business & Commercial Core Sub-Zones)
- Remarkables Park Zone (Activity Areas 3, 5 and 8)
- Ballantyne Road Mixed Use Zone (Activity Areas B and C)

Rule 3 in Activity Table 1 is to be amended to read:

Arcade Directory Signs that do not exceed 3m² in area limited to one per arcade.

Rule 4 in Activity Table 1 is to be amended to read:

Upstairs Entrance Signs that do not exceed 1.5m² in area per building.

8.5.5 Zone Specific

Issues and Discussion

DNZ Property Fund Limited (48/17/1) supported by *Remarkables Park Limited (48/9/15)* and *Shotover Park Limited (48/10/15)* promotes that PC 48 be amended to implement more balanced sign provisions for commercial areas and in particular the Remarkables Park Shopping Centre. The Commission considers that the amendments made to Rules 5 and 6 of Activity Table 1 which provide for ground floor and above ground floor signs that comply with the rules to be a permitted (and not a controlled) activity in the Remarkables Park Zone (Activity Areas 3, 5 and 8) are consistent with the submission.

DNZ Property Fund Limited (48/17/8) has promoted that Activity Table 1 be amended to delete “DIS” and replace this with “RDIS”. The Commission notes that such an amendment would relate to Rule 7 of Activity Table 1 and would result in the status of any sign or sign platform that does not comply with Rules 1-6 in Activity Table 1 becoming a restricted discretionary rather than a full discretionary activity.

This matter is fully discussed in Section 8.4.1 of this report. The Commission considers that full discretionary status is appropriate for signs that breach the relevant standards given the complex range of signs and the various environments which signs may be proposed. The Commission’s conclusion is that restricted discretionary activity status is not appropriate.

Recommendations

1. That the submission by DNZ Property Fund Limited (48/17/1) supported by *Remarkables Park Limited (48/9/15)* and *Shotover Park Limited (48/10/15)* be **accepted in part**.
2. That the submission by DNZ Property Fund Limited (48/17/8) be **rejected**.

8.5.6 Supermarkets

Issues and Discussion

Progressive Enterprises Limited (48/21/3) opposed by *Remarkables Park Limited (48/9/23)* and *Shotover Park Limited (48/10/23)* promotes that a new Rule 6A be added to Activity Table 1 to provide for supermarket signage up to 8m² per wall as a controlled activity in all

zones. The Commission does not consider that such a provision is necessary or appropriate given that Rule 5 in Activity Table 1 provides for signs within the ground floor area not exceeding a total area of 15%. The Commission also considers that no distinction should be drawn between specific commercial activities in the context of Section 18 : Signs given that these provisions apply across the District. This matter is also discussed in Section 8.3 above.

Progressive Enterprises Limited (48/21/4) has also promoted that Rule 7 in Activity Table 1 be amended to provide that any sign that does not comply with Rules 1-6 and the proposed Rule 6A be a restricted discretionary activity. The Commission does not consider this status appropriate as full discretionary activity status is necessary to provide sufficient flexibility to deal with the complex range of signs that may be promoted in the various environments found within the District.

The Commission also notes that similar amendments are sought to Activity Tables 2, 3 and 4 in PC 48 by the submitter. These submissions include the submissions by Progressive Enterprises Limited (48/21/5) opposed by *Remarkables Park Limited (48/9/24)* and *Shotover Park Limited (48/10/24)*, Progressive Enterprises Limited (48/21/6), Progressive Enterprises Limited (48/21/7) opposed by *Remarkables Park Limited (48/9/25)* and *Shotover Park Limited (48/10/25)*, Progressive Enterprises Limited (48/21/8) and the submission by Progressive Enterprises Limited (48/21/10). To avoid repetition the Commission considers it appropriate to give consideration to all of these submission points in this section of the Commission's report. In each instance the Commission considers that it is not appropriate to include specific provisions for supermarkets or to apply a restricted discretionary activity status with respect to breaches, for the reasons discussed above.

Recommendations

1. That the submissions by Progressive Enterprises Limited (48/21/3) opposed by *Remarkables Park Limited (48/9/23)* and *Shotover Park Limited (48/10/23)*, Progressive Enterprises Limited (48/21/4), Progressive Enterprises Limited (48/21/5) opposed by *Remarkables Park Limited (48/9/24)* and *Shotover Park Limited (48/10/24)*, Progressive Enterprises Limited (48/21/6), Progressive Enterprises Limited (48/21/7) opposed by *Remarkables Park Limited (48/9/25)* and *Shotover Park Limited (48/10/25)*, Progressive Enterprises Limited (48/21/8) and Progressive Enterprises Limited (48/21/10) be **rejected**.

8.6 Activity Table 2 – Residential Areas

8.6.1 Signage Platforms at Building Consent or Resource Consent Stage

Issues and Discussion

The section 42A report advises that David Clarke for Lakes District Museum, Arrowtown Planning Advisory Group and Arrowtown Promotion and Business Association (48/3/4) has promoted the inclusion of a rule to introduce a requirement for a building owner to designate the proposed signage platform at the time an application for building consent or resource consent is submitted.

This issue is addressed in Section 8.5.1 of this report. While it is desirable that signage platforms be identified at the time that building consent or resource consent for a building is lodged; it is not practical to do so in all instances. Accordingly a rule as suggested by the submitter is not considered appropriate.

Recommendation

That the submission by David Clarke for Lakes District Museum, Arrowtown Planning Advisory Group and Arrowtown Promotion and Business Association (48/3/4) be **rejected**.

8.6.2 Size Limits for Residential/Visitor Accommodation/Assessment Matters

Issues and Discussion

The Wanaka and Districts Chamber of Commerce (49/12/9) has promoted that Activity Table 2 be amended to provide for signs of up to 1.5m² in the Rural Residential Zone; with an allowance for larger Rural Residential properties to have up to two signs of 1.5m² each. The Commission notes that the Rural Residential Zone has been included in Activity Table 2 that relates to Residential Areas rather than being included in Activity Table 3 that relates to Other Areas [including the Rural General and Rural Lifestyle Zones]. In essence land in the Rural Residential Zone is subject to the same rules with respect to signs that apply to Residential Zones.

The effect of including the Rural Residential Zone in Activity Table 2 is that one sign is permitted per site with a maximum area of 0.5m². A sign greater than 0.5m² in area can be promoted via an application for resource consent (for a full discretionary activity) in terms of Rule 4 in Activity Table 2. The Commission acknowledges that the status quo is maintained in PC 48 as the Rural Residential Zone is subject to the same signs rule as applies to Residential Zones in Rule 18.2.5(ii) of the Operative District Plan. The Commission is satisfied that the status quo should be maintained with respect to the management of signs in the Rural Residential Zone having regard to the characteristics of the Rural Residential Zone where a minimum lot area of 4000m² generally applies in terms of Rule 15.2.6.3(i)(a) of the Operative District Plan.

The Town Planning Group (48/16/8) considers that a greater allowance should be made for signage relating to Visitor Accommodation, such as allowing two signs no more than 2m² in area on large sites and sites that have more than one road frontage. Rule 3 in Activity Table 2 permits two signs for Visitor Accommodation being a primary sign that has an area of no more than 2m² and a secondary sign being no more than 0.15m² which advises whether there is a Vacancy or No Vacancy. The Commission acknowledges that this is consistent with the relevant rule of the Operative District Plan being Rule 18.2.5(ii)(iv). The Commission is satisfied that the status quo should be maintained and again acknowledges that a sign which breaches the relevant standards is a full discretionary activity in terms of Rule 4 of Activity Table 2.

Recommendation

1. That the submissions by Wanaka and Districts Chamber of Commerce (49/12/9) and the Town Planning Group (48/16/8) be **rejected**.

8.7 Activity Table 3 – Other Areas

8.7.1 Lighting

Issues and Discussion

The New Zealand Sign and Display Association (Inc) (48/6/3) has sought clarification of the term “lighting” in Rules 1 and 2 of Activity Table 3; and what it covers for the purposes of PC 48. These rules confirm that no illumination or lighting is permissible for signs in the

Other Areas, that include Rural Zones. The Commission considers that in each instance the rule would be better worded to refer to “no internal or external illumination of the sign”. A breach of Rule 1 or Rule 2 in Activity Table 3 is a full discretionary activity in terms of Rule 5 in Activity Table 3. Rule 18.3.1(iv) provides assessment matters with respect to such applications. This provides for any adverse effects of the proposed signage in terms of lighting to be assessed.

Recommendation

1. That the submission by the New Zealand Sign and Display Association (Inc) (48/6/3) be **accepted in part**.

As a consequence of this Recommendation Rules 1 and 2 in Activity Table 3 are to be amended to state as follows:

1. Up to 2m² of signage per site with no internal or external illumination of the sign.
2. Up to 1m² of signage per site with no internal or external illumination of the sign.

8.7.2 Increase in Size Limits for Rural Properties/Wanaka Airport

Issues and Discussion

The Town Planning Group (48/16/9) supported in part by *Queenstown Airport Corporation* (48/14/14) seeks a greater allowance for signage on large rural properties. The further submitter supports the submission to the extent that Wanaka Airport is located within the Rural Zone; and the further submitter maintains that any proposed changes to the signage rules should complement and be consistent with the character of the Rural Zone and its surrounding activities.

The Commission acknowledges that the provision for up to 2m² of signage per site in Rule 1 of Activity Table 3 is consistent with the relevant provision of the Operative District Plan being Rule 18.2.5(ii)(i) that relates to “Rural Areas” etc. The Commission considers that the status quo should be maintained as this provides appropriately for the management of signs in the rural environment. As previously noted a complex range of signs can be proposed in varying environments. In these circumstances the Commission is satisfied that the appropriate mechanism for addressing the effects of signs that breach the nominated standard is for them to be considered as a full discretionary activity in terms of Rule 5 of Activity Table 3. This would include any signage associated with commercial development within the Rural General Zone such as at the Wanaka Airport.

The Commission notes that the correspondence from Ms O’Sullivan that was tabled at the hearing suggested that Wanaka Airport could be included in Activity Table 1 of PC 48. The Commission observes that the Wanaka Airport is located within the Rural General Zone and accordingly the Commission is satisfied that it should be subject to the Activity Table 3 rules. This is consistent with the status quo in terms of the Operative District Plan. The Commission considers that the future zoning of the Wanaka Airport (and the associated sign rules which are to apply to this land) is a matter more appropriately addressed in the forthcoming District Plan Review.

Recommendation

1. That the submission by the Town Planning Group (48/16/9) supported in part by *Queenstown Airport Corporation* (48/14/14) be **rejected**.

8.7.3 Increase in Size Limits within the Three Parks Zone

Issues and Discussion

Willowridge Developments Limited (48/20/2) promotes an increase in the size allowance for the Three Parks Tourism and Community Facilities Subzone.

Objective 9 as stated in Clause 12.25.2 of the Operative District Plan confirms that the Tourism and Community Facilities Subzone is intended to provide a high quality, attractively landscaped entrance into the Three Parks Zone at Wanaka. Rule 1 in Activity Table 3 permits a sign up to 2m² in area as a permitted activity. Signage in breach of this standard is a full discretionary activity in terms of Rule 5 of Activity Table 3. The Commission is satisfied that this mechanism is the appropriate mechanism to enable the effects of any signs that breach the standard to be assessed.

Recommendation

1. That the submission by Willowridge Developments Limited (48/20/2) be **rejected**.

8.8 Activity Table 4 – District Wide

8.8.1 Temporary Event Signs

Issues and Discussion

Barbara East (48/1/4) has promoted that there be provision for up to four Temporary Event Signs. The submitter acknowledges that temporary events may vary significantly in scale from large events such as the Upper Clutha A & P Show or Challenge Wanaka to small events such as school/church fairs. For large events the submitter would like to see at least four off-site signs allowed two months before the event and an unlimited amount of on-site signage for the duration of the event. Barbara East (48/1/5) would like more banners to be allowed for large events and she suggests up to three.

APN Outdoor Limited (48/13/2) has submitted that event signs be listed in Activity Table 4 as a discretionary activity, consistent with the manner in which “Off-Site Signs” are [currently] provided for.

The Commission considers that it is reasonable to provide for Temporary Event Signs which are displayed for a limited duration. The Commission considers it appropriate to provide for such signs as a permitted activity on the basis that they are displayed for a maximum period of 2 months prior to the date of the event and are removed within 24 hours of the completion of the event. The Commission notes that Rule 2 in Activity Table 4 makes provision for some of the signs to be banners and this appears to be generally consistent with the intent of Barbara East (48/1/5).

The Commission does not consider that it is necessary or appropriate to make Temporary Event Signs a discretionary activity as promoted by APN Outdoor Limited (48/13/2). By their very nature signs associated with events are temporary and this distinguishes such signs from Off-Site Signs which are able to be permanent, once consented.

Recommendations

1. That the submissions by Barbara East (48/1/4) and (48/1/5) be **accepted in part**.
2. That the submission by APN Outdoor Limited (48/13/2) be **rejected**.

8.8.2 Signs in Reserves

Issues and Discussion

Barbara East (48/1/6) submits that signs should be allowed on reserves that describe an activity that is permitted within the reserve. The Commission notes that Rule 3 in Activity Table 4 is to provide for businesses that are located on reserves. Reserves are generally designated in the Operative District Plan and signs associated with the functioning of the reserve itself are authorised by such designation; as such designation has status as a rule. Accordingly the Commission is satisfied that no further amendment is required to Rule 3 in Activity Table 4 given that the submitter's intent is satisfied by the designated status of reserves.

Recommendation

1. That the submission by Barbara East (48/1/6) be **accepted**.

8.8.3 Real Estate Signs

Issues and Discussion

Barbara East (48/1/7) has promoted that the number of Real Estate Signs be limited to a maximum of four per site, and limited to one per company. Barbara East (48/1/8) has promoted that a rule be included with respect to open homes, limiting such signs to a maximum of four per property and to a duration of one hour before the activity with immediate removal to occur afterwards.

The Wanaka and Districts Chamber of Commerce (49/12/11) considers that the current signage rule relating to Real Estate Signs is actually better (more practicable) than the proposed new rule. The submitter would prefer the current rule to remain.

The Commission notes that Real Estate Signs are currently exempt under the signs rules in the Operative District Plan (see Rule 18.2.5(ii)- Exemptions(ii)). Real Estate Signs have been controlled in terms of the Signs Bylaw and this required that any such sign have a maximum area of 0.54m² and be removed within 14 days of an unconditional agreement for sale and purchase being made by the vendor. Auction Signs have also been specifically provided for by the Signs Bylaw; with a requirement that the Auction Sign is removed within 7 days of the auction whether the site is sold or not.

The Commission considers that Rule 4 in Activity Table 4 makes appropriate provision for Real Estate Signs albeit that there should be a requirement to remove such signs once the property is sold. This would overcome the concern identified by Ms East at the hearing that Real Estate Signs can simply act as an advertising device for the real estate company if they remain after the property is sold.

The Commission considers that there are practical difficulties in establishing rules which limit the area or number of signs associated with an open home. The Commission has noted that such signs are normally displayed on the road or on the verge in the vicinity of the site rather than being on the site itself. The control of such signs better rests with the Council in its role as a roading authority.

Orchard Road Holdings (48/18/2) and Willowridge Developments Limited (48/20/3) has promoted that the rules be amended to allow signage up to 8.64m² for land development projects of six or more lots. The Commission acknowledges that in the Queenstown Lakes District it is not uncommon to see signs for land development projects which are substantial and which show all lots within a subdivision, identifying those which have been sold and those which are still available for sale. The Commission considers that it is appropriate to

make provision for such a sign. The submitters' suggestion that such a sign be limited to land development projects of six or more lots [or units] is appropriate as this ensures that such signage relates to major land development projects/subdivisions only.

Recommendations

1. That the submissions by Orchard Road Holdings Limited (48/18/2) and Willowridge Developments Limited (48/20/3) be **accepted**.
2. That the submission by Barbara East (48/1/7) be **accepted in part**.
3. That the submissions by Barbara East (48/1/8) and by Wanaka and Districts Chamber of Commerce (49/12/11) be **rejected**.

As a consequence of the above Recommendations Rule 4 in Activity Area 4 is to be amended to state:

4. Real Estate Signs (including Auction Signs) provided that:
- a) They are located on the site to which they relate; and,
 - b) They have an area no greater than 1.62m²; and,
 - c) No more than 1 sign per agency is erected; and,
 - d) The sign is removed within 14 days of an unconditional agreement for sale and purchase being made by the vendor provided that any Auction Sign is to be removed within 7 days of the auction whether the site is sold or not.

The following is also to be inserted as Rule 4A in Activity Table 4:

- 4A. Land Development Sign provided that:
- a) There is only one sign per site; and
 - b) It is located on the site of the development to which it relates; and
 - c) It has a maximum area of 8.64m²; and
 - d) It relates to a land development that involves a minimum of 6 allotments or units; and
 - e) The sign is removed within 7 days of unconditional agreements for sale and purchase being made by the vendor with respect to all allotments or units in the development.

8.8.4 Construction Signs

Issues and Discussion

Barbara East (48/1/9) suggests up to four signs (not including safety signs) be allowed for the duration of the build. The Wanaka and Districts Chamber of Commerce (49/12/10) seeks amendment to Rule 6 in Activity Table 4 to allow for more than one sign, but with the same cumulative area of 1.62m².

The Commission considers that it is appropriate to provide for more than one construction sign on a site. It is common on construction sites for several providers of construction and other services to display a sign which confirms their association with the development under construction. The Commission considers that it would be unreasonable for all such signs to be governed by a maximum combined area of 1.62m².

Recommendations

1. That the submission by Barbara East (48/1/9) be **accepted**.

2. That the submission by Wanaka and Districts Chamber of Commerce (49/12/10) be **accepted in part**.

As a consequence of the Recommendations Rule 6 in Activity Table 4 is to be amended to state as follows:

Construction Signs provided that:

- a) There are no more than four signs per site; and
- b) They each have an area no greater than 1.62m²; and
- c) They are erected for no more than 30 days prior to works commencing; and
- d) They are removed within 14 days of completion of the work; and
- e) Safety and hazard signs are exempt.

8.8.5 Free Standing Signs

Issues and Discussion

Federated Farmers of New Zealand (48/2/2) supports Rule 8 in Activity Table 4 and notes that the height limit in rural areas needs to be at least 3 metres due to issues such as livestock rubbing against standalone signs. The Commission notes this support.

Progressive Enterprises Limited (48/21/9) opposed in part by *Queenstown Airport Corporation (48/14/15)* and opposed by *Remarkables Park Limited (48/9/26)* and *Shotover Park Limited (48/10/26)* promotes that a new Rule 8A be added to Activity Table 4 which would provide for supermarket free standing signs 9m high by 3.5m wide with one sign per site as a controlled activity.

As noted in Section 8.5.6 of this report the Commission does not consider it appropriate to provide specifically for signs associated with supermarkets. The Commission is satisfied that Rule 8 in Activity Table 4 makes appropriate provision for free standing signs throughout the District. Rule 8 in Activity Table 4 identifies free standing signs as a form of sign that requires consent as a full discretionary activity. This would include a sign of the dimensions promoted by Progressive Enterprises Limited which would also be a full discretionary activity pursuant to Rule 18.2.5. This will enable the effects of such a sign to be fully assessed having regard to the environment within which the sign is to be located.

Recommendations

1. That the submission by Federated Farmers of New Zealand (48/2/2) be **accepted**.
2. That the submission by Progressive Enterprises Limited (48/21/9) opposed in part by *Queenstown Airport Corporation (48/14/15)* and opposed by *Remarkables Park Limited (48/9/26)* and *Shotover Park Limited (48/10/26)* be **rejected**.

8.8.6 Wharves and Jetties

Issues and Discussion

Real Journeys Limited (48/8/6) supported by *Remarkables Park Limited (48/9/2)* and *Shotover Park Limited (48/10/2)* supports the provision for signage on wharves and jetties (including on buildings established on wharves and jetties) but seeks clarification on how signage would be allocated on each building and approximate sizes of signage.

Rule 11 of Activity Table 4 provides for signs on wharves and jetties (including on buildings established on wharves and jetties) as a full discretionary activity. The Commission

concurs with the advice provided in the section 42A report to the effect that it is difficult to be prescriptive with respect to the number or area of such signs given the varying environments within which wharves and jetties may be located. The Commission's conclusion is that the status quo should be maintained with respect to Rule 11 in Activity Area 4.

Recommendation

1. That the submission by Real Journeys Limited (48/8/6) supported by *Remarkables Park Limited* (48/9/1) and *Shotover Park Limited* (48/10/1) be **accepted in part**.

8.8.7 Off Site Signs

Issues and Discussion

Barbara East (48/1/2) promotes that Off-Site Signs remain non-complying or even be prohibited. She considers that Off-Site Signs are extremely undesirable in terms of visual amenity; and she observed that as soon as one sign is located (illegally) off site, it spawns a plethora of competing signs. The first sign then gets bigger to outdo the competition and a signs war commences.

In Section 8.3 of this report the Commission has given consideration to Policy 11 which is to provide, in limited circumstances, for off-site signs where it is not practicable to display the sign on the site where the activity and/or the use of land or buildings occurs. The Commission has noted that there is a continuum of signs that extends from simple pre-warning signs to signs in the nature of hoardings which promote a product and have no particular relationship to land use activity on the site or in the near vicinity.

While Rule 12 in Activity Table 4 provides for all Off-Site Signs as a discretionary activity the Commission considers that it would be undesirable and inappropriate to make provision for Off-Site Signs which are in fact hoardings. The Commission considers that hoardings, that are erected for purely commercial brand awareness reasons and which do not relate to land use activity on the site, may greatly detract from visual amenity values in both a rural and urban context. Accordingly the Commission has concluded that hoardings should be prohibited; and that a distinction should be drawn between hoardings and other off-site signs. The Commission's conclusion is that the submission should be accepted in part as this relates to hoardings.

Federated Farmers of New Zealand (48/2/1) considers that off-site signage for businesses sited in rural locations should be a permitted activity where other permitted activity rules are met. The Commission notes in this context that a wide range of Off-Site Signs could be promoted in a rural context and considers that the full discretionary activity regime provides the consent authority with sufficient flexibility to address the effects of any such signs. Accordingly the Commission considers that the status quo should be maintained with respect to the status of Off-Site Signs.

Recommendations

1. That the submission by Barbara East (48/1/2) be **accepted in part**.
2. That the submission of Federated Farmers of New Zealand (48/2/1) be **rejected**.

As a consequence of the Recommendations a new Rule 12A is to be inserted into Activity Table 4 that provides as follows:

12A. Hoardings PRO

As consequential amendment the definition of Off-Site Sign is to be amended as follows:

Off-Site Sign

means a sign which does not relate to goods or services available at the site where the sign is located and excludes a Hoarding.

The definition of Sign and Signage is also to be amended by inserting a definition of Hoarding as follows:

Hoarding

means any sign that is for purely commercial brand awareness purposes and which does not relate to the land use activity conducted on the site.

8.8.8 Flashing, Moving, Animated Signs and Signs that create an Optical Illusion

Issues and Discussion

Rule 14 in Activity Table 4 as introduced by PC 48 confirms that flashing, moving, animated signs and signs that create an optical illusion are a Prohibited Activity.

The Commission notes that no submission opposed this status. The Commission notes however that the section 42 report observed that Policy 6 and Policy 12 allow for a diversity of signs and recommended that such signs have status as a full discretionary activity.

The Commission does not consider that Policies 6 and 12 justify relaxation of the Prohibited Activity status of flashing, moving, animated signs and signs that create an optical illusion; and the Commission notes that such signs are currently prohibited in terms of Rule 18.2.4 of the Operative District Plan. The Commission's conclusion is that the Prohibited Activity status for such signs should be maintained.

Recommendation

Rule 14 of Activity Table 4 is to stand; and flashing, moving, animated signs and signs that create an optical illusion are to be a Prohibited Activity.

8.8.9 Roof Signs

Issues and Discussion

Rule 15 in Activity Table 4 as introduced by PC 48 confirms that signs displayed on a roof or projecting above the roof line of the building to which [sic – it] is attached and/or relates is a Prohibited Activity.

The submission by New Zealand Sign and Display Association (Inc) (48/6/2) promotes that the word "is" should be deleted and the word "it" inserted in Rule 15 of Activity Table 4. This amendment is intended to correct a typographical error and the Commission considers that the words "it is" should be inserted to remedy the defect identified by the submitter.

The submission by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/7) supported by *Remarkables Park Limited* (48/9/12) and *Shotover Park Limited* (48/10/12) and the submission by the Town Planning Group (48/16/10) considers that the explanation of signs displayed on roofs is confusing and needs to be clarified with an interpretive diagram. The definition of "Roof Sign" means any sign painted on or attached

to a roof and the Commission considers that an interpretative diagram should be included which shows the varying types of signs that fall within the definition of "Roof Sign".

The Commission notes that there is an inconsistency between Rule 15 in Activity Table 4 and the definition of "Roof Sign" in PC 48. The definition refers to a sign "...attached to a roof" whereas Rule 15 in Activity Table 4 refers to a sign "... projecting above the roof line of the building to which it is attached and/or relates". The Commission considers that amendments to Rule 15 in Activity Table 4 and to the definition of "Roof Sign" are appropriate to ensure that the provisions are consistent.

The Commission notes that none of the submitters opposed the Prohibited Activity status of roof signs in terms of Rule 15 of Activity Table 4. It is noted that the section 42A report recommended that the status of such signs be changed to full discretionary having regard to Policy 6 and 12 of PC 48. The Commission does not consider that it is appropriate to amend the status of roof signs from prohibited to discretionary; and the Commission considers that the status quo should be maintained. The Commission notes in this context that signs projecting above the roof line of a building to which the sign is attached is a Prohibited Activity in terms of Rule 18.2.4 of the Operative District Plan.

Recommendations

1. That the submissions by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/7) supported by *Remarkables Park Limited* (48/9/12) and *Shotover Park Limited* (48/10/12) and by the Town Planning Group (48/16/10) be **accepted**.
2. That the submission by the New Zealand Sign and Display Association (Inc) (48/6/2) be **accepted in part**.

As a consequence of these Recommendations:

Rule 15 in Activity Table 4 is to be amended to read as follows:

15. Roof Signs

PRO

The definition of Roof Sign is to be amended as follows:

Roof Sign

means any sign painted on or attached to a roof and any sign projecting above the roof line of the building to which it is attached.

An Interpretative Diagram is to be inserted to show Roof Signs.

8.8.10 Signs on Trailers/Vehicles/Vessels

Issues and Discussion

Barbara East (48/1/10) suggests that sign-written trailers or vehicles or signs attached to any trailer or vehicle be a non-complying or prohibited activity. The submitter observes that these are just another form of off-site sign and cause the same problems as off-site signs.

The Commission notes that Rule 18.2.4(e) of the Operative District Plan confirms that signs attached to any vehicle parked or in or visible from any road or public place for the principle purpose of commercial advertising is a Prohibited Activity. PC 48 as notified provides for such signs to be a full discretionary activity as currently provided for in Rule 17 of Activity Table 4. Given that such activity is prohibited in terms of the Operative District Plan the

Commission does not consider that full discretionary activity status is appropriate for this activity. The Commission is satisfied that the status quo should be maintained and that such signage should be a Prohibited Activity across the District.

Federated Farmers of New Zealand (48/2/3) opposes discretionary activity status for sign-written trailers or vehicles; and promotes standards for such activity which the Commission understands would provide for such activity as a permitted activity. The submitter promotes a rule that relates to sign-written trailers or vehicles or signs attached to any trailer or vehicle and which:

- a) Is parked on any road, road berm or public place for the sole purpose of advertising; and/or
- b) The sign/s on the vehicle and/or trailer are larger than 2m² in total.

The Commission does not consider that it is appropriate that provision be made for sign written trailers or vehicles or signs attached to any trailer or vehicle, consistent with the relevant provisions of the Operative District Plan. Accordingly the Commission does not consider that the status of such activity should be amended to permitted as promoted by the submitter.

Real Journeys Limited (48/8/5) promotes that Rule 17 in Activity Table 4 be amended to include: "For clarification, this does not include sign-written or painted vessels located on the surface of the water". The section 42A report informed the Commission that the Rule applies only to a sign written trailer or vehicle and would not apply to a vessel that was temporarily moored in the course of its day to day function; but would apply to a vessel permanently moored for that purpose. The Commission considers that Rule 17 of Activity Table 4 should be amended accordingly.

Recommendations

- 1. That the submission by Barbara East (48/1/10) be **accepted**.
- 2. That the submission by Real Journeys Limited (48/8/5) be **accepted in part**.
- 3. That the submission by Federated Farmers of New Zealand (48/2/3) be **rejected**.

As a consequence of these Recommendations Rule 17 in Activity Table 4 is to be amended to read as follows:

- 17. Any sign-written trailer, vehicle or permanently moored vessel or sign attached to any trailer, vehicle or permanently moored vessel which is parked or moored on or is visible from any road or public place for the sole purpose of advertising. PRO

8.8.11 Signs Required by Law

Issues and Discussion

The Queenstown Lakes District Council (48/7/4) has noted that Activity Table 4 as included in PC 48 as notified was repetitive as Rule 19 referred to "Signs required by acts of Parliament" whereas Rule 20 referred to "Signs required by acts of Parliament, legislation or statutory requirements". The Commission concurs that this is repetitious and accordingly Rule 19 in Activity Table 4 (as notified) is to be deleted.

Recommendation

1. That the submission by the Queenstown Lakes District Council (48/7/4) be **accepted**.

As a consequence of this Recommendation Rule 19 in Activity Table 4 (as publicly notified) is to be deleted.

8.8.12 Electioneering Signs

Issues and Discussion

Rule 21 in Activity Table 4 in PC 48 as notified provides for electioneering signs as a permitted activity. This is consistent with the Operative District Plan which exempts electioneering signs from the sign rules in Rule 18.2.5(ii) Exemptions (iii).

The Signs Bylaw contained specific controls with respect to election signs. Mr Pickard agreed at the hearing that it would be appropriate for electioneering signs to be subject to more specific standards consistent with the Bylaw provisions and the Commission considers that such action is appropriate, given that PC 48 is intended to replace the relevant provisions of the Operative District Plan and the Signs Bylaw.

While no specific submission has raised the issue of electioneering signs there are general submissions which seek amendments to the signs plan change to achieve greater efficiency and effectiveness. These include the submissions by Remarkables Park Limited (48/9/3) and Shotover Park Limited (48/10/3). The Commission considers that these submissions are sufficiently broad to enable a change to be made with respect to the rule that relates to electioneering signs in Activity Table 4.

The Commission notes that it is practical to include some but not all of the detailed provisions previously contained in the Signs Bylaw that related to election signs. The Bylaw limits the display of such signs to business and residential zoned land and on approved Council owned or controlled sites; and enables the Council to nominate areas where such election or referendum signs are permitted to be displayed. The Bylaw also controls the number of signs that may be displayed per candidate or political party on any site. The Commission considers that these matters could best be addressed via a future simplified signs bylaw but acknowledges that any decision to introduce such a bylaw falls outside the Commission's delegated authority.

Recommendation

1. That the submissions by Remarkables Park Limited (48/9/3) and Shotover Park Limited (48/10/3) be **accepted in part**.

As a consequence Rule 21 in Activity Table 4 (as notified) [now being Rule 20] is to be amended to state as follows:

20. Electioneering Signs
 - a) That have an area no greater than 3m²; and,
 - b) That are displayed no more than 2 months prior to the election/referendum date; and,
 - c) That are removed before the election/referendum day.

8.8.13 Signs on Protected Features

Issues and Discussion

The New Zealand Historic Places Trust (now Heritage New Zealand) (48/5/1) has promoted a new rule to the effect that any sign attached to a building, memorial, feature, structure or precinct listed as a Category 3 item in Appendix 3 – Inventory of Protected Features shall be a controlled activity. The New Zealand Historic Places Trust (now Heritage New Zealand) (48/5/2) has also promoted the inclusion of a corresponding rule which requires that any sign attached to a Category 1 or 2 item in Appendix 3 be a discretionary activity.

The Town Planning Group (48/16/4) submits that consideration is required as to how signage is dealt with in heritage precincts and on heritage buildings to ensure that heritage features are not compromised. The submitter considers that avoiding adverse cumulative effects on these areas and buildings is required.

The section 42A report promoted that new Rules 21 and 22 be included in Activity Table 4 with respect to Category 3 and Category 1 or 2 features with such activity having status as a controlled and full discretionary activity, respectively. The Commission acknowledges that Ms Kowalski who appeared for the Town Planning Group Limited at the hearing was of the opinion that signage on any heritage building should have full discretionary activity status. The Commission concurs. As a consequence of standardising the status of such signs new Rule 21 can apply to Category 1, 2 and 3 items as there is no justification for now having a Rule 21 and a separate Rule 22. The Commission also considers that the new Rule 21 in Activity Table 4 should refer to any Category 1, 2 or 3 “item” (rather than “feature”) given that the word “feature” has a specific meaning in the context of Appendix 3 to the Operative District Plan.

At the hearing Ms Kowalski suggested that the criteria to assess applications would benefit by including the matters listed in the New Zealand Historic Places Trust (now Heritage New Zealand) submission. In Section 8.9.2 of this report it is recommended that additional assessment matters be included in Rule 8.3.1(v) and these additions are supported by Heritage New Zealand. The Commission does not consider it necessary to provide further detailed assessment matters, as suggested by Ms Kowalski, but notes that the contents of the New Zealand Historic Places Trust (now Heritage New Zealand) Information Sheets would be available to all parties when considering an application for a resource consent for a full discretionary activity.

The Commission notes for completeness that the section 42A report promoted that the recommended Rules 21 and 22 in Activity Table 4 incorporate the words “or in”. On reflection this wording is inappropriate given that the signs controlled by Section 18 : Signs are external signs only, and this is confirmed by the definition of Sign and Signage incorporated into PC 48. Accordingly the Commission considers that the words “or in” should be omitted from the new Rule 21 in Activity Table 4.

Recommendations

1. That the submissions by New Zealand Historic Places Trust (now Heritage New Zealand) (48/5/2) and by the Town Planning Group (48/16/4) should be **accepted**.
2. That the submission by the New Zealand Historic Places Trust (now Heritage New Zealand) (48/5/1) be **accepted in part**.

As a consequence of these Recommendations a new Rule 21 is to be included in Activity Table 4 as follows:

8.8.14 General – Industry Standards

Issues and Discussion

The New Zealand Sign and Display Association (Inc) (48/6/1) promotes that the Council uses sign industry standards (sizes) when selecting appropriate sign areas. The submitter has provided a table which shows specific sign areas for various signs between 0.27m² and 2.88m².

The Commission considers that it is appropriate to establish clear and simple rules with respect to signage. While the permissible size for signs varies as provided for in Activity Table 4 (and Activity Tables 1-3) the Commission does not consider it necessary to be unduly prescriptive with respect to sign area. If a maximum sign area is, say, 2m² then a person who wishes to erect a sign is likely to use material of a size consistent with industry standards within that 2m² limit.

The section 42A report also notes that the effects of signs on the receiving environment are the core issue to be addressed; rather than basing rules on generic sign industry standards that apply nationally. The Commission considers that maximum areas should be stated in the Activity Tables that are generally rounded off to the nearest m², consistent with the approach taken in the Operative District Plan.

Recommendation

1. That the submission by the New Zealand Sign & Display Association (Inc) (48/6/1) be **rejected**.

8.9 Assessment Matters

8.9.1 Arrowtown

Issues and Discussion

David Clarke for Lakes District Museum, Arrowtown Planning Advisory Group and Arrowtown Promotion and Business Group (48/3/1 and 48/3/2) has promoted that specific consideration be given to Arrowtown's special character; and that the Arrowtown Design Guideline 2006 be incorporated into PC 48. The submitter has emphasised that a one size fits all approach is not appropriate for the Arrowtown CBD; and advises that the Arrowtown Design Guideline 2006 was ratified by the Council.

The Commission considers that it is appropriate to include specific assessment matters relating to all signs that require resource consent in the Arrowtown Town Centre Zone.

David Clarke for Lakes District Museum, Arrowtown Planning Advisory Group and Arrowtown Promotion and Business Group (48/3/3) has promoted that a provision be included to provide for the Arrowtown Planning Advisory Group to act as a "vetting" agency. The submission and Mr Clarke's email of 26 August 2014 advised that the group currently vets all built development, tree pruning and signage that requires resource consent in the Arrowtown Historic Zones albeit that the Commission understands that such "vetting" has no formal status.

The Commission considers that it would be appropriate to provide for the Arrowtown Planning Advisory Group to provide a report with respect to any signage that requires resource consent. This is consistent with the Signs Bylaw that required that any application

for any permit for a sign in the Arrowtown Town Centre Zone have attached to it a report from the "Arrowtown Advisory Board" which report approves the nature of, the form of, the size of, the content of and the positioning of the proposed sign. Such a report should relate to any sign or signage platform.

Recommendations

1. That the submissions by David Clarke for Lakes District Museum, Arrowtown Planning Advisory Group and Arrowtown Promotion and Business Group (48/3/1 and 48/3/2) be **accepted**.
2. That the submission by David Clarke for Lakes District Museum, Arrowtown Planning Advisory Group and Arrowtown Promotion and Business Group (48/3/3) be **accepted in part**.

As a consequence of these Recommendations:

- (i) Rule 18.3.1(i) Controlled Activity – Signs in All Zones is to be amended to add the following:

Arrowtown Town Centre Zone

In addition to (a)-(i) above for any sign or signage platform in the Arrowtown Town Centre Zone:

- (j) Whether sign design and placement respects historic buildings and the character of the Arrowtown Town Centre Zone having regard to the following guidelines:
 - (i) Signs must not obscure historic building details or important vistas.
 - (ii) Reduce the number of signs used in a single location by the use of directory or finger signs.
 - (iii) Signs hand written on the building in the traditional way are best, provided they do not alter or obscure parts of the building.
 - (iv) Small scale signs, either mounted on to buildings or free standing, are appropriate.
 - (v) Sign materials shall be similar to those used traditionally. Painted wood and metal are appropriate. Plastic and highly reflective materials are inappropriate.
 - (vi) Illuminated, neon or flashing signs are not appropriate and must not be used if heritage character is to be protected.
- (k) Whether the application is accompanied by a report from the Arrowtown Planning Advisory Group; and whether that report approves the nature of, the form of, the size of, the content of and the positioning of, the sign or signage platform.

- (ii) That Rule 18.3.1(ii) Discretionary Activity – Signs within Commercial Areas (Activity Table 1) is to be amended to include the following:

In addition to (a) and (b) above for any sign or signage platform in the Arrowtown Town Centre Zone:

- (c) Whether sign design and placement respects historic buildings and the character of the Arrowtown Town Centre Zone having regard to the following guidelines:

- (i) Signs must not obscure historic building details or important vistas.
 - (ii) Reduce the number of signs used in a single location by the use of directory or finger signs.
 - (iii) Signs hand written on the building in the traditional way are best, provided they do not alter or obscure parts of the building.
 - (iv) Small scale signs, either mounted on to buildings or free standing, are appropriate.
 - (v) Sign materials shall be similar to those used traditionally. Painted wood and metal are appropriate. Plastic and highly reflective materials are inappropriate.
 - (vi) Illuminated, neon or flashing signs are not appropriate and must not be used if heritage character is to be protected.
- (d) Whether the application is accompanied by a report from the Arrowtown Planning Advisory Group; and whether that report approves the nature of, the form of, the size of, the content of and the positioning of, the sign or signage platform.
- (iii) That Rule 18.3.1(v) Discretionary Activity – District Wide Signs (Activity Table 4) is to be amended to include:

In addition to (a)-(f) above for any sign in the Arrowtown Town Centre Zone:

- (g) Whether sign design and placement respects historic buildings and the character of the Arrowtown Town Centre Zone having regard to the following guidelines:
- (i) Signs must not obscure historic building details or important vistas.
 - (ii) Reduce the number of signs used in a single location by the use of directory or finger signs.
 - (iii) Signs hand written on the building in the traditional way are best, provided they do not alter or obscure parts of the building.
 - (iv) Small scale signs, either mounted on to buildings or free standing, are appropriate.
 - (v) Sign materials shall be similar to those used traditionally. Painted wood and metal are appropriate. Plastic and highly reflective materials are inappropriate.
 - (vi) Illuminated, neon or flashing signs are not appropriate and must not be used if heritage character is to be protected.
- (h) Whether the application is accompanied by a report from the Arrowtown Planning Advisory Group; and whether that report approves the nature of, the form of, the size of, the content of and the positioning of, the sign or signage platform.

8.9.2 Signs on Protected Features

Issues and Discussion

The New Zealand Historic Places Trust (now Heritage New Zealand) (48/5/3) has promoted that a new Assessment Matter be added for signs on any Category 1 or 2 item in the Inventory of Protected Features at Appendix 3 to the Operative District Plan. The

Commission notes that signs on Category 1, 2 or 3 items are now to be a discretionary activity (see Section 8.8.13 of this report and Rule 21 in Activity Table 4).

The correspondence from Ms O'Dea for Heritage New Zealand dated 1 August 2014 expressed support for the recommendations made in the section 42A report; including the additional assessment matters recommended in that report. The Commission concurs that these additional assessment matters should be included in Rule 8.3.1(v) to complement Rule 21 in Activity Table 4 albeit that these are to be consistent with the wording now used in Rule 21 in Activity Table 4.

Recommendation

1. That the submission by the New Zealand Historic Places Trust (now Heritage New Zealand) (48/5/3) be **accepted in part**.

As a consequence of this Recommendation Rule 8.3.1(v) is to be amended to add the following Assessment Matters:

- (e) Whether the design, location and size of the proposed signage will detract from the heritage values of any item in the Inventory of Protected Features.
- (f) Whether the method of attachment of the proposed sign or sign platform will damage heritage fabric of any item in the Inventory of Protected Features.

8.9.3 Commercial Buildings Within Residential Areas

Issues and Discussion

Real Journeys Limited (48/8/3) has promoted that assessment matters for commercial buildings within residential areas be included. The submitter notes that there are commercial buildings located within residential areas and the example of Terrace Junction is quoted where a commercial building complex is part in the Rural General Zone and part in the Low Density Residential Zone.

The section 42A report has noted that Rule 18.3.1(iii) which contains assessment matters relevant to discretionary activities in terms of Activity Table 2 refers to compatibility with the amenity values of the surrounding environment. This provides a sufficient basis for assessing any such applications for signs associated with commercial activity in residential areas. No further changes to the assessment matters in Rule 8.3.1(iii) are therefore considered necessary or appropriate.

Recommendation

That the submission by Real Journeys Limited (48/8/3) be **rejected**.

8.9.4 Wall Signs

Issues and Discussion

Queenstown Lakes District Council (48/7/3) supported in part by *Progressive Enterprises Limited* (48/21/3) and supported by *Queenstown Airport Corporation* (48/14/5) has sought clarification of how the area of wall signs is to be assessed.

Wanaka and Districts Chamber of Commerce (48/12/1) has also sought clarification of how signage is assessed where it falls within more than one area (ie. part ground floor, part above ground floor). The submitter notes that there is no specific limit for the size of wall

signs (previously limited to 2m²). The submitter notes that it is not clear where there are two or more floors to a building, what proportion of a wall sign would be counted as ground floor or above ground floor if it spanned the two (or more) floors.

The section 42A report advises that the size allowance will be covered by its position on the building, ie. ground floor or above ground floor. Where the sign breaches two or more areas it triggers the second part of Rule 18.2.5 (ie. it would not comply with a Permitted or Controlled Activity) and accordingly would be a full discretionary activity. The Commission considers that it is appropriate to assist interpretation by providing an Interpretative Diagram which shows Wall signs.

Recommendation

1. That the submissions by Queenstown Lakes District Council (48/7/3) supported in part by *Progressive Enterprises Limited* (48/21/3) and supported by *Queenstown Airport Corporation* (48/14/5) and Wanaka and Districts Chamber of Commerce (48/12/1) be **accepted in part**.

As a consequence of this Recommendation an Interpretative Diagram is to be included that shows Wall signs.

8.9.5 Restricted Discretionary Activity

Issues and Discussion

Progressive Enterprises Limited (48/21/11) has promoted that all Discretionary Activity headings be changed to Restricted Discretionary Activity and that the relevant assessment criteria are supported provided that a further criteria is added to Rule 18.3.1(ii), (iii), (iv) and (v) as follows:

“The extent to which recognised, accepted and consented signage throughout New Zealand for particular land uses needs to be taken into account.”

The Commission has addressed this matter in the context of the relevant policies and rules relating to activities in Section 8.3 and Section 8.5.6 of this report. The Commission’s conclusion is that full discretionary activity status remains appropriate; and that accepted and consented signage throughout New Zealand should not be a matter given weight when considering the effects of signs in the context of the Queenstown Lakes District environment. Accordingly the amendments promoted by the submitter in the context of Rule 18.3.1 are not supported.

Recommendation

1. That the submission by Progressive Enterprises Limited (48/21/11) be **rejected**.

8.10 Definitions

8.10.1 Ground Floor Area (For Signs)

Issues and Discussion

Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/4) supported by *Remarkables Park Limited* (48/9/9), *Shotover Park Limited* (48/10/9) and *Queenstown Airport Corporation* (48/14/3) and the Town Planning Group (48/16/5) supported by *Queenstown Airport Corporation* (48/14/4) promotes that clarification be provided of the definition of Ground Floor Area specific to signs on the basis that this is confusing and

needs reconsidering. The submitters also promote that an interpretative diagram should be included.

The section 42A report observed that the current definition describes a two dimensional area on a building's frontage. The cumulative area of signs for the purpose of the signs rules is then applied against this area as a percentage. The use of a percentage coverage is to ensure that the area of signs is in proportion to the size of the building.

The section 42A report acknowledged that the issue of verandah fasciae is less clear, in relation to signs, as to whether they are included as Above Ground Floor if they are over 3 metres from the ground. Signs that project above the structure of the verandah are Above Ground Floor signs, whereas the section 42A report considers that signs that do not exceed the height of the verandah structure should be subject to the more generous allowance for Ground Floor signs. The Commission was advised that as heights are not prescribed or uniform through the District, then a measurable distance should be introduced. This can be clarified by amending the definition and associated diagrams to provide the alternatives of a more simply identifiable maximum height limit, or reference to the top of the verandah structure, whichever is the lower.

The Commission is satisfied that the definition of Ground Floor Area (For Signs) should be amended consistent with the section 42A report recommendation; and that the Interpretative Diagram for Ground Floor Area (For Signs) should be amended accordingly.

Recommendation

1. That the submissions by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/4) supported by *Remarkables Park Limited (48/9/9)*, *Shotover Park Limited (48/10/9)* and *Queenstown Airport Corporation (48/14/3)* and the Town Planning Group (48/16/5) supported by *Queenstown Airport Corporation (48/14/4)* be **accepted**.

As a consequence of this Recommendation the definition of Ground Floor Area (For Signs) is to be amended to include:

b) vertically by the height from the surface of the road, footpath, access way or service lane or, as the case may be, to the point at which the top of the verandah, if any, meets the wall of the building or to a height of 3m above the surface of the road, footpath, access way or service lane, whichever is less.

The Interpretative Diagram for Ground Floor Area (For Signs) is to be amended consistent with the amendment made to the definition (above).

8.10.2 Sign Area

Issues and Discussion

Queenstown Lakes District Council (48/7/2) supported in part by *Progressive Enterprises Limited (48/21/2)* and supported by *Queenstown Airport Corporation (48/14/2)* considers that the definition of a Sign Area is confusing, particularly, for example, where the sign consists of lettering only, with no distinguishable background. The submitter considers that the sign area, if not demarcated with any obvious boundaries, should be limited to the immediate extent of the lettering. The submitter notes that the Interpretative Diagram already depicts this; and suggests that the definition be rewritten to be in accordance with the diagram.

The section 42A report promotes that the Interpretive Diagram showing Sign Area be amended to better reflect the definition. The Commission concurs that such action is appropriate and that the definition of Sign Area as presented in PC 48 is appropriate.

The definition of Sign Area is considered to be adequate and no further action is therefore required in response to the submissions by Wanaka and Districts Chamber of Commerce (49/12/6) supported by *Remarkables Park Limited* (48/9/6) and *Shotover Park Limited* (48/10/6) and the submission by Wanaka and Districts Chamber of Commerce (49/12/7).

The Commission notes that supporting structures such as posts/legs are not included in the Sign Area, as defined.

Recommendation

1. That the submissions by Queenstown Lakes District Council (48/7/2) supported in part by *Progressive Enterprises Limited* (48/21/2) and supported by *Queenstown Airport Corporation* (48/14/2), Wanaka and Districts Chamber of Commerce (48/12/6) supported by *Remarkables Park Limited* (48/9/6) and *Shotover Park Limited* (48/10/6) and by Wanaka and Districts Chamber of Commerce (48/12/7) be **accepted in part**.

As a consequence of this Recommendation the Interpretative Diagram relating to Sign Area is to be amended, consistent with the diagram attached to the section 42A report.

8.10.3 Arcade Directory Signs and Signage Platform

Issues and Discussion

Queenstown Airport Corporation (48/14/1) supported by *Remarkables Park Limited* (48/9/8) and *Shotover Park Limited* (48/10/8) considers that definitions are required for Arcade Directory Signs and Signage Platform. The Commission notes that these terms are defined in PC 48 as publicly notified; and that no change is required to the provisions except to confirm that an Arcade Directory Sign is externally located (see Sections 7.2.11 and 7.3 of this report).

Recommendation

1. That the submission by Queenstown Airport Corporation (48/14/1) supported by *Remarkables Park Limited* (48/9/8) and *Shotover Park Limited* (48/10/8) be **accepted**.

8.10.4 Freestanding Signs

Issues and Discussion

Queenstown Lakes District Council (48/7/1) supported in part by *Progressive Enterprises Limited* (48/21/1) and supported by *Queenstown Airport Corporation* (48/14/1) seeks confirmation that a freestanding sign may utilise both faces of the structure. The section 42A report agreed that it would be beneficial to clarify that freestanding signs, sandwich boards, flat boards, flags and banners may be double sided. All other signs are assessed on a single face basis.

Recommendation

1. That the submission by Queenstown Lakes District Council (48/7/1) supported in part by *Progressive Enterprises Limited* (48/21/1) and supported by *Queenstown Airport Corporation* (48/14/1) be **accepted**.

As a consequence of this Recommendation the following is to be included as the final paragraph in Rule 18.2.1 Structure of the Rules section:

Freestanding signs, sandwich boards, flat board signs, under verandah signs, flags and banners may be double sided, with only one side being counted towards the sign area. All other signs will be assessed on a single sided basis.

The following Note is to be deleted from Activity Table 1 in PC 48:

~~Note: Only one face of an Under Verandah Sign shall be counted toward any allowance under this rule.~~

8.10.5 Off-Site Signs/Event Signs

Issues and Discussion

Barbara East (48/1/1) and APN Outdoor Limited (48/13/1) consider that the definition of Off-Site Signs should be uncoupled from Event Signs. The Commission notes in this context that the definition of Off-Site Signs contained in PC 48 as notified referred to “an event”; albeit that PC 48 as notified also contained a definition of “Temporary Event Sign”.

The Commission agrees that reference to “an event” in the definition of an Off-Site Sign is confusing and that such reference should be deleted from this definition. Off-Site Sign is to mean a sign which does not relate to goods or services available at the site where the sign is located and excludes a Hoarding. The exclusion of a Hoarding is discussed in further detail in Section 8.8.7 of this report.

Recommendation

1. That the submissions by Barbara East (48/1/1) and APN Outdoor Limited (48/13/1) be **accepted**.

As a consequence of this Recommendation the definition of Off-Site Sign is to be amended to read as follows:

Off-Site Sign

means a sign which does not relate to goods or services available at the site where the sign is located and excludes a Hoarding.

As a consequential amendment the definition of Temporary Event Sign is to be amended to exclude Off-Site Signs and to better reflect the terminology used for other signs and in the definitions as follows:

Temporary Event Sign

means any sign established for the purpose of advertising or announcing a single forthcoming temporary event, function or occurrence including carnivals, fairs, galas, market days, meetings exhibitions, parades, rallies, filming, sporting and cultural events, concerts, shows, musical and theatrical festivals and entertainment; but does not include Electioneering Signs, Real Estate Signs, Construction Signs, a Land Development Sign, Off-Site Sign or Temporary Sale Sign.

8.10.6 Corporate Colours

Issues and Discussion

Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/8) supported in part by *Remarkables Park Limited (48/9/13)* and *Shotover Park Limited (48/10/13)* and the Town Planning Group (48/16/11) consider that the definition of signage needs to be further clarified to ensure that it does not include the use of corporate colours on buildings.

The definition of Sign and Signage confirms that this relates to all materials and components comprising the sign, including background; and the Commission also observes that the use of corporate colours is intended to attract attention to the premises being a function of sign and signage as included in the definition. Mr Pickard was adamant at the hearing that it should be made very clear that corporate colour schemes are included within the definition of "Sign and Signage" and the Commission concurs.

The visual effects of colour schemes that are unsympathetic to their surroundings, can be significantly adverse in the District. This is especially true where the backdrop includes the outstanding vistas and visual amenity that are associated with so many sites in the Queenstown Lakes District.

Recommendation

1. That the submission by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/8) supported in part by *Remarkables Park Limited (48/9/13)* and *Shotover Park Limited (48/10/13)* and the submission by the Town Planning Group (48/16/11) be **rejected**.

As a consequence of the above Recommendation the following explanatory note is to be incorporated in to the Definition of Sign and Signage.

Note: This does include corporate colour schemes.

8.11 Effects on Other Plan Provisions

8.11.1 References to Signs in Other Rules

Issues and Discussion

Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/3) and the Town Planning Group (48/16/3) have sought clarification whether the commercial area signage that is a permitted activity located outside a Special Character Area and Heritage Precinct still triggers resource consent, due to the external appearance rules in the Town Centre chapter of the District Plan.

Section 18 : Signs is intended to provide a complete code for signage. This is the intent of PC 48 which is intended to supercede the relevant provisions of the Operative District Plan and the Signs Bylaw.

Notwithstanding this it is noted that several rules in the Operative District Plan which relate to the Town Centre Zones and the Corner Shopping Centre Zone refer to signage. These rules include Rule 10.6.3.2i, 10.6.3.3iii, 10.7.3.2i, 10.8.3.3ii and 10.9.3.2i. Mr Pickard, on reflection, considered that these references should be deleted given that Signs and Sign Platforms are to be subject to the provisions of Section 18 : Signs only. The Commission concurs.

Recommendation

1. That the submissions by Kopuwai Investments Limited & City Centre Queenstown Limited (48/15/3) and the Town Planning Group (48/16/3) be **accepted in part**.

As a consequence of this Recommendation the word “signage,” is to be deleted from:

- (i) Rule 10.6.3.2i on page 10:27;
- (ii) Rule 10.6.3.3iii on page 10:28;
- (iii) Rule 10.7.3.2i on page 10:38;
- (iv) Rule 10.8.3.3ii on page 10:43; and
- (v) Rule 10.9.3.2i on page 10:47.

8.11.2 Remarkables Park/Shotover Park

Issues & Discussion

Remarkables Park Limited (48/9/5) promotes that all signage in the Remarkables Park Zone be assessed as part of the controlled activity resource consent for the building. As noted in Section 8.11.1 of this report Section 18 : Signs is intended to be a complete code. The Commission has also found in the context of Section 8.5.1 of this report that there is no constraint to considering an application for signage or a signage platform along with an application for consent for a building, in a situation where information is available with respect to signage at that time. There will, however, be situations where such information is not available at the resource consent stage for a building as the signage requirements of future tenants may not be known.

Shotover Park Limited (48/10/4) supported in part by *Queenstown Airport Corporation (48/14/10)* seeks an amendment of the signage rules to allow more appropriate signage provisions for industrial service zones (particularly in the Frankton Flats Special Zone B Areas E1 and E2), recognising the anticipated uses within those areas. The submitter considers that this can be achieved by assessing all signage in the Shotover Park Limited land (Areas E1 and E2) as part of the controlled activity resource consent for the building. The submitter considers that no further controls are needed.

The Commission does not consider that signage should be considered as part of the controlled activity resource consent for a building for the reasons discussed above in the context of the submission by Remarkables Park Limited (48/9/5).

Recommendation

1. That the submissions by Remarkables Park Limited (48/9/5) and Shotover Park Limited (48/10/4) supported in part by *Queenstown Airport Corporation (48/14/10)* be **rejected**.

8.12 General

8.12.1 Previously Consented Signs

Issues and Discussion

Real Journeys Limited (48/8/4) supported by *Remarkables Park Limited (48/9/1)* and *Shotover Park Limited (48/10/1)* seeks clarification on how existing signage allocation on buildings will be dealt with, where existing resource consents for signage have been approved. The submission seeks to ensure that the consented baseline for these areas of signage will remain indefinitely.

Signage that has been previously consented under the Operative District Plan or permitted under the District Plan have existing use rights. An exception would be where a condition of resource consent contains a time limit for the existence of the signage. In those circumstances, or where signage exceeds what is permitted in terms of existing use rights, the rules introduced via PC 48 would apply.

Recommendation

1. That the submission by Real Journeys Limited (48/8/4) supported by *Remarkables Park Limited (48/9/1)* and *Shotover Park Limited (48/10/1)* be **accepted in part**.

8.12.2 Quality of Signs

Issues and Discussion

Remarkables Park Limited (48/9/1) supported by *Queenstown Airport Corporation (48/14/8)* and Shotover Park Limited (48/10/1) supported by *Queenstown Airport Corporation (48/14/9)* seeks that PC 48 be amended so that it reflects the importance of the quality of signage, rather than the number of signs and their size. The submitters are concerned that by retaining the same approach as previously provided in the Operative District Plan, which is to impose a strict set of standards controlling size and location of signs, PC 48 fails to reduce resource consent requirements.

As noted above PC 48 supercedes the relevant provisions of the Operative District Plan and the Signs Bylaw. The provisions of PC 48 are designed to address the effects of signage and do not explicitly address quality, which is a subjective matter. If the sign complies with the standards contained in PC 48 such signage is permitted without the need to obtain resource consent. The rules identify those signs and signage platforms that require consent as a controlled or full discretionary activity, to enable their effects on the environment to be assessed as part of the consent process. The Commission is satisfied that it would not be appropriate to introduce a subjective quality assessment element into the rules contained in Section 18 : Signs.

Recommendation

1. That the submission by Remarkables Park Limited (48/9/1) supported by *Queenstown Airport Corporation (48/14/8)* and the submission by Shotover Park Limited (48/10/1) supported by *Queenstown Airport Corporation (48/14/9)* be **rejected**.

8.12.3 Efficiency and Effectiveness

Issues and Discussion

Remarkables Park Limited (48/9/3) and Shotover Park Limited (48/10/3) promote that PC 48 be amended to achieve greater efficiency and effectiveness.

The Commission is satisfied that PC 48, as amended by the recommendations contained in this report, is efficient and effective. PC 48 supercedes the existing provisions of the Operative District Scheme and the Signs Bylaw; and will reduce the need for resource consents by providing for a wider range of signs that are to have status as a permitted activity. In all the circumstances the Commission considers that PC 48 is efficient and effective.

The intent of the submissions is satisfied as various amendments have been made to PC 48 as detailed elsewhere in this report. The Commission acknowledges that these general submissions provide the basis for amending the rule relating to Electioneering Signs, as detailed in Section 8.8.12 of this report.

Recommendation

1. That the submissions by Remarkables Park Limited (48/9/3) and Shotover Park Limited (48/10/3) be **accepted in part**.

8.12.4 Discontinuation of the Signs Bylaw

Issues and Discussion

Remarkables Park Limited (48/9/7) has noted that the public notice for PC 48 advises that the Signs Bylaw has been discontinued. The submitter considers that explanation and consideration of the implications of this change need to be provided.

The section 42A report advised that in July 2012 a monitoring report on the Signs Chapter (Section 18) of the District Plan and the QLDC Signs Bylaw (2006) went to the Council's Strategy Committee. This report identified that analysis should be undertaken to determine which mechanism (District Plan or the Signs Bylaw) should be used to manage signs.

At a subsequent workshop the Strategy Committee resolved that the future management of signs should be undertaken entirely through appropriate District Plan provisions. As noted in Section 5.0 of this report the Signs Bylaw was revoked on or about 4 September 2013 pursuant to section 160A of the Local Government Act 2004.

Recommendation

1. That the submission by Remarkables Park Limited (48/9/7) be **accepted**.

8.12.5 Adequacy of the Section 32 Evaluation

Issues and Discussion

Remarkables Park Limited (48/9/4) has promoted that the Section 32 Analysis be amended so that it considers and analyses the effects of PC 48 on the Remarkables Park Zone.

Section 18 : Signs is a standalone section of the District Plan. The Section 32 Analysis that was prepared in conjunction with the preparation of PC 48 adequately considers alternatives and other matters to be addressed in terms of section 32. PC 48 contains provisions with respect to signs in the Remarkables Park Special Zone. PC 48 maintains the status quo to the extent that rules contained in Section 18 : Signs apply to the Remarkables Park Zone via Rule 12.11.2.

The Commission has concluded that the Section 32 Analysis is adequate and that no further detailed consideration is required with respect to any effects of PC 48 on the Remarkables Park Zone.

Recommendation

1. That the submission by Remarkables Park Limited (48/9/4) be **rejected**.

8.12.6 Support for PC 48

Issues and Discussion

Real Journeys Limited (48/8/7) expresses overall support for PC 48. The submitter considers that the proposed changes are a positive step towards making commercial businesses and rental spaces within the District more appealing and information more readily available to the general public. Various amendments are recommended to PC 48 as detailed in this report and as presented at **Appendix 3** to this report. Accordingly the submission should be accepted in part on the basis that PC 48 as notified is recommended for amendment.

Recommendation

1. That the submission by Real Journeys Limited (48/8/7) be **accepted in part**.

9.0 STATUTORY DOCUMENTS

9.1 Objectives and Policies of the Otago Regional Policy Statement

The Otago Regional Policy Statement became operative on 1 October 1998. The Regional Policy Statement contains objectives and policies relating to the Built Environment including Objective 9.4.1 which states as follows:

“9.4.1 To promote the sustainable management of Otago’s built environment in order to:

- (a) Meet the present and reasonably foreseeable needs of Otago’s people and communities; and***
- (b) Provide for amenity values, and***
- (c) Conserve and enhance environmental and landscape quality; and***
- (d) Recognise and protect heritage values.”***

The Commission is satisfied that PC 48 is consistent with Objective 9.4.1 of the Regional Policy Statement and with its supporting policies. The Commission considers that PC 48, as amended in terms of the Commission’s recommendations, which is concerned with the management of signs in the Queenstown Lakes District is consistent with the objectives and policies stated in the Regional Policy Statement.

9.2 Objectives and Policies of the Queenstown Lakes District Plan

The Queenstown Lakes District Plan became fully operative on 10 December 2009.

Section 4 of the Queenstown Lakes District Plan contains higher order objectives and policies that apply throughout the District. The Commission considers that the objectives and policies stated in Section 4.2 Landscape and Visual Amenity, Section 4.9 Urban Growth and Section 4.12 Monitoring, Review and Enforcement are of relevance to PC 48. While the objectives and policies in Section 4 are expressed in broad terms the Commission acknowledges that Objective 4.2.5 states as follows:

“Objective:

Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.”

Policy 9 under Objective 4.2.5 relates to Structures. Policy 9(c) is of particular relevance to signs in the rural landscape:

“9. Structures

To preserve the visual coherence of:

...

(c) All rural landscapes by

- limiting the size of signs, corporate images and logos
- ...”

Objective 4.9.3.1 that relates to Urban Growth states as follows:

“Objective 1 – Natural Environment and Landscape Values

Growth and development consistent with the maintenance of the quality of the natural environment and landscape values.”

The Commission notes that landscape values are to be respected in the urban environment. No specific policies with respect to signs are presented in Section 4.9 Urban Growth.

Objective 1 in Section 4.12 Monitoring, Review and Enforcement states:

“Objective 1

A District Plan which addresses relevant issues and concerns consistent with the purpose and principles of sustainable resource management.”

Supporting policies refer to monitoring the state of the environment. The Commission notes in this context that the origins of PC 48 go back to a July 2012 monitoring report prepared on Section 18 : Signs of the Operative District Plan.

The Commission also notes Clause 4.12.4 relates to Monitoring of Key Environmental Results; and that Clause 4.12.4xiii relates to Signs and states as follows:

“xiii Signs

- Complaints received regarding adverse effects of signs.
- Changes in amenity levels in areas containing signs.
- Records of traffic accidents in rural areas and their relationship to signs.”

The Commission considers that PC 48, as amended in accordance with the Commission’s recommendations, is consistent with those objectives and policies stated in Section 4 of the District Plan that are relevant to PC 48.

The Commission finds that the objectives, policies, rules, assessment matters and other provisions as provided for in PC 48, as amended in terms of the Commission’s recommendations, better achieve the objectives of the Operative District Plan.

The Commission is satisfied, having regard to their efficiency and effectiveness, that the objectives, policies, rules, assessment matters and other provisions provided for in PC 48, as amended in terms of the Commission’s recommendations, are the most appropriate way to achieve the relevant District Wide objectives and policies presented in Section 4 of the Operative District Plan.

10.0 SECTION 32 RMA

The Commission acknowledges that the version of section 32 that must be applied is that which came into force (in the Queenstown Lakes District) on 3 December 2013.

The Commission acknowledges that an evaluation has previously been undertaken under section 32 of the Resource Management Act 1991 with respect to PC 48, as required by section 32 of the Act. This is presented in the Section 32 Analysis dated February 2014.

The Commission also acknowledges that a further evaluation must be undertaken for changes that have been made to PC 48 since their original section 32 evaluation was completed. Section 32AA(1)(d)(ii) provides for such evaluation to be referred to in the decision-making record [this report] in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with section 32AA.

The Commission has undertaken a further evaluation when considering PC 48. The Commission has evaluated whether, having regard to their efficiency and effectiveness, the objectives, policies, rules, assessment matters and other provisions provided for in PC 48 are the most appropriate way to achieve the purpose of the Act; and whether the amendments to PC 48 that are recommended by the Commission are the most appropriate way to achieve the objectives of the Operative District Plan.

When addressing the specific issues raised in submission points (in Sections 8.1 - 8.12 of this report) the Commission has identified the reasonably practicable options and has assessed the efficiency and effectiveness of the provisions in achieving the objectives of the proposal. The report also summarises the reasons for deciding on the relevant provision in each section of this report. The Commission does not propose to re-traverse all of these matters here in detail.

The recommended amendments to PC 48 will have benefits in terms of increased clarity and flexibility. Some costs will be incurred by the Council by the reduction in revenue associated with signs which are now permitted and that would otherwise have incurred costs associated with obtaining resource consents. Clearly stating which signs are a Prohibited Activity avoids costs being incurred in what would otherwise be a resource consent application process that would have virtually no prospect of a resulting consent. Overall the outcome of the amendments will be to reduce the costs on prospective applicants.

Benefits will exceed costs in terms of the environmental, economic, social and cultural effects that are anticipated from the implementation of PC 48. Provision is made for signs that will have limited effects on the environment; and those that have more significant potential effects on the environment are subject to the resource consent process through which such effects on the environment can be properly assessed. In some instances signs are prohibited and this will benefit the environment of the Queenstown Lakes District.

Economic growth is provided for by including enhanced provisions in Section 18 : Signs; and by providing for many signs as permitted activities. This will provide for the employment of those involved in the design and construction of such signs.

The Commission does not consider it practicable to quantify the benefits and costs that will result from PC 48.

The Commission has assessed each provision to be changed having regard to the contents of submissions and further submissions and to all of the evidence that has been presented to the Commission. The Commission has determined which submissions and further submissions should be accepted, accepted in part or rejected. The Commission's overall finding is that, following further evaluation under section 32AA, PC 48 as amended in terms of the Commission's recommendations makes the most appropriate provision for achieving the District Wide objectives specified in Part 4 of the Operative District Plan.

The Commission considers that PC 48, as amended in terms of the Commission's recommendations and as presented at **Appendix 3** to this report, best achieves the purpose of the Act.

11.0 PART 2 RMA

Part 2 of the Resource Management Act 1991 contains sections 5-8. These are referred to in reverse order.

Section 8 requires the Commission, in exercising its functions on PC 48, to take into account the principles of the Treaty of Waitangi. No issues were raised in reports or evidence to the Commission in relation to section 8.

Section 7 directs that in achieving the purpose of the Act particular regard is to be had to certain matters which include, of relevance here, the efficient use and development of natural and physical resources; the maintenance and enhancement of amenity values; and the maintenance and enhancement of the quality of the environment. The Commission is satisfied that PC 48, as amended in terms of the Commission's recommendations, will promote efficient use and development of natural and physical resources; will serve to maintain and enhance amenity values; and will serve to maintain and enhance the quality of the environment. There are no other matters stated in section 7 which are of any particular relevance to PC 48.

Section 6 sets out a number of matters which are declared to be of national importance and directs the Commission to recognise and provide for them. There are no matters of national importance listed in section 6 that are of any particular relevance in this instance.

Section 5 sets out the purpose of the Act – to promote the sustainable management of natural and physical resources. Taking into account the definition of sustainable management contained in section 5(2) the Commission has reached the view that PC 48, as amended in terms of the Commission's recommendations, will achieve the purpose of the Act.

12.0 OUTCOME

Following the Commission's consideration of Plan Change 48 and the submissions and further submissions received thereto the Commission has concluded that submissions and further submissions should be accepted, accepted in part or rejected as detailed in Sections 8.1 – 8.12 of this report. The Commission has formulated these recommendations having regard to the matters to be considered in terms of section 74, the provisions of section 32, to Part 2 and, in particular, to the purpose of the Act as set out in section 5 of the Act. The outcome of the Commission's consideration is that the Commission **recommends** that Plan Change 48, as amended in terms of the Commission's recommendations, should be incorporated into the Queenstown Lakes District Plan.

The Commission has presented recommendations with respect to the acceptance, acceptance in part or rejection of submissions and further submissions that relate to issues relevant to PC 48. The Commission has also provided the provisions of PC 48, as amended by the Commission's recommendations, at **Appendix 3** to this report.

This report incorporating recommendations on Plan Change 48 is dated **11 November 2014**.

DAVID WHITNEY
COMMISSIONER