

Submission on Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council - Planning Unit

Date received: 12/12/2022

Submission Reference Number #:18

This is a submission on the following proposed plan (the **proposal**): Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.

Submitter:

Go Media Ltd - Frank Costello

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Attachments:

Submission on notified proposal for Proposed Timaru District plan.pdf

I wish to be heard: Yes

I am willing to present a joint case: No

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **No**

Submission points

Point 18.1

Section: SIGN – Signs

Sub-section: Rules

Provision:

SIGN-R4	Any signs not otherwise address in the Rules section of this chapter	
1.	Activity status: Permitted	Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary
Commercial and mixed use zones	Where: PER-1 The sign is not an off-site sign; and	Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
Residential zones	PER-2 The sign must not be flashing or moving; and	Note: Where compliance with PER-3 is not achieved, the matters of discretion for the zone requirements apply.
Rural zones	PER-3 The sign must comply with the height in relation to boundary requirements for the Zone; and	Activity status where compliance not achieved with PER-2: Discretionary
Māori Purpose Zone	PER-4 The activity complies with all the Standards of this chapter.	Activity status where compliance not achieved with PER-1: Non-complying
2.	Activity status: Permitted	Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary
Open space and recreation zones	Where PER-1 The sign: 1. is not an off-site sign; or 2. is an off-site sign which: a. is for commercial sponsorship of a recreation activity; and b. will not be visible beyond the site; and PER-2 The sign is ancillary to a recreation activity; and PER-3 The sign must meet the height to boundary requirements for the Zone; and	Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard. Note: Where compliance with PER-4 is not achieved, the matters of discretion for the zone requirements apply. Activity status where compliance not achieved with PER-2: Discretionary Activity status where compliance not achieved with PER-1: Non-complying

	PER-4	
		The activity complies with all the Standards of this chapter.
3.	Activity status: Permitted	
General Industrial Zone	Where	
Port Zone	PER-1	
		The sign is not an off-site sign; and
	PER-2	
		The sign must comply with the height in relation to boundary requirements for the Zone; and
	PER-3	
		The activity complies with all the Standards of this chapter.

Activity status where compliance not achieved with PER-2 or PER-3: Restricted Discretionary

Matters of discretion are restricted to:

- 1. the matters of discretion of any infringed standard.

Note:

Where compliance with PER-2 is not achieved, the matters of discretion for the zone requirements apply.
Activity status where compliance not achieved with PER-1: Non-complying

Sentiment: Oppose

Submission:

as per attached document

Relief sought

as per attached document

Submission on notified proposal for Proposed Timaru District plan

- 1 This is a submission on the Proposed Timaru District council Proposed District plan (TDPP) by Go Media Limited (**Go Media**).
- 2 Go Media does not support the Signage chapter or the other provisions relating to signs in the TDPP in its current form.
- 3 Go Media's submission is that billboards (including digital billboards) and non-site related advertising should be explicitly enabled in the TTPP provisions and in appropriate zones (commercial/Mixed use, industrial and port zones) through an activity specific rule and subject to appropriate industry standards.
- 4 Advertising, including off-site signage, contributes to the commercial vitality of a community through supporting business, infrastructure and community activities. It is a legitimate commercial activity that generates economic activity by enabling the commercial community to advertise goods and services. Advertising can enhance the character of areas, buildings and structures also provides a focal point and adds vibrancy and interest. These positive effects should be expressly recognised in the TDPP. Go Media supports SIGN-O1(1).
- 5 Go Media do not support SIGN-P2(3) with the additional description to Digital signs, we feel the preceding text is inclusive of digital signage. Suggestion:

"ensuring [sign](#) proliferation, illumination levels, light spill, flashing and moving images do not cause distraction"
- 6 Go Media's submission to SIGN-P3 is that the Policy for avoidance is too restrictive to allow for quality installation of third party signage. The Policy is contradictory to the objective SIGN-O1. The Policy does not allow businesses and community activities to advertise other than onsite. SIGN-P3(3) is linked to SIGN-P1 and SIGN-P2, the management of signage is better managed via rules and standards for off-site signage.
- 7 SIGN-R4(PER-1) specifically excludes all signs which are off site. This is too prohibitive for off site signage. The rules should be more inclusive and apply a more balanced consideration for off site signage in the Commercial/Mixed use zones and General Industrial Zones. Under the TDPP any third party signage would become Non-complying straight away. The rules seek to control activity rather than the effects of signage.
- 8 SIGN-S2(2) applies too restricted a consideration for dwell time on a digital image, 30 seconds is too long. Most other regions have applied standards of 8 seconds based on empirical evidence from existing signs.

- 9 SIGN-S2(7) applies too low a level of illumination for a digital sign at 2000cd/m². 5000cd/m² is more appropriate, this has been applied in other regions as a standard and or covered in Practice Notes eg Auckland Unitary plan, Christchurch City Council Practice Note. Control of daytime illumination through an automated brightness control system is more important than any applied maximum, automated brightness systems moderate brightness to be appropriate for mean ambient light conditions at that time. As an example non-illuminated signage of light colours under high sunlight conditions have been tested at between 10,000 and 13,500cd/m² reflected light as part of monitoring comparisons. 2000cd/m² under high sunlight will make a digital sign very dim and more of a traffic hazard than an appropriately lit sign.
- 10 SIGN-S2(8) restricts signs adjoining the State Highway network. This is too prohibitive. Other regions apply permitted rules and standards which are more tolerant and only include Waka Kotahi when permitted standards are breached in relation to traffic matters.
- 11 SIGN-S3(2(1)) applies a maximum height of 4m for any sign not attached to a building, this is too low for any zone especially Commercial/Mixed Use Zones, Port and General Industrial Zones where taller signage is anticipated ordinarily in all regions.
- 12 SIGN-S4(2) 5m² is too small for a sign, the standard is too small for these zones, this would necessitate a restricted discretionary/Non-complying application for most freestanding signs. There is no provision for a double sided sign in a v format, many other regions assign a maximum angle of separation, eg CCC say 30 degrees.
- 13 Table 28 outlines separation distances between signs, these are too prohibitive. For example a sign on the neighbouring boundary of a property of 40m road frontage would deny any signs on a property. Properties must be allowed to sign whether this be on site or offsite, this table assumes that all properties in all zones have road frontages of greater than 60m. This rule would deny most properties the right to sign in the Commercial and Mixed use Zones.
- 14 Digital advertising can have a broader purpose and significantly less visual impact when compared with on-site advertising due to the flexibility digital advertising provides. Digital advertising also allows for some advertising to be site related. Any potential adverse effects from non-site related advertising in relation to traffic safety, landscape and amenity values can be managed through location and appropriate built form standards. Environmental effects assessments done for Go Media's existing static and digital billboards nationwide have demonstrated that effects are acceptable. These assessments were supported by technical traffic and urban design analysis where required.
- 15 Go Media is also concerned with:
 - (a) the lack of provision for off-site advertising in the policies and rules

- (b) All third party signage is considered a Non-complying activity, this is too onerous and contrary to the Objectives
 - (c) the onerous size and height provisions
 - (d) Onerous and counterproductive illumination standards under day light hours
 - (e) restrictive spacing between signs, in the township and industrial areas it would mean only every second or third property would be able to have a sign
 - (f) any third party sign falls straight to restricted discretionary
- 16 The Section 32 Report fails to provide an adequate planning assessment to support the proposed signage chapter. The report has accepted Waka Kotahi guidance as fact and ignored comments from others.
- 17 The Section 32 report favours assignment of non-compliant status on offsite signage rather than the application of permitted standards and rules meaning any application requires a resource consent and an onerous processing framework at a Non-compliant status, by contrast the same was not applied to site related, official signs or temporary signs which have many of the same effects.
- 18 Under 1.5 Best Practice Review the Section 32 report notes review of both the Christchurch City Council and Dunedin City Council, both in respect to off site signage are contrasting. Dunedin have opted for an avoid policy, not a “*No commercial advertising off-site*” as stated. Christchurch have opted for a more permissive plan assigning a number of standards and rules which limit the number of applications to council. The avoid and Non-Complying scenarios provide little option for applicants other than onerous application costs, and from council tie down resource processing and interpreting.
- 19 If off-site signage is expressly provided for as requested it is Go Media's submission that the TDPP would achieve the requirements of the RMA, including:
- (a) achieving the integrated management of the effects of use and development of land and associated natural and physical resources of the districts as required by section 31 of the RMA;
 - (b) meeting the requirements of section 32 of the RMA, in that the amended policies and rules would be the most appropriate method for achieving the RMA's purpose and are the most efficient and effective means for achieving the District Plan's objectives;
 - (c) assisting the Council to carry out its statutory functions in order to achieve the purpose of the RMA; and

- (d) promoting the sustainable management of natural and physical resources in accordance with Part 2 of the RMA.

Decision Sought

20 Go Media seek the following decision from the Council:

- (a) That billboards (including digital billboards) and non-site related advertising be explicitly enabled in the TDPP provisions;

That billboards (including digital billboards) and non-site related advertising be explicitly enabled in appropriate zones (such as commercial and mixed use, industrial and port zones) through an activity specific permitted activity rule supported by recognised industry standards;

- (b) That the provisions allow for larger signage than is proposed; and
- (c) That the provisions allow for more accepted lighting standards as per other regions; and
- (d) that the provisions in the Proposed Plan be amended to address issues raised in this submission; and
- (e) such other relief as may be required to give effect to this submission, including consequential amendments to objectives, policies, rules and definitions of the District Plan that address the matters raised by Go Media.

Dated this 13th day of December 2022



Frank Costello
Commercial Director, Go Media Limited