

Submission to New Zealand Transport Agency

Revised Digital Advertising Billboards and Road Safety Guidance for inclusion within the Planning Policy Manual (PPM)

31 October 2025

Introduction

1. The Timaru District Council thanks the New Zealand Transport Agency for the opportunity to provide comment on the updated guidance and NZTA's policies and approaches regarding digital advertising billboards.
2. This submission is made by the Timaru District Council, 2 King George Place, Timaru. The contact person is Suzy Ratahi, General Manager: Land Transport, Timaru District Council. Suzy can be contacted on (03) 687 7200.
3. Timaru District Council (TDC) is a local authority, serving over 46,000 people in South Canterbury. The main centre is Timaru, with other smaller settlements of Geraldine, Pleasant Point and Temuka.
4. Timaru District Council is represented on the Regional Transport Committee.
5. We recognise the importance of this topic considering the 'safe roadsides' and 'safe road use' pillars of the Safe Road System.

General submissions

6. TDC has read and supports the Planning Policy Manual - Digital Advertising Billboards and Road Safety consultation document listed on the NZTA Public consultation hub.
7. TDC recognises the important role which sound planning policy plays in maintaining safe roadsides free of clutter and distraction.
8. TDC believes changes to the current system are needed given the higher volume of recent scientific research showing correlations between crashes and digital advertising billboards within the road corridor. Research has highlighted driver distraction, lane drifting, rear-ending accidents, delayed driver responses, higher speed and an increase in errors in the presence of digital billboards especially in complex environments (intersections, near pedestrian crossings or in speed zones higher than 50km/hr.)
9. We support NZTA's Policy as set out in the consultation document regarding digital advertising billboard location, installation and operation to mitigate

against morally unacceptable harm and threat to human life and serious injury crashes with lasting effects.

10. However, we express concerns that this risks placing disproportionate responsibility on Territorial Authorities to regulate these signs moving forward. We note that the Transport Agency's (Signs on State Highways) Bylaw 2010 does not apply behind the kerb line of a state highway in speed environments of 50km/hr or less i.e. private property.

11. In Timaru this is where all current digital signs are locations including at intersections. While Territorial Authorities have some oversight of these areas in terms of land use, in practical terms managing road safety through District Plans and RMA provisions is arguably not as efficient as utilising the rule making powers under the Land Transport Act 1998, specifically s 157(1)(b). We would further note that an amendment to s 157 (1) (h) to include *luminant* material as well as reflective material would provide a more consistent mechanism for managing roadside visual safety than relying on localised RMA provisions:

157	Rules concerning roads
(1)	Without limiting the general power to make rules under section 152, ordinary rules may—
...	
(b)	set out standards, specifications, or codes of practice for the design, construction, alteration, or maintenance of roads <u>and related property</u> ;
...	
(h)	<u>regulate or prohibit the use of reflective material on signs, hoardings, and similar structures that may pose a traffic hazard</u> on any road.

12. If TDC as the RMA / District Plan regulator was to pursue action in respect of digital billboards, this would require an evidenced complaint from NZTA.

13. We therefore recommend that NZTA consider how they can manage this issue through the development of a national regulatory tool. While this is outside the scope of the consultation document, we believe this is a missing component which should be prioritised.

14. TDC further notes that the Government Policy Statement on land transport 2024 deprioritised investment in the road safety promotion activity class. Without that dedicated funding for research-based interventions to change driver behaviour, we are increasingly concerned that death and serious crashes on our roads will increase, and so it is more crucial than ever to ensure safe roadsides free from distraction. Our specific feedback by consultation topic is outlined below.

Non-static displays

15. TDC agrees that animated and moving displays pose an unacceptable risk to road safety.

Digital signs within the state highway corridor

16. TDC supports NZTA's intention to not approve the installation of digital advertising signs in the state highway corridor where the speed is above 50km/hr. We note that the consequence of any crash significantly increases at higher speeds.
17. TDC supports NZTA not providing affected party approval for resource consents for digital advertising signs in the state highway corridor in speed areas 50 km/hr and below due to the potential impacts these have on the safety of road users and the efficient operation and maintenance of the state highway network.
18. We note that when travelling at 50km/hr a 1-second delay in reactions caused by visual or cognitive distraction reduces the available braking distance from 27 metres to only 14 metres and therefore is likely to result in a vehicle-to-vehicle impact.
19. A 2-second delayed reaction time would result in no distance to react; therefore, crashes would occur at a speed of 50km. We note that a crash at that speed involving a vulnerable road user (e.g. pedestrian) has an 80% chance of resulting in a fatality.

Driver distraction

20. TDC notes the increasing evidence emerging from scientific literature showing cognitive and visual distraction in the vicinity of digital advertising billboards. This is reinforced by observations of Council officers.
21. TDC notes that while some research suggests that drivers can self-regulate these distractions in low-risk road conditions, we do not support any policy which could lead to a proliferation of roadside distractions including built clutter and stimuli. We note that developing a universal definition of low-risk road environments is particularly challenging which should give pause to any relaxing or softening of NZTA's position as outlined in the consultation document.

Digital sign assessment principles

22. TDC supports NZTA's recommendation that digital billboards be located away from complex road environments or high-risk crash sites including any of the following features:
 - a. Intersections

- b. Merges or diverges
 - c. Regulatory road signage
 - d. Road sections with recorded pedestrian or cyclist crashes in the past five years or pedestrian or cyclist infrastructure e.g. crossing facilities
 - e. Road sections with any death or serious injury crashes within the past five years or identified with a medium or higher Personal or Collective Crash Risk or Infrastructure Risk Rating.
 - f. Road curves requiring chevron signs
23. We note that these points above mirror guidance in Council's own Consolidated Bylaw and District Plan regarding non-digital signage placement.
24. TDC further supports that any digital billboards should display a complete message and that no sequential messaging across screens should be permitted.
25. TDC also notes that digital billboards can cause light pollution to nearby residents as well as motorist glare and that any digital billboards should adhere with luminance levels outlined in the Australian New Zealand Standard AS/NZ4284.
26. TDC supports a maximum of 10 individual content elements on a digital billboard including a maximum of 8 linguistic elements i.e. words.
27. We note the proposed minimum dwell time of 10 seconds, with time being added to this for other complexities present in the road environment. Council Officers would prefer a minimum dwell time of between 15-30 seconds as digital billboards with shorter dwell times are more likely to result in negative driving outcomes.

Consent conditions

28. TDC also supports the requirement for billboards to automatically and instantaneously go dark in the event of a malfunction. Council Officers note that a billboard near the State Highway network in Timaru malfunctioned in the last year and emitted a highly distracting periodic lighting flash which is unacceptable.
29. We believe that compliance and monitoring of any consented billboard is unequivocally required including monitoring of complaints, video evidence showing compliance with dwell time and content element rules. Such compliance must include regular reviews of crash data in the NZTA Crash Analysis System to review if recorded crashes have increased.
30. However, we note that TAs are generally under resourced, and in regard to luminescence requirements generally undertrained, for the level of continuous and rigorous monitoring required. Current consents have often been granted in

perpetuity or for a decade or more, which means that we are unable to give effect to this updated guidance, and have limited recourse to deal with repeated non-compliances in a timely manner. For example, we have no ability to mandate billboard shutdowns due to multiple breaches against consent conditions. At base, we will need a complaint from NZTA to progress this.

31. TDC considers that the current regulatory settings create an unnecessary gap between road safety objectives under the Land Transport Act 1998 (LTA) and the land-use management functions under the Resource Management Act 1991 (RMA). While the RMA can control the use of private land, it is not designed for the ongoing monitoring or enforcement of dynamic visual hazards such as digital billboards. The evidential burden and reactive nature of RMA enforcement make it an inefficient tool for addressing real-time safety risks. The responsibility for regulating roadside visual safety sits most logically with the national road-controlling authority, supported—rather than led—by territorial authorities through district planning frameworks. Section 157(1)(b) of the LTA provides sufficient scope for NZTA to make a rule addressing roadside structures and their visual impacts on road users. A complementary bylaw framework could then be enacted by Road Controlling Authorities to ensure consistent national implementation. In practice, councils can only act on NZTA-initiated complaints where road-safety evidence exists. Without that referral, enforcement under the RMA is largely constrained. A dedicated LTA-based rule would allow proactive, data-driven enforcement that aligns with crash-risk evidence and the Safe System approach.
32. Land-use regulation and transport regulation are interconnected but not interchangeable. A modern, integrated framework is needed so that digital billboards are primarily assessed through a transport-safety lens rather than a land-use lens. TDC therefore recommends that NZTA develop a dedicated regulatory instrument under the Land Transport Act to manage digital billboard proliferation adjacent to the state highway network, ensuring consistent national standards and improved safety outcomes.

Conclusion

33. TDC would again like to thank NZTA for the opportunity to respond to this proposal. We welcome the updated guidance and support the principles outlined.
34. However, as a Road Controlling Authority we have significant concerns about how RCAs can effectively deal with the likely proliferation of digital billboard resource consent requests and non-compliances within local road corridors. The Resource Management Act is a cumbersome and unwieldy tool to enforce road safety concerns, with a heavy evidential onus falling on Councils who aim to enforce repeated non-compliances through the Environment Court. We believe the next step NZTA needs to look at with some urgency is the creation of a more fit-for-purpose national regulatory tool through a Land Transport Act amendment.