

TOWNPLANNING
GROUP

Application for Resource Consent to the Tasman District Council

Bekon Media Limited

*Land use consent to establish a single-sided,
24.5m² digital billboard for off-site advertising at
332 Queen Street, Richmond.*

21 May 2024

Document prepared by:

Town Planning Group (NZ) Limited

Phone: 0800 22 44 70

Email: office@townplanning.co.nz

Web: www.townplanning.co.nz

Offices in Tāhuna, Wānaka, Ōtautahi & Tāmaki Makaurau

Use and Reliance

This report has been prepared by Town Planning Group (NZ) Ltd on the specific instructions of our Client. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Town Planning Group (NZ) Ltd does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Town Planning Group (NZ) Ltd for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.

Contents

1	Introduction	5
2	Background	6
2.1	Site Description	6
2.2	Surrounds	7
3	Description of the Proposal	10
4	Statutory Provisions	12
4.1	Tasman Resource Management Plan	12
5	Assessment of Effects	14
5.1	Amenity effects	14
5.2	Effects related to traffic safety	15
5.3	Positive Effects	16
5.4	Conclusion	16
6	Statutory Assessment	17
6.1	Objectives and Policies	17
6.2	Section 95 of the RMA	18
6.3	Purpose and Principles of the RMA	19

Figures

Figure 1	<i>Site located with the yellow boundaries with the location of the proposed billboard indicated by the red star (Grip Maps)</i>	6
Figure 2	<i>View of the building when viewed from the Queen Street / State Highway 6 intersection (TPG)</i>	7
Figure 3	<i>View of the site from Queen Street looking north-east (TPG)</i>	7
Figure 4	<i>Businesses and associated signage operating in the north-western corner of the adjacent intersection, with signage installed above the parapet (TPG)</i>	8
Figure 5	<i>Looking south towards commercial shopping complex located in south-western corner of adjoining intersection (TPG)</i>	8
Figure 6	<i>Schematic design of proposed west facing static billboard a top the PetMart building at 332 Queen Street (DCM Urban)</i>	10
Figure 7	<i>Zoning with the site located within the yellow boundaries (TRMP Planning Map 125)</i>	12
Figure 8	<i>The surrounding area has low sensitivity to change (Google Street View)</i>	14

Supporting Information

- [A] Application Form
- [B] Record of Title
- [C] Visual Package (DCM Urban)
- [D] Urban Design & Visual Impact Assessment (DCM Urban)
- [E] Transport Safety Assessment (Carriageway Consulting)



1 Introduction

Bekon Media Limited (**the Applicant**) applies for land use consent to establish a single-sided 24.5m² digital billboard at 332 Queen Street, Richmond (**the site**). The landscape orientated digital sign will display off-site advertising and be installed above the parapet of the building, in a north-westerly direction. An application form is appended as **Attachment [A]**.

The site comprises a single storey commercial building located within the Richmond town centre and is surrounded by a mixture of retail, commercial and hospitality land use activities which have a variety of signage reflecting the commercialisation of the area. Adjacent to the site, Queen Street intersects with Gladstone Rd/State Highway 6.

The site is located within the **Central Business District Zone** under the Tasman Resource Management Plan (**the District Plan**). Resource consent is required for a **Restricted Discretionary Activity** under the District Plan pursuant to Rule 16.1.4.2.

This Assessment of Environmental Effects (**AEE**) report considers the effects of the proposal and determines that the adverse effects on the environment will be less than minor on account of the scale and method of display. The application is supported by technical assessments from DCM Urban Design and Carriageway Consulting, concluding respectively that the proposal will not present any visual amenity or road safety concerns provided that suitable controls are implemented as part of conditions of consent. The proposed billboard will be appropriate in the context of the receiving environment where signage of a commercial nature is not uncommon. Also, the proposed billboard will have positive effects, supporting local businesses / organisations to advertise to passers-by. No persons are considered to be adversely affected by the proposed billboard.

The proposal achieves the relevant Objectives and Policies of the District Plan. Overall, the proposal is consistent with the purpose and principles of the Resource Management Act 1991 ("**RMA**") and accords with the definition of sustainable management under Part 2.

2 Background

2.1 Site Description

The site is located at 332 Queen Street, Richmond (“the site”) and is shown in **Figure 1** below. The site is legally described as Part Section 83 Waimea East DIST as held in the Record of Title NL1D/1120. The site is under the ownership of Lynette Elizabeth Morley and VBM Trustees (No.9) Limited. The Record of Title is enclosed as **Attachment [B]** and there are no instruments that impede the proposed land use.



Figure 1 Site located with the yellow boundaries with the location of the proposed billboard indicated by the red star (Grip Maps)

The site comprises a single storey commercial building (‘Pet Mart’), located on the south-east corner the State Highway 6 / Queen Street intersection. The building is built right up to the legal road boundary, abutting the adjoining pedestrian footpath. The Queen Street frontage of the building possesses a veranda extending over the pedestrian footpath.

The building’s parapet facing both SH6 and Queen Street currently displays ‘Pet Mart’ signage, illustrating the name of the business operating therein. Additional signage associated with the business’s products and services offered line the shop’s display windows, as indicated in **Figure 2** and **Figure 3**.



Figure 2 View of the building when viewed from the Queen Street / State Highway 6 intersection (TPG)



Figure 3 View of the site from Queen Street looking north-east (TPG)

2.2 Surrounds

A full description of the surrounding area is provided in the Visual Impact Assessment (VIA) appended as **Attachment [D]**. As depicted in **Figure 4** and **Figure 5**, the area surrounding the site is a mixture of retail and commercial activities, and transport infrastructure.

The nearest residential dwellings are located approximately 180m from the site at 337 and 334 Lower Queen Street. Both dwellings are single storey, surrounded by established vegetation and are facing the street, not the proposed digital billboard location.

Properties surrounding the site are populated mainly by single storey buildings occupied by commercial and retail uses including the car dealerships, fast food restaurants, and service stations. These businesses consist of a range of freestanding signage, and signs attached to buildings, with large pylon signs, flag signage and signs installed above building parapet's evident in the vicinity.



Figure 4 Businesses and associated signage operating in the north-western corner of the adjacent intersection, with signage installed above the parapet (TPG)



Figure 5 Looking south towards commercial shopping complex located in south-western corner of adjoining intersection (TPG)

A comprehensive description of the adjacent transport network is appended with the Transportation Assessment completed by Carriageway Consulting (**Attachment [E]**). In short, the site is located adjacent to the Queen Street / Gladstone Road (State Highway 6) signalised traffic intersection. The posted speed limit along Lower Queen Street and Gladstone Road is 50km per hour and the posted speed limit along the southern portion of Queen Street is 30km per hour. A cycle lane is provided on both sides of Queen Street facilitating cyclist movements. There are footpaths provided

along Queen Street and Gladstone Road, there are pedestrian crossings across all roads at the intersection of Queen Street and Gladstone Road.



3 Description of the Proposal

The Applicant proposes to establish a single-sided digital billboard at 332 Queen Street, Richmond which can be seen below in **Figure 6**. A visual package is appended as **Attachment [C]**. The digital billboard will measure 3.5m wide by 7m high equating to 24.5m² in area and mounted above the northwestern parapet of the Pet Mart building.

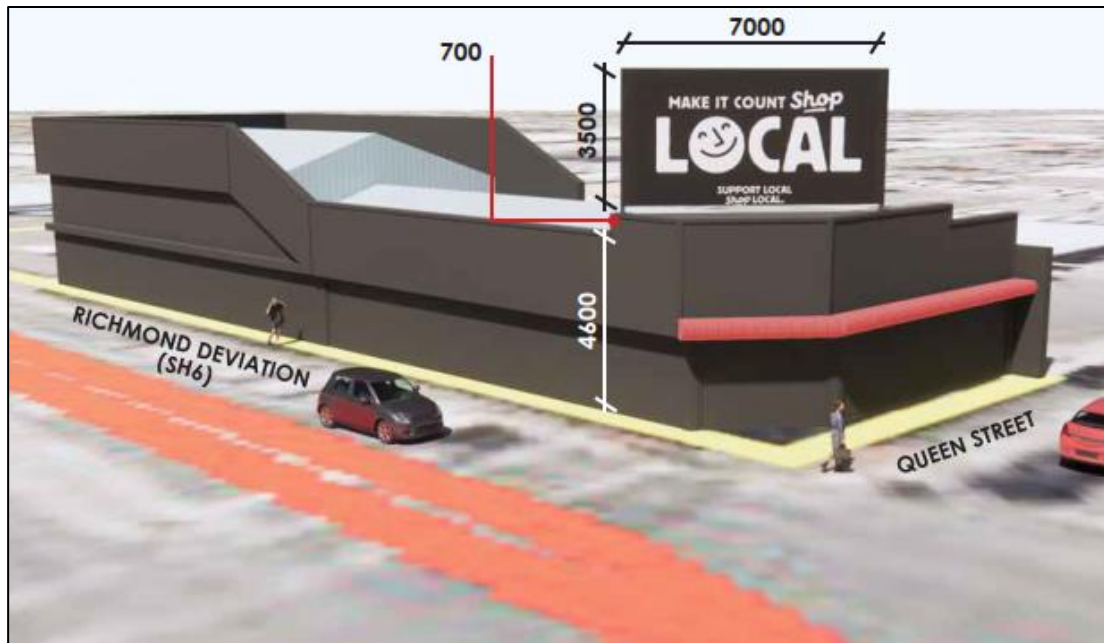


Figure 6 Schematic design of proposed west facing static billboard atop the PetMart building at 332 Queen Street (DCM Urban)

The key parameters of the proposed billboard are:

- Any content displayed on the billboard shall comply with the Advertising Standards Authority Advertising Code of Practice and the Broadcasting Act 1989
- Only still images shall be displayed with a minimum duration of 8 seconds per image.
- There shall be no transitions between still images apart from cross-dissolve of 0.5 seconds.
- Advertising for off-site activities will be displayed on the proposed billboard.
- The following shall not be displayed:
 - Live broadcast or pre-recorded video;
 - Movement or animation of images;
 - Flashing images;
 - Sequencing of consecutive advertisements;

- A split screen (i.e. more than one advertisement at any one time);
- Images using graphics, colours or shapes in such a way that they could cause confusion or conflict with any traffic control device, nor invite or direct a driver to undertake an action.
- The display shall not contain any retro-reflective material.
- Importantly, the signage display will be located above the traffic signals of the adjoining intersection which will seek to avoid conflict with visibility of the traffic signals.
- There shall be no sound associated with the billboard and no sound equipment is to be installed as part of the display.
- In the event of a fault or failure affecting the display, the display shall either default to black or switch off.
- The display shall result in no more than 10.0 lux spill (horizontal or vertical) of light when measured or calculated 2 meters within the boundary of any adjacent site.
- The display shall incorporate a lighting control to automatically adjust the brightness of the display in line with ambient light levels.
- The display shall not exceed 5,500cd/m² during daytime hours and 250cd/m² maximum and 150cd/m² maximum average during night-time hours.
- No advertisement installed within the signage platform will mimic the design, shape or colour combinations of the traffic signals.
- Within 30 working days of the display becoming operational, the consent holder shall submit a certification report from an appropriately qualified lighting designer/engineer confirming compliance with luminance requirements noted above. The report shall include at least three luminance readings of the billboard, including:
 - One recording at midday;
 - One recording during the hours of darkness; and
 - One recording up to 30 minutes after sunrise or 30 minutes prior to sunset.

The report shall be submitted to the Council.

- The condition and appearance of the display shall be maintained at all times.
- A written maintenance programme shall be prepared by the operator/provider and submitted to the Council.

4 Statutory Provisions

4.1 Tasman Resource Management Plan

The site is zoned **Central Business District Zone** under the District Plan as shown in **Figure 7**.

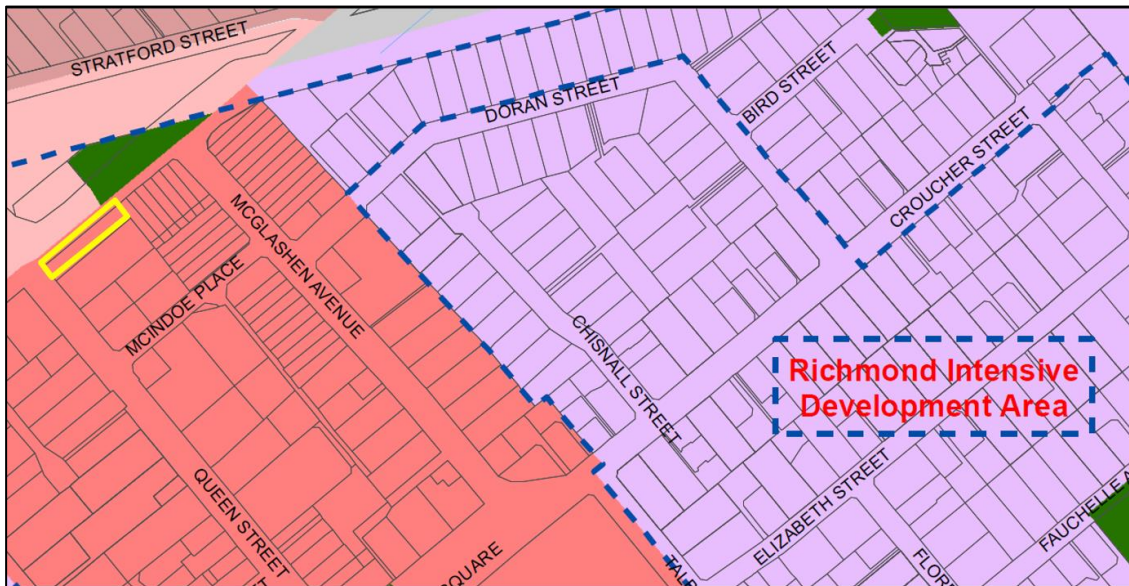


Figure 7 Zoning with the site located within the yellow boundaries (TRMP Planning Map 125).

The relevant provisions of the District Plan are identified and assessed below.

Chapter 16, Section 16.1 addresses Outdoor Signs and Advertising.

Land use consent is required for a **Restricted Discretionary Activity** pursuant to Rule 16.1.4.2 as the establishment of an outdoor sign will not comply with several conditions⁽¹⁾ of Rule 16.1.4.1. Council's discretion is restricted to:

1. Location and legibility in relation to safety.
2. Any amenity effect on the surrounding area, including size and duration.

For clarity, an assessment of compliance with the conditions of 16.1.4.1 follows:

- Condition 16.1.4.1(a) requires a sign to be located, and have the dimensions in accordance with Figure 16.1B. The sign will be located above the parapet of the building therefore is not consistent Figure 16.1B. The TRMP is silent on maximum signage area for signs extending wholly above the building parapet.

¹ 16.1.4.1(a), 16.1.4.1(b), 16.1.4.1(c), 16.1.4.1(e)

- Condition 16.1.4.1(b) requires a sign to meet conditions (b) to (h) of Rule 16.1.3.1. The proposal is for signage not related to activities being undertaken on the site, and is not of temporary nature, therefore does not meet 16.1.3.1(b).
- Condition 16.1.4.1(c) requires a sign to comply with the requirement indicated in Figure 16.1B. The sign will be located above the parapet of the building to which it is attached.
- Condition 16.1.4.1(d) is not relevant as the site does not adjoin a residential zone; therefore, the illumination of the sign is not restricted to business hours only.
- Condition 16.1.4.1(e)
 - i. Requires any sign painted on, or attached to, a building to be related to the activity operating therein (i.e. onsite advertising). The proposal is for off-site advertising.
 - ii. Requires a sign to not extend (laterally) beyond the verandah of the building to which it is attached. The sign will not extend beyond the verandah of the building.
 - iii. Requires a sign to be no higher than the roof peak or parapet of that part of the building to which the sign is attached. The sign will be attached above the parapet.
 - iv. Requires no more than one projecting sign (as defined) or flag attached to a building. There are no projecting signs or flags erected on the building.
 - v. Requires the total area of wall signage to not exceed 50% of the front wall (including verandah fascia). The signage is considered as neither a wall sign nor a freestanding sign.
- Condition 16.1.4.1(f) is not relevant as the sign is not freestanding.

Overall, this proposal requires resource consent for a **Restricted Discretionary Activity** under the Tasman Resource Management Plan.

5 Assessment of Effects

In accordance with Section 88 and Schedule 4 of the RMA an assessment of any actual or potential effects on the environment that may arise from the proposal is required with any details of how any adverse effects may be avoided, remedied, or mitigated. Accordingly, the below is an assessment of effects relative to the scale and significance of the proposed activity.

This assessment is addressed under the following headings:

- Amenity Effects
- Effects related to Transport Matters
- Positive Effects

5.1 Amenity effects

Council discretion is restricted to the amenity effects on the surrounding environment, including size and duration of the digital billboard. DCM Urban have undertaken an assessment of the expected effects of the proposed billboard on the amenity of the surrounding area and prepared an assessment (herein referred to as the **Visual Impact Assessment / VIA**) appended as **Attachment [D]** concluding their findings.



Figure 8 *The surrounding area has low sensitivity to change (Google Street View)*

In summary, the report anticipates the proposed digital billboard at 332 Queen Street in Richmond will have less than minor adverse effects. It states that it is not considered a sensitive location, and the impact on the surroundings is predicted to be low. Visual effects will be temporary for road users passing through the area, and cumulative effects are minor due to existing ambient lighting and signage. While it will advertise off-site activities, it could also promote local events, potentially benefiting Richmond. Interruption of views of the Richmond Ranges will be brief, with wider views maintained beyond the billboard. The overall finding from the report is that it is anticipated to have minimal impact on visual amenity and the area's commercial character.

5.2 Effects related to traffic safety

As a restricted discretionary activity, Council's discretion is limited to the location and legibility of the digital billboard in relation to traffic safety. Carriageway Consulting have undertaken an assessment of the expected effects of the proposed digital billboard on the adjacent roading network and prepared the letter (herein referred to as the **Transport Assessment**) appended as **Attachment [E]** concluding their findings and proposed conditions of consent.

Carriageway Consulting have considered the layout of the Lower Queen Street / Gladstone Road / Queen Street / Richmond Deviation signalised intersection. It is noted that the angle of the proposed billboard means it is visible to drivers travelling southbound on Lower Queen Street and drivers travelling eastbound on Gladstone Road. The proposed billboard will not be visible to drivers approaching on the other two legs of the intersection.

Carriageway Consulting have reviewed a traffic count survey on the intersection, as well as analysed nearby reported crashes as detailed within the Transport Safety Assessment. While 21 crashes were recorded within proximity to the site over the past five years, Carriageway Consulting conclude that these historic crashes would not have been influenced by the presence of the proposed billboard.

The proposed billboard was evaluated against the recommendations of the NZTA Traffic Control Devices Manual as detailed within the Transport Safety Assessment. Carriageway Consulting state that the proposed billboard location complies with most guidelines, with the exception of that for proximity to intersections and permanent signs. However, they conclude following thorough evaluation minimal safety concerns are likely subject to suitable consent conditions.

The Transport Assessment reports that while there may be potential overlap between the billboard and traffic signals near intersections, factors such as multiple signals, driver actions, and visual distinctions between signals and billboards help minimise confusion. They also noted similar overlaps elsewhere have not caused more accidents.

Regarding possible links between road safety and digital billboards, Carriageway Consulting state that studies suggest billboard distraction is not a significant risk compared to other activities like conversing with passengers.

Carriageway Consulting conclude, based on their analysis detailed within the Transport Matters Assessment, that the proposed billboard will not give rise to any perceptible transportation-related effect. To this end, Carriageway Consulting support this proposal from a transportation perspective, and do not consider that it will give rise to adverse transport safety or efficiency effects.

Overall, any adverse effects on transport safety are considered to be less than minor.

5.3 Positive Effects

To ignore the positive effects of the proposal may overstate any adverse effects that may arise from the proposal.

The proposed billboard enables local businesses and community groups to connect with consumers and advertise their products and services which, in turn, may generate sales and increase the profile for local businesses when their premises may not be as visible. The billboard can be utilised to promote local events that focus on sustainability, such as local farmer's markets or recycling initiatives. To this end, the proposed billboard meets the needs of local businesses and supports economic diversity through providing opportunities for off-site signs.

The proposed billboard provides a resource to display community service information such as health messages.

This application demonstrates investment confidence within the surrounding area which makes a small contribution to supporting the community's wellbeing and resilience.

Overall, the proposal is considered to have a number of positive effects.

5.4 Conclusion

In consideration of the above assessment, it is considered that there are no persons that will be adversely affected by the proposed billboard. Any potential for adverse effects can be appropriately avoided, remedied, or mitigated, and will be less than minor in the context of the receiving environment.

6 Statutory Assessment

6.1 Objectives and Policies

RMA Section 104 requires that the provisions of the Operative Plan, or any other matter the consent authority considers relevant and reasonably necessary, to be considered when assessing an application. The Tasman Resource Management Plan requires consideration. No National Environmental Standards are considered relevant to this application. The key Objectives and Policies outlined in the abovementioned document are set out below.

6.1.1 Tasman Resource Management Plan

The relevant Objectives and Policies of the District Plan have been identified and assessed against below.

Chapter 5 contains the Objectives and Policies related to site amenity effects. **Objective 5.2.2** focuses on the maintenance and enhancement of amenity values on site and within communities throughout the District. **Policy 5.2.3.9** states to avoid, remedy or mitigate the adverse effects of signs on amenity values. The VIA concludes that the proposed billboard is consistent with the character and visual amenity of the surrounding area and public realm given the commercial nature of the existing environment. The sign will be visible to road users, but from a distance, it blends with other signage and infrastructure. Residential properties facing the road are shielded, resulting in minimal change for residents. The billboard will not obstruct views or appear out of place, especially compared to existing large signage. Heavy traffic in the area will lessen any visual disturbance from the billboard's changing images. Existing ambient lighting further integrates the proposal with the commercial character of the area. **Policy 5.2.3.11** focuses on enabling a range of signs in commercial and industrial areas, subject to safety and access needs and visual considerations. The proposal is consistent with this as the sign is appropriately located in a commercial area and has been assessed as having less than minor effects on the safety and visual amenity of the receiving environment, with these matters supported by the relevant expert assessments.

Chapter 6 contains Objectives and Policies related to urban environment effects. With specific relevance to Richmond, **Policy 6.6.3.2** seeks to ensure that the Richmond town centre continues to develop as the central focus for intensive retail and office commercial development, and the core pedestrian-oriented area. The site is highly commercial and anticipated to further develop as such. Signage is an expected component of commercial environments, as reflected by existing signage. The proposed billboard is visible to pedestrians, with the urban design assessment concluding that effects on these are less than minor. The VIA confirms that the proposed billboard, positioned approximately 3m above the existing building's parapet, will seamlessly integrate with the commercial surroundings without detracting from the area's character. Given its similarity to existing billboards and the bustling commercial



activities, its impact is anticipated to be minimal. Additionally, controlling image transition timing, lighting levels, and maximum luminance is expected to further mitigate any visual effects, ensuring they remain less than minor.

Chapter 11 Contains Objectives and Policies relating to land transport effects. **Objective 11.1.2** seeks a safe and efficient transport system, where any adverse effects of the subdivision, use or development of land on the transport system are avoided, remedied or mitigated. **Policy 11.1.3.11** aims to ensure that signs do not detract from traffic safety by causing confusion or distraction to or obstructing the views of motorists or pedestrians.

According to the Traffic Assessment, the proposed billboard is strategically elevated above surrounding roadways and traffic signals, minimising its impact on the transport network and aligning with the objective of promoting a safe and efficient transport system. This elevation facilitates unobstructed traffic movement and does not detract from traffic safety, based on the conclusions of the Traffic Report.

The proposed billboard underwent rigorous assessment to ensure compliance with road safety regulations and adherence to relevant standards, as indicated by the Traffic Assessment. Measures such as proper placement and illumination control will help minimise any adverse effects on traffic safety and efficiency.

The Traffic Assessment concludes that the proposed billboard will not present any particular road safety concerns provided that suitable controls (through conditions of consent) are put in place.

Overall, this application is considered to be consistent with the relevant Objectives and Policies of the District Plan for the reasons outlined in the above assessment.

6.2 Section 95 of the RMA

6.2.1 Section 95A Assessment

Section 95A of the RMA considers the need for public notification and sets out four steps in a specific order to be considered in determining whether to publicly notify.

In terms of Step (1), public notification is not requested, Section 95C pertaining to notification in the event that further information is not provided under Section 92 is not applicable, and the application is not being made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

In terms of Step (2), the proposal does not fall within any of the matters for which public notification is precluded.

Moving to Step (3), notification is not required by a rule in a Plan or a NES, and as demonstrated in Section 5 of this report, the adverse effects on the environment are considered to be less than minor.

Lastly, in terms of Step (4) as no special circumstances are considered to apply public notification is not required under any of the pathways in Section 95A.

6.2.2 Section 95B Assessment

While public notification is not necessary, any effects of the proposal on the local environment and upon particular parties must still be considered. This is addressed through Section 95B of the RMA, which has four steps similar to Section 95A.

In terms of Step (1), there are no affected protected customary rights or customary marine title groups in terms of Subclause (2), nor is the proposed activity on or adjacent to, or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11 in terms of Subclause (3).

In terms of Step (2), none of the circumstances in Subsection (5) that would preclude limited notification apply. We therefore move to Step (3).

Step (3) requires the consent authority to determine, in accordance with Section 95E, whether there are any affected parties. Section 95E states that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). There are not considered to be any affected persons in this instance for the reasons given in the above assessment of effects.

In terms of Step (4), no special circumstances exist therefore the application may be processed on a non-notified basis.

With respect to the above, in consideration of the conclusions of the AEE, it is concluded that the proposal will result in less than minor adverse effects on the environment, and there are no other circumstances requiring or warranting public or limited notification.

6.3 Purpose and Principles of the RMA

The purpose of the RMA, as set out under Section 5 (2) is to promote the sustainable management of natural and physical resources. The relevant matters in Sections 6, 7, and 8 of the RMA also require consideration. There are no matters of national importance under Section 6 that need to be recognised and provided for in this application.

The RMA specifies that particular regard shall be had to the relevant matters listed in Section 7 including:

- b) the efficient use and development of natural and physical resources.*
- c) the maintenance and enhancement of amenity values.*
- f) maintenance and enhancement of the quality of the environment.*

Overall, this proposal is also considered to be an efficient use of a physical resource by deploying a billboard on underutilized building to promote local goods, reducing the

need for additional land conversion. The billboard may contribute to local economic development by attracting businesses and visitors to the area, which can indirectly support sustainable practices in the region. The amenity values and quality of the environment is maintained and enhanced by the location and design of the proposed billboard, as well as the nature and colour of the advertising displayed.

There are no matters under Section 8 that require consideration with respect to this application.

As has been demonstrated throughout this AEE, any adverse effects from the proposed billboard have been largely avoided, remedied, or mitigated to be less than minor on the receiving environment. The proposal aligns with the relevant Objectives and Policies of the District Plan.

For the reasons outlined in this report, the proposal is consistent with the purpose and principles under Section 5, and the associated matters under Part 2 of the RMA. The proposal represents an efficient use of natural and physical resources, and will be undertaken in a manner which avoids, remedies, and mitigates potential adverse effects on the environment. It is considered that the proposal is consistent with the purpose and principles of the RMA and accords with the definition of sustainable management.