

## AUCKLAND COUNCIL'S PROPOSED TRACK CHANGES TO THE PAUP SIGNS PROVISIONS (AS AT 13 FEBRUARY 2015)

### PROVIDED ON A WITHOUT PREJUDICE BASIS FOR THE PURPOSES OF MEDIATION

#### 7.4 Signs

##### Background

Signs have an important role in identifying places or buildings and supporting businesses and organisations as an advertising medium. Signs can make an important contribution to making Auckland vibrant, vital and liveable, and can contribute to Auckland's economic well-being, but needs to be undertaken in a manner that does not detract from the visual amenity of buildings or places.

The Unitary Plan provisions for signs provide for a range of signs to advertise businesses, products, services or activities or provide direction or information. The provisions also seek to maintain pedestrian and traffic safety and mitigate the adverse effects signs may have on the visual amenity of buildings and urban, rural and coastal locations. Most site-related signs and directional signs will be regulated by a bylaw.

##### Objectives

[rcp/rpdp]

1. The role of signs in the identification of places, buildings ~~and~~ businesses and the advertising of goods and services is recognised and provided for.
2. The adverse effects of signs on traffic and pedestrian safety and the visual amenity of buildings and surrounding environments are avoided, remedied or mitigated.

##### Policies

[rcp/rpdp]

1. Require signs to be in keeping with the scale and design requirements of the building and zone in which they are located.
2. Require the placement, location and size of signs on buildings to not significantly detract from the profile or appearance of the building or cover any significant architectural features on the façade of the building.
3. Enable signs for businesses and organisations to be easily identified without creating clutter or dominating the building or environment by controlling the size number and location of signs.
4. Apply traffic and pedestrian traffic safety standards particularly to the wording, contrast, lighting and location of signs and variable image signs.
5. Develop bylaws for site related signs and for directional signs, except for signs that are part of a comprehensive development or are on a site within a historic heritage places overlay.
6. Control all non-site related signs (billboards), signs on scheduled historic places and signs that form part of a comprehensive development by Unitary Plan rules.
7. ~~Take an approach to billboards that recognise~~ Recognise the changes likely to occur to the form and use of urban and rural areas undergoing significant change by ~~limiting the duration of consents for considering the appropriateness of time-limited consents for billboards in these circumstances.~~

## 6.3 Signs

### 1. Activity table

The following table specifies the activity status for billboard signs. Signs permitted by or approved pursuant to the Auckland Transport / Auckland Council Signage Bylaw 2015 are permitted activities.

~~With the exception of billboards placed on street furniture in the street, b~~Billboards placed in the street ~~have the same activity status as the adjoining zone~~ must not be placed in, on, or over publicly owned land unless:

- a. The billboard is placed on street furniture in the street; or
- b. The sign complies with rule H6.3.2.1(i).

*Note: All billboards placed in the road reserve will require the prior approval of Auckland Transport.*

Zone / activity	All free standing billboards	Billboards on a side or rear building facade	Billboards on a street facing building facade
Residential zones	NC	NC	NC
Future Urban zone	NC	NC	NC
Rural Conservation zone	NC	NC	NC
Countryside Living zone	NC	NC	NC
Rural Production zone	D	D	D
Mixed Rural and Rural Coastal zone	D	D	NC
Public Open Space - Conservation zone	NC	NC	NC
Public Open Space - Informal Recreation zone	NC	D	NC
Public Open Space - Sport and Active Recreation zone	D	D	NC
Public Open Space - Civic and Community zone	D	D	NC
Business Park zone	D	RD	D
Mixed Use zone	D	D	NC
General Business zone	D	RD	D
Neighbourhood Centre zone	NC	D	NC
Local Centre zone	NC	D	NC
Town Centre zone	D	RD	D

Zone / activity	All free standing billboards	Billboards on a side or rear building facade	Billboards on a street facing building facade
Metropolitan Centre zone	NC	D	NC
Light Industry zone	RD	P	RD
Heavy Industry zone	RD	P	P
Historic Character - Business overlay	NC	D	NC
City Centre zone (except the residential precinct)	NC	<del>D</del> <u>RD</u>	NC
City Centre zone - residential precinct	NC	NC	NC
Strategic Transport Corridor zone	NC	D	NC
Defence zone	NC	D	NC
Airport zone	D	D	D
Cemetery zone	NC	NC	NC
Healthcare Facility zone	NC	NC	NC
Major Recreation Facility zone	D	D	D
Māori Purpose zone	NC	D	NC
Retirement Village zone	NC	D	D
Quarry zone	D	D	D
School zone	NC	NC	NC

**[rcp]**

Zone / activity	All free standing billboards	Billboards on a side or rear building facade	Billboards on a street facing building facade
General Coastal Marine zone	NC	NC	NC
Ferry Terminal zone	NC	D	NC
Moorings zone	Pr	Pr	Pr

**[rcp/dp]**

Zone / activity	All free standing billboards	Billboards on a side or rear building facade	Billboards on a street facing building facade
Marina zone	NC	D	NC

Zone / activity	All free standing billboards	Billboards on a side or rear building facade	Billboards on a street facing building facade
Minor Port zone	D	D	NC

1. The following activities are also permitted activities:

- a. the placement of billboards on existing street furniture in the road reserve (or their like for like replacement) provided that the billboard is no larger than the street furniture it is attached to.
  - b. the establishment of billboards on new street furniture provided that the billboard is no larger than the street furniture it is attached to and the billboard is not placed on street furniture where the immediately adjoining land use is:
    - i. included in a Special Character overlay area
    - ii. zoned
      - rural conservation
      - countryside living
      - public open space conservation
- unless that street furniture is on an arterial road.

In addition to the above requirements, all billboards placed on existing or new street furniture must comply with development controls 1(c), 1(e), 1(i), 1(o), 1(s), 4 and 5 below.

c. Signs including temporary activity signs associated with temporary events permitted by or approved pursuant to the Auckland Transport / Auckland Council Signage Bylaw 2015.

4-2 The following activities are also restricted discretionary activities:

- a. Signs (except billboards) that are part of a comprehensive development, being signs related to a new building or the alteration of an existing building where the building or alteration requires:
  - i. a resource consent, and/or
  - ii. building work to the value of at least \$100,000 (assessed at the time a building consent application is lodged with the council).
- b. The alteration or moving of an existing lawfully established billboard on a site where the use of billboards in that zone is not provided for as a permitted activity and where that change does not increase its size or its non-compliance with the development controls below.
- c. The change of an existing lawfully established static billboard to a variable image billboard where the use of billboards in that zone is not provided for as a permitted activity.
- d. Billboards not provided for as a permitted activity that are placed on:
  - i. existing street furniture in the road reserve (or their like for like replacement), and
  - ii. new street furniture

provided that the billboard is no larger than the street furniture it is attached to.

## 2. Development controls

1. ~~The~~ A billboard sign must:

- a. not be placed on or extend over any public place or wharf
- b. not be placed within 30m of ~~a site within~~ a residential zone, a residential precinct or public open space zone
- c. not be placed within a view shaft or within 30m of a scheduled historical heritage place
- d. not be attached to or placed on
  - i. a street verandah, or
  - ii. the roof of a building.
- e. if lit internally or by external means must:
  - i. not be lit with upwardly facing lights
  - ii. not exceed a luminance of 800cds/m<sup>2</sup> if it is a static billboard lit by external means
  - iii. be designed to reduce any glare or direct view of the light source (except where the source is from an LED) when standing at ground level 2m or more away from the sign
  - iv. not exceed an illuminance of 5000 cds/m<sup>2</sup> between dawn and dusk and 250cds/m<sup>2</sup> between dusk and dawn if it is lit by a internal means (e.g. a digital display/LED billboard)
- f. not emit noise, smoke, steam or other matter
- g. not be placed on a wall or part of a wall so that any part of the billboard sign is higher than the lowest point of the roof of the building that is adjoining that wall
- h. not be placed on a wall so as to extend beyond the outer edge of any wall of the building on which it is located and the billboard sign must remain entirely within the visual profile of the building
- i. not extend more than
  - 200mm from the face of any building or structure to which it is attached if it is located over a public place or over land owned by another party
  - 400mm from the face of any building or structure to which it is attached in any other situation
- j. when viewed from any public place, be placed so as to not obscure (partially or totally) any window or window aperture, whether glazed and usable as a window or not
- k. not be installed on a building where that building has been altered or modified for the purposes of installing that billboard sign
- l. when placed on a wall, not exceed an area equal to 25 per cent of the wall area or 36m<sup>2</sup>, whichever is the lesser
- m. when mounted on a wall not be placed so that any part of the sign is:
  - i. more than 30m above ground level
  - ii. less than 3m above ground level
  - iii. within 3m of the top of any wall on any building of seven storeys or more
- n. not comprise of window film above the ground floor of any building
- o. not display any image that
  - i. ~~display any image that~~ resembles or is likely to be confused with any traffic sign or signal
  - ii. does not comply with the Land Transport: Traffic Control Devices Rule 2004

- iii. contains reflective, fluorescent or phosphorescent materials that will reflect headlights, or distract or interfere with a road user's vision;
- iv. uses flashing or revolving lights or lasers or any other method of illumination that will dazzle or distract drivers
- p. not be placed on any traffic control devices or their supporting poles, posts or structures
- q. not be displayed on any median strip, kerb projection, roundabout, or any other traffic separation structures on any road
- r. not be displayed on any power pole, lighting pole, ~~street furniture including but not limited to:~~ bollards, ~~bus shelters, seats,~~ rubbish bins, plant boxes, pylons and public signs or other similar structures in a public place
- s. have lettering of at least 120mm high in areas where the billboard sign is directed at a road where the speed limit is 60km/h or less and at least 150mm high in areas where the billboard sign is directed at a road where the speed limit exceeds 60km/h.

2. Free-standing billboards must:

- a. be at least 4m high but not more than 6m high and 13m long and have a display face that does not exceed 39m<sup>2</sup>
- b. be the only freestanding sign on the site which is more than 1.5m high

~~3.~~ Free standing billboards must not be placed within:

- a. ~~i.~~ 5m of any building that is higher than 1.5m
- b. ~~ii.~~ 10m of any other free standing sign on the same site or footpath signs placed directly outside ~~on~~ the same site
- c. ~~iii.~~ 2m of any free standing sign on another site under different ownership
- d. ~~iv.~~ 2m of the side boundary of any site if the site has a frontage width of more than 6m
- e.

4. Free standing billboards must not

- a. obstruct, obscure or impair a motorist's safe line of sight of any corner, bend, vehicle crossing pedestrian crossing, or intersection. The safe intersection sight distance should be measured according to the Austroads Guide to Road Design
- b. obstruct, obscure or impair the view of a motorist of any traffic control device (sign, signal or notice)
- c. use images that could be mistaken by an approaching motorist for a traffic control device in colour, shape or appearance

~~3.5.~~ A billboard displaying a variable image billboard must:

- a. have a minimum display time of 8 seconds for each image displayed
- b. not use images that flash or are animated
- c. not use images that could be mistaken by an approaching motorist for a traffic control device in colour, shape or appearance ~~not use the colours red, green, orange, white or yellow~~

~~where this is likely to form the background or foreground to or appear long side a traffic control device of similar colour when viewed by approaching motorists.~~

### **3. Assessment - Restricted discretionary activities**

#### **3.1 Matters of discretion**

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the zone activity table.

1. Free-standing billboards, billboards on a side or rear building facade and billboards on a street facing building facade

- a. visual amenity, scale and location
- b. cumulative effects
- c. lighting and traffic safety.

#### **3.2 Assessment criteria**

The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above.

1. Free-standing billboards, billboards on a side or rear building facade and billboards on a street facing building facade

a. Visual amenity, scale and location

i. The sign or billboard sign should be appropriate in terms of its size, type and form in relation to its location, the surrounding environment, other signs nearby and the zone in which it occurs.

In determining this, the council will consider:

- the scale, style and simplicity of the sign or billboard sign ~~and the images likely to be used~~
- the location of the sign or billboard sign in relation to other signs and adjacent structures and buildings and the size of the site on which the sign or billboard sign will be placed
- its relationship with the streetscape, landscape and open space areas in the vicinity of the proposed sign or billboard
- the length of time that the billboard will be in place for.

ii. Where attached to a building the sign or billboard sign should appear as an integrated element of the building such that it respects, and positively relates to structural bays, structural elements, architectural features, building proportions and the overall design of the building.

iii. The sign or billboard sign structure should be visually integrated with the existing built and/or natural environment. Sign or billboard sign structures should be simple and visually recessive in terms of form and colour and of a design to discourage access for graffiti on the image displayed.

iv. The sign or billboard sign should not detract from the visual amenity of any public open space from which it can be seen, including the characteristics of the streetscape, natural environment, landscaping and open space.

v. A sign or billboard sign located in close proximity to a scheduled historic heritage place should not adversely affect the visual amenity of that place or detract from the visual qualities

that are fundamental to the reasons for the heritage listing of that scheduled historic heritage place.

vi. Lighting associated with a sign or billboard sign should be controlled to minimise adverse effects on the visual amenity of the surrounding environment during day time and night time (and the transition times between) having regard to the location of the signage or billboard, its orientation to the sun and the variance of ambient light levels within the area.

vii. Where the proposed sign or billboard sign will replace an existing sign or billboard on a building, it should be placed in a manner that integrates with the building's form, shape and architectural features.

viii. The sign or billboard should not dominate the outlook from any dwelling or public open space.

b. Cumulative effects

i. Signs or billboard sign in conjunction with existing signs nearby, should not create visual clutter or other adverse cumulative effects.

c. Lighting and traffic safety

i. Lighting levels, light spill or glare resulting from an illuminated or variable image sign or a billboard which are not compliant with the development controls related to lighting or illumination should not cause unreasonable levels of glare and discomfort to any person or to traffic safety. The controls of Tables 2.1 and 2.2 of Australian Standards AS 4282 - 1997 (Control of the Obtrusive Effects of Outdoor Lighting) may be used to determine glare and discomfort.

ii. Where the images on or projected by a sign or a billboard sign are capable of displaying variable images more than once every 8 seconds, the proposed transition time between images, the dwell time of each image, the number of image changes per hour and the number of consecutive related images should not adversely affect the amenity of the surrounding area and traffic safety.

iii. The sign or billboard sign's location, operation, lighting and design should not adversely affect traffic safety, in particular it should not:

- ~~• obstruct, obscure or impair the safe line of sight of any corner, bend, vehicle crossing, pedestrian crossing, or intersection. The safe intersection sight distance should be measured according to the Austroads Guide to Road Design~~
- ~~• obstruct, obscure or impair the view of any traffic control device (sign, signal or notice)~~
- ~~• be mistaken for a traffic control device in colour shape or appearance~~
- ~~• use the colours red, green, orange, white or yellow where this is likely to form the background or foreground to or appear alongside a traffic control device of similar colour when viewed by approaching motorists~~
- ~~• contain reflective, fluorescent or phosphorescent materials that may reflect headlights, or distract or interfere with a road user's vision;~~
- ~~• use flashing or revolving lights or lasers or any other method of illumination that may dazzle or distract drivers~~



- ~~• induce or invite drivers to turn so close to a turning point that there would be insufficient time to signal and turn safely having regard to the speed limit applicable in the circumstances~~
- ~~• obstruct, obscure or impair the safe passage of pedestrians, cyclists or persons in wheelchairs or mobility scooters.~~

## **4. Assessment - Development control infringements**

### **4.1 Matters of discretion**

In addition to the general matters of discretion in ~~clause rule 2-3G3.2~~ rule 2-3G3.2 of the general provisions, the council will restrict its discretion to the matters below for the listed development control infringement.

1. Billboard signs
  - a. Visual amenity, scale and location
  - b. Cumulative effects
  - c. Lighting and traffic safety.

### **4.2 Assessment criteria**

In addition to the general assessment criteria in ~~clause rule 2-3G3.2~~ rule 2-3G3.2 of the general provisions, the council will consider the relevant criteria below for the listed development control infringement.

1. Billboard signs
  - a. Refer to the assessment criteria above that relate to the matters of discretion listed.