

Proposed Draft Conditions

General

1. The activity shall be in accordance with the application dated 21 May 2024 and as shown on approved Plan A RM230535 [Sheet 3 of DCM Urban Design and Visual Impact Assessment Graphic Attachment, Revision O dated 17 October 2024]. Where there is any apparent conflict between the information provided within the application and condition of this consent, the conditions shall prevail.

Advice Note:

For the avoidance of doubt Plan A RM230535 includes a full parapet design which was not included within the application dated 21 May 2024. The Plan therefore supersedes the application in respect of the building parapet.

2. The consent holder shall advise the Council's Team Leader - Compliance & Investigation (Land and Air) (via info@tasman.govt.nz) of the date of the commencement of the operation of the billboard.

Parapet

3. Prior to the erection of the billboard the Consent Holder shall construct the parapet shown on approved Plan A RM230535.
4. The parapet shall be finished in a colour to closely match the existing building and shall be permanently maintained in the same colour as the existing building.

Advice Note: For the avoidance of doubt the parapet does not need to remain the colour shown on the approved plans but should be maintained as the same colour as the remainder of the building, i.e. if the building is repainted the parapet will be repainted in the same colour.

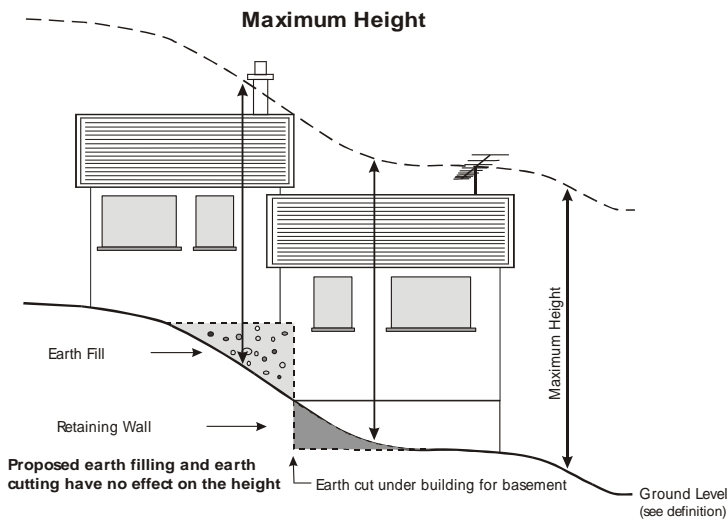
5. The parapet shall not increase the overall height of the building to more 9.3 metres, measured above the ground level. Height shall be measured in accordance with the definition in Chapter 2 of the Tasman Resource Management Plan, quoted below:

"Height, in relation to a building, means the vertical distance between ground level at any point and the highest part of the building immediately above that point. For the purpose of calculating height, account is taken of parapets, but not of:

- (a) *radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres;*
- (b) *chimneys (not exceeding 1.1 metres in any direction); or finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres.*

Commented [VW1]: I would like to have this condition included to reflect TDC's standard practice. However, note that condition 1 will require construction in accordance with the approved plan this just spells out that detail in terms of parapet height.

Commented [AC2R1]: I'd prefer not to include this. What if the building owner wants to put on a second storey behind the parapet. It's a permitted activity that may create noncompliance with the consent conditions. I prefer this condition is not included and do not consider it necessary for effects management, as the parapet is described in condition 1 and required to be built by condition 3.



Advice Note:

For the avoidance of doubt, ground level is defined in the Tasman Resource Management Plan as follows:

Ground Level – means the natural ground level, or where that has been altered by subdivision, means the actual finished ground level when all works associated with the subdivision of the land are completed, and excludes any excavation or filling associated with the building activity.

Sign size

- 6. The sign shall be no greater than 24.5 square metres in area.
- 7. The digital display shall be no more than 3.5m in height and 7m in width. The top of the digital display shall be no more than 8.8 metres above ground level.

Advice Note:

For the avoidance of doubt, ground level is defined in the Tasman Resource Management Plan as follows:

Ground Level – means the natural ground level, or where that has been altered by subdivision, means the actual finished ground level when all works associated with the subdivision of the land are completed, and excludes any excavation or filling associated with the building activity.

- 8. The digital sign shall be single sided only.

Lighting

- 9. The digital billboard shall be designed and operated to avoid any back spill lighting. For the purposes of this condition, "back spill lighting" shall refer to any light spilling from the back or to the rear of the billboard.

Commented [AC3]: If the Commissioner decides to keep the above condition and advice note, then this one can be deleted as the content is duplicated.

Commented [VW4R3]: Agreed

10. Sign materials shall be non-reflective to prevent any sunlight or headlight reflection.
11. The digital billboard shall use LED technology.
12. The luminance level of the LED display during daylight hours shall vary to be consistent with the level of ambient light and to ensure that the LED display is not significantly brighter than the ambient light level and is only illuminated to the extent necessary to ensure that it is legible. To achieve this, the brightness of the LEDs shall be automatically controlled with an in-built detector/sensor.
13. The daytime and nighttime luminance of the signage shall not exceed:
 - a. 5,000 cd/m² during daytime (between sunrise and sunset).
 - b. 125 cd/m² during nighttime (between sunset and sunrise).
14. The signage shall not result in light spill greater than 8 lux (horizontally or vertically) measured at a height of 1.5 metres above the ground at each boundary of the site.
15. Within 30 working days of the commencement of the display of images, the consent holder shall submit to the Council a certification report from an appropriately qualified lighting designer/engineer confirming compliance with Conditions 12, 13 and 14. The report shall include at least three luminance readings of the billboard, including:
 - a. One recording at midday;
 - b. One recording during the hours of darkness; and
 - c. One recording during morning or early evening.

Advice note: In terms of the lighting conditions:

- a. *For the purpose of defining and identifying daytime, nighttime, sunrise and sunset please refer to LINZ Astronomical Data.*
- b. *A three-to-five-minute lag in adjustment of brightness to changes in ambient levels is acceptable.*

Image display

16. Subject to any amendments to dwell time introduced pursuant to Conditions 25 and 26, the signage shall operate with a minimum dwell time of 30 seconds. For the purposes of this condition "dwell time" is the amount of time an image is displayed on the billboard before transitioning to another image.

17. The transition from one image to the next shall be via a 0.5 second cross-dissolve.

18. Each image displayed shall:

- a. Be static while being displayed, and not contain flashes, movement, scrolling, animation, or full motion video or other dynamic effect.
- b. Not use graphics, colours or shapes in combinations or in such a way that would cause the image to resemble or cause confusion with a traffic control device.
- c. Not be linked to "tell a story" across two or more sequential images (i.e., where the meaning of an image is dependent upon or encourages viewing of the immediately following image).
- d. Not invite or direct a driver to take some sort of driving action.
- e. Not display multiple advertisements in one frame.
- f. Not display a message that is personalised to individual vehicles and/or drivers passing the billboard.

19. The minimum size of the letters used in the messages on the billboard shall be as follows:

- a. The letters used in the primary message shall not be less than a height of 150mm. For the purpose of this condition the 'primary message' is the largest text displayed on the billboard.
- b. Subject to Condition 20 hereof, the letters used in any other text shall not be less than 75mm in height.

20. The requirements of Condition 19(a) and (b) do not apply to text within logos, text within images, disclaimers, terms and conditions or any other text legally required to be displayed.

Advice note: The purpose of Conditions -19 - 20 is to ensure that the lettering of the words comprising the main messages on the billboard are of a sufficient size to be reasonably legible to drivers who are able to view the billboard.

21. The images displayed on the billboard shall not include QR codes or other codes scannable by an electronic device.

Billboard shut down

22. The digital billboard shall be programmed to automatically go dark in the event of digital billboard malfunction. The consent holder shall provide an emergency (24/7) contact number and an intervention process to enable the consent holder

to disable the digital billboard by manual intervention, both off and on-site, should the automatic intervention fail. These details shall be provided to the Council's Team Leader - Compliance & Investigation (Land and Air) prior to operation of the digital billboard commencing.

Monitoring

23. Once operation of the signage has commenced, the consent holder shall engage an independent chartered professional Traffic Engineer that is experienced in the preparation of safety assessments to provide the Council's Team Leader - Compliance & Investigation (Land and Air) with Traffic Safety Reports at the following frequencies:

- a. 12 months; and
- b. 24 months.

Advice Note

The costs of the Traffic Safety Reports and implementation of any mitigation measures shall be met by the consent holder.

24. The Traffic Safety Reports, including any recommended mitigation measures (if relevant), shall be submitted to the Council's Team Leader - Compliance & Investigation (Land and Air) within 30 working days of the 12-month and 24-month anniversaries of commencement of the signage operations.

25. The Traffic Safety Report shall as a minimum include:

- a. An examination of the New Zealand Transport Agency Crash Analysis System for all recorded crashes within 100m of the stop-lines of the approaches to the digital billboard from where the images on the billboard can be seen, with particular reference to any crashes with the cause factor 356: "attention diverted by advertising or signs", to establish whether there is an identifiable increase of recorded crashes with interpretation having regard to the likelihood that any such increase may be attributable to the operation of the digital billboard; and
- b. Recommendation(s) of any measures that will be undertaken to avoid, remedy or mitigate any identified effects.

Advice note

The type of measures recommended in accordance this condition might include one or more of the following:

- a. *Reductions to the daytime and/or night time luminance levels;*
- b. *Adjustments to the transition time;*

c. *Increases in the image dwell time; and*

d. *Further controls on the image content.*

26. If any of the Traffic Safety Reports required by Condition 23 identify that there is an adverse road safety effect that is likely to be attributable to the digital billboard the consent holder shall propose to the Council's Team Leader - Compliance & Investigation (Land and Air), measures that will be undertaken to avoid, remedy or mitigate the cause of digital billboard-related crashes.
27. If the Traffic Safety Reports find that further mitigation measures are considered necessary, then these shall be implemented to the satisfaction of the Council's Team Leader - Compliance & Investigation (Land and Air), within 10 working days of the date of the recommendation unless otherwise agreed with Council's Team Leader - Compliance & Investigation (Land and Air).
28. Should any changes be required to the operation of the digital billboard as a result of the monitoring undertaken in accordance with Condition 23, then further monitoring for another two consecutive 12-month periods shall be undertaken.

Maintenance

29. The condition and appearance of the display shall be maintained at all times.
30. Prior to the commencement of operation, a written maintenance programme shall be prepared by the operator/provider and submitted to the Council's Team leader - Compliance & Investigation (Land and Air). As a minimum, this shall contain the following:
- a. Contact details for the person or organisation responsible for ongoing maintenance;
 - b. Details of the timeframes for inspections;
 - c. The measures proposed if defects are identified;
 - d. The timeframes for remediation of defects; and
 - e. Whether any traffic control management may be required during works.

Review condition – Applicant's preferred version

31. In accordance with section 128 of the RMA, the Council may on the first, second, third, fourth and fifth anniversary of the commencement of the consent, serve notice on the consent holder of its intention to review, in whole or in part, the conditions of this consent, to deal with any adverse effect on the environment which:

Commented [AC5]: Two versions of the review condition provided below for the Commissioner to choose from. This is the Applicant's preferred version

- a. May arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
- b. To review the dwell time or rate of transition of the image or the use of the screen to address potential traffic safety issues having regard to potential adverse effects on the safe and efficient use of the local road network by vehicular, pedestrian and cycle traffic.

Review condition – Council’s preferred version

32. In accordance with section 128 of the RMA, the Council may on the first, second, third, fourth and fifth anniversary of the commencement of the consent, serve notice on the consent holder of its intention to review, in whole or in part, the conditions of this consent, to deal with any adverse effect on the environment which:

- a. May arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
- b. Are required to address the effects from the sign on the safe and efficient operation of the local road network including effects on vehicles, pedestrians, cyclists and other traffic.

Commented [AC6]: TDC version of the review condition

ADVICE NOTES

Council Regulations

1. This is not a building consent and the Consent Holder shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.
2. In the event that during installation or maintenance of the billboard equipment or machinery is required to be placed within the road corridor (including footpath) the Consent Holder shall obtain a corridor access request from Tasman District Council and / or New Zealand Transport Agency Waka Kotahi and all appropriate Traffic Control Management Procedures shall be installed for the duration of works.

Other Tasman Resource Management Plan Provisions

3. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions shall either: 1) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.

Consent Holder

4. 3. This consent is granted to the abovementioned Consent Holder but Section 134 of the Act states that such land use consents “attach to the land” and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent as there may be conditions that are required to be complied with on an ongoing basis.

Monitoring

5. Monitoring of this resource consent will be undertaken by the Council as provided for by Section 35 of the Act and a one-off fee has already been charged for this monitoring. Should the monitoring costs exceed this fee, the Council reserves the right to recover these additional costs from the Consent Holder. Costs can be minimised by consistently complying with conditions, thereby reducing the necessity and/or frequency of Council staff visits.
6. In reviewing road safety monitoring, the Council’s Compliance & Investigations Officer may consult with Waka Kotahi NZ Transport Agency Environmental Planning Team via Environmentalplanning@nzta.govt.nz.

Interests Registered on Property Title

7. The Consent Holder should note that this resource consent does not override any registered interest on the property title.

Advertising Standards Authority Advertising Code of Practice and the Broadcasting Act 1989

8. Any content displayed on the billboard should be in compliance with the Advertising Standards Authority Advertising Code of Practice and the Broadcasting Act 1989.

Plan A RM230535



A. ELEVATED PERSPECTIVE (MIS)

DIGITAL BILLBOARD - URBAN DESIGN AND VISUAL IMPACT ASSESSMENT GRAPHIC ATTACHMENT
PROPOSAL - BILLBOARD ELEVATED PERSPECTIVE
 2023.025 BECON MEDIA - 332 QUINN STREET

Facade extension treatment:
 Colour - The recommended colour is Resene Grey Flax, with a matt finish or an
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 Material - Aluminium or Co-Extruded roofing or similar.
 most products to be confirmed in detailed design stage