

Report on a Publicly Notified Resource Consent Application

(Section 42A)

Application Reference:	Land Use: RMA/2017/1354
Applicant:	Calder Stewart Development Limited
Site address:	617-649 Colombo Street, Christchurch City
Legal Description:	Pt Sec 1011, Lot 1 DP 46489, Pt Sec 1009, Lot 1 & 2 DP 7723, Lot 1 DP 11059, Pt Lot 1 DP 7302, Lot 2 DP 7302, Lots 1-4 DP 13211, and Lots 3 & 4 DP 495453
Proposal:	Establish a digital screen billboard on a building
Zoning:	Commercial Central City Business
Overlays and map notations:	Floor Level and Fill Management Area, Central City Core, Liquefaction Management Area, Central City Building Height 28m and Category 3: Lower Noise Level Area
Activity status:	Discretionary
Submissions:	20 (including two late submissions) - A list of submitters is provided in Appendix A
Date of Hearing:	22 May 2018
Recommendation:	Decline

Preamble

- My name is Hanna Afifi. I am a Resource Management Consultant/Director at Unity Planning Limited. I have been contracted by the Christchurch City Council (CCC) to process this resource consent application on their behalf. I hold a Bachelor's Degree in Environmental Sciences (Honours) from the University of Dublin, Trinity College, Ireland. I am a Full member of the New Zealand Planning Institute and have 12 years of experience working in the planning and resource management field in New Zealand.
- This report has been prepared with advice from the Council staff and an independent traffic safety specialist, detailed below. A copy of their reports has been attached in the appendices.

Officer	Position	Appendix
John Lonick (CCC)	Senior Urban Designer	B
Shane Turner (Stantec NZ Limited)	National Specialist Road Safety	C
Kirsten Rayne (CCC)	Environmental Health Officer	D

- This report reviews the application for resource consent and addresses the relevant information and issues raised. It should be emphasised that any conclusions reached or recommendations made in this

report are not binding on the Commissioner. It should not be assumed that the Commissioner will reach the same conclusion or decision having considered all the evidence to be brought before him by the applicant and submitters.

4. Commissioner David Mountfort was appointed to make the section 95 notification decision, and therefore has also been appointed to make a decision on this resource consent application.

Proposed activity

5. Urbis Traffic Planning and Development Limited has applied for land use consent on behalf of Calder Stewart Development Limited to establish a digital screen billboard for the purpose of general advertising and information sharing on the Lichfield Street/Colombo Street corner of the new 'EntX' building located at 617-649 Colombo Street, Christchurch City.
6. The display will measure 8.4m in height by 11.5m in length (7.5m along the Colombo Street elevation and 4m along the Lichfield Street elevation). Based on these measurements the sign will have a total area of approximately 103.5m².
7. The sign will be approximately 9.4m above street level with top of the sign to be approximately 18m above ground level.
8. The applicant has provided a list of volunteered conditions as of 21 November 2017, attached as **Appendix E**. These conditions supersede all others previously volunteered. In addition, the applicant has made one further change to Condition 9 (c) of the conditions listed in Appendix B in that the maximum luminance levels proposed at night has been changed from 250cd/m² to 175cd/m².
9. Figures 1 and 2 below detail the location of the sign on the proposed building. Figure 3 provides an artist's impression of the sign in the context of the completed development (Although I note that the Council has granted a section 127 application to amend condition 1 of the establishing resource consent which consented and conditioned details of the facades shown below – RMA/2017/2844). Mr Scott Blair, Senior Planner for the Council, processed the establishing resource consent (RMA/2016/2863 and variation RMA/2017/2844). Mr Blair has reviewed the images below against the now consented documents and confirmed that there are no material differences to the facades that would affect my conclusions.)

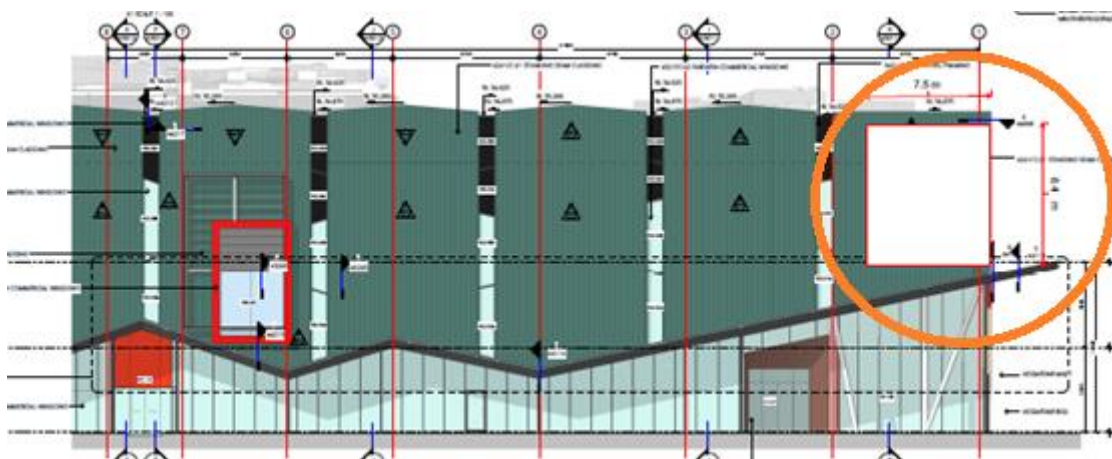


Figure 1. Northern Elevation – Colombo Street

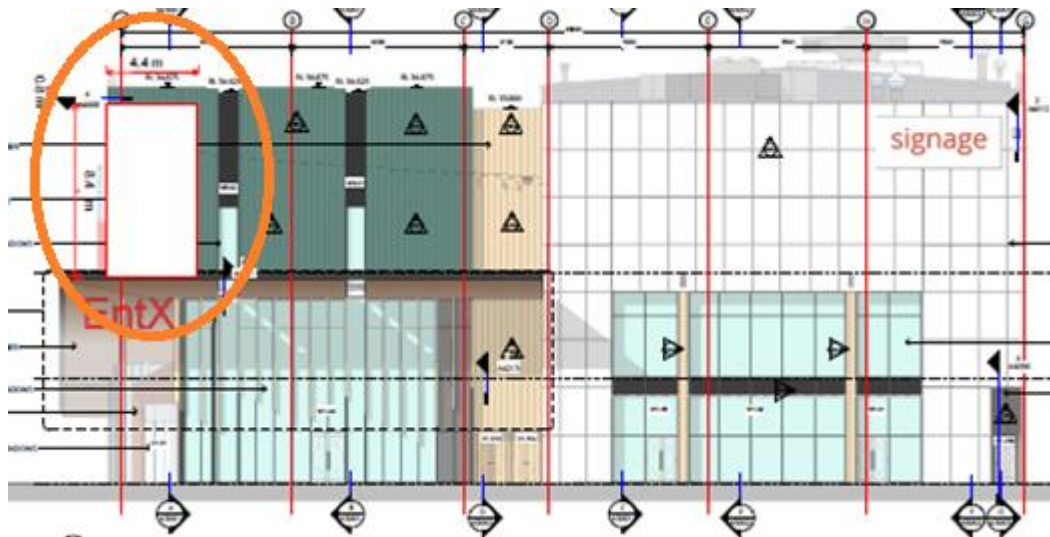


Figure 2. Eastern Elevation – Lichfield Street



Figure 3. Artist's Impression

Background

10. This application for resource consent was received on 15 June 2017. Further information was requested on 6 July 2017, and was responded to by the applicant on 28 August 2017. The application was placed on hold at the applicant's request between 7 September 2017 and 23 November 2017 to further address actual and potential effects relating to traffic safety. Within this time, a detailed set of conditions (attached as **Appendix E**) to form part of the application was drafted by the applicant with the input of Mr Turner.
11. Commissioner Mountfort made the s95 notification determination to publicly notify the application on 22 December 2017. The application was publicly notified on 17 January 2018. The submission period closed on 15 February 2018. A total of 18 submissions were received during this period, 13 in support, four (4) in opposition and one (1) neutral. Refer to **Appendix F** for the location of submitters in the immediate area.

12. Two late submissions were received after the close of submissions. A submission was received from Richie Connell of 63 Manchester Street, Christchurch, four working days after the close of submissions. A decision to waive the time limit under section 37 of the Act for making a submission was made by Andy Christofferson on 27 February 2018.
13. The second late submission was received from Mrs Drucilla Kingi-Patterson of Bishopdale, Christchurch, 20 working days after the close of submissions. A decision to waive the time limit under section 37 of the Act for this submission was declined on 18 April 2018.
14. The building on which the billboard is proposed was approved by resource consent RMA/2016/2863 on 15 November 2016. Resource consent RMA/2016/2863 approved the establishment of the three storey “entertainment exchange”, housing a *Hoyts* seven screen cinema complex with an associated dining precinct. This building is referred to as the EntX building. The location of signage panels were detailed on the plan, however resource consent was not sought for the panels as part of the application. No signage was proposed or assessed by the Council as part of that application.
15. Council’s Urban Design Panel (the Panel) considered the application for the building proposed by RMA/2016/2863 on 10 October 2016. The Panel acknowledged signage as a secondary recommendation stating that the Panel, *‘Recognises that the signage needs to be developed in more detail and integrated with the scheme – the Panel is not opposed to LED signage provided its use is associated with the entertainment complex and technical matters including traffic safety can be resolved’*. The Panel have not since been approached in respect to any specific application for this billboard or any other signage proposal for the site.
16. A change of conditions of RMA/2017/2844 pursuant to section 127 of the Act was approved on 15 December 2017. The variation included design modifications to the building facades including changes to the location of signage shown on the approved building plans. No content or cumulative area regarding signage was detailed. Including the signage content and size was considered as being outside of the scope of the original consent. The application stated, *‘Note – signage panels (except for the digital screen which is subject to a separate resource consent application) are shown on the application plans. It is anticipated that the design/location/size/number of signs (except for the digital screen as mentioned above) may be modified in the future and any signage will fully comply with the District Plan rules (unless a further resource consent is obtained).’*

Description of the site and existing environment

17. The applicant has provided a description of the site and location in Sections 2.1 – 2.3 of the applicant’s AEE, with emphasis on the traffic environment, primarily. In addition, Council’s Senior Urban Design, Mr John Lonick, has provided a detailed description of the receiving environment in Section 6 of the *Evidence: Urban Design* attached as **Appendix B**. These descriptions are considered accurate and are adopted for the purpose of this report, acknowledging that construction of the building on site has progressed since the applicant lodged this resource consent application.

District Plan – Relevant rules and activity status

Christchurch District Plan

18. The site is zoned Commercial Central City Business in the Christchurch District Plan (CPD). This zone provides for the consolidation of business activities while providing for a diverse mix of activities, and a vibrant place for residents, workers and visitors.

19. The Sub-chapter 6.8 (Signs) objective and associated policies for signage generally seek that signage contributes to Christchurch's vitality and recovery by supporting the needs of business, infrastructure and community activities; maintaining public safety; and enhancing the visual amenity values and character of the surrounding area, building or structures. Similarly, the supporting policies also seek to ensure that signs do not detract away from and where possible contribute to, the character and visual amenity of the surrounding environment.
20. Chapter 15 (Commercial) also provides objectives and policies that are relevant to the proposal. These objectives and policies generally seek that the Commercial Central City Business Zone re-develops as the principal commercial centre for Christchurch District which is attractive for businesses, residents, workers and visitors.
21. Relevant objectives and policies are listed within **Appendix G**, and are discussed in a later section of this report.
22. The proposal requires resource consent under the following rules in the District Plan:

The proposal is a discretionary activity in the Christchurch District Plan under the following rules:

- Rule 6.8.4.1.4 **D1** for a sign that is not provided for in Rule 6.8.4.1.1 P11 or P15, Rule 6.8.4.1.3 RD2, RD3 or RD5, or Rule 6.8.4.1.5 and is (a) Off-site and (b) contains changing images/digital.
23. It is also noted that the proposal breaches the following Built Form Standards outlined in Chapter 6.8.4.2.
 - Rule 6.8.4.2.4 Signs attached to buildings – The sign exceeds the maximum permitted area for signage for the entire building being 103.5m² in area, where a total signage area of 95m² is permitted based on a 190m² primary frontage. In addition the sign is higher than the maximum permitted height of 9m.

The location of future signage panels form part of the proposal approved for the building as detailed in resource consent RMA/2016/2863 and as amended by RMA/2017/2844. It is noted in the decision for RMA/2017/2844 that signage panels (except for the digital screen which is subject to this resource consent application) are shown on the application plans to identify the location of future signage only. It is anticipated that the design/location/size/number of signs may be modified in the future, and any signage will fully comply with the District Plan rules (or resource consent will be required). As such, no cumulative area of signage has been assessed as part of any previous resource consent. It is noted that in this case, as the building is under construction, no signage is established on the building as yet. Therefore, in respect to this application, there is no established signage or an approved signage area to address in a cumulative manner.

- Rule 6.8.4.2.5 (c) – The sign projects 700mm from the building, which exceeds the 200mm permitted.

However, as a fully discretionary activity under Rule 6.8.4.1.4 D1, no additional specific rule is triggered for these individual non-compliances of Built Form Standards.

24. Overall the proposal must be considered as a **discretionary activity** under the District Plan.

Submissions

25. Twenty submissions were received on this application, 14 in support, five (5) in opposition and one (1) neutral. Two of the submissions received were late. The late submission from R Connell in support of the application was accepted. The late submission from P Kingi-Patterson in opposition to the application was not accepted and is not considered further in this report.
26. The summary of submissions is provided as **Appendix A**.
27. Copies of all submissions have been provided to the Commissioner.
28. The reasons for the neutral submission are summarised as follows:
- Having a moving/flashing sign directly opposite the submitter's potential residence diagonally opposite the site at 662 and 663 Colombo Street is of concern. The sign will be obtrusive to the living environment/outlook.
 - Sees the value the billboard will have to the applicant's business.
 - Suggests that the moving images become static between the hours of 10:30pm and 7:00am, daily.
29. The reasons for the submissions in support are summarised as follows:
- Will be complimentary and in keeping with the commercial activity consented and the character of the area.
 - Should set a minimum percentage of advertising required to relate to on site businesses.
 - Will set a positive precedent and would love to see the area become a focus point for digital signage.
 - Will contribute towards showcasing Christchurch as progressive and will assist with progressing the re-build of the city.
 - Council should allow/enable businesses to make revenue through digital advertising.
 - Will result in vibrancy/fresh energy in the area and provides a vehicle for advertising and communication with the local community.
30. The reasons for the submissions in opposition are summarised as follows:
- Out of character with area and will detract from unique architecture character i.e. Justice Precinct, Lichfield Car Park, Bus Interchange.
 - Other cities around the world have spawned movements to replace or ban outdoor advertising.
 - Outdoor advertising is brainwashing, ugly, distracting and creates visual pollution.
 - High foot traffic area, moving images and potential for driver distraction causing pedestrian injury.
 - Considerable adverse effects on amenity and character in the zone.
 - Considerable amount of other signage planned for building but the application only considers one illuminated sign. Full effect of proposed signage cannot be adequately assessed unless all of the proposed signage is assessed at the same time.
 - Contrary to relevant CDP objectives in Chapters 6.8 (Signs) and 15.2 (Commercial).

Resource Management Act 1991

31. When considering an application for resource consent and any submissions received, the consent authority must have regard to the matters listed in Sections 104 and 104B of the Resource Management Act 1991. Subject to Part II of the Act, which contains the Act's purpose and principles, including matters of national importance, the consent authority shall have regard to:

- a) *Any actual and potential effects on the environment of allowing the activity.*
 - b) *Any relevant provisions of a plan or proposed plan.*
 - c) *Any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
32. It should be noted that other than giving pre-eminence to Part II, Section 104 gives no priority to other matters. They are all matters to have regard to and the consent authority must exercise its discretion as to the weight that it gives certain matters, depending on the circumstances of the case.
33. Under Section 104B, when considering an application for resource consent for a discretionary activity, a consent authority may grant or refuse the resource consent, and (if granted) may impose conditions under section 108.
34. Pursuant to Section 104(3)(a)(i) a consent authority must not have regard to trade competition when considering an application.
35. Section 104(3)(a)(ii) states that a consent authority must not have regard to any effect on a person who has given written approval to the application (unless that approval is withdrawn in a written notice before the date of the hearing). No written approvals have been provided by the applicant.

Actual and Potential Effects on the Environment (S.104 (1)(a))

As a discretionary activity the Council's assessment is unrestricted and all actual and potential effects of this proposal must be considered. Relevant guidance is contained in the reasons for the signage rules breached and the relevant assessment matters as to the effects that require consideration. The following matters of discretion are appropriate to address for this specific discretionary activity:

6.8.5.1 All signs and ancillary support structures

1. *Whether the scale, design, colour, location and nature of the signage will have impacts on the architectural integrity, amenity values, character, visual coherence, and heritage values of:*
 - (a) *the building and the veranda on which the signage is displayed and its ability to accommodate the signage;*
 - (b) *the surrounding area (including anticipated changes in the area);*
 - (c) *residential activities;*
2. *Whether the extent of the impacts of the signage are increased or lessened due to:*
 - (a) *the design, dimensions, nature and colour of the sign or support structure;*
 - (b) *the level of visibility of the sign; and*
 - (c) *vegetation or other mitigating features.*
3. *Whether the signage combines with existing signage on the building, the site or in the vicinity, to create visual clutter or set a precedent for further similar signage.*
4. *Whether there are any special circumstances or functional needs relating to the activity, building, site or surroundings, which affect signage requirements, including:*
 - (a) *operational, safety, directional, and functional requirements;*
 - (b) *its size, scale or nature; and*
 - (c) *the length of the road frontage.*
5. *Whether the signage:*

- (a) *enlivens a space or screens unsightly activities;*
 - (b) *will result in an orderly and co-ordinated display; and*
 - (c) *relates to the business or activity on the site and the necessity for the business or activity to identify and promote itself.*
6. *The potential of the signage to cause distraction or confusion to motorists and/or adversely affect traffic safety due to its location, visibility, and/or content, including size of lettering, symbols or other graphics.*

6.8.5.2 Illuminated, moving, changing, flashing or retro-reflective displays

1. *Whether the extent of the impacts of the signage are increased or lessened due to:*
- (a) *the frequency and intensity of intermittent or flashing light sources, and the proposed periods of illumination and frequency of image changes;*
 - (b) *the prominence of the sign due to its illuminated or animated nature and ability to draw the eye;*
 - (c) *the nature of surrounding land use activities; and*
 - (d) *the proximity of the display to other properties and the likely effects of such intermittent or flashing lights or changing images upon those properties and their occupants.*

6.8.5.3 Static and digital billboards

1. *Whether the scale, design, colour, location and nature of the billboard will have impacts on the architectural integrity, amenity values, character, visual coherence, and heritage values of:*
- (a) *the building and the veranda on which the billboard is displayed and its ability to accommodate the signage;*
 - (b) *the surrounding area (including anticipated changes in the area);*
 - (c) *residential activities.*
2. *Whether the extent of the impacts of the billboard are increased or lessened due to:*
- (a) *the design, dimensions, nature and colour of the sign or support structure;*
 - (b) *the level of visibility of the billboard; and*
 - (c) *vegetation or other mitigating features.*
3. *Whether the billboard combines with existing signage on the building, the site or in the vicinity, to create visual clutter or set a precedent for further similar signage.*
4. *Whether the billboard:*
- (a) *enlivens a space or screens unsightly activities; and*
 - (b) *will result in an orderly and coordinated display.*
5. *Whether the extent of the impacts of the billboard are increased or lessened due to:*
- (a) *the frequency and intensity of intermittent or flashing light sources, and the proposed periods of illumination and frequency of image changes;*
 - (b) *the prominence of the billboard due to its illuminated or animated nature and ability to draw the eye;*
 - (c) *the nature of surrounding land use activities;*
 - (d) *the proximity of the display to other properties and the likely effects of such intermittent or flashing lights or changing images upon those properties and their occupants; and*

(e) The potential of the billboard to cause distraction or confusion to motorists in their observance of traffic conditions, directions or controls.

36. Having regard to this planning framework and relevant issues, I consider that the effects of the proposal fall broadly into the following categories:
- Traffic effects
 - Effects on character and amenity (visibility, prominence, and dominance)
 - Visual coherence
 - Architectural integrity
 - Health effects – light spill
 - Effects on heritage
 - Cumulative effects
 - Positive effects

Section 104(2) – Permitted baseline

37. Prior to undertaking an assessment of the effects of this proposal it is appropriate to consider what signage could be established on the site as a permitted activity. In this case signage directly related to the use or activities on site is permitted provided it complies with activity specific standards and built form standards. Off-site signs are not permitted in the zone.
38. No signage is permitted above a height of 9m. As noted in the Activity Status section above, other than the identification of locations of future signs (other than the digital billboard proposed as part of this application) no detailed signage has been approved or assessed in a previous resource consent, and no signage has been established on the building. Therefore, I have determined that at this time, the total permitted area of signage for the entire building remains at approximately 95m².
39. Given the proposed use (including a three level cinema and food precinct) and the road frontage length of the EntX building, a non-fanciful permitted baseline would include a number of individual signs, over the building facades, up to a total area of 95m². This is supported by the information provided to date in the resource consent applications relating to the building, which identify locations for future signage. The individual signs would be significantly smaller in area than the sign proposed, on the basis that they are likely to be designed to be located over the full extent of the building frontages, to provide advertising for the various activities on site, as anticipated for a cinema complex with a food precinct.
40. Signs in the zone are permitted to be illuminated and therefore could be externally or internally illuminated provided they complied with rules relating to glare. However, the permitted baseline does not include digital signs or those with changing images, flashing or signs that are intermittently illuminated.
41. In my opinion there is no reason why the discretion available under Section 104(2) of the Act to disregard the adverse effects of those non-fanciful permitted activities outlined above, should not be exercised in this case.
42. However, in my opinion, the scale and nature of adverse effects of the non-fanciful permitted baseline in this case are not directly comparable to the proposed billboard due to the significance of its area, its height and the use of the sign being related to activities other than those to be established on site, and its variable digital imagery. The proposal well exceeds the permitted area and height of a non-fanciful sign anticipated as part of the cumulative signage outcomes for the development.

43. Instead the comparable effects are limited to the consideration that the development would be anticipated to provide for a number of individual signs over the site/development, up to a total area of signage permitted for the building (and other relevant built form standards) and where the content of the signage is for the purpose of promoting those activities that establish on the site.

Traffic Effects

44. The proposed sign has the potential to cause distraction or confusion to motorists and/or adversely affect traffic safety due to its location, visibility, and/or content, including size of lettering, symbols or other graphics. The sign also has the potential to cause distraction or confusion to motorists in their observance of traffic conditions, directions or controls.
45. The traffic environment in the vicinity and view shafts of the site is shown in the applicant's AEE. See Figure 4 below.



Figure 4. Illustration of view shafts (white) to proposed sign (red) – This drawing and the length of the view shafts are not to scale. The view shafts are for indicative purposes only.

46. The applicant considers that the effects on the operation of the Lichfield Street/Colombo Street intersection are anticipated to be less than minor. The applicant considers that the Colombo Street Southbound approach is the one principally affected by the installation of the sign because as one approaches the intersection the full view of both screen panels will become apparent. The AEE states that the northbound road traffic on Colombo Street and eastbound on Lichfield Street will only ever have a partial view of the sign and are adjacent to it when entering the intersection, whilst westbound Lichfield Street approach only has a view of the sign when in the immediate vicinity of the junction.
47. The applicant's AEE includes a statement that the northbound Colombo Street and eastbound Lichfield Street approaches will have a limited view of the sign and that as the proposed signage is immediately adjacent to these approaches it therefore is not within the driver's line of sight when interpreting/negotiating the junction. No further statement is made specifically in respect to these approaches. Therefore it is assumed that the applicant considers the traffic safety effects from these approaches to be less than minor as the sign will not be in the direct line of site from these approaches. The matters outlined below would also be relevant to this approach.
48. In respect to the Colombo southbound and Lichfield westbound, the applicant considers that mitigating factors include that drivers prioritise information, focus on relevant information and filter out inconsequential information. In addition, they consider that the height of the sign reduces the sign's influence. The applicant considers that the impact assessment provided for motorised vehicles is also applicable to cyclists. The applicant adopts a similar argument in respect to pedestrian safety.
49. The applicant also included as a response to a request for further information, their observations that the Colombo Street/Lichfield Street intersection is located in a low speed environment with the posted speed limited being 30km/hr on all approaches, narrow lane widths provided traffic calming measures, and a low traffic volume. The applicant also considers that the Barnes Dance phase (cross walk type pedestrian crossing at the intersection of Colombo and Lichfield Streets) allows for pedestrian movement with vehicles on all approaches remaining stationary, providing a safe crossing opportunity.
50. The applicant acknowledges that the majority of research into the safety impacts of digital display focuses on the behaviour of motorists and little literature is available when considering the potential effects on pedestrian or cyclist safety. In addition, with such contradictory conclusions drawn from current research, when considering the extent of the impact of digital displays on motorists, the applicant considers it would be fanciful to draw conclusions from it with respect to pedestrian safety.
51. It is acknowledged that the view shafts and the extent of the area of the sign will differ in respect to each of the four intersection approaches. However, given the large area of each of the two sign components, the prominence of the sign on this corner location, and its changing digital imagery, the sign has the ability to create adverse traffic safety effects from all approaches.
52. The Council have engaged Dr Shane Turner, National Specialist Road Safety at Stantec, to provide specialist input in respect to the traffic safety effects of the proposed sign. Dr Turner provided input in a letter dated 5 September 2017. In addition, Dr Turner provided an addendum to this letter, dated 20 December 2017. The addendum was drafted subsequent to the applicant volunteering a set of conditions of consent which were drafted in consultation with Dr Turner to address actual and potential traffic safety effects.
53. Dr Turner outlines that it was agreed with the applicant's traffic specialists that some caution should be taken when introducing video display LED billboards when there is no previous local experience of the likely (road safety) effects, being new technology for the city. As specified by the applicant, the international research that is available does not adequately address this type of installation. The majority

of research into the safety impacts of video displays focuses on billboards in a highway location and the behaviour of motorists. In addition, the research is contradictory.

54. Dr Turner's key concerns are in respect to pedestrian and cyclist safety, given the high numbers of such users that currently use this intersection, which is likely to increase. Even at low speeds, collisions between motorists and these users can be more severe. In particular, Dr Turner is concerned with viewers attempting to view video clips i.e. viewing the sign for a longer period than a static image, and therefore being distracted from the immediate traffic environment for a longer period than that associated with a static image, thus putting themselves at risk of a collision with a motor vehicle.
55. Although the applicant suggests that there is no proven link between roadside advertising and potential effects on road safety, the applicant has not been able to provide a proven link to roadside advertising of the kind proposed not resulting in traffic safety effects. The mere absence of a link between such roadside advertising and potential effects on road safety does not confirm, and is not tantamount to evidence that, the potential effects in this regard will be acceptable.
56. The applicant and Dr Turner agree that monitoring of short video clips by a monitoring/review condition would provide information to address the uncertainty around the distraction and road safety impacts of longer video clips (those greater than 20 seconds). Dr Turner considers that if monitoring of the sign could show that it is not creating any safety concerns then the longer video clips could then be considered. This monitoring would be undertaken with static images and video clips of no more than 20 seconds. If monitoring demonstrated that video clips were causing crashes and/or resulting in an increase in traffic conflicts, a move back to static images would be required.
57. In consultation with Dr Turner, the applicant has volunteered a set of conditions with a detailed monitoring and review condition that takes into consideration Mr Turner's initial reservations in respect to the effectiveness of such a condition, including how traffic conflicts will be measured in such a way that Council can determine where there has been a noticeable change up or down in conflicts. Given the uncertainty of the road safety impacts of a full video screen, Mr Turner considers that it is important that Council are also able to change the operation of the sign, if the sign is shown to lead to adverse road safety outcomes. The condition addresses these matters and would enable a change to the operation of the signage if an inappropriate road safety impact was realised subsequent to the establishment of the billboard.
58. Dr Turner advises that he would support the resource consent application for the billboard sign on traffic and safety grounds subject to appropriately robust conditions of consent. The applicant has volunteered as part of this application a set of conditions that Dr Turner has agreed on. As such it is accepted that the proposal can be supported on traffic and safety grounds.
59. In turning to the actual and potential effects of the proposal in respect to traffic safety, I consider that the uncertainty around the use of longer billboard video clips and potential impacts on road safety is relevant. I accept the conclusions of Dr Turner that the subject the proposal can be supported on traffic and safety grounds, and in particular the monitoring and review condition proposed is agreed to be an effective condition, should the proposal result in road safety impacts.
60. However, as the actual and potential effects in respect to traffic safety are high potential impact effects in terms of consequences for those injured in collision events, careful consideration of the potential effects of the proposal is required. In terms of consequences, Dr Turner outlines that there is a residual risk for unsafe outcomes which could include the risk of serious injury crashes, or a fatal crash. Dr Turner expects any crashes between vehicles and either pedestrians or cyclist to be a minor injury. In relation to the matter of residual risk, Dr Turner considers that the residual risk of serious injury and fatal crashes is likely to be very low on this part of the road network.

61. In my opinion, the use of a “trigger and response” monitoring review condition in this case is effectively a test case for such a sign. There is a risk of any such condition being ineffective in avoiding a high consequence effect i.e. injury, serious injury or death of a pedestrian or cyclist. Certainly this is the case during the trial period where it could be seen that members of the public are essentially part of that trial. Even if the effect was likely to be a very low probability risk (in that the majority of motorists, pedestrians and cyclists will pay adequate attention to the intersection to clear it safely), it is a high consequence effect¹ i.e. high potential impact (in that accidents and crashes happen as a result of driver distraction).
62. In conclusion, there are potential adverse effects on the environment and persons in respect to traffic as relying on the expert opinion of Dr Turner, the use of video clip images greater than 20 seconds may result in a conflict between a motorist and a pedestrian or cyclist, due to the potential distracting qualities of the sign. The applicant has proposed a set of conditions that includes a review/monitoring condition to address those unknown adverse traffic safety effects. A “trigger and response” condition in these circumstances cannot be guaranteed to avoid a potential high consequence traffic safety effect given that there will always be a risk with a trial.
63. However, Mr Turner, in consultation with the applicant’s traffic expert, considers that the monitoring regime is a sensible approach. Mr Turner considers that the volunteered conditions will give the Council the ability to change the operation of the sign, if it is clear that the sign is contributing to serious crashes or the pattern of more minor crashes, and/or near misses (traffic conflicts) indicates that a more serious crash may occur. I rely on this advice to conclude that the potential of the billboard to cause distraction or confusion to motorists and/or adversely affect traffic safety can be appropriately managed by the volunteered conditions of consent.

Amenity and Character

64. The proposed sign has the potential to adversely affect the character and amenity of the city centre locality. The scale, design, digital display, changing and moving images and location combine to create this effect, which contributes to the actual and potential effects the sign can have on the receiving audience.
65. I consider that the receiving audience will likely consist of persons in vehicles, pedestrians, cyclists, occupiers of shops and eateries, and commercial offices, in the immediate location of the EntX building and wider visual catchment. Mr Lonick provides a detailed description of the receiving environment, the viewing audience and the visual catchment area in Sections 6 to 8 of the Urban Design hearing report.
66. In addition, residential activity that will need to be taken into consideration is that of the residential developments within the locality, including the East Frame, particularly any residential activity on the corner of Lichfield Street and Manchester Street, from which the sign will be visible. Further, two submissions specially addressed the potential effect of the billboard on residential activity in the zone.
67. The neutral submission received from RVT Properties Limited raised that the establishment of a moving/flashing sign is a concern in respect to a third floor residential apartment directly opposite the EntX building that the submitter is planning. One further submission from AB Properties Limited, raises that the activity is located in close proximity to sites that are zoned Commercial Central City Business, where the activity standards for the zone anticipate, among other things, residential and guest accommodation activity above the ground floor level where illuminated and flashing signage may result

¹ Section 3 Meaning of effect (f) of the Resource Management Act.

in adverse amenity and character effects. This submitter also owns a property diagonally opposite the application site.

68. The receiving audience in this case also includes a large volume of pedestrian traffic through the Colombo Street/ Lichfield Street intersection, particularly due to the location of the Christchurch Bus Interchange directly opposite the subject site, along Lichfield Street and towards the Manchester Street area. The pedestrian traffic in this area is not entirely transitory as there are shops and eateries in the immediate locality, the closest being those within the Bus Interchange building with frontage to Colombo Street. The factors that contribute to such adverse effects include the prominence, dominance, visibility of the sign and the associated visual effect of the sign. These matters are addressed below with consideration of the specialist input received from Council's Senior Urban Designer, Mr John Lonick.
69. Mr Lonick provides a number of photo representations of the sign in Section 11 of the Urban Design Hearing report. These demonstrate the potential visual dominance of the billboard in the immediate active pedestrian environment, and at vantage points at further distances. These vantage points are summarised below:
- Up to 40 meters from the sign – at the intersection of Colombo Street and Lichfield Street – Full area of screen is highly visible and dominant;
 - 70 metres from the sign – Lichfield Street, east of Colombo Street – Most of the screen is highly visible - the roof of the Bus Interchange partially obscures the billboard which reduces the visual effects to a degree;
 - Approximately 375m – Edge of linear park in the East Frame - Clearly visible from the southern side of the East Frame – If apartment style living is realised in this area of the East Frame the sign will be highly visible from within units above the second floor. From a public realm perspective the sign will be seen and occasionally draw attention. However it is unlikely this will cause significant adverse visual effects;
 - 75 to 120 metres along Colombo Street, north of Lichfield Street (also in the vicinity of two submitters properties identified in Appendix G who raise concerns in respect to the impact of the sign on future residential activity in the zone) - Highly visible and dominant. It will continuously draw attention and detract from the surrounding environment, businesses and the views of the Port Hills;
 - 185 metres along Colombo Street, north of Lichfield Street - Most of the sign is obscured by the overbridge and other elements within the public realm. Only at night time is there a chance that the billboard will draw attention. However this is unlikely to significantly affect the amenity of this environment;
 - 320 metres along Colombo Street, north of Lichfield Street (edge of Cathedral Square).
70. Mr Lonick considers that the sign will be highly visible from the surrounding pedestrian environment and from the north of Colombo Street looking south, and from Lichfield Street to the east when looking west. Because of its scale and location it will significantly impact the pedestrian environment, possibly even dominate it. When taking into consideration that the sign is projecting light and will be showing moving and changing images, Mr Lonick considers that it is clear the environment will be greatly impacted. Though Mr Lonick does not consider that the billboard dominates the building itself, it is highly visible and will most likely dominate the immediate receiving environment. In addition, the sign would be visible from the residential environment of the East Frame and highly visible from the pedestrian environment surrounding the building.
71. Mr Lonick considers that the sign will also be highly visible to occupiers of commercial buildings adjacent to it. The air bridge across Colombo Street would contribute to blocking the views from the north beyond the bridge, most of the time, and the sign will not be visible when approaching the building from the south when on the west side of the street.

72. I accept the assessment of Mr Lonick, noting that the sign is significant in area in comparison to other billboards within the city centre area. Its location on a prominent corner of a building, and its offset 700mm from the building façade exacerbate its prominence. The area immediate locality is developing into high quality pedestrian areas and as such the adverse effects of the billboard would be significant in the context of that receiving environment. As raised by Mr Lonick, the environment is mostly focussed on pedestrians now and the footpath is wide enough to allow for spill out space of business. He considers that the prominence and eye catching character of the billboard will significantly adversely affect the quality and amenity of this space. .
73. In my opinion, the size of the sign exceeds that which could be feasibly absorbed into the Colombo Street/Lichfield intersection without creating unacceptable adverse effects due to dominance and prominence, particularly when buildings are completed on all four corners of the intersection, and there is the potential that the digital display will result in an enclosing and/or dominating effect on the public in the immediate locality.
74. The overall size and extent of the intersection is such that the sign will potentially impact on the anticipated visual amenity values of the immediate environment, due to the visibility of the sign and the change that will result in the urban context of the environment. The location of the sign, being located in relatively close proximity to the receiving audience, including adjacent commercial tenancies, combined with the extent of the digital display and changing images (which are designed for a high level of viewer attraction) are factors that contribute to that change in urban context of that locality. I consider that the billboard will adversely impact the amenity, including the visual amenity of those persons in the receiving audience as a result of the introduction of a large advertising billboard of this scale into the environment, particularly where the billboard has a significant ability to attract their attention, and will be difficult to ignore.
75. In respect to character, as an off-site sign, I agree with Mr Lonick that the sign will detract from the character and the type of use it is meant for. A dominant characteristic of signage in the immediate city centre location is that signage is related to activities/businesses on sites. In addition, the sign is out of character with signage typically anticipated and seen within the zone, due to the adverse effects of its significant size, exacerbated by its height and variable digital display.
76. For the reasons outlined above, I consider that the adverse effects of the proposal on the character and amenity values in the surrounding city centre locality will be unacceptable and cannot be appropriately managed or mitigated.

Visual coherence

77. The sign, including the use of digital imagery of changing still images and video clips will have an impact on the visual coherence of the environment. The factors that affect the extent of this impact include the size and location of the sign in the receiving environment, particularly the building it is mounted on and the digital imagery/content of the sign.
78. The applicant considers that the signage will create a point of visual interest for pedestrians in the vicinity, will break up the associated facades (of the building) and will provide a focal point enlivening the surrounding space and engaging with the active street frontage below.
79. In my opinion, as the building has been through the resource consent process and urban design panel review, it is considered a high quality design that provides an appropriate level of visual interest, with sufficiently broken up facades and an engaging, active street frontage. In addition, the urban design panel specifically stated that they were not opposed to LED signage provided its use is associated with the entertainment complex. As such, I do not consider that the sign will provide any additional visual

interest of significance that would compensate for its potential effects in respect to visual coherence, as would be possible if it were to be established on a low quality building façade such as a blank concrete secondary wall of a building.

80. The fact that the sign content proposed will have no association with the activities on the site, and is unlikely to be associated with activities in the immediate central city environment, impacts significantly on the coherence of the immediate environment. There is no benefit of legibility or identification of the site. There is no functional need for the content or scale of the sign, nor is there any related necessity to support the businesses on site.
81. I agree with Mr Lonick that the sign provides a good opportunity to promote the movie theatre activity through a dynamic digital screen and as a major entertainment complex. The building is a distinct landmark for the city and an LED screen showing movie clips, for instance, would relate the activities taking place in the building to the street and could be part of the urban experience.
82. Overall, I consider that the proposed billboard will result in adverse effects with respect to visual coherence of a scale that is not appropriate in the receiving environment.

Integration with architectural features of the building

83. The applicant considers that the scale of the signage is in keeping with the size of the development, resulting in the signage making a statement complimentary to the building and with the surrounding architecture, mirroring and supporting the building's linear features and sharp angles.
84. Although no specific details of signage were provided with the resource consent application for the building, the building plans show the outline of signage, which includes the proposed billboard. As such the sign has been considered in the design of the building, rather than being a component added to the end design. As such, I agree with the application that the sign is complimentary to the building design.
85. Mr Lonick outlines that overall the sign is reasonably well integrated with the design of the building, so far as it contributes to the corner definition of the building. Mr Lonick considers that visually, the building is large enough to not be dominated by the sign, however it would be a better fit if it was smaller and also considers that the design would improve if the size of the screen was reduced. However, he concludes that the type of signage (off-site) will most likely detract from the use and potentially the character of the building.
86. With respect to the architectural character of the building, Mr Lonick outlines that, like the Bus Interchange building, the scale of the cinema building has been broken down by modulating the built form and using articulation and architectural detail. To modulate the main built form, the cinema building uses an alternating roof form and a finer grain of façade modules. It will achieve a sense of vertical alignment by dividing these façade panels with vertically aligned glass panelling. Additional articulation, modulation and architectural detailing is achieved through the introduction of more horizontally orientated volumes and through variety in the façade materials. This modulation and articulation is illustrated by Mr Lonick in the Urban Design hearing report.
87. Currently the sign almost, but not completely covers the two façade sections it is mounted on. Mr Lonick considers that this and the fact that the billboard will protrude about 0.7 meter from the façade will give the impression that the sign was more of an afterthought than the conscious design decision it is. Mr Lonick considers a better composition would be able to be created if the billboard was smaller and of a similar height as the protruding corner element that wraps along the façade on the Tuam Street and Colombo Street corner. This element also has more architectural detailing and framing that can be used to integrate the sign better with the building design.

88. I accept the findings of Mr Lonick and conclude that for the reasons above, adverse effects of the sign in respect to integration with the architectural features of the building are not significant but could be avoided or reduced by Mr Lonick's recommendation to reduce the area and the height of the sign.

Health effects (light spill)

89. Given the large area of the proposed billboard, excessive amounts of vertical and horizontal illuminance has the potential to have an adverse effect on the surrounding environment and both temporary users and permanent occupiers. In relation to the potential adverse effects of this illuminance on the receiving environment, Council's Environmental Health Officer, Ms Kirsten Rayne, has confirmed that the signage is capable of complying with the applicable light spill standard of 20 lux. As such, adverse effects on health in respect to glare will be contained at an appropriate level.
90. The applicant has volunteered a condition of consent that the lux levels of the sign shall not exceed 20 lux of light when measured 22 metres away from the screen. Should consent be granted, this condition would be acceptable provided that reference to 22m is removed and replaced with what is specified in the relevant CDP rule, Rule 6.3.6 being that light spill is measured or calculated 2 metres within the boundary of any adjacent site.
91. I accept the conclusions of Ms Rayne that the adverse effects on health as a result of light spill will be appropriate in the context of the receiving environment subject to compliance with the aforementioned light spill standard.
92. I do however consider that the potential effect from the digital display of the billboard will be somewhat different as large scale illumination has the potential to impact on amenity which is discussed above.

Effects on heritage

93. There are no particular heritage values in the immediate locality that would be adversely affected by the proposal. The billboard will be partially visible from Cathedral Square, a very prominent public space and one of the most important heritage settings of Christchurch. I agree with Mr Lonick that the billboard will likely cause some form of distraction from the heritage setting however the associated adverse are not likely be significant unless the future Cathedral reconstruction include a spire that is publicly accessible. Given that a potential resource consent for a spire at this stage is speculative and no resource consents exist for such a spire, I have not taken this potential effect into consideration.

Cumulative effects

94. Section 3 of the Act defines the meaning 'effect' which includes any cumulative effect which arises over time or in combination with other effects. Currently the application has provided no formal signage proposal for the other business on site. There are no established signs on site that could be considered in combination with the effects of the billboard. It is noted however that the proposed billboard is of such a large area, it takes up all the permitted activity status signage area for the entire building. Cumulative effects will certainly be a relevant matter for future signage on the building.
95. No signage has been proposed or approved for the businesses that will occupy the site, therefore an assessment of the effects of the signage combined with existing signage cannot be undertaken. In addition, the surrounding environment itself is not an area where the proliferation of signage, including digital displays, has occurred such that the sign proposed would add to adverse effects of existing signage, to create an inappropriate cumulative effect. Any cumulative effects at this stage are not considered to be significant.

Positive effects

96. The proposal provides for positive effects in the zone. A number of submissions received in support of the application focused on the positive effects of the proposal, relating to the ability of the digital billboard to enliven the space and add to the vibrancy of the city centre area, the ability for the conveyance of community information and positively communicate with young people, and the potential to provide for advertising on site to promote the business on the application site.
97. In addition, the proposal is likely to contribute to the economic wellbeing of the applicant/landowner by way of the potential income generation of the billboard.
98. The sign being a digital display which, in such a prominent location and of a large size, will provide activation with street users and contribute to the vibrancy of the area. A number of submissions that raised this positive impact considered the area between Lichfield and Tuam Streets as being a 'dead' area.
99. Whilst I agree that the billboard will contribute to the vibrancy of the area, and will provide for activation with street users, I see this in the context of the receiving environment which is currently progressing with the construction and establishment of a high quality urban city centre environment as opposed to being a 'dead' area that is in need of 'enlivening'.
100. There is the potential for the images and video clips on the billboard to provide community information and to communicate positively with young people (i.e. providing information on community events, education, health and wellbeing etc.). However, this would require a volunteered condition of consent requiring a minimum percentage of display time being dedicated to community focused displays, as suggested by one of the submissions received in support of the application.
101. Similarly, there is the potential for the billboard to support the commercial activities on site, and to contribute positively to character of the EntX building, provide for visual coherence between the sign and the EntX building/activities in particular, the movie theatre. It is noted that the Urban Design Panel, recognising that signage was yet to be developed in full, stating that they were not opposed to the LED signage providing its use was associated with the entertainment complex (and technical matters such as traffic safety could be resolved). I would also consider the display of movie theatre/entertainment images and clips to provide a greater potential to contribute to enlivening the area, when compared to general advertising goods and services such as supermarket specials, motor vehicles or insurance, for example. However, this would require a volunteered condition of consent requiring a minimum percentage of display time being dedicated to the activities of the businesses on site.
102. In conclusion, the proposal will result in positive effects on the environment and in respect to the economic wellbeing of the landowner/applicant. It is noted that there is also the potential for further positive effects to be realised as discussed above. These positive effects could be considered if the applicant volunteered conditions to control the type of advertisements to be displayed on the billboard.

Conclusion with respect to effects on the environment

103. In regard to traffic safety effects I rely on the advice of Mr Turner to conclude that the potential of the billboard to cause distraction or confusion to motorists and/or adversely affect traffic safety can be appropriately managed by the volunteered conditions of consent.
104. In regard to the other environmental effects matters discussed above, and for the reasons set out above, I consider that the adverse effects of the proposal in respect to the character and amenity values of the

surrounding environment, and visual coherence will be inappropriate in the context of the receiving environment.

105. However, its current size and proposed content will adversely affect the surrounding environment including the proposed residential use in the East frame and at the properties of submitters in close proximity to the billboard, and the busy pedestrian environment. This is a central city, pedestrian focussed environment, and the signage is well in excess of what would be considered as a sign that would result adverse effects that are appropriate to the character and amenity values of the environment.
106. The extent of the positive effect associated with enlivening the area are limited in my opinion, as the billboard is proposed within a city centre location, built form design of the urban spaces in the locality are subject to a standard that must achieve and contribute to the a high quality urban environment sought for the zone. There are potential positive effects to be realised if the digital aspect of the proposed sign were to provide for promotion of movies and businesses on site, providing a positive and interesting addition to the movie theatre building, and the communication of community related messages/advertising.
107. There are no special circumstances or functional needs relating to the activity, building, site or surroundings, which support the establishment of the billboard. The sign proposed does not relate to the business or activity on the site and is not the necessary for the business or activity to identify and promote itself. In fact, the establishment of the sign, removes the permitted activity status in respect to signage for the remainder of the building, such that businesses within the building would not be able to establish any signage as a permitted activity.
108. The actual and potential positive effects of the proposal do not outweigh the unacceptable adverse effects of the proposal.
109. There are no mitigating factors in respect to the inappropriate adverse effects due to the prominence and dominance of the sign, particularly on the immediate pedestrian focused environment.
110. However, there is the potential for further positive effects to be realised insofar as the billboard could be used to promote the EntX complex activities on site, promoting the on-site commercial activities and providing for visual coherence between the activities on site and the billboard displays. There is the potential for further positive effects to be realised by the promotion of community focused information sharing/advertising. These outcomes would need to be supported by the applicant by way of volunteered conditions of consent relating to the billboard content of advertising/information.
111. I accept the conclusions of Mr Lonick that there is the potential to avoid the adverse effects by significantly reducing the size of the sign, lowering the height of the sign and improving the integration of the screen with the architecture of the building.

Relevant Objectives, Policies, and other Provisions of a Plan or a Proposed Plan (S.104 (1)(b))
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112. Regard must be had to the relevant objectives and policies in the Christchurch District Plan, which are attached in **Appendix G**.
113. The Sub-chapter 6.8 (Signs) objective and associated policies for signage generally seeks that signage contributes to Christchurch's vitality and recovery by supporting the needs of business, infrastructure and community activities; maintaining public safety; and enhancing the visual amenity values and character of the surrounding area, building or structures. Similarly, the supporting polices also seek to

ensure that signs do not detract from and where possible contribute to, the character and visual amenity of the surrounding environment.

114. The Sub-chapter 6.2 (Outdoor lighting) objective and associated policy provide for artificial outdoor lighting throughout the district where it is required for night-time work, rural productive activities, recreation activities, sport, entertainment activities, transportation and public health and safety, while managing the potential adverse effects of light spill and glare.
115. Chapter 15 (Commercial) also provides objectives and policies that are relevant to the proposal. These objectives and policies generally seek that the Commercial Central City Business Zone re-develops as the principal commercial centre for Christchurch District which is attractive for businesses, residents, workers and visitors.
116. Chapter 3 Strategic Directions contains a number of high level objectives to guide the recovery and future development of the City. The provisions of Sub-chapters 6.2 and 6.8 and Chapter 15 all give effect to Chapter 3.

Chapter 3 – Strategic Directions

117. The proposal partly aligns with Objectives 3.3.1 and 3.3.5 as it will contribute to enhancement of the city centre insofar as the billboard will contribute to economic development and would assist in fostering investment certainty for the developer of the application site by providing supplementary revenue through advertising. The establishment of the billboard contributes to a range of opportunity for business activities to establish and prosper. However, the proposal is at odds with these objectives as the billboard is a single sign which removes all remaining permitted signage activity for the business to be established on the application site, impacting on their ability to prosper on site.
118. The proposal, however is not fully aligned with Objectives 3.3.7 and 3.3.8 which focus on revitalising of the Central City with development of high quality urban form.
119. The proposal will have no impact on the ability of the Central City to develop and to be maintained or enhanced as the primary community focal point. As outlined above, the proposal will provide for economic enhancement on the application site through the developer's investment, albeit that the investment is not considered to enhance amenity values.
120. However, the proposed billboard is not considered to be well integrated in the receiving environment and will not contribute to a high quality urban environment. Notwithstanding that submissions received in support of the billboard consider it would be attractive in the receiving environment, I accept the expert assessment of Mr Lonick to conclude that the billboard will have adverse effects on the character and amenity values of the urban environment, and as such, it would not be considered to be attractive to residents, business or visitors. The proposal does not enable the high quality urban environment anticipated to be recognised and appropriately managed.
121. In respect to Objective 3.3.14 it is noted that the signage rules that apply to the zone provide for signage for buildings and on-site business', including billboards, subject to activity specific standards. These activity specific standards contribute to minimising conflict between incompatible activities as they relate to signage. In this case, the proposal includes significant breaches of the activity specific standards, as outlined in the analysis of the permitted baseline at Pages 9-10 of the report. The proposed billboard, due to its size, height, and moving/changing imagery is considered to create conflict as an incompatible activity with the public's enjoyment of the Central City environment within a high quality urban setting and residential activity anticipated within above ground floor levels of buildings in relative close proximity to the digital billboard. Whilst the effect will not be inappropriate in respect to health and safety, the

effect will be unacceptable in respect to the amenity of people within the viewing audience of public and private places.

Chapter 6.2 – Signs

122. Objective 6.8.2.1 and associated policies provide for enabling and managing signage in the District.
123. To determine whether the provisions enable the proposed sign, I refer to Policy 6.8.2.1.1 and 6.8.2.1.6.
124. The billboard is not necessary for public health and safety or to provide direction to the public. Therefore it is not enabled by Policy 6.8.2.1.1. When looking at the billboard on the application site, being an off-site sign, I would not consider it to be an integral component of the primary commercial businesses' on site. It is a secondary activity on site, exclusive to those businesses'.
125. Policy 6.8.2.1.6 managing off-site signs, seeks to enable off-site signage specifically where the sign meets components (i)-(iv). The billboard could be appropriately managed and at this stage does not contribute to clutter and other cumulative adverse effects (being the first specific sign formally proposed for the buildings).
126. However, the billboard is not considered to be compatible with the surrounding environment given the adverse effects on amenity and character of the locality that will result from the proposal.
127. Due to its significant size, height and moving/changing digital display the billboard is not considered to be consistent with the outcomes of Policy 6.8.2.1.3 as it will detract from the character and visual amenity of the surrounding area and public realm, and does not enhance the Central City in respect to the high quality urban design outcomes sought.
128. The billboard will not dominate the building itself, and the building will be maintained as the primary visual element. However, I accept the analysis of Mr Lonick discussed previously that the billboard does not integrate well with the building.
129. The billboard is not appropriately proportioned to the scale of the building and the size of the site. Further, I agree with Mr Lonick that it does not relate well to the human scale of the building. The area of the single sign is of such a considerable size that it exceeds the scale of signage permitted for an entire multi-storey commercial building in the Central City for which the District Plan provides for a reasonable level of signage to support the businesses and activities on site.
130. In my opinion, the proposed billboard is not a sign that falls under the aforementioned enabling policies.
131. Notwithstanding that the billboard is not enabled by relevant policy, the provisions provide for signage to otherwise be managed.
132. With reference to Objective 6.8.2.1, the billboard will contribute to Christchurch's vitality and recovery by supporting the needs of business, directly in respect to the application site and economic gain for the landowner, and indirectly by way of advertising off-site businesses. It will not however achieve this contribution by enhancing the visual amenity values and character of the surrounding area or the EntX. building due to its off-site character, its height and size, which are matters discussed in the preceding assessment of effects on the environment.
133. The sign will not cause any obstruction to road users. However given the unknowns in respect to the potential impact of the sign on road user distraction, in particular the display of video clips over 20 seconds, it cannot be ensured that the sign will not cause distraction for motorists and pedestrians and

other road users as sought by Policy 6.8.2.1.4 transport safety. However, I rely on the advice of Mr Turner that the potential of the billboard to cause distraction to motorists can be appropriately managed by the volunteered conditions of consent.

Chapter 6.3 – Outdoor lighting

134. Objective 6.3.2.1 seeks to enable appropriate artificial outdoor lighting for night-time work, rural productive activities, recreation activities, sport, entertainment activities, transportation and public health and safety. The proposed digital display is not one of these activities that seeks to enable associated artificial outdoor lighting.

Chapter 15 – Commercial

135. Objective 15.2.4 and associated policies refers to urban form, scale and design outcomes consistent to the role of the centre.
136. Signage contributes to urban form and as such the form and scale of such signage should contribute to a visually attractive environment which responds positively to local character and context whilst managing adverse effects on the surrounding environment. As outlined by Mr Lonick, the surrounding area as it stands is starting to provide a high level of amenity through a high quality public realm and buildings that relate to a sense of human scale. The activity of the billboard is of a scale that will continuously draw attention away from this high quality environment.
137. I have assessed above that the scale of the proposed billboard will be inappropriately excessive to the extent that the adverse effects on amenity values and character of the surrounding environment cannot be sufficiently managed. The proposal will not contribute to a visually attractive urban environment in this context and does not appropriately manage potential adverse effects on residential activity permitted to establish in the immediate locality.
138. I accept the findings of Mr Lonick that as the site is located on a corner site and highly visible it will provide a strong landmark quality that will assist with people orientating themselves through the central city. However, the cinema building already has a strong corner definition. There is not a need for a sign of this type and size to create a similar effect.
139. In this case the sign is not one which is related to a functional and operational requirement of activities and built form to be established on site.
140. While signage can provide visual interest, the visual interest of the billboard will not contribute to the character and coherence of the locality given the off-site nature of the sign, which is not related to any of the business activities to be established on site.
141. Objective 15.2.6 and associated policies seeks that the Commercial Central City Business Zone re-develops as the principal commercial centre for Christchurch District and is attractive for businesses, residents, workers and visitors, consistent with the Strategic Direction outcomes for the built environment.
142. The proposal is not consistent with the Strategic Directions outcomes for the built environment as sought by Objective 15.2.6 as it will not contribute to a high quality urban environment. Given the significant impact the billboard will have on the character and amenity values of the urban environment, it would not be considered to be attractive to residents, workers, businesses or visitors. The proposal does not enable the high quality urban environment anticipated to be recognised and appropriately managed.

143. Policy 15.2.6.3 discourage activities from establishing where they will have an adverse effect on the amenity values of the Central City. Of relevance to this proposal is that this is achieved by requiring an urban design assessment for activities within the zone and setting height limits to avoid overly dominant buildings on the street.
144. In this case, the applicant has not provided an urban design assessment as part of the application. Further, the applicant has not presented a specific signage proposal for the EntX development to the CCC Urban Design Panel. Signage has only been detailed in concept on the resource consent application plans for the building, without the applicant seeking resource consent for the signage, other than the proposed billboard.
145. However, in this case, an urban design assessment has been provided by Council's Senior Urban Designer, Mr John Lonick. Mr Lonick has raised concerns relating to the significant adverse effects of the billboard on the amenity values of the Central City environment, and the prominence of the sign (which is up to twice the specified District Plan height limit for such a sign). As such, I consider the sign is one that is discouraged from establishing under Policy 15.2.6.3. In addition, the adverse impact of the sign on amenity values does not enable an enhanced pedestrian environment that is accessible, pleasant and attractive to the public, as it does not ensure high quality public space amenity.

Summary of objectives and policies

146. Where the District Plan objectives and policies support economic prosperity and development, revitalising and recovery of the Central City and enabling the use of signs for businesses to promote their activities, these outcomes are balanced with the strong direction towards achieving a visually attractive high quality urban environment, which manages effects of activities, including those between incompatible activities. In my opinion, the provisions seek to balance these sometimes conflicting outcomes, rather than elevating the importance of one over the other. Any weighting of conflicting outcomes can be addressed with consideration of the specific circumstances of an application.
147. Whilst the proposal is consistent with the objectives that provide for the outcomes regarding economic prosperity and well-being directly by way of additional revenue for the landowner/developer, and indirectly through advertising, this is potentially at the detriment of businesses to be established on the application site, where permitted signage activities will be removed, should the billboard be approved.
148. Further, the billboard is not considered to contribute to the revitalisation of the Central City where it seeks a high quality urban environment, having regard to the characteristics of the area, including those developing with on-going recovery of the Central City, a reasonable component of which is progressing on sites adjacent to the application site. The area, height, digital display with changing and moving images cumulatively results in a sign that will have significant adverse effects on the character and amenity of the receiving environment. Furthermore the scale of the signage is not related to any functional or operational need, on or off-site.
149. In this case I have given less weight to the economic considerations that would support the establishment of the off-site sign. This is because these outcomes could successfully be achieved by a digital billboard on site of a significantly reduced scale and visual impact, as the billboard of the scale proposed is not required for the economic success of the relatively large movie theatre and dining precinct businesses on site, and the impact on amenity and quality of the urban environment matters are unacceptable and cannot be managed, or mitigated.
150. After considering the relevant objectives and policies it is my conclusion that in an overall sense, the proposal is not supported or enabled by the relevant objectives and policies of the CDP.

Relevant Other Matters (S.104 (1)(c))

Recovery Plans and Regeneration Plans

151. Section 60(2) of the Greater Christchurch Regeneration Act 2016 requires that decisions and recommendation on resource consent applications are not inconsistent with Recovery Plans and Regeneration Plans.
152. The following Recovery Plans relevant to the application have been developed in accordance with Section 7:
- Christchurch Central Recovery Plan (operative 31 July 2012)
 - Transport chapter of the Christchurch Central Recovery Plan entitled “An Accessible City” (operative 31 October 2013)
 - Land Use Recovery Plan (operative 6 December 2013)
153. The Christchurch Central Recovery Plan (CCRP) is relevant to this proposal as the plan sets out clear outcomes that are desired for the development of Christchurch City. The Plan seeks to create a consolidated Central City Business Zone. The CCRP is relevant to this proposal as it has introduced a suite of new rules to manage recovery of the Central City. The CCRP however does not include revision of the Outdoor Advertising rules. Urban design matters are key considerations for development to ensure that buildings in the Central City Business Zone are able to fulfil their desired function while ensuring that a high level of amenity and urban design is provided. Business and opportunity are also promoted.
154. The An Accessible City transport chapter also forms part of the CCRP and is relevant to the proposal with respect to the anticipated quality of the street environment, which I consider seeks to enhance the quality of Colombo Street south with on street upgrades to improve the pedestrian natured environment. The proposal will conflict with this outcome and will detract from the proposed enhancements to the amenity of the pedestrian environment.
155. Notwithstanding the proposal is consistent with the business opportunity and prosperity outcomes promoted by the CCRP, I consider that the granting of this application would be inconsistent with the CCRP as the proposal will result in effects on the amenity of the surrounding environment that are unacceptable and which are not foreseen to meet the high quality urban design outcomes for Christchurch City. Further the billboard at the scale and nature proposed is not required to realise those economic outcomes promoted in the CCRP. These could be similarly achieved by a billboard of a significantly reduced impact on the quality of the urban environment and the amenity and character of affected public and private area.
156. In addition, the An Accessible City chapter seeks to enhance the quality of Colombo Street south with on street upgrades to improve the pedestrian natured environment. The proposal will conflict with this outcome and compete with the proposed enhancements to the amenity of the pedestrian environment.
157. At this time only the Cranford Basin Regeneration Plan is in place. This Regeneration Plan is not relevant to the proposal.

Relevant provisions of a National Environmental Standard, National Policy Statement, Regional Plan, Regional Policy Statement or Coastal Policy Statement [Section 104(1)(b)]

158. For completeness, I note that the District Plan gives effect to the relevant provisions of higher order instruments referred to in s104(1)(b), and that being the case, I have not referred to them in my report.

Part II of the Act

159. As noted above, I am satisfied that the District Plan gives effect to the relevant provisions of the higher order instruments. Accordingly, there is no need to comment further on Part II provisions in my consideration of this application.

Conclusion

160. After considering the actual and potential effects on the environment of allowing the application, it is my conclusion that the adverse effects of the proposal in respect to the character and amenity values of the surrounding environment and visual coherence will be inappropriate in the context of the receiving environment. There are positive effects associated with the proposal but these do not outweigh the unacceptable adverse effects, particularly as the positive effects could be realised with a billboard of a significantly reduced scale.
161. In my opinion this proposal is inconsistent with the objectives and policies of the District Plan as in this case I have given less weight to the economic considerations that would support the establishment of the off-site sign as these outcomes could successfully be achieved by a digital billboard on site of a significantly reduced scale and visual impact, as the billboard of the scale is not required for the economic success of the relatively large movie theatre and dining precinct businesses on site, and the impact on amenity and quality of the urban environment matters are unacceptable and cannot be managed, or mitigated.
162. I consider that the proposal is inconsistent with the Christchurch Central Recovery Plan.
163. Having considered all of the relevant matters under Sections 104, and 104B, it is my opinion that consent should be declined.

Recommendation

164. I have assessed this application to establish a digital screen billboard for the purpose of general advertising and information sharing on the Lichfield Street/Colombo Street corner of the new 'EntX' building at 617-649 Colombo Street, Christchurch City. Having considered all the matters relevant to this application, I recommend that this application be **declined** pursuant to Sections 104, and 104B of the Resource Management Act 1991.

Prepared by:

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Position: Consultant Planner

Reviewed by:

Andy Christofferson

Planning Team Leader

27/4/18

Appendix A – List of submitters

Appendix B – Urban Design Evidence

Appendix C – Specialist Input – Traffic Safety

Appendix D – Specialist Input – Environmental Health

Appendix E - Volunteered Conditions of Consent

Appendix F – Location of Submitters in Immediate Locality

Appendix G – Relevant objectives and policies of the Christchurch District Plan