



16 February 2021

POLICY & SERVICES COMMITTEE MEETING - HEARING

Notice is hereby given that the **Policy & Services Committee Meeting of Council** will be held in the **Council Chambers, Stratford District Council, Miranda Street, Stratford** on **Tuesday 23 February 2021** at **2.00pm** to hear and consider submissions to the Draft Control of Advertising Signs Bylaw.

Timetable for 23 February 2021 as follows:

1.15pm	Workshop for Councillors - Fees and Charges
2.00pm	Policy & Services Committee – Hearing - Control of Advertising Signs Bylaw
2.45pm	Afternoon tea for Councillors
3.00pm	Policy and Services Committee Meeting

Yours faithfully

Sven Hanne
CHIEF EXECUTIVE

2020 - Hearing - Policy & Services Committee - February (23/02/2021)

Control of Advertising Signs Bylaw

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POLICY & SERVICES COMMITTEE MEETING
TUESDAY 23 FEBRUARY 2021 AT 2.00PM

TO HEAR AND CONSIDER SUBMISSIONS TO THE
CONTROL OF ADVERTISING SIGNS BYLAW

A G E N D A

1. WELCOME

- [Health & Safety Message](#)

2. APOLOGIES

3. ANNOUNCEMENTS

Speakers to Submissions

The Chairman welcomes everyone to the Policy and Services Committee meeting. It is reinforced to Councillors that the purpose of this meeting is to hear submissions on the Control of Advertising Signs Bylaw. Councillors are asked to hear submissions with an open mind and to restrict their question time to the submitters to points of clarification or issues pertaining to subject matter. Councillors are requested not to get into direct dialogue with the submitter. Councillors may take notes whilst submitters are speaking.

4. DECLARATION OF MEMBERS' INTEREST

(No report)

Elected members to declare any real or perceived conflicts of interest relating to items on this agenda.

5. ATTENDANCE SCHEDULE

Page 5

Attendance schedule for Policy & Services Committee Meetings, including Hearings.

6. ACKNOWLEDGEMENT OF SUBMISSIONS

Submissions pages 24-29

Attached are the four (4) submissions received.

RECOMMENDATIONS

1. THAT each of the four (4) submissions to the Control of Advertising Signs Bylaw be received.
2. THAT each submitter be individually thanked for their submission, and a copy of the minutes of this Policy & Services Committee Meeting and subsequent meetings be provided to each submitter.

Recommended Reason

Each submission is formally received and the submitter provided with information on decisions made.

Moved/Seconded

7. SUBMITTERS TO BE HEARD

(No report)

There are two (2) submitters wishing to be heard.

Submitters are given 5 minutes to speak to the Committee. Five minutes is also allocated for questions from the Committee.

Name	Organisation	Submission No.	Page No.	Time
Matthew Dimock	Stratford Business Association	2	26	2.05pm
Matthew McDonald	Matthew & Co Real Estate	3	27	2.15pm

8. DECISION REPORT - ADOPTION CONTROL OF ADVERTISING SIGNS BYLAW

D20/3602 Pages 6-29

Discussion

Council needs to consider submissions to the Draft Control of Advertising Signs Bylaw as part of the consultation process.

RECOMMENDATIONS

1. THAT the report be received.
2. THAT The Committee considers submissions received as part of the public consultation process of the bylaw and the subsequent adoption of the *draft* Control of Advertising Signs Bylaw 2020 (attached).
3. THAT the commencement date of the *draft* Control of Advertising Signs Bylaw 2020 be Friday 12 March 2021.

Recommended Reason

The *draft* Control of Advertising Signs Bylaw 2020 has gone through the public consultation process, required by Sections 82 and 83 of the Local Government Act 2002. Four submissions were received during the public consultation period.

Moved/Seconded



Health and Safety Message

In the event of an emergency, please follow the instructions of Council Staff.

Please exit through main entrance.

Once you reach the footpath outside please turn left and walk towards the Bell tower congregating on lawn outside the Council Building.

Staff will guide you to an alternative route if necessary.

If there is an earthquake – drop, cover and hold where possible. Stay indoors till the shaking stops and you are sure it is safe to exit or remain where you are until further instruction is given.

5. Attendance schedule for 2021 Policy & Services Committee meetings, including hearings.

Date	26/01/21	23/02/21	23/02/21	23/03/21	27/04/21	27/04/21	18/05/21	25/05/21	22/06/21	27/07/21	24/08/21	28/09/21	26/10/21	23/11/21
Meeting	P&S	H	P&S	P&S	H	P&S	H	P&S	P&S	P&S	P&S	P&S	H	P&S
Neil Volzke	✓													
Grant Boyde	✓													
Rick Coplestone	✓													
Peter Dalziel	✓													
Jono Erwood	✓													
Amanda Harris	✓													
Alan Jamieson	✓													
Vaughan Jones	✓													
Min McKay	✓													
John Sandford	✓													
Gloria Webby	✓													

Key	
P&S	Policy & Services Committee Meeting
H	Hearing (heard by Policy & Services)
✓	Attended
A	Apology/Leave of Absence
AB	Absent
S	Sick
	Non Committee Member
(AV)	Meeting held by Audio Visual Link

DECISION REPORT



TO: Policy & Services Committee F19/13/04-D20/36027
FROM: Environmental Health Manager
DATE: 23 February 2021
SUBJECT: **ADOPTION OF THE CONTROL OF ADVERTISING SIGNS BYLAW 2020**

RECOMMENDATIONS

1. **THAT** the report be received.
2. **THAT** The Committee considers submissions received as part of the public consultation process of the bylaw and the subsequent adoption of the *draft* Control of Advertising Signs Bylaw 2020 (attached).
3. **THAT** the commencement date of the *draft* Control of Advertising Signs Bylaw 2020 be Friday 12 March 2021.

Recommended Reason

The *draft* Control of Advertising Signs Bylaw 2020 has gone through the public consultation process, required by Sections 82 and 83 of the Local Government Act 2002. Four submissions were received during the public consultation period.

Moved/Seconded

1. **PURPOSE OF REPORT**

- 1.1 The Committee approved release of the *draft* Control of Advertising Signs Bylaw 2020 on 8 December 2020 for public consultation.
- 1.2 The purpose of this report is for the Committee to consider the public submissions and recommend any amendments to the *draft* Control of Advertising Signs Bylaw 2020 and subsequent adoption.

2. **EXECUTIVE SUMMARY**

- 2.1 The Local Government Act 2002 along with various other pieces of legislation allow the Council to make bylaws for the control of signage.
- 2.2 The purpose of this bylaw is to ensure that advertising signs are erected, maintained, and displayed in such a manner that they do not present a hazard or danger to public safety.
- 2.3 As a result of the bylaw review, the *draft* Control of Advertising Signs 2020 would become a stand-alone document, as opposed to its previous consolidation with the other Council Bylaws.

3. **LOCAL GOVERNMENT ACT 2002 - SECTION 10**

Under section 10 of the Local Government Act 2002, the Council’s purpose is to “enable democratic local decision making by and on behalf of communities; as well as promoting the social, economic, environmental, and cultural well-being of communities now and into the future”			
Does the recommended option meet the purpose of the Local Government 4 well-beings? And which:			Yes
Social	Economic	Environmental	Cultural
	✓	✓	

This Bylaw is for the *performance of a good quality regulatory function and public service.*

4. **BACKGROUND**

- 4.1 The Stratford District Council’s Control of Advertising Signs Bylaw 2008 (“the current Bylaw”) lapsed on 13 July 2018. The Local Government Act in Section 159 requires that the Council review its bylaw no later than 10 years after it was last reviewed.
- 4.2 Section 160A allows a Bylaw to continue in its effect, no more than 2 years after the date on which the bylaw should have been reviewed. Therefore, the *draft* Control of Advertising Signs Bylaw 2020 was required to be adopted by July 2020. However, due to Covid19, Local Government New Zealand suspended the provision that automatically revokes bylaws if they were not renewed within the required period. The provision by Local Government New Zealand to extend the timeframe will expire on 30 June 2021.
- 4.5 The bylaw has had no significant changes since its initial adoption.

5. **CONSULTATIVE PROCESS**

5.1 **Public Consultation - Section 82**

The bylaw review was subject to the Special Consultative Procedure. This has been completed.

Public consultation was first advertised on the Council's website on 15 December 2020 and public notification appeared in the Stratford Press on 16 December 2020. This submission period closed on 22 January 2021 to allow for the public holiday period.

Of the four submissions, three have requested minor changes to the proposed bylaw and one submitter is in support.

5.2 **Māori Consultation - Section 81**

There are no specific issues concerning Maori in the consideration of the bylaw review and therefore specific Iwi consultation was not required.

5.3 **Summary of Submissions**

The following list provides a summary of the submitters’ concerns and staff comments.

Submission Number	Name
1	McDonald Real Estate Limited – Danny Bates
<p>The submitter has noted the following comments:</p> <ul style="list-style-type: none"> - Commends the Council on the review of the Bylaw - 9.2 & 9.1 (a) The use of reflective signs - 10.7 (a) The use of directional signs - 10.7 (c) regarding 48 hours for sold signs to be removed. 	
<p>Staff Comments:</p> <p>Clause 9.2 & 9.1 (b). The clauses the submitter refers to were noted in the Control of Advertising Signs Bylaw 2008. The signs the submitter refers to were considered appropriate under the 2008 Bylaw, and there would be no change to the current use of these signs under the proposed bylaw.</p> <p>Clause 10.7 (a). Officers support the submitters request and propose an additional clause to 10.7 noting:</p> <p><i>Direction signage may be used for open homes if the sign complies with other clauses of this bylaw and will not impede the safety of pedestrian or road traffic and can only be displayed during the days and hours of the open home.</i></p> <p>Clause 10.7 (c). The sold sign is erected when the property has gone unconditional. Generally, the settlement date (payment) will be approximately 2 to 4 weeks from the date the property goes unconditional. The proposal to remove the sign 48 hours after the settlement date is consistent with other council bylaws across the country and is also consistent with our Stratford District Plan for Temporary Signs.</p>	

Submission Number	Name
2	Stratford Business Association – Matthew Dimock
<p>The submitter has noted the following comments:</p> <ul style="list-style-type: none"> - The public consultation time period - OK signs 	
<p>Staff Comments:</p> <p>The public notification period of the bylaw is consistent with the Local Government Act 2002 Section 83. Section 83 notes notification of the bylaw must be no less than one month. The public notification of the proposed bylaw complied with this section.</p> <p>The submitter refers to OK signage, I believe that the submitters concerns are directed at the process for approval of signage. The bylaw provides requirements and measures for acceptable types of signage. The bylaw now provides for the approval by the Chief Executive or delegated officer to approve a sign outside of the scope of the bylaw and provides considerations for the approval of a sign in clause 8.3 of the bylaw.</p> <p>The submitter wishes to speak to his submission.</p>	
3	Matthew & Co Real Estate – Matthew McDonald
<p>The submitter has noted the following clauses:</p> <ul style="list-style-type: none"> - Clause 9.1 Authorised Officer’s discretion - Clause 9.2 Clarification of the illumination of signs - Clause 9.4 Under veranda signage consent - Clause 10.2 (a) Directional Signs - Clause 10.7(c) Clarification of the meaning of the sold date 	
<p>Staff comments:</p> <p>Clause 9.1 – The bylaw provides specific rules where an Authorised Officer can remove a sign for the safety of pedestrians and road users. However, where in the Authorised Officer’s opinion a sign is considered inappropriate, this is discussed with management prior to any removal and the owner is notified. The bylaw provides for the right of appeal (clause 14).</p> <p>Clause 9.2 - The clause allows for illuminated lighting of signs. However, the intent of this clause is remove any illuminated sign that is likely to cause a safety issue to any driver of a motor vehicle.</p>	

Clause 9.4 – A building consent is required by the Building Act 2004, if any sign is greater than 6 square metres or situated 3 metres above ground level. 2.5 metres is considered safe clearance for pedestrians. The clause also allows for permission to be considered on a case by case basis, if the veranda is outside of the clauses provisions. An audit undertaken of under veranda signage indicates signs are compliant, with one sign just under the recommend 2.4 metres and is not considered a safety issue.

Clause 10.2 – In researching Land Transport Rule Traffic Control Devices 2002, there is no note of a 50 metre or 100 metre distance rule for the location of an advertising sign to an intersection. There are guidelines for advertising signs and road safety (Road Traffic Standard 7) that note consideration should be given to safety, proliferation and visibility to advertising placement at intersections.

The main objective of the clause is to ensure safety and visibility and in particular at busy intersections such as the roundabouts on Broadway. The rule may not be as necessary in other urban and rural areas. I note some Council bylaws across the country have noted in their bylaw that no person shall erect or display a sign if in the officer’s opinion the sign will obstruct or is likely to obstruct the view of any corner, bend or intersection. This is covered off in clause 9.1 of the draft bylaw.

Therefore, we recommend deleting clause 10.2 (a). Roundabout signage is prohibited by clause 10.2 (b).

Clause 10.7 (a) has been covered in submission 1 above.

Clause 10.7 (c) has been covered in submission 1 above. However, we support the submitters proposal to clarify the meaning of sold and recommend the re-wording of the clause to:

Signs can be displayed while the property is on the market and shall be removed no later than 48 hours after the settlement date.

An interpretation defining the meaning of settlement would also be added to the bylaw to avoid confusion. “**Settlement date**” means the date the buyer must make payment to the seller.

The submitter has requested the bylaw clarify if a business or organisation can erect an advertising sign on private property or building adjacent to the roadside. The bylaws intent is to address the control of advertising on public places, roads and road reserve. The bylaw refers to the District Plan in clause 7, where the rules and size of signage are defined.

The submitter has requested a list of the proposed changes in the review of the Control of Advertising Signs 2008 bylaw. The proposed changes were noted in the Statement of Proposal released for public consultation and the Control of Advertising Signs 2008 Bylaw is available on the Council website and in hardcopy is available on request from the Council offices. The submitter has been emailed with the relevant information.

The submitter wishes to speak to his submission.

Submission Number	Name
4	Waka Kotahi NZ Transport – Natasha Reid
The submitter supports the bylaw.	

6. **RISK ANALYSIS**

Please refer to the Consequence and Impact Guidelines at the front of the reports in this agenda.

- Is there a:
 - financial risk;
 - human resources risk;
 - political risks; or
 - other potential risk?
- If there is a risk, consider the probability/likelihood of it occurring.
- Is there a legal opinion needed?

There is no risk associated with the *draft* Control of Advertising Signs Bylaw 2020. The purpose of this bylaw is to ensure that advertising signs are erected, maintained, and displayed in such a manner that they do not present a hazard or danger to public safety.

7. **DECISION MAKING PROCESS - SECTION 79**

7.1 **Direction**

	Explain
Is there a strong link to Council’s strategic direction, Long Term Plan/District Plan?	The Long Term Plan includes a commitment to performing regulatory services cost effectively. This bylaw would support that commitment and an affordable quality service.
What relationship does it have to the communities’ current and future needs for infrastructure, regulatory functions, or local public services?	The bylaw would support the community’s need for a well-resourced regulatory function relating to the control of advertising signs.

7.2 **Data**

- Do we have complete data, and relevant statistics, on the proposal(s)?
- Do we have reasonably reliable data on the proposals?
- What assumptions have had to be built in?

Data on the application of the current bylaw is based on Officer’s experience applying the current bylaw. Bylaws from other Councils are readily available and have informed recommendations about proposed amendments to their bylaws.

7.3 **Significance**

	Yes/No	Explain
Is the proposal significant according to the Significance Bylaw in the Long Term Plan?	No	
Is it:	No	
• considered a strategic asset; or	No	
• above the financial thresholds in the Significance Bylaw; or	No	
• impacting on a CCO stakeholding; or	No	
• a change in level of service; or	No	
• creating a high level of controversy; or	No	
• possible that it could have a high impact on the community?	No	
In terms of the Council's Significance Bylaw, is this proposal of high, medium, or low significance?		
HIGH	MEDIUM	LOW
		✓

7.4 **Options**

<p>An assessment of costs and benefits for each option must be completed. Use the criteria below in your assessment.</p> <ol style="list-style-type: none"> 1. What options are available? 2. For each option: <ul style="list-style-type: none"> • explain what the costs and benefits of each option are in terms of the present and future needs of the district; • outline if there are any sustainability issues; and • explain if the outcomes meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions? 3. After completing these, consider which option you wish to recommend to Council, and explain: <ul style="list-style-type: none"> • how this option is the most cost effective option for households and businesses; • if there are any trade-offs; and • what interdependencies exist.

Option 1:

The Committee adopts the *draft* Control of Advertising Signs Bylaw 2020 with recommended changes.

Option 2:

The Committee adopts the draft Control of Advertising Signs Bylaw 2020 with no changes.

Council officers' support **Option 1.**

7.5 **Financial**

- Is there an impact on funding and debt levels?
- Will work be undertaken within the current budget?
- What budget has expenditure come from?
- How will the proposal be funded? e.g. rates, reserves, grants etc.

The adoption of the Control of Advertising Signs Bylaw 2020 has no impact on funding and debt levels.

7.6 **Prioritisation & Trade-off**

- Have you taken into consideration the:
- Council’s capacity to deliver;
 - contractor’s capacity to deliver; and
 - consequence of deferral?

There is no impact to the current service provided by Council staff and contractors.

The Bylaw must be adopted before July 2021 pursuant to time extension provided by the Government.

There is no value in deferring the adoption of the draft Control of Advertising Signs Bylaw 2020.

7.7 **Legal Issues**

- Is there a legal opinion needed?
- Are there legal issues?

No legal opinion was obtained in the preparation of the Bylaw. The Bylaw has been written to align with the relevant legislation.

7.8 **Bylaw Issues - Section 80**

- Are there any Bylaw issues?
- Does your recommendation conflict with Council Policies?

There are no bylaw or policy issues.

Attachments:

Appendix A – The *Draft* Control of Advertising Signs Bylaw – 2020

Appendix B – Public submissions



Rachael Otter
ENVIRONMENTAL HEALTH MANAGER



[Endorsed by]
Blair Sutherland
DIRECTOR ENVIRONMENTAL SERVICES



[Approved by]
Sven Hanne
CHIEF EXECUTIVE

DATE 16 February 2021

APPENDIX 1



DRAFT CONTROL OF ADVERTISING SIGNS BYLAW 2020

Date in force:

Purpose: The purpose of this bylaw is to ensure that advertising signs are erected, maintained, and displayed in such a manner that they do not present a hazard or danger to public safety. The bylaw recognises there is a need to advertise businesses and promote activities, events and commerce whilst also seeking to maintain aesthetic standards and preserve amenity values.

Review date:

1 **Title**

1.1 This bylaw is made pursuant to section 145 of the Local Government Act and shall be known as the Stratford District Council Control of Advertising Signs Bylaw 2020.

2 **Commencement**

2.1 This Bylaw shall come into force on

3 **Repeal**

3.1 As from the day this Bylaw comes into force, the previous Control of Advertising Signs Bylaw 2008 shall be repealed.

4 **Application of Bylaw**

4.1 This Bylaw shall apply to the Stratford District.

5 **Scope**

5.1 This bylaw is made pursuant to section 145 of the Local Government Act 2002, which gives authority to the Council to adopt bylaws for the following general purposes:

- (a) Protecting the public from nuisance;
- (b) Protecting, promoting, and maintaining public health and safety;
- (c) Minimising the potential for offensive behaviour in public places.

And any other authority enabling the Council to make bylaws and regulate activities in Public Places, makes this Bylaw.

Notes: The New Zealand Transport Agency as a road controlling authority has its own bylaws for the control of signs on State Highways within the Stratford District.

6 **INTERPRETATION**

6.1 In this Bylaw, unless the context otherwise requires:

“Authorised Officer” - means any person authorised by Council to carry out or exercise any powers, duties or functions under this Bylaw or any part thereof and includes any Police Officer.

“Chief Executive Officer” means the person appointed as the Chief Executive Officer of the Stratford District Council or his/her nominee.

“Event” means a planned public or social occasion.

“Footpath” means as much of any street or public place that is laid out or constructed by authority of the Council for pedestrian use.

“Name-Plate” means any plate of metal, wood, glass, plastics, or other material fixed to a wall surface or in a sign-case near the entrance to premises to denote the name, business, designation, and agencies of an occupier of such premises.

“Private property” means land or buildings that belongs to a particular person/s or company.

“Public Place” means a place that is:

- (a) Under the control of the Council; and
- (b) Open to, or being used by, the public whether or not there is a charge for admission; and includes:
 - (i) Any part of a public place; and
 - (ii) Any reserve; or
- (c) A road, whether or not the road is under the control of the Council;

“Real estate sign” means a publicly visible sign that is advertising for sale, lease, rent or auction the whole or part of a property or premises.

“Sign” means any display or device which is visible from a public place and which is intended to attract attention for the purpose of identifying, advertising, informing or directing.

“Sign area” means the area of the sign (not including its supporting structure) that is visible from any aspect.

“Sign-Case” means any case, panel, board, or other device attached to any premises to which name-plates are affixed, or for the display of the names, business designations, agencies, and addresses of the occupiers of the premises to which it is attached.

“Temporary Sign” means any display or device which is visible from a public place and which is intended to attract attention for the purpose of identifying, advertising, informing or directing. A Temporary sign is a sign advertising a one-off event that will be in place for no more than 3 months and removed within 48 hours after the event.

“Window-Sign” means any sign displayed in or painted, printed, written, carved, inscribed, endorsed, or otherwise fixed to or upon any window.

“Mobile Sign” means the display of advertising signage from vehicles, stands or stalls whether self-propelled or not, located in a Public Place, from which goods, wares, or merchandise are offered or exposed for sale or from which goods, wares, or merchandise may be ordered or from services that are offered (including food) for sale.

But does not include, any vehicle used for the purpose of transporting and delivering goods, wares or merchandise pursuant to a prior order placed for the delivery of goods, wares or merchandise. Or a vehicle displaying advertising signage, but whose primary purpose is not advertising.

7 **Approval Required**

7.1 Approval shall be required for any sign that does not comply with the provisions of this bylaw, and the Stratford District Plan, unless a resource consent has been obtained for that sign pursuant to the Resource Management Act 1991, or the sign is a permitted activity under the Resource Management Act 1991.

8 **Exemptions from Approval**

8.1 The provision of Clause 7.1 relating to approval shall not apply to –

- (a) Name-plates
- (b) Window-signs
- (c) Sign Cases
- (d) Temporary signs.

8.2 Where the Chief Executive Officer or delegate is satisfied that compliance with any requirement of this bylaw would be unreasonable or impractical, an exemption from compliance with the bylaw may be granted on such conditions as the Chief Executive Officer or delegate considers appropriate.

8.3 In making a decision to exempt any sign from the provisions of this bylaw, the Chief Executive Officer or delegate will have regard to:

- the purpose of the sign
- the benefits to the community of that sign
- the potential for proliferation of signs
- the duration the sign will remain erected
- the effect on amenity in the area of the sign
- the size of the sign
- traffic safety

9 **General Requirements for Siting of Signs**

9.1 No person shall display, erect, or allow to be displayed any sign close to any part of a road, motorway, or to any corner, bend, safety-zone, traffic sign, traffic signal, or intersection that in the opinion of an Authorised Officer would:

- (a) Obstruct or be likely to obstruct the view of traffic; or
- (b) Distract unduly or be likely to distract unduly the attention of road users; or
- (c) Constitute or be likely to constitute in any way a danger to the public.

9.2 No person shall place, display, or allow to be placed or displayed, or to remain any sign containing any reflective material which tends to reflect vehicle lights, or contains any material dependent for illumination upon the lights of traffic in such a position that in the opinion of an Authorised Officer would distract or be likely to distract the attention of the driver of any motor vehicle.

9.3 No person shall place, display, allow to be placed or displayed on or upon or against any public place, public building, bridge, or other structure, any post, pole, including those for the guidance and control of traffic, or any tree or other vegetation, traffic sign, traffic signal, or pavement any sign for advertising or any other purpose unless with the prior permission in writing of an Authorised Officer.

9.4 No person shall permit any sign other than a name-plate or sign-case to be erected over any public place unless every part of the sign is at least 2.5 m above the footpath or 5.5 m above the carriageway, and then only with the prior permission in writing of an Authorised Officer.

9.5 No person shall erect any sign-case in such a position as to project over any road, private street, or public place unless the prior permission in writing of an Authorised Officer has been obtained.

10 **General Requirements for Construction and Maintenance of Signs**

10.1 All signs, shall be professional in presentation and be well constructed. All signs must be fixed, placed and maintained in a manner so they do not pose

a danger to property or the public. This shall be the responsibility of the sign owner and/or the owner of the land or building on which the sign is placed.

10.2 Roadside Signs:

- (a) Signs are to be located no closer than 50 metres from an intersection, and as close as possible to the carriageway kerb. A minimum distance of 100 metres is to be maintained between signs at all times.
- (b) Any form of advertising sign inside the circular kerbed round-a-bouts located at the intersections of Regan Street and Fenton Street with State Highway 3 is prohibited. This includes the lane dividing islands and stone wall corners located at these intersections.
- (c) The roadside shall mean all roads within the district including State Highways.

10.3 Footpath Signs:

- (a) The size of sign area is not to exceed 1 m².
- (b) The signs must be located only on the footpath and as close as possible either to the kerb or to the inside edge of the veranda post outside the premises displaying signs. A minimum distance of 5 metres must be maintained between signs at all times. Advertisers may place signs only along the frontage of the premises leased or occupied by them, and the location of signs along any other section of the frontage of any premises is prohibited.
- (c) This bylaw is to apply only to those parts of the urban areas which are zoned for business purposes or where retail shops are in operation.
- (d) Signs can only be displayed on footpaths during the times the particular advertiser has a business premises open for public business and the sign including any fixtures must be removed at the close of business each day.
- (e) No licensing system is to be established for this bylaw, except as required by the Mobile Travelling Shops Bylaw and where there is the requirement for a Resource Consent.
- (f) The Council reserves the right through its officers to confiscate any portable advertising sign which is displayed in breach of the rules specified in this bylaw.

10.4 Mobile signs:

- (a) An operator shall have no more than one double sided freestanding sign associated with their mobile trade. The maximum area of the sign shall not exceed 2m².
- (b) Signs are prohibited from any median strip, trees on road reserve, berm or street poles. Other signage must be directly attached to the mobile trade vehicle or table.

10.5 Election Signage:

- (a) Local Election candidates can put their signs up for no more than 3 months prior to the election. Signs must be removed before midnight the night before the election.

- (b) Election signs must display the true name and physical address (place of residence or business) of the person authorising them.
- (c) The Maximum sign area of a board shall be:
 - Residential Zone: 1.0m² per site
 - Rural/Residential Zone: 2.0m² per site
 - Rural Zone: 3.0m² per site
 - Business Zone: 4.0m² per site
 - Protected Area Zone: (Stratford Urban area only): 4.0m² per site.
 - Commercial Zone 4.0m² per site.
- (d) Sign structures must be competently constructed and comply with the NZ Building Code, where necessary.
- (e) Signs must only be located on private property. Landowner permission is required for all signs.
- (f) No signs are permitted on Council roads, State Highways, on a heritage site, Council reserves or any other Council property.
- (g) Council staff will remove non-complying signs from Council roads and property.
- (h) Signs must not obstruct driver visibility along the road, at intersections or driveways, or at a railway level crossing.
- (i) Signs must not be placed within 15 metres of a traffic safety or directional sign.
- (j) Signs located next to a State Highway must have a minimum lettering height of 120mm where the speed limit is less than 70km/h; and 160mm where the speed limit is 70km/h or greater.
- (k) Signs must not be rotating, flashing, reflective or illuminated. Signs must be well maintained. Council staff will remove signs that are poorly maintained and which may present a danger to road users or the public generally.
- (l) Signs must include an authorisation in accordance with the Local Electoral Act 2001.

10.6 Heritage signs:

- (a) Heritage signs in public places, heritage areas or outside heritage buildings will be assessed on a case-by-case basis. Special consideration will be taken to ensure that signs do not materially affect the heritage value of the area or building.

10.7 Real estate signs:

- (a) Real estate signs, including flags attached to vehicles advertising open homes or auctions, may only be placed directly outside the property to which the signage refers.

- (b) Signs should be as close to the street front boundary of that property as practicable.
- (c) Signs can be displayed while the property is on the market and shall be removed no later than 48 hours after the property has been sold.
- (d) Signage shall comply with the district plan requirements for each land zone.

13 **Repair or Removal of Signs**

- 13.1 The Chief Executive Officer or delegate may, by notice in writing require the owner, occupier or lessee of any land where an unsightly, non-complying, unsafe or unauthorised sign is located to repair or remove that sign within a period stated in the notice.
- 13.2 Where any person fails to comply with any requirement to alter or remove any sign, the Chief Executive Officer or delegate may have the sign altered or removed. The cost incurred in altering or removing the sign shall be recoverable as a debt against the owner of the sign or the owner of the land where the sign was placed.
- 13.3 Any sign removed by the Chief Executive Officer or delegate shall be released to the owner upon payment of the costs incurred in its removal and storage.
- 13.4 Any sign that remains unclaimed for a period not exceeding one month, may be sold or otherwise disposed of by the Council.
- 13.5 Pursuant to the authority given by Section 163 of the Local Government Act 2002, an Authorised Officer, may remove any sign and fittings or poster of notice which does not comply with the requirements of this bylaw.

14 **Right of Appeal**

- 14.1 The applicant or the owner of a sign shall, on having been informed in writing of any decision relating to this bylaw, have the right of appeal within 14 days to the Council, which may confirm, reverse, or modify any such decision.

SUBMISSION FORM - Draft Control of Advertising Signs Bylaw **APPENDIX 2**

Submission 1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, January 21, 2021 12:21:26 PM
Last Modified: Thursday, January 21, 2021 2:33:47 PM
Time Spent: 02:12:21
IP Address: 14.1.52.151

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Page 2: Draft Control of Advertising Signs Bylaw 2020

Q1

Contact details

Name	Danny Bates
Organisation	McDonald Real Estate Ltd
Postal address	
Email	
Phone	

SUBMISSION FORM - Draft Control of Advertising Signs Bylaw

Q2

Please type your submission here:

Whilst I praise the council in reviewing the current Advertising Bylaw i would like to raise a few points to be considered in this submission.

9.2 & 9.1(b) Regarding reflective signs

McDonald Real Estate Ltd does have some reflective signs, these have been strategically placed and secured in areas with safety in mind, not impeding driver views and mostly set back in farmers paddocks.

The reflective effect does propel when vehicle head lights hit the sign but this is no more of a danger or distraction than the Council's northern electronic sign and i can think of no instances where our signs have caused accidents.

10.7 (a) Regarding open home signs,

Whilst I mostly agree with this, i would ask that portable open home signs placed at the end of streets giving directions to properties be allowed whilst the open home takes place (this is normally only for half an hour)

10.7 (c) Regarding 48 hours for sold signs to be removed.

Again whilst I support that a time limit for sold signs should be adhered to, I feel that 48 hours to remove the sign is unrealistic and would ask for this to be extended to one week after the property is sold. Whilst the sign does advertise real estate companies and salespeople these signs are in fact purchased by the vendors, the signs are on their land and cause little disturbance, extending this to one week would cause no harm to anyone and actually encourages positive feedback from the neighbors,community members and visitors to our region.

Thank you for taking the time to consider this submission.

Kind Regards

Danny Bates
Taranaki Residential Manager
McDonald Real Estate Ltd.

Q3

Would you like to have the opportunity to speak to Council on your submission?

No I do not wish to speak to my submission at the hearing and ask that this written submission be considered.

SUBMISSION FORM - Draft Control of Advertising Signs Bylaw

Submission 2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, January 21, 2021 8:48:58 PM
Last Modified: Thursday, January 21, 2021 8:57:46 PM
Time Spent: 00:08:48
IP Address: 115.189.84.64

8

Page 2: Draft Control of Advertising Signs Bylaw 2020

Q1

Contact details

Name	Matthew
Organisation	Stratford business association
Postal address	
Email	
Phone	

Q2

Please type your submission here:

Whilst I do agree with most of this Draught proposal I do worry that there is no process and place to ok signs and a lot of the wording leaves broadscope for the council turn to protect the rules the timing of this draught proposal is also very dubious It came out on the 15th of December and closed on the 22nd of January this is the busiest time of the year for retail stores and businesses and didnt allow us time to fully read and take in this draught proposal this was either gross negligence on the councils part or malicious oversight

Q3

Yes I wish to speak to my submission at a hearing.

Would you like to have the opportunity to speak to Council on your submission?

SUBMISSION FORM - Draft Control of Advertising Signs Bylaw

Submission 3

COMPLETE

Collector: Web Link 1 (Web Link)
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Last Modified: Friday, January 22, 2021 4:23:18 PM
Time Spent: 00:01:23
IP Address: 43.231.194.223

8

Page 2: Draft Control of Advertising Signs Bylaw 2020

Q1

Contact details

Name	Matthew McDonald
Organisation	Matthew & Co Real Estate
Postal address	
Email	
Phone	

SUBMISSION FORM - Draft Control of Advertising Signs Bylaw

Q2

Please type your submission here:

I have read and reviewed the draft proposed by laws for advertising signs for the Stratford District and as a business owners, elected representative, landowner and head of non-profit clubs and organisations I believe the proposed rules could be modified to provide a easier environment for businesses to operate in a over regulated environment without compromising safety and .

9.1 By the wording the Authorised officer has a lot of power at his discretion and in some situations may not be unbiased and fair. There should be the ability for the party to interact with the council prior to having to officially appeal as the officer has a lot of discretion.

9.2 Should clarify if signs could be illuminated by other light. Ie spot light shining onto signs etc..

9.4 as a building owners on Broadway I feel the right to have signage above our verandas without requiring a consent as we maintain this area and need to make our premises visible for clients and public. Also as the verandas are not all at the same height many signs would not comply with the above 2.5 metres, but are not a safety concern or a unsightly and would hope the council would use practical sense where these sign.

10.2 a) 50 metres would not always be practical to the corner of an intersection as some private land would be closer and as a industry we always ensure that signs don't pose a hazard or interfere with visibility or distract, case in point the corner of the any rural road intersection where directional signs are used to show farms for sale.

10.7 a) Practically directional signs are used by agent to help the public find open homes and we locate them on the street corners pointing to the open home at the time of the open home so are not always directly outside the property. This hasn't been an issue for many decades and I am not aware of any reason this could not continue.

10.7 c) Upon speaking to council staff the wording of two days after the sale of the property should be changed to two days after the settlement of the sale if this is the intention otherwise the two days is far to short.

The draft by laws need to clarify if a business or organisation can erect a advertising sign on private property and buildings adjacent to road side, size of the signs allow in each area, (urban, rural, industrial) would be helpful as while some of this is in the district plan it could be referred to in the bylaw. Also a list of what differing from the 2008 would allow us more insight where the council is going with draft by law and the propose cost of applying for an exemption to the Bylaw.

I appreciate the officer for sending the proposed bylaw to me but feel to review and consult with the businesses community right on Christmas at the busiest time of their year and closing when most are only returning from annual leave is poor practice and isn't good community engagement.

Q3

Yes I wish to speak to my submission at a hearing.

Would you like to have the opportunity to speak to Council on your submission?

Submission 4

Erin Bishop

From: Rachael Otter
Sent: Tuesday, 2 February 2021 10:01 a.m.
To: Erin Bishop
Subject: FW: Draft Sign Bylaw

From: Natasha Reid <>
Sent: Thursday, 21 January 2021 3:09 p.m.
To: Rachael Otter <ROtter@stratford.govt.nz>
Subject: Draft Sign Bylaw

Hi Rachel and HNY!

This email is to confirm our support for your sign bylaw as drafted. Furthermore, your District Plan provides adequate protection for when signs are intended to be viewed from a state highway.

Thank you for consulting with us.

Ngā mihi

Natasha Reid / Principal Planner
Consents and Approvals - Transport Services

W nzta.govt.nz

Waka Kotahi NZ Transport Agency
Palmerston North
Private Bag 11777, Palmerston North 4442, New Zealand

