

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of hearing of a submission and further submission lodged by **oOh!Media Street Furniture New Zealand Limited** in respect of the 'Signs' Chapter and the 'Signs' Design Guide **Proposed Wellington City District Plan**

**SUMMARY STATEMENT OF ANTHONY BLOMFIELD FOR
OOH!MEDIA STREET FURNITURE NEW ZEALAND LIMITED ON THE
PROPOSED WELLINGTON DISTRICT PLAN – HEARING 7**

PLANNING

22 MARCH 2024

- 1.1 My name is Anthony James Blomfield. My qualifications and experience are set out in my primary statement of evidence on this topic, dated 5 March 2024, relating to the submission of oOh!Media Street Furniture New Zealand Limited (oOh).
- 1.2 I have read and considered the Statement of Supplementary Planning Evidence of Josh Patterson on behalf of Wellington City Council, dated 12 March 2024, which responds to my primary statement of evidence on behalf of oOh.
- 1.3 My evidence sets out that the provisions of the Proposed District Plan seek to recognise and provide for the benefits of infrastructure including the transport network, and that the revenue generated by advertising (which is integrated with such infrastructure) contributes and enables this infrastructure. I have set out the reasons why I consider a permitted activity status and a bespoke set of standards for signs that are integrated with buildings and structures in the road reserve and public places are the most appropriate, effective and efficient option to provide for advertising in order to enable the benefits of infrastructure.
- 1.4 Mr Patterson has not disagreed with my evidence that infrastructure has recognised benefits, and that the revenue generated by advertising that is integrated with infrastructure is an important contributor and enabler of this infrastructure.
- 1.5 The provisions that I have recommended provide a suitable framework to enable signage within the road reserve and public places, while managing the effects of signage in particular locations (for example, within or proximate to historic heritage places, archaeological sites or sites of significance to Maori), as well as having standards that manage the design and operation of signs.
- 1.6 Mr Patterson does not agree with my recommendation to include a bespoke set of provisions for signs that are located on buildings and structures within the road reserve and public places, on the basis that the notified provisions for signs “*set an appropriate baseline for signage that is permitted vs signage that will require a resource consent*”.

- 1.7 In particular, Mr Patterson’s concern appears to relate to the standards that I recommend for signs on buildings and structures in the road reserve and public spaces, namely:
- (a) Proposed Standard 4 which does not set a limit on the maximum size or number of signs on buildings and structures in the road reserve and public spaces;
 - (b) Proposed Standards 5, 6, 7, 10 and 11 which are controls on illuminated and digital signs. Mr Patterson considers that the notified standards for such signs are more comprehensive than the standards I have recommended; and
 - (c) Proposed Standards 8 and 9 which are duplicates of other notified standards which relate to traffic safety.
- 1.8 With respect to the size and number of signs, Mr Patterson has stated that “Street furniture or structures, including buildings, can be very large” and that integrated signage could therefore be large. The types of infrastructure buildings and structures that are intended to be subject to my provisions are bus shelters, pedestrian shelters, telecommunication kiosks, and bicycle and vehicle charging facilities. Such structures are not large or obtrusive within the road reserve or in public spaces, and are generally capable of supporting small scale advertising devices such as those operated by oOh within the network of shelters in Wellington.
- 1.9 To address the concern of Mr Patterson (that Proposed Standard 4 could enable large signs as a permitted activity), I consider that the provisions I have recommended could be amended to apply specifically to the types of structures that are intended to be subject to the provisions, which will ensure that integrated signage is of a ‘pedestrian’ scale.
- 1.10 Notwithstanding, as set out in my evidence, the Public Places Bylaw 2022 requires written approval from the Council to establish any sign within a public place (which includes the road reserve). This provides the Council with the “final say” on what signage can be established within the road reserve, which will avoid any other unintended

consequences of the provisions I have recommended. As the Bylaw is prepared under the Local Government Act 2002, I note that Council has full discretion to decline approval (and is not obligated to provide its reasons for doing so), and there are no applicant rights to appeal. In my view, this provides sufficient comfort that unintended signage in public places will not be enabled.

- 1.11 With regards to Proposed Standards 5, 6, 7, 10 and 11, I accept that these differ slightly to the notified standards which relate to similar matters. In my view, it would be appropriate to include cross-references to the applicable standards from the Signs Chapter for illuminated signs and digital signs, and to remove the standards that I had otherwise recommended to address these matters. I have made minor amendments to the provisions that I recommend, which are attached to this summary.
- 1.12 Similarly, with respect to Proposed Standards 8 and 9, Mr Patterson is correct that these are duplicates of other standards. The intent of having a discrete set of standards for signs that are integrated with buildings and structures in the road reserve and public spaces is to avoid the need for a plan user to interpret the relevance (or not) of each of the standards. In my view, this is an appropriate structure for the provisions.
- 1.13 Overall, it is my opinion that it is appropriate to include specific provisions which provide for signage on buildings and structures in the road reserve and public spaces, in order to contribute to and enable the benefits of infrastructure. This can be provided for in a way that appropriately manages the potential effects of signage in particular locations, and in respect of visual amenity and traffic safety. With minor tweaks to the provisions that I have recommended, the concerns raised by Mr Patterson can be readily addressed.

ATTACHMENT 1

Attachment 1 to the Summary Statement of Evidence of Anthony Blomfield for oOh!Media Street Furniture New Zealand Limited, dated 22 March 2024

Recommended Changes to the Signs chapter

Changes that were recommended in my primary Statement of Evidence (5 March 2024) are shown in ~~green strikethrough and underline~~.

Changes that are recommended in my Summary Statement of Evidence (22 March 2024) are shown in ~~blue strikethrough and underline~~.

Introduction

The purpose of the Signs chapter is to manage the potential for adverse environmental effects that can result from the erection and placement of signs across the city. This chapter addresses digital signs, freestanding signs, illuminated signs, official signs, third-party signs, and on-site signs. Electoral signs are exempt from these rules and are managed under the Electoral Act 1993.

Signs are useful for displaying important information including community messages, directions, health and safety messages, and placenames. Third-party signs are useful to advertise events, products, and services. Signs are crucial for traffic safety to warn motorists of approaching hazards and to convey important information such as speed limits.

If not managed appropriately, signs have the potential to result in adverse environmental effects including visual clutter, degradation of heritage features, and erosion of the amenity of the local and wider environment.

The definition of a sign in this plan is limited to signs that are projected onto, or fixed or attached to, any structure or natural object such as buildings. ~~Portable signs in the form of a board on Council owned land are managed under the Wellington Consolidated Bylaw 2008. Under this bylaw, written approval is required for signage in public places. Some signs are subject to the Public Places Bylaw 2022. Notwithstanding any rules for signs in public places or within the road reserve, all signs placed in the road reserve will require the prior approval of Wellington City Council, or the approval or Waka Kotahi in respect of signs placed in the state highway network.~~

Policies

SIGN-P1	Appropriate signs Allow signs where: <ol style="list-style-type: none">1. They are of an appropriate size, design and location; and2. They do not result in visual clutter; and3. Any potential cumulative effects are managed; and4. They are required to meet regulatory or statutory requirements; and5. They do not compromise the efficiency of the transport network or the safety of its users, including cyclists and pedestrians; and
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	<p>6. In the Residential, Rural and Open Space Zones, they relate to an activity on the site on which they are located; and</p> <p>7. They maintain the character and amenity values of the site and the surrounding area-; and</p> <p>8. <u>They are an integrated component of a building or structure bus shelter, pedestrian shelter, communication kiosk, bicycle or vehicle charging structure that is located within the road reserve or a public place.</u></p>
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Rules

Add a new rule:

Rules: Land use activities		

	<u>SIGN-RX</u>	<u>Signs that are integrated with buildings and structures bus shelters, pedestrian shelters, communication kiosks, and bicycle and vehicle charging structures in the road reserve or a public place, excluding building verandahs</u>
	<u>All Zones</u>	<p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance with the following standards is achieved:</u></p> <p style="padding-left: 20px;">i. <u>SIGN-SX</u></p>
	<u>All Zones</u>	<p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance with the Requirements of SIGN-RX.1 cannot be achieved.</u></p> <p><u>Matters of discretion are:</u></p> <p>1. <u>The matters in SIGN-P1, SIGN-P3 and SIGN-P4; and</u></p> <p>2. <u>The extent and effect of non-compliance with any relevant standard and the matters as specified in the associated assessment criteria for the infringed standards.</u></p>

Standards

Add new standards:

Standards		
...	...	

<u>SIGN-SX</u>	<u>Signs that are integrated with buildings and structures bus shelters, pedestrian shelters, communication kiosks, and bicycle and vehicle charging structures in the road reserve or public places, except building verandahs</u>	
<u>Road Reserve (All Zones)</u>	<p>For the avoidance of doubt, the standards in SIGN-S1 to SIGN-S146 do not apply to signs that are integrated with <u>buildings or structures bus shelters, pedestrian shelters, communication kiosks, and bicycle and vehicle charging structures in the road reserve and public places, except where specifically stated otherwise below. These standards do not apply to signs on building verandahs, which are subject to the standards in SIGN-S1 to SIGN-S14.</u></p> <ol style="list-style-type: none"> 1. <u>Signs must not be located within 30m of a scheduled Historic Heritage Place.</u> 2. <u>Signs must not be located within a scheduled archaeological site or within a site of significance to Maori.</u> 3. <u>Signs must not be located on roads that are classified as 'local streets', 'peri-urban roads', 'rural connectors', or 'rural roads' on the Plan Maps.</u> 4. <u>Signs must be no larger than the <u>street furniture bus shelter, pedestrian shelter, communication kiosk, bicycle or vehicle charging structure it is attached to.</u></u> 5. <u>Signs (except digital signs) which are lit internally or by external means (but excluding digital signs) must comply with Standard SIGN-S9.</u> 6. <u>The illumination of d-Digital signs must comply with Standard SIGN-S8-4.</u> 7. <u>The sign must not contain any flashing or moving lights.</u> 8. <u>Signs must not be shaped or use images or colours, including changeable</u> 	<p><u>Assessment criteria where Standard SIGN-SX.1. is infringed:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the sign adversely affects the visual amenity or detracts from the visual qualities that are fundamental to the historic heritage values of the scheduled historic heritage place; and</u> 2. <u>The extent to which the location of the sign is necessary to provide for functional or operational needs, including the relationship of the sign to road network features such as bus stops or pedestrian thoroughfares or waiting areas;</u> <p><u>Assessment criteria where Standard SIGN-SX.2 is infringed:</u></p> <ol style="list-style-type: none"> 1. <u>The matters contained in SIGN-P4</u> 2. <u>The extent to which the location of the sign is necessary to provide for functional or operational needs, including the relationship of the sign to road network features such as bus stops or pedestrian thoroughfares or waiting areas;</u> <p><u>Assessment criteria where Standard SIGN-SX.3 to SIGN-SX.126 are infringed:</u></p> <ol style="list-style-type: none"> 1. <u>Visual amenity effects;</u> 2. <u>The impact of the sign on traffic, pedestrian and cycling safety;</u> 3. <u>The extent to which any infringement is necessary to provide for functional needs or operational needs; and</u> 4. <u>Any positive effects of the sign.</u>

	<p><u>messages, that could be mistaken for a traffic control device in colour, shape or appearance.</u></p> <p>9. <u>Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal.</u></p> <p>10. <u>Digital signs must not provide advertising over multiple messages which are displayed across transitioning screens.</u></p> <p>11. <u>In the event of a malfunction, a digital sign shall default to a blank screen.</u></p> <p>12. <u>Each image on a digital sign must:</u></p> <ul style="list-style-type: none">a. <u>Be displayed for a minimum of 8 seconds;</u>b. <u>Transition to another image within 0.1 to 0.5 seconds;</u>c. <u>Transition to another image without flashing, blinking, fading or scrolling.</u>	
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