

In the matter of the Resource Management Act 1991

And

In the matter of an application for Resource Consent by Lumo Digital Limited to construct a digital billboard display at 399 Lincoln Road.

**STATEMENT OF EVIDENCE OF JOHN SCHEELE FOR
LUMO DIGITAL LIMITED**

17 November 2020

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INTRODUCTION

- 1 My name is John Scheele.
- 2 I am a Senior Consultant Planner with Resource Management Group, an urban and environmental planning consultancy with offices in Christchurch, Nelson, New Plymouth and Wellington.
- 3 I hold a Bachelor of Environmental Management (majoring in Policy and Planning) from Lincoln University (2005) and I am an Associate Member of the New Zealand Planning Institute.
- 4 I have 15 years' experience as a planner within Christchurch, both for local authorities as well as a consultant planner. The majority of my experience relates to the evaluation and assessment of environmental effects associated with land use developments, particularly within urban environments. Additionally, I have also acted on behalf of various district Councils, including Christchurch City, Selwyn, Kaikoura and Tasman, in processing various resource consent applications.
- 5 Relevant to the current application, I have been involved in numerous developments associated with the installation of signage, including static and digital billboards, throughout Christchurch and Dunedin.
- 6 I have been engaged by Lumo Digital Limited (Lumo) to provide planning evidence in respect to the land use application RMA/2020/702 (the Application). The Application seeks to establish and operate two 29.2m² digital billboards at 399 Lincoln Road (the Site).

CODE OF CONDUCT

- 7 While this is a Council Hearing, I acknowledge that I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014, and agree to comply with it. I confirm that this evidence is within my area of expertise, except where I state that this evidence is given in reliance on another person's evidence. I have considered all material facts that are known to me that might alter or detract from the opinions I express in this evidence.

SCOPE OF EVIDENCE

- 8 I prepared the AEE report (the original and the updated August 2020 version) which form the application documents (**the AEE report**). This evidence does not re-cover issues which are already addressed there, other than confirmation of the key issues below.
- 9 This evidence will build on the AEE report, in response to:
 - 9.1 Issues raised by Submitters;
 - 9.2 Comments and issues from the Christchurch City Council's Reporting Officers Section 42A Report (the s42A report); and
 - 9.3 Feedback on consent conditions.
- 10 For the purposes of brevity, my evidence will be limited to planning matters which in my view remain in contention. These relate to:
 - 10.1 Transport effects; and
 - 10.2 Character and amenity effects

EXECUTIVE SUMMARY

- 11 My key observations and conclusions are:
 - 11.1 The issues raised in the evidence of Ms Gregory relate primarily on the perception that digital advertising will result in driver distraction, which is based on the Turner report, which has been superseded by more recent research. There is no evidence to support Ms Gregory's position;
 - 11.2 While the digital billboards will be located within 50 metres of a signalised intersection, there is no evidence that suggests that road safety will be compromised resulting from driver confusion;
 - 11.3 The evidence of Mr Hattam has overstated the adverse effects of the proposal and the sensitivity of the surrounding receiving environment;

- 11.4 The conclusions of the s42A report, where adverse character and amenity effects will be more than minor and potentially significant in terms of transport, are reliant upon the evidence of Ms Gregory and Mr Hattam. As there is no evidence to support Ms Gregory's position and Mr Hattam has overstated potential adverse effects, the conclusions reached in the s42A report are similarly unsupported.

EVIDENCE

Permitted baseline

- 12 The s42A report (at paragraphs 27-30) sets out a relevant permitted baseline assessment which I adopt in general as part of my evidence. However, while the s42A report identifies that two-double sided 18m² digital billboards may be constructed on Site (given the road boundary of the Site exceeds a length of 80m²), the author has not put into context the anticipated digital displays which form the permitted baseline. In particular, a double sided 18m² billboard would constitute a total display area of 36m² (incorporating both sides), with two such billboards creating a total display area of 72m². In addition, there are no rules in the District Plan requiring minimum separation distances between billboards (either static or digital), regardless whether the billboards are located on the same or adjacent sites. Two 18m² billboards located side by side (or even in the same general location) would create a maximum visual display area of 36m². This has been set out in greater detail in the AEE report (at paragraphs 34-41).
- 13 In this case, the proposal is seeking resource consent for two 29.2m² digital billboards. The billboards have been designed so that only one will be visible at any time. In context of the permitted baseline:
- 13.1 The total display area of 58.4m² across both billboards will be 13.6m² less than the permitted baseline; and
- 13.2 The visual aspect of any single digital billboard of 29.2m² will be less than two 18m² billboards located (potentially) adjacent to each other and within the same field of vision (totalling an area of 36m²).
- 14 In addition to the above, there are no rules in the District Plan that seek to control or protect views from Hagley Park to external surrounding activities.
- 15 While the use of s104(2) is discretionary, I agree with the s42A report (at paragraph 30), that there is no reason why it should not be adopted in this instance.

Matters of assessment

- 16 The s.42A report (at paragraphs 11-13) correctly identifies the application as a restricted discretionary activity as the proposed billboards:
- (a) each exceed 18m² in area (29.2m² proposed); and
 - (b) will be located within 50m of a signalised intersection.
- 17 As set out under s104C of the Act, when considering an application for a restricted discretionary activity, the consent authority must only consider those matters for which its discretion is restricted to in the relevant plan¹ or a national environmental standard. Should consent be granted, conditions may be imposed (under s108), again limited only to the matters for which the consent authority's discretion has been restricted to, unless volunteered by the Applicant.
- 18 In this case, the discretion for assessing the application is restricted to those matters listed in clause 6.8.5.3 (Static and digital billboards) of the District Plan. Those matters have been identified at paragraph 26 of the s42A report.

Transport effects

- 19 The relevant assessment matter for considering transportation effects is restricted to:
- "The potential of the billboard to cause distraction or confusion to motorists in their observance of traffic conditions, directions or controls"*²
- 20 Transportation effects have been addressed in the evidence of both Mr Chris Rossiter (for the Applicant) and Ms Megan Gregory (for the Council). I note for clarity, the s42A report has adopted the evidence of Ms Gregory.
- 21 In terms of driver distraction, Ms Gregory has formed the view that the introduction of the new billboards in the vicinity of the intersection will result in driver distraction. In reaching this view, Ms Gregory has relied predominantly upon a report prepared by Dr Shane Turner (Turner report)³.

¹ In this case the Christchurch District Plan

² Clause 6.8.5.3(f) of the Christchurch District Plan

³ Digital and Projected Advertising Signs: Road Safety Considerations and Consent Conditions

22 Mr Rossiter's has addressed the relevance of the Turner report in his evidence, as well as other reports that have subsequently been undertaken (paragraphs 12-18 of his evidence). In particular, Mr Rossiter notes:

22.1 The Turner report is a literature review of research published prior to 2015;

22.2 More recent research addressing digital billboards have superseded the Turner report, including:

- (a) Carriageway Consulting Limited crash record investigations at 14 signalised intersections in New Zealand with digital billboards located within 50m of an intersection (5 where digital billboards were located directly behind traffic signals);
- (b) Research paper by Samsa Consulting using eye tracking technology identifying an average fixation duration for all signage types was below 0.75 seconds; and
- (c) The Australian Road Research Board (ARRB) which concluded that control performance of vehicles either improved or was unaffected by the presence of digital billboards.

23 In addition to the above, Mr Rossiter has identified the main causes of driver distraction resulting in crashes. Between 2015-2020 (a period following the Turner report) driver distraction as a result of advertising or signs compromised 1% of all crashes attributed to driver distraction. To put this further into context, this rate equates to approximately 0.02% of all crashes. In terms of crashes at intersections, driver distraction arising from advertising or signs attributed to 0.3% of all crashes⁴.

24 Since the Turner report was issued, the number of digital signs at intersections around the country, including in Christchurch, has increased. In terms of the impacts of digital displays (and signage in general) on traffic safety, the Turner report has been superseded with more recent research. The concerns raised in the Turner report have not arisen and there is in my view no other evidence supporting Ms Gregory's position that digital billboards located within 50m of an intersection will result in either driver distraction or an increase of crashes. On that basis, I prefer the evidence provided by Mr Rossiter, which considers a much broader, more recent

⁴ Rossiter evidence paragraphs 21-24

range of reports and assesses the Turner report as one of several pieces of guidance, rather than the only source.

- 25 In addition to driver distraction, Ms Gregory also raises a number of matters relating to the traffic environment, including (but not limited to) confusion of traffic signals, false starts and increased risks to cyclists and pedestrians. Ms Gregory is of the view, should consent be granted, these risks will be expiated. Mr Rossiter has addressed each of these concerns throughout his evidence and concludes there is no evidence which supports Ms Gregory's position.
- 26 Mr Rossiter has recommended a range of conditions. I have adopted those recommendations and note they are reflected in the recommended conditions contained in the s42A report⁵, should the Commissioner be of a mind to grant the consent. I have addressed proposed conditions further in my evidence.
- 27 Based on the above, and primarily on the evidence of Mr Rossiter which I favour over the evidence of Ms Gregory, I conclude any actual or potential adverse effects of the proposed billboards that will cause distraction or confusion to motorists in their observance of traffic conditions, directions or controls will be less than minor.

Character and amenity effects

- 28 As a restricted discretionary, the assessment of any actual or potential adverse effects are limited to those identified in clause 6.8.5.3 of the District Plan. These have been set out in the s42A report (at paragraph 26) and are summarised at paragraph 53. I do not intend to repeat them here.
- 29 Character and amenity effects have been addressed throughout the evidence of Mr Richard Knott (for the Applicant) and Mr David Hattam (for the Council). I note the s42A report has adopted the evidence of Mr Hattam.
- 30 The evidence of Mr Knott addresses the matters raised by Mr Hattam. In particular, Mr Knott's evidence can be summarised as follows:
- 30.1 Views from the upper floor apartments at 420 Hagley Avenue (identified as Building 'B' in Mr Knott's evidence) will be against a backdrop of the existing canopy and buildings of the Site, and within the wider setting of the Industrial General and Commercial Office zoned land. The digital billboards

⁵ At paragraph 97

will be separated from Building B by a distance of approximately 150 metres;

- 30.2 Due to the orientation of the apartment building at 420 Hagley Avenue (identified as Building 'A' in Mr Knott's evidence) there will be no effect on the view of an occupier of a unit facing Hagley Park;
- 30.3 Views from the access decks (at the rear of Building A) will be from within a transient area which is not sensitive to change;
- 30.4 Mr Hattam has over emphasised the prominence of the proposed billboards and the transition of images as viewed from within Hagley Park, and specifically along the shared pathway adjacent to Hagley Avenue;
- 30.5 Cumulative and visual clutter effects will not arise; and
- 30.6 Condition (m) ought to be amended to remove the opportunity to enable an immediate change between images.

31 The evidence of Mr Hattam makes several references relating to the significant heritage values of Hagley Park and its status as the premier open space of the city. However, this status is not reflected in the District Plan, other than the identification of several heritage buildings and settings. Within Hagley Park South, heritage protected areas are limited to the Cricket Pavilion and surrounding setting located adjacent to Riccarton Avenue (separated from the digital billboards by approximately 500 metres). Furthermore, the District Plan anticipates digital billboards and other forms of signage to be not only erected on the Site, but also on other properties surrounding Hagley Park. Within this context, I note there are no rules within the District Plan which relate to the protection of views from Hagley Park towards surrounding external activities.

32 Mr Hattam also raises concerns regarding the digital billboard 'terminating' the view at the end of the shared pathway. However, he has not assessed those effects in terms of the existing view, that of the existing canopy and buildings on site (or buildings that could lawfully be established that would "terminate" the view more completely) and the wider industrial setting.

33 In addition to the above, the users of the area of Hagley Park immediately adjacent to the proposed billboards are transient in nature. The area is predominantly utilised by pedestrians and cyclists moving through this area to access other parts of Hagley

Park which have higher amenity values or as they travel to other parts of the city. Other than pedestrian and cyclist movements, no other activities typically occur in this area. While the netball courts are generally located within the wider area, there will not be a direct view of the proposed digital billboards. The immediate area is dominated by a wide road with high volumes of traffic, and the wider established industrial and commercial activities, which incorporates a variety of signage.

- 34 Based on the above, I agree and adopt the conclusions of Mr Knott over the evidence of Mr Hattam and conclude any actual or potential adverse effects on the character and amenity will be less than minor.

Cumulative effects and visual clutter

- 35 In terms of any cumulative and/or clutter effects, the combined area of the proposed billboards (58.4m²) will be less than the 72m² anticipated as part of the permitted baseline. In addition, the proposed billboards have been designed such that only one display will be visible at any time. The visual display of either of the proposed digital billboards (at 29.2m²) would still be less than the permitted visual display of two compliant and adjacent 18m² digital billboards, which will have a total visual display area of 36m².
- 36 While the billboards will be located within 50 meters of a signalised intersection (the reason for this rule relating to driver distraction or confusion), it will still be separated approximately 80 metres from the nearest digital billboard (60 Grove Road) and approximately 60 metres from the nearest static billboard (363 Lincoln Road).
- 37 Mr Hattam has formed the view that the permitted baseline represents a preferred scenario in order to reduce cumulative and clutter effects, especially in context of views from Hagley Park. While the billboards being setback 50 metres from the intersection would increase the separation distances from the digital billboard at 60 Grove Road, it would decrease the separation distances to the digital display at 26 Moorhouse Avenue (to between 60-80 metres) and the static billboard at 363 Lincoln Road (to 40 metres), dependent upon the final location. Given the separation distances to existing billboards would be similar or less to that currently proposed, there is in my view no advantage in relocating the digital billboards on site.
- 38 Given that the total area of the digital displays will be less than that anticipated as part of the permitted baseline, and further based on the evidence of Mr Knott who has also addressed cumulative and clutter effects, adverse effects will be less than minor.

Conclusion

- 39 The proposed digital billboards, while requiring resource consent for exceeding 18m² and being located within 50 metres of a signalised intersection, will constitute less digital display area than otherwise anticipated by the District Plan. Consequently, cumulative and cluttering effects arising from the proposed billboards will be consistent with the Industrial General zoning of the Site.
- 40 The Turner report, a literature review of other reports published prior to 2015, has been superseded by more recent research which demonstrates that digital billboards do not result in distraction effects for drivers. Furthermore, no evidence has been presented which demonstrates that confusion of drivers will arise as a direct result of the proposed digital billboards.
- 41 Based on the assessment above, I consider that any actual and potential adverse effects on the environment will be less than minor.

ISSUES RAISED BY SUBMITTERS

- 42 The s42A report has accurately summarised the submissions received⁶, which I have adopted. Overall, the matters raised in the submissions have been addressed throughout the s42A report and the evidence presented on behalf of Lumo.

OBJECTIVES AND POLICIES

- 43 The relevant objective relating to signage (Objective 6.8.2.1) seeks to ensure signage collectively contributes to Christchurch's vitality and recovery by supporting business needs, maintaining public safety and enhancing visual amenity and character of the surrounding area. Billboards are anticipated to support businesses by providing a medium for advertising.
- 44 The objective is supported by a range of policies that:
- 44.1 seek to enable signage as an integral component of industrial environments throughout Christchurch (Policy 6.8.2.1.1 Enabling signage in appropriate locations);

⁶ At paragraphs 17-21

- 44.2 ensure the character and amenity values of residential, open space and rural zones are protected from adverse visual effects from large areas or numbers of signs or off-site signs within those zones (Policy 6.8.2.1.2 Controlling signage in sensitive locations);
- 44.3 in considering policies 6.8.2.1.1 and 6.8.2.1.2, ensure the size, number, height, location, design, appearance and maintenance do not detract from the character and visual amenity of the surrounding areas (Policy 6.8.2.1.3 Managing the potential effects of signage);
- 44.4 limit off-site signage in sensitive areas specified in Policy 6.8.2.1.2 while providing for signage where it is compatible with the surrounding environment and will not cause visual clutter (Policy 6.8.2.1.6 Managing off-site signage); and
- 44.5 ensure signs do not cause obstruction and/or distractions for motorists and pedestrians and other road users (Policy 6.8.2.1.4 Transport Safety).
- 45 The above policies are enabling by ensuring outcomes (rather than being restrictive or seeking avoidance), especially in context for providing signage as an integral component of the Industrial Zone. The scale of the proposed billboards is anticipated in the Industrial General zone, as illustrated by the permitted baseline. While views of the billboard will occur from the edge of Hagley Park, the digital billboards have been angled to limit any negative visual impacts on both Hagley Park and the residential units at 420 Hagley Avenue.
- 46 Policy 6.8.2.1.2 specifically relates to signage in sensitive locations. However, my reading of the policy is that it only applies to “...signs, or off-site signs *within* these zones” (my emphasis added). The proposed billboards are not located within any of the specified zones; therefore, the proposal is not contrary to this policy.
- 47 Further, whilst Policy 6.8.2.1.3 a(i) refers to “...*the character and visual amenity of the surrounding area and public realm*”, this must be read in the context of the permitted signage within the Industrial General zone, and the permitted baseline. It must be assumed that the settled plan rules have been drafted to give effect to all relevant policies. I note that the activity specific standards for billboards in rule P15 do give effect to the policy through item “(d) *Any billboard shall not be directly visible from any site within a residential zone*” – however there is no reference to open space zones or other public areas within the rule.

- 48 Based on the evidence of Mr Knott, I consider that the surrounding character and amenity will be maintained at a level anticipated by the District Plan and that cumulative and/or visual clutter will not arise.
- 49 The evidence of Mr Rossiter has addressed potential obstruction and/or distraction effects for motorists, pedestrians and other road users. The Turner report (which is relied upon by Ms Gregory) has been superseded by more recent research which demonstrates that there is no evidence digital billboards in proximity to intersections result in driver distraction.

Conclusion

- 50 The general thrust of the relevant objective and policies seek to ensure the location, design and scale of billboards are appropriate to the industrial environment while maintaining or enhancing surrounding character and amenity. In addition, the policy framework seeks to ensure signs do not obscure and/or distract motorists or other road users.
- 51 Overall, based on the evidence of Mr Rossiter and Mr Knott, consistency with the relevant objective and supporting policies is clearly demonstrated. On that basis, the proposed digital billboards will be consistent with the planning framework of the District Plan.

SECTION 42A REPORT

- 52 The s.42A report has concluded that the proposed digital billboards will:
- 52.1 result in adverse effects on the environment that will be more than minor with regard to the surrounding character and amenity and potentially significant in regard to transportation⁷; and
 - 52.2 be contrary to the policy framework of the District Plan⁸.
- 53 However, the above conclusions are based on the evidence of both Ms Gregory and Mr Hattam. As illustrated throughout the evidence of Mr Rossiter, Mr Knott and my own:

⁷ At paragraph 72

⁸ At paragraph 80

53.1 There is no evidence that supports Ms Gregory's position, especially given that the Turner report, which is heavily relied upon by Ms Gregory, has been superseded by more recent research; and

53.2 The evidence of Mr Hattam has overstated the adverse effects of the proposal and the sensitivity of the receiving environment.

54 As there is no evidence supporting Ms Gregory's position, and Mr Hattam has overstated the adverse effects of the digital billboards and sensitivity of the receiving environment, there is no evidence supporting the conclusions reached in the s42A report, either in terms of adverse effects or in relation to consistency (or otherwise) with the relevant objective and policies.

PART 2 MATTERS

55 The Court of Appeal decision on RJ Davidson Family Trust v Marlborough District Council (2018) found that the High Court made an error by finding that consideration of Part 2 was not required in the case of the application by RJ Davidson Family Trust. The Court of Appeal determined that RMA decision makers should consider Part 2 of the RMA when making decisions on resource consents, when it is appropriate to do so. While it is not considered that an assessment of Part 2 is necessarily required, consideration of Part 2 is set out below.

56 The purpose of the RMA under Section 5 is to promote the sustainable management of natural and physical resources. Sustainable management involves managing the use, development and protection of these resources in order to enable people and communities to provide for their social, economic and cultural well-being and for their health and safety, while –

- sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;
- safeguarding the life supporting capacity of air, water, soil and ecosystems; and
- avoiding, remedying, or mitigating any adverse effects of activities on the environment.

57 No matters of national importance in Section 6 of the RMA are applicable to the application.

58 In terms of Section 7, the following matters are relevant:

- the efficient use and development of natural and physical resources;
- the maintenance and enhancement of amenity values; and
- maintenance and enhancement of the quality of the environment.

59 As discussed throughout my evidence, the development will be consistent with the environment anticipated by the District Plan. In addition, the billboards will provide a medium for advertising by third parties which will promote economic activity.

60 On balance, it is considered that the proposal is consistent with the purpose and principles of the RMA and the application is in order for approval.

CONDITIONS

61 As a restricted discretionary activity, any conditions imposed on the application are restricted to the relevant matters specified in the District Plan (as set out at clause 6.8.5.3 Static and digital billboards). This is acknowledged in the s42A report at paragraph 24.

62 At paragraph 97, the s42A report has recommended a range of conditions, should the Commissioner be of a mind to approve the application. The proposed conditions largely reflect the recommendations of both Mr Rossiter and Mr Knott. That aside, I do have several comments regarding the recommended conditions, which I will address below.

Recommended condition (a)

Any content displayed on the digital screen billboard shall comply with the Advertising Standards Authority Code of Practice and the Broadcasting Act 1989.

63 Any resource consent authorised under the Act does not supersede or subvert other relevant legislation. Relevant to this matter, any advertising displayed on the digital billboards will be subject to the Broadcasting Act 1989 (or any subsequent legislation), regardless of any imposed condition. For this reason, I consider the condition is redundant and is representative of poor planning practice. However, should the Commissioner consider it necessary to remind the consent hold of their responsibilities under the Broadcasting Act 1989, this can occur via an advice note.

64 Regardless of the above comment, it is also unclear to which assessment matter the recommended condition relates to. The reporting Council Officer may wish to address this matter during the hearing.

Recommended condition (c)

There shall be no sequencing of consecutive advertisements.

65 The wording, and therefore intent, of the recommended condition is unclear, specifically in reference to the term 'sequencing of consecutive advertisements'. For that reason, it is difficult to determine the effect on the environment that is being sought to be avoided, remedied or mitigated (as required by s108AA of the Act). Consequently, it is also unclear the relevant assessment matter that this condition relates to. The reporting Council Officer may wish to address this matter during the hearing.

Recommended condition (h)

The light spill generated by the digital screen billboard shall not exceed 4.0 lux (horizontal or vertical) of light when measured or calculated 2m outside of the application site.

66 The recommended condition is effectively an amended repetition of the light spill standard for digital billboards identified in the District Plan⁹, which is reproduced below:

"The billboard shall result in no more than 10.0 lux spill (horizontal and vertical) of light when measured or calculated 2 metres within the boundary of any adjacent site and/or arterial road and/or collector road."

67 No evidence has been presented which justifies more restrictive light spill conditions than is otherwise anticipated by the District Plan. In particular, I reference the evidence of Mr Knott and the identified surrounding industrial setting in which the digital billboards will be established.

68 As the Application has already stated that the proposal will comply with the relevant light spill standards¹⁰, this condition is considered unnecessary and is overly

⁹ At 6.8.4.1.1(g)

¹⁰ Paragraph 20 and Table 1: Compliance assessment of Rule 6.8.4.1 P15

restrictive. However, should the Commissioner consider a condition is necessary in this regard, the condition should be amended to read:

“The light spill generated by the digital screen billboard shall not exceed ~~4.0~~ 10 lux (horizontal or vertical) of light when measured or calculated 2m ~~outside of the application site~~ within the boundary of any adjacent site and/or arterial road”.

Recommended condition (l)

The image display time shall be increased to a minimum of 10 seconds during the morning (0700-0900) and afternoon (1600-1800) peak periods.

- 69 As stated throughout the application, and the evidence prepared on behalf of Lumo, the digital billboard will have a minimum refresh rate of 16 seconds. This is reflected in recommended condition (k) which requires each digital image have a minimum display duration of 16 seconds. As a result, this condition is redundant and should be deleted.

Recommended condition (m)

There shall be no transition between static images, apart from either:

- I. An immediate change; or*
- II. A maximum cross-dissolve period between images of 0.5 seconds.*

- 70 Based on the evidence of Mr Knott, an immediate change between images may result in potential adverse effects, which would be mitigated via a dissolve rate between images of 0.5 seconds. Based on Mr Knott’s evidence, the recommended condition should be reworded to read:

“The transition rate between digital images shall have a cross-dissolve period of 0.5 seconds”

- 71 I have included at **Appendix One** a full list of proposed conditions.

SUMMARY AND CONCLUSION

- 72 Resource consent is sought as a restricted discretionary activity to establish and operate two 29.2m² digital billboards at 399 Lincoln Road. The effects of the proposal will be similar to that of the permitted baseline. There is no evidence that illustrates that driver distraction or confusion will arise as a direct result of the proposed billboards. In addition, the digital billboards will be consistent with the Industrial General zoning of the Site and the surrounding character and amenity values as anticipated by the District Plan.
- 73 The Application will be consistent with the relevant planning framework. Furthermore, I believe the Application meets the purpose of the RMA in that it promotes sustainable management as envisioned under Part 2 of the Act.
- 74 For those reasons, I consider the Application is in order to be granted, subject to conditions as set out in **Appendix One** of this evidence.



John Scheele

Senior Consultant Planner

17 November 2020

APPENDIX ONE:

Proposed conditions of consent

General

- a. The colours and imagery displayed on the digital screen billboard must not confuse road users. Any content displayed on the digital screen billboard shall not contain any New Zealand road signs that are specified in the Traffic Control Devices (TCD) Manual or the Manual of Traffic Sign and Marking (MOTSAM). Additionally, the colours displayed on the digital screen billboard must not be primarily red, orange or green in colour and shall not include depictions of roads.
- b. There shall be no sound equipment associated with the digital screen billboard and no sound equipment is to be installed as part of the digital screen billboard.
- c. The digital screen billboard shall not be made of material that is reflective to other light sources such as vehicle headlights.
- d. Prior to the erection of the billboard, a written maintenance programme, in the form set out in Appendix 6.11.16, shall be prepared by the operator/provider and submitted to the Christchurch City Council via email to rcmon@ccc.govt.nz, Attention: Team Leader Compliance and Investigations.
- e. In the event of digital screen billboard failure, the digital screen billboard shall default to either black, white or switch off.

Illumination

- f. The light spill generated by the digital screen billboard shall not exceed 10 lux (horizontal or vertical) of light when measured or calculated 2 metres within the boundary of any adjacent site and/or arterial road.
- g. The digital screen shall incorporate lighting control to adjust brightness in line with ambient light levels.
- h. The billboard shall not exceed the following luminance values:

- I. Daytime: maximum of 3000 cd/m²
- II. Night time: 250 cd/m² maximum average
- III. To undertake the work required by this condition, the consent holder shall engage an independent lighting practitioner to record and confirm luminance readings of the billboard at least three times, including one recording at midday, one recording during the hours of darkness, and one recording during morning or early evening.
- IV. The consent holder shall submit a luminance certification report to the Christchurch City Council via email to rcmon@ccc.govt.nz, Attention: Team Leader Compliance and Investigations, within thirty days following the commencement of the display going live.

Note: Maximum average luminance and maximum luminance is to be measured in accordance with Section 3.3.5.5 of AS/NZS 4282:2019.

Content displayed

- i. Only static images and messages are to be displayed on the digital screen billboard (i.e. no animation, flashing, scrolling, intermittent or full-motion video shall be displayed). These shall have a minimum duration of 16 seconds.
- j. The transition rate between digital images shall have a cross-dissolve period of 0.5 seconds.
- k. Between transitions there will be no flashing or blinking.
- l. No more than one advert shall be displayed on the digital screen billboard at any one time.

Section 128 review

- m. In accordance with Section 128 of the Resource Management Act 1991 the Christchurch City Council may serve notice on the Consent Holder of its intention to review, in whole or part, the conditions of this consent and which it is appropriate to deal with at a later time.

The purpose of this condition is to address potential adverse transport (safety) effects.