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Minutes of the Hearings Committee Meeting of  
the Waimate District Council held in the Local  
Government Centre, Queen Street, Waimate on  
Tuesday 15<sup>th</sup> November 2005 at 2.05pm

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Present:

J.O. Rayner, J.S. Gibson, P.F. McIlraith.

Chairman:

It was decided that Cr Rayner chair the meeting.

In Attendance:

Sandra and Steve Mulqueen representing Waimate Knitwear (Applicant)  
A.J. Spowart representing Transit N.Z. (Submitter)  
Resource Planner (K.J. Tiffen)

Notified Application for Resource Consent Land Use RM051174 –  
Consent to erect two advertising signs next to State Highway 1 –  
Waimate Knitwear

Council considered an application for resource consent under the Resource Management Act 1991 in respect of a proposal by Waimate Knitwear to erect a north bound sign and a south bound sign at different locations on rural farmland adjacent to State Highway 1. The northern sign is located on John Linton's farm at Hook while the southern sign is located on Charles Ruddenklau's farm just north of the Waihao Back Road intersection.

The application was publicly notified and a total of 235 submissions were received. Of these, 234 submissions are in support and convey the same message. One submission from Transit New Zealand opposes the application.

Sandra Mulqueen presented the proposal on behalf of Waimate Knitwear. She indicated that she was in agreement with the comments in the Council planners report and said that since the signs have been erected they have canvassed people calling at the shop. She stated that in the short time that the signs have been erected, 78 people had indicated their visit to the shop was as a result of noticing the signs. She confirmed that they had abandoned the original location of the northern sign because of its apparent dangerous position being in close proximity to the corner or bends on the state highway.

Mr A.J. Spowart from Transit New Zealand presented his written submission opposing the proposal. He indicated that the southern sign meets all accepted traffic safety criteria and that Transit has no concerns regarding this sign. He did however indicate that Transit has concerns over the location of the northern sign at Hook being within 200m of the Kingsbury Road intersection. He pointed out that this section of state highway carries some 4,849 vehicles per day (with 14.58% as heavy traffic) and that the traffic volume is increasing at a rate just over 2.6% per year. Transit's main concern with the sign is over possible driver distraction while drivers are approaching and passing the intersection when they need to focus on the driving task. Mr Spowart states that it is inappropriate to locate advertising signs alongside a high speed arterial highway with moderate but increasing traffic volumes where they are close to intersections or warning devices where driver distraction should be minimised. He therefore considers the northern sign should be declined consent.

The Committee asked questions of both the applicant and submitter.

The Committee adjourned the meeting at 2.30pm and will reconvene following a site visit.

The meeting resumed in the Local Government Centre, Queen Street, Waimate at 2.57pm with those present being J.O. Rayner (Chair), J.S. Gibson, P.F. McLraith and with the Resource Planner (K.J. Tiffen) in attendance.

The Committee reached the following decision after considering the application under the statutory framework of the Resource Management Act 1991.

**RESOLVED:** THAT PURSUANT TO SECTIONS 34(1) AND 104B OF THE RESOURCE MANAGEMENT ACT 1991, THE WAIMATE DISTRICT COUNCIL GRANTS CONSENT TO A DISCRETIONARY ACTIVITY, FOR A LAND USE TO ALLOW WAIMATE KNITWEAR TO ERECT TWO ADVERTISING SIGNS NEXT TO STATE HIGHWAY 1 IN DIFFERENT LOCATIONS, SUBJECT TO THE FOLLOWING CONDITIONS IMPOSED UNDER SECTION 108 OF THE ACT:

**A)** THAT THE ACTIVITY SHALL BE UNDERTAKEN IN GENERAL ACCORDANCE WITH THE INFORMATION SUBMITTED WITH THE APPLICATION AND THE AMENDED INFORMATION DATED 5 OCTOBER 2005.

**B)** THAT ALL SIGNS SHALL BE MAINTAINED IN GOOD ORDER AT ALL TIMES AND SHALL NOT BECOME UNSIGHTLY OR DANGEROUS.

**C)** THAT THE CONSENT HOLDER SHALL PAY THE COUNCIL AN ADMINISTRATIVE CHARGE PURSUANT TO SECTION 36 OF THE RESOURCE MANAGEMENT ACT 1991 FOR THE CARRYING OUT BY COUNCIL ITS FUNCTIONS IN RELATION TO MONITORING AND ADMINISTERING THIS RESOURCE CONSENT. THE REASONABLE COSTS OF COMPLIANCE OF ALL REQUIREMENTS AND CONDITIONS OF THIS CONSENT SHALL BE MET BY THE CONSENT HOLDER.

**D)** THE CONSENT HOLDER MAY APPLY TO THE WAIMATE DISTRICT COUNCIL UNDER SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991 TO CHANGE OR CANCEL ANY CONDITIONS OF THE RESOURCE CONSENT AT ANY TIME WITHIN FIVE YEARS OF THE GRANTING OF THIS CONSENT.

THE REASONS FOR THIS DECISION ARE:

1. THE COMMITTEE WAS SATISFIED ON THE EVIDENCE PRODUCED AND FOLLOWING THE SITE VISIT OF THE TWO SIGN LOCATIONS, THAT THE

ENVIRONMENTAL EFFECTS OF ALLOWING THE SIGNS WILL BE NO MORE THAN MINOR. IN THE TWO LOCATIONS VIEWED, THE SIGNS WERE NOT CONSIDERED TO BE INTRUSIVE OR INAPPROPRIATE IN THE PARTICULAR SETTINGS IN THAT THEY ARE LOCATED BEFORE THE TURN-OFFS TO WAIMATE. SINCE NO ADVERSE VISUAL IMPACT IS CAUSED, THE SIGNS WILL NOT COMPROMISE THE AMENITIES OF THE LOCALITY. THE SIGNS DO NOT RESEMBLE A TRAFFIC SIGN, NOR CONTAIN DEFLECTORS AND ARE NOT ARTIFICIALLY ILLUMINATED. IT IS UNDERSTOOD THAT WAIMATE KNITWEAR DID LOOK AT A NUMBER OF POSSIBLE SITES FOR THE ERECTION OF THE SIGNS BUT THERE WERE LIMITED LOCATIONS AVAILABLE, IN PARTICULAR AT HOOK CLOSE TO THE WAIMATE TURN-OFF BECAUSE OF THE NEED TO AVOID ROAD BENDS, ROAD VEGETATION AND THE EXISTING TRAFFIC RELATED SIGNAGE.

2. THE COMMITTEE AGREED THAT WAIMATE KNITWEAR IS A UNIQUE LOCAL SHOP/FACTORY BUSINESS IN THE DISTRICT WHERE THE EXPOSURE OFFERED BY THESE OFF-SITE SIGNS CAN BE JUSTIFIED WITHOUT CAUSING ANY CUMULATIVE EFFECT. THE SIGNS WILL SPECIFICALLY ATTRACT OUT-OF-TOWN AND INTERNATIONAL VISITORS TO THE FACTORY SHOP. THE WAIMATE TOWNSHIP IS LOCATED REMOTE FROM STATE HIGHWAY 1 AND DOES NOT ENJOY THE OPPORTUNITY OF OTHER TOWNS LOCATED ON THE HIGHWAY THAT CAN HAVE A VARIETY OF SIGNAGE OR EXPOSURE TO THE TRAVELLING PUBLIC.

3. THE COMMITTEE DO NOT ACCEPT THAT THE NORTHERN SIGN IS DISTRACTING TO THE MOTORIST SUCH THAT A TRAFFIC HAZARD IS CAUSED. THE SIGN FACES THE SOUTH BOUND TRAFFIC ONLY AND IS LOCATED 80M PAST THE ROAD INTERSECTION. THE SIDE ROAD, KINGSBURY ROAD IS A MINOR ROAD WITH LOW TRAFFIC VOLUME AND ANY SOUTHBOUND TRAFFIC TURNING RIGHT ONTO KINGSBURY ROAD IS LIKELY TO BE LOCAL RESIDENTS ONLY WHO ARE FAMILIAR WITH THE INTERSECTION. THE COMMITTEE CONSIDER THE EFFECT OF THIS TURNING TRAFFIC ON FOLLOWING VEHICLES IS NO DIFFERENT TO SITUATIONS WHERE ANY VEHICLE IS TURNING OFF THE HIGHWAY WHERE THERE IS SIGNAGE NEARBY OR ANYTHING ELSE THAT COULD SIMILARLY DISTRACT DRIVERS ATTENTION. FROM THE SITE VISIT, THE MESSAGE ON THE NORTHERN SIGN WAS ONLY ABLE TO BE COMFORTABLY READ AT ABOUT 100-120M BEFORE THE SIGN (OR 20-40M BEFORE THE INTERSECTION) SO EARLY SIGNALLING OF THE INTENTION TO TURN AT KINGSBURY ROAD OCCURS FAR BEFORE THE SIGN CAN BE ACTUALLY READ. SINCE THE FOLLOWING MOTORISTS IS AWARE OF TURNING TRAFFIC BEFORE THE SIGN IS READ, THE COMMITTEE FIND IT DIFFICULT TO SEE HOW DRIVER DISTRACTION AT THE INTERSECTION IS CAUSED IN THOSE CIRCUMSTANCES. NORTHBOUND TRAFFIC IS UNAFFECTED BY THE SIGN.

4. HAVING REGARD TO THE RELEVANT OBJECTIVES AND POLICIES OF THE WAIMATE DISTRICT PLAN, THE COMMITTEE ARE SATISFIED THE APPLICATION IS NOT CONTRARY TO OBJECTIVE 1, POLICY 1A AS IT IS CONSIDERED THE PROPOSAL WILL NOT RESULT IN ANY ADVERSE EFFECTS IN TERMS OF TRAFFIC SAFETY. IN RESPECT OF AMENITY CONTROL UNDER POLICY 1B, THE SIGNS ARE NOT OVERLY OBTRUSIVE AND THEREFORE SHOULD NOT COMPROMISE THE AMENITY VALUES OF THE AREA. SIMILARLY, THE PROPOSAL WILL HAVE NO PRECEDENT EFFECT ON THE INTEGRITY OF THE DISTRICT PLAN AS THE EFFECTS OF THE SIGNS ARE NOT OVERLY DIFFERENT FROM CERTAIN ON-SITE ADVERTISING THAT CAN OCCUR WITHIN THE RURAL ZONE. REGARD WAS ALSO GIVEN TO ANY RELEVANT REGIONAL POLICY STATEMENT BUT THERE ARE NO RELEVANT PROVISIONS THAT ARE CONSIDERED TO AFFECT THIS PROPOSAL.

5. IN ADDITION, THE PROPOSAL IS NOT CONSIDERED TO BE CONTRARY TO PART II MATTERS OF THE RESOURCE MANAGEMENT ACT 1991, AND IN PARTICULAR THE PURPOSE, WHICH SEEKS TO PROMOTE THE SUSTAINABLE MANAGEMENT OF NATURAL AND PHYSICAL RESOURCES IN A WAY WHICH ENABLES PEOPLE AND COMMUNITIES TO PROVIDE FOR THEIR SOCIAL, ECONOMIC AND CULTURAL WELLBEING AND FOR THEIR HEALTH AND SAFETY, NOW AND IN THE FUTURE.

**Moved Cr McIlraith / Sec Cr Gibson**

**Carried.**

The meeting concluded at 3.05pm.

Confirmed at a meeting of Council held  
This 20<sup>th</sup> day of December 2005

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Mayor