



SOUTH WAIRARAPA DISTRICT COUNCIL

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF RESOURCE MANAGEMENT ACT 1991

- Application No:** 150077
- Consent Type:** Land Use
- Applicant:** General Distributors Limited
- Proposal:** To erect a pylon sign (5m high and 1.833m wide)
- Location:** 134 Main Street, Greytown
- Legal Description:** Lot 3 DP 18242
- Zone:** Urban (Commercial) within the Greytown Town Centre Historic Heritage Precinct - Wairarapa Combined District Plan 2011
- Activity Status:** **Wairarapa Combined District Plan (District Plan)**
Restricted Activity – Rule 6.5.5 for signage which does not meet the Commercial Zones permitted standards for signage in Rule 6.5.2(f) and screening in 6.5.2(h)(i).

Discretionary Activity – Rule 21.6(a) for signage that does not meet the Heritage Precincts permitted standards for signage in Rule 21.1.3(b).

The application is therefore a Discretionary Activity.

Locality Diagram:



1.0 APPLICATION

The site is located on the northwestern side of Main Street in Greytown's Commercial zone approximately 65 metres southwest of the Hastwell Street / Main Street intersection.

The site contains a residential dwelling and associated garaging set on the rear half of the property. Resource consent for the removal of the dwelling and associated buildings and the establishment of a new Fresh Choice entrance from Main Street and landscaped car park has been granted (RC 150061). Fresh Choice is the only supermarket in Greytown and the largest in the South Wairarapa District. The supermarket contains Kiwi Bank, New Zealand Post, and New Zealand Lotteries outlets.

There is a large mature copper beech tree at the street front at the southern corner of the site which is being limbed up and voluntarily retained by the applicant. The copper beech tree appears in good health and is of a size that makes it a prominent feature of the site and surrounding locale. A condition of RC 150061 was the retention of this copper beech tree.

To the southwest is a recently constructed office/retail building with the rear of a motel complex behind this building. To the northeast is a retail building with residential use at the rear. This building is listed as a heritage item in the District Plan (Shop Hs087). A resource consent for an extension of this building to provide additional shop frontage between the existing building and the application site has recently been granted (RC150070). At the rear of the site is Fresh Choice supermarket's existing loading service/area. An existing large (8m tall and 3.3m wide) externally lit pylon sign advertising the supermarket is located on the Hastwell Street / West Street corner. The supermarket development is covered by RC 3919. On the opposite side of Main Street are residentially zoned properties containing buildings listed as heritage items in the District Plan.

A section of the Moroa Water Race runs along the northeastern boundary of the site. This section of the water race is currently partially piped but as a result of the carpark development will be piped in its entirety.

It is proposed to construct a second "pylon sign" advertising the supermarket at the eastern corner of the site fronting Main Street. The sign will be 5m high, 1.833m wide and will be internally lit during the hours the supermarket is open for business (7.00am – 9.00pm). The face area on each side of the sign is 7.02m² (14.05m² on both sides). The application (as initially submitted) proposed a 6m high and 2.2m wide sign. The scale of sign was subsequently reduced in size by the applicants.

Resource consent is triggered under the District Plan rules as specified above.

2.0 S95A – 95F NOTIFICATION ANALYSIS AND DETERMINATION

2.1 Public Notification

Section 95A(2)(a) of the Resource Management Act 1991 (the Act) states a consent authority must publicly notify an application if the activity will have or is likely to have adverse effects on the environment that are more than minor, the applicant requests notification or a Rule or National Environmental Standard (NES) requires notification. In determining whether an effect is more than minor, Section 95D(a) requires that any effects on people within the site or adjacent to it are not to be considered for the purposes of public notification.

It was decided not to publicly notify the application for the following reasons:

The triggers for resource consent are non-compliance with the commercial zone and historic heritage precinct permitted standards for signage.

The copper beech tree within the site, while also not listed as a heritage item in the District Plan, is being retained by the applicant (a condition of RC 150061). The retention of this large mature tree at the street frontage provides the site with a treed amenity. The retention of such large vegetation is not always possible (or sought) during such commercial developments and its retention is considered to maintain the amenity of the historic heritage precinct and create a positive effect of the overall site development.

Council has obtained comments from the Greytown Community Heritage Trust (GCHT). The GCHT were strongly opposed to the original sign proposal. They argued that the style and size of the sign was not sympathetic in scale, colour, or design with the historic qualities of the area. This view would likely remain with respect to the revised sign.

The revised sign at 5.0m high and 1.833m wide, is 3m shorter and 1.467m narrower than the existing Fresh Choice pylon sign consented on the corner of West and Hastwell Streets which faces residential sites. While smaller than this existing sign the new sign is nevertheless large and will be the largest sign in this section of State Highway Two covered by the Historic Heritage Precinct (Town Centre and Residential). Other than noting that “the proposed pylon sign is typical of such signs consented for Fresh Choice supermarkets throughout NZ over the last 5 years” and referencing “the signage requirements of a 21st Century supermarket”, the application does not seek to justify the sign.

While size relates to general impact, design is equally important. In that regard, the sign is considered to be well designed and presents a clean and modern aesthetic. The sign is considered to be well designed. It is proposed that the sign will be lit internally. External lighting of this sign would require a substantial “outrigger” type lighting system. In this case (provided the District Plan glare and artificial light provisions are met), an internally lit sign is a less bulky, cleaner, and neater solution.

In terms of the signs fit with the surrounding environment, the height of the sign and the height of surrounding development are important considerations. A pylon sign which totally dominated adjoining development and the streetscape, while consistent with normal commercial zone activity, could have adverse effects in terms of the heritage precinct and streetscape. The copper beech tree to the south of the proposed sign is however a tall tree (approximately 15-20m tall) and this will reduce the effects of the 5m high sign – in fact the tree will overshadow the sign to a considerable degree. The listed building to the north of the proposed sign is approximately 6m high at the roof line. When viewed from the street, the top of the existing façade (5.5m high) is the tallest part of the building. Because the proposed sign has much less bulk than these buildings it should not overly dominate the adjoining heritage building.

The lower section of the sign consists of a galvanised frame and is open to increase the sense of space and openness. The colours used are standard colours of the Fresh Choice brand and attached services (New Zealand Post, Kiwi Bank, and Lotto). This colour

scheme matches the existing pylon sign on Hastwell and West Streets, and is not considered to be offensive.

It is also considered that the sign will provide a level of “commercial vibrancy” to compensate for what would otherwise be a carpark in an undeveloped (in terms of built development) section of the commercial zone.

There are residentially zoned sites on the opposite side of Main Street. It is noted that the site fronts State Highway Two which has a correspondingly high rate of vehicle use. This is considered to separate the site and the residential properties on the opposite side of the road. Only the property directly opposite the application site (119 Main Street) contains a residential dwelling and the sign will only be viewed from it in “side on” profile. The sites adjoining 119 Main Street, include Stella Bull Park (115-117 Main Street) to the northeast and a building used as a restaurant (123 Main Street) to the southwest.

As noted, the existing copper beech tree at the southern frontage of the site will be retained and, while it will be limbed up to 2.2m as part of the entrance and car park development, it will provide a degree of screening from the residential zone on the opposite side of the road. This tree could have been removed by the applicants to accommodate a central entrance and provide additional car parks and more compliant screening. From a visual perspective, given that the beech tree will be retained, and the sign will not face the residential zone, the proposal is not considered to have adverse effects on the residentially zoned properties on the opposite side of State Highway Two.

On balance, with the retention of the large copper beech tree, the sign not overly dominating adjacent historic buildings, and not facing the residential zone, the proposal is considered to enable improved commercial function while mitigating adverse effects on heritage values and the amenity of the area.

Therefore the actual and potential effects of this proposal in the context of the commercial zone environment are considered to be no more than minor.

2.2 Limited Notification

If public notification is not required, the Council must then determine whether there are any affected persons that would warrant limited notification under Section 95B(1).

Under Section 95(E) of the Act, Council must consider a person to be affected if the activity’s adverse effects on that person are minor or more than minor unless an activity with that effect is permitted by a Rule or NES, the effect is not within the matters of control or discretion (as applicable to Controlled and Restricted Discretionary Activities) or that person has given written approval to the proposed activity.

No parties are considered to be affected by this proposal for the following reasons;

The applicants have obtained the written approval of the proposal (as a whole – including the previously consented new entrance and carparks and previously proposed larger sign) from the New Zealand Transport Agency (NZTA). Therefore under Section 95(E)(3)(a), the NZTA are deemed not to be affected persons.

The owners/occupiers of adjoining commercially zoned sites are not considered to be affected by the proposed signs bulk as it sits within the District Plan's bulk, height, and location standards for the Commercial Zone. Although any development would be subject to a resource consent process triggered by the Historic Heritage Precinct provisions, Council assessment is restricted to design and consents are processed on a zero fee basis in the interests of "the public good". Such applications are not notified to neighbours.

With regard to the illumination of the sign, consent is not sought to breach the District Plan's permitted standards for glare and artificial light (Rule 21.1.11). Therefore the proposed sign will need to meet these standards, thus any such effects would be in line with that anticipated by the District Plan.

The sign does not face any residentially zoned properties on the opposite side of State Highway Two and these sites are not considered affected by the proposal.

No other parties are considered to be adversely affected by the proposal.

Furthermore, there are considered to be no special circumstances, pursuant to Section 95A (4) of the Act, which warrant the notification of this proposal, or serving of notice.

3.0 S104 ASSESSMENT

The relevant statutory provisions that were considered are the Resource Management Act 1991, the Regional Policy Statement and the Wairarapa Combined District Plan.

3.1 The Greater Wellington Regional Policy Statement (RPS)

Objective 15 and Policy 22 seek to protect historic heritage from inappropriate modification, use and development. The policy is not intended to prevent change to historic heritage, but rather to ensure that change is considered. Policy 46 seeks to manage the effects on historic heritage values, but also notes that it would be superseded by similar policies in the relevant District Plan.

Policy 55 seeks to maintain a compact, well designed and sustainable regional form.

The proposal is considered to be consistent with the RPS.

3.2 Wairarapa Combined District Plan

The Wairarapa Combined District Plan became operative on 25 May 2011.

The relevant assessment criteria are contained in Section 22 of the District Plan and the relevant objectives and policies of the District Plan are:

- Objectives 6.3.1, 6.3.7, 6.3.16, 10.3.1,
- Policies 6.3.2(a),(b), 6.3.8(a), 6.3.17(a),(b),(c), 10.3.3(a), (b), (c),

3.3 District Plan Analysis

Where a proposal does not meet the permitted standards of the District Plan, assessment of the proposal is concerned with avoiding, remedying or mitigating any effects that would derive from not complying with the relevant permitted standards. In this case this relates to construction of a pylon sign in the Greytown Town Centre Historic Heritage Precinct.

Urban (Commercial) Zone

Objective 6.3.1 and Policies 6.3.2(a) and (b) seek to maintain and enhance the function, character and amenity of the Commercial Zone whilst ensuring adverse effects are avoided, remedied or mitigated. Policy 6.3.2(a) seeks to maintain and enhance the function, character and amenity of the Commercial Zone through control over the bulk, location and nature of activities and buildings to achieve appropriate levels of scale density and environmental effects.

Objective 6.3.7 and Policies 6.3.8(a) seek to protect the amenity values of any adjoining Residential Zone from the adverse effects of activities within the Commercial Zone.

Historic Heritage

Objective 10.3.1 and Policies 10.3.2(b) and 10.3.2(c) seek generally to recognise the importance of historic heritage in the Wairarapa and avoid, remedy or mitigate the potential effects of development on heritage.

Assessment

Advertising signage is an anticipated part of a successful commercial area. The District Plan sets standards within which activities can occur as of right. Outside of these standards a resource consent process is used to assess the effects and appropriateness of an activity. In this case, adverse effects on amenity and historic heritage of the revised sign are considered to be no more than minor and the proposed sign is considered to be generally consistent with the District Plan's Commercial Zone and Historic Heritage policies and objectives.

Assessment Criteria 22.1.4 relates to activities in the Historic Heritage Precincts.

22.1.4(i) requires assessment of the nature, form, and extent of the activity and the extent to which it is consistent with the environmental outcomes intended for the relevant precinct.

22.1.4(ii) requires an assessment of any measure proposed to protect or enhance the character of the street, including the implementation of any planting or landscaping.

22.1.4(iii) requires assessment of the extent to which the proposal is consistent with the South Wairarapa Town Centres Design Guide (Design Guide).

At 35.1.5(a), the application of the Design Guide is stated as applying; *"to all new construction, alterations and additions to existing buildings; restoration and decoration including painting of existing buildings"*.

At 35.1.8, the Design Guide addresses signage attached to buildings. Therefore the Design Guidelines are not considered strictly relevant to the proposed pylon sign but do provide some guidance on design.

22.1.4(vi) requires an assessment of the extent to which the heritage value, integrity and character will be maintained or enhanced.

The proposed sign, within an open landscaped carpark containing the existing copper beech tree, is considered to be acceptable in terms of amenity and heritage values in this location.

Assessment Criteria 22.2.10 relates to consents relating to signage.

22.2.10(i) requires consideration of the location (outside of or within the site), design and appearance of the sign.

22.2.10(ii) requires consideration of whether the proposed sign will be visually obtrusive, particularly from roads or public areas in the vicinity.

22.2.10(iii) requires an assessment of effects on the streetscape's openness and attractiveness.

22.2.10(iv) requires an assessment of effects on the amenity of adjoining allotments, including artificial light and glare.

22.2.10(v) requires consideration of the necessity of the sign to direct people to the activity.

22.2.10(vi) requires an assessment of effects on the safe and efficient operation of the road, rail, and pedestrian networks, including possible distraction or confusion.

22.2.10(vii) requires consideration of the compatibility with the scale, character, nature and proximity of other signage within the area.

The location of the sign at the eastern corner of the site is considered appropriate and reflects the agreement to retain the copper beech tree on the other side of the site. The sign is well designed and uses a colour scheme which is not considered to be offensive or to clash with surrounding development.

The sign will be visible from the street, however this is the purpose of all advertising signage. The retention of the copper beech tree is considered to mitigate potential adverse effects.

The sign is not considered to impact on the amenity of adjoining allotments because it is within the Commercial Zone's bulk, height, and location standards and will meet the District Plans glare and artificial light permitted standards.

The sign will highlight the Main Street entrance to the supermarket and is therefore considered to improve overall site access for shoppers.

The NZTA have provided written approval of the development as the controlling authority of the State Highway.

While the sign is larger than other signs within the Greytown Town Centre Historic Heritage Precinct, the scale corresponds with the large business it is serving and is designed to highlight the entrance position to motorists so ensuring use of this access is safe and does not impede the effective operation of the State Highway. The sign will provide effective communication of the entrance position.

Adverse effects of the proposal have been considered in Section 2.0 of this report. It is considered that the proposal would maintain the integrity of the objectives and policies of the District Plan for the reasons given above.

There are no other matters considered relevant to the assessment of this proposal.

3.3 Part II of the Resource Management Act 1991

Section 5 of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

It is considered that the proposal is consistent with sustainable resource management, would not adversely affect any matters of national importance, and would not affect Council's obligations under the Treaty of Waitangi. The proposal would allow for the establishment of a supermarket advertising sign which would be appropriate within the commercial environment and would not adversely affect amenity.

Section 7 identifies a number of "other matters" to be given particular regard by Council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

The proposal is considered to be consistent with the local commercial/historic heritage amenity.

There are no other matters considered relevant to the assessment of this proposal.

4.0 CONCLUSION

It is considered the proposal will have no more than minor adverse effects on the environment, no parties are considered to be adversely affected, and that it is consistent with the relevant objectives, policies and assessment criteria of the Wairarapa Combined District Plan.

5.0 DECISION

That the South Wairarapa District Council hereby grants Land Use consent, to application no. 150077 pursuant to Section 104B of the Resource Management Act 1991, subject to the following conditions:

CONDITIONS

THAT:

1. Except as amended by the conditions below, the development be carried out in general accordance with the following plans and documentation provided with the application.
 - a. Plans prepared by Woodhams Meikle Zhan Architects referenced;
 - i. "Proposed Supermarket for Progressive Enterprises Ltd, Fresh Choice West Street, Greytown", drawing number "BNL-13 Rev H", dated 06 August 2015, and
 - ii. Artist impressions shown on, drawing number "Pylon Sign - 01 -Rev 2", dated 07 August 2015.

- b. Assessment of adverse effects.
2. Costs, pursuant to Section 36 of the Resource Management Act 1991, be paid by the consent holder.
3. The sign meets the District Plan's permitted standards relating to glare and artificial lighting.
4. The large existing copper beech tree on the site is retained unaltered unless Council has otherwise authorised it to be pruned (other than pruning necessary to comply with the limbing work consented in RC150061). Any pruning to maintain the health of the tree must be confirmed, as necessary, by a suitably qualified arborist, and have prior written approval from Council.

Notes:

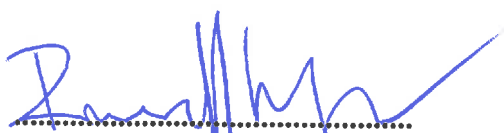
- (a) Please note that, in accordance with Section 125 of the Resource Management Act 1991, this resource consent will lapse if not given effect to within 5 years.
- (b) This land use is based on the plans provided with the application. Any changes to these plans could require further resource consent.
- (c) Compliance in all respects with the Building Act 2004 is required, including the obtaining of a Building Consent if required.

The Council grants the Consent for the following reasons:

- i) The effects of the proposal, with the conditions imposed, are considered to be no more than minor.
- ii) The proposal is in accordance with the objectives and policies of the Wairarapa Combined District Plan, and with the purpose of the Act.
- iii) No parties are considered to be adversely affected by the proposal.

Prepared by:

Approved by:


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Russell Hooper
Resource Management Planner


.....
Murray Buchanan
Group Manager, Planning and Environment

DATED at Martinborough this 31st day of July 2015

For and on behalf of the
SOUTH WAIRARAPA DISTRICT COUNCIL