

# Signage Bylaw 2015

## Recommendations

That the Board:

- i. receive and adopt the recommendations of the Hearings Panel on the combined Auckland Transport and Auckland Council Signage Bylaw 2015 contained in this report.
- ii. make the Signage Bylaw 2015 contained in Attachment 1 pursuant to sections 145 of the Local Government Act 2002 and section 22AB of the Land Transport Act 1998 with effect from 1 October 2015.
- iii. revoke either in full or in part, as identified in Section One of “Additional Information to the Signage Bylaw 2015” in Attachment 1, the following legacy council bylaws relating to signs to the extent that they have deemed to have been made by Auckland Transport under section 61 of the Local Government (Auckland Transitional Provisions) Act 2010, whichever is applicable, from 1 October 2015:
  - a. Clause 5 of the Auckland City Council Bylaw No. 30 - Brothels and Commercial Sex Premises
  - b. Auckland City Council Signs Bylaw 2007
  - c. Clause 6 of the Franklin District Brothel Bylaw 2010
  - d. Franklin District Council Control of Signs Bylaw 2007
  - e. Clause 5 of the Manukau City Consolidated Bylaw 2008, Chapter 3 – Brothels
  - f. Chapter 19 (Temporary Signs) of the Manukau City Consolidated Bylaw 2008
  - g. Clause 4 of the North Shore City Bylaw 2000, Part 25 – Brothels
  - h. North Shore City Part 12 (Control of Temporary Signs) Bylaw 2000
  - i. Papakura District Council Control of Advertising Signs Bylaw 2008
  - j. Clause 7 of the Rodney District Council, Chapter 14 – Brothels and Commercial Sex Premises
  - k. Rodney District Council, Chapter 22 of the General Bylaw 1998, (Temporary Signs).
- iv. authorise General Counsel, in consultation with Councillor Wood as chair of the Hearings Panel, to make any minor edits or amendments to the combined Auckland Transport and Auckland Council Signage Bylaw 2015 to correct any identified errors or typographical edits or to reflect decisions made by the Auckland Transport Board.

## Executive summary

Auckland Transport and Auckland Council have jointly proposed a new Signage Bylaw 2015 to regulate signage visible from a road or public place.

The Signage Bylaw Hearings Panel was appointed jointly by Auckland Transport and Auckland Council to consider submissions and make recommendations on the proposed Signage Bylaw that had been publicly notified for consultation from 3 September to 3 October 2014.

Panel members were Councillors Wood (Chairperson), Cashmore, Penrose, Lee (Auckland Transport), and Mr. Mark Gilbert (Auckland Transport), and Member Wilcox of the Independent Māori Statutory Board.

The panel considered 183 written submissions and heard from 29 submitters. Public hearings were held on 11 November, 12 December 2014 and 25 February 2015. The panel deliberated on the proposed bylaw in public on 23 April 2015.

As this bylaw is a combined Auckland Transport and Auckland Council bylaw, it will be received and considered by the governing body of Auckland Council on 28 May with a recommendation it adopts the Signage Bylaw 2015. The panel recommends the Auckland Transport Board adopt the bylaw as the Auckland Transport Signage Bylaw 2015.

The most significant changes that are recommended from the draft bylaw that went out for public consultation are:

- removing the need for signage that will be regulated by the proposed Auckland Unitary Plan to comply with traffic safety requirements in the bylaw. The bylaw has also been clarified to clearly state which signs (and matters) are regulated by the bylaw and which signs will be regulated by the proposed Auckland Unitary Plan;
- amendments to allow for more free standing signage on larger sites;
- amendments to provide a clear distinction between approval to display signage and exemption from the requirements of the bylaw;
- amendments allowing a process for businesses that are not on the ground floor or do not have street frontage to apply for approval to display portable signage.

The amended bylaw recommended by the Hearings Panel is attached as Attachment A, with a comparison of the publicly notified version and recommended amendments attached as Attachment 2.

The amended bylaw is proposed to come into effect from 1 October 2015, from which date the legacy council signs bylaws will be revoked.

## Strategic context

Auckland Transport seeks to be in line with the strategic direction of the Auckland Plan: Auckland's transport system is effective and efficient, and provides for the region's social, economic and environmental and cultural wellbeing. The proposed bylaw will assist in achieving this outcome by

proposing controls which enable the display of signage on or adjacent to roads considering the benefits for the general public, local businesses and the local economy whilst ensuring the location, placement and size of signage does not have any negative impact on public safety for pedestrians and other road users.

The proposed Auckland Unitary Plan policy objectives have guided the development of a bylaw for signage. The Unitary Plan or the Auckland Council District Plan Hauraki Gulf Islands Section - Operative 2013 (which remains in force), will cover:

- signage that advertises any business, service, goods, product, activity or event that is not directly related to the primary use or activities occurring on the site of the sign;
- signage which is part of a comprehensive development or re-development of a site; and
- signage within a historic heritage place.

## Background

The Signage Bylaw Hearings Panel was appointed to hear submissions, deliberate and make recommendations to both the Board of Auckland Transport, and to the governing body of Auckland Council on the proposed combined Auckland Transport and Auckland Council Signage Bylaw (resolution no. RBC/2014/36).

Auckland Transport's Board considered these matters at its meeting of 26 August 2014 (refer agenda item 10(iii)) and approved the combined Auckland Transport and Auckland Council Signage Bylaw for joint public consultation.

On 28 August 2014 the governing body approved the proposed combined bylaw for public consultation (resolution number GB/2014/88).

The proposal was publicly notified with a submission period of 3 September 2014 to 3 October 2014.

A total of 183 submissions were received.

Twenty nine submitters made verbal submissions during three days of hearings held on 11 November and 12 December 2014, and 25 February 2015. The Hearings Panel held its deliberations in public on 23 April 2015.

## Issues and options

### Overview of written and verbal submissions

Auckland Transport and the council received 183 written submissions, with a total of 790 submission points being made. Of those 183 submissions, 100 were in the form of a proforma submission form developed by the Newmarket Business Association requesting retention of the legacy Auckland City Council Signs Bylaw.

Most written submissions commented on the number and placement of permissible portable signs, controls for the display of free standing signage, the display of horizontal cross street banners, and controls for veranda signage.

Twenty nine submitters made verbal submissions during three days of hearings. The panel heard from submitters on a range of issues including:

- The integration / relationship of the bylaw rules for signage and those in proposed Auckland Unitary Plan
- Comprehensive package of signs
- Processes for “approvals” and use of the term “approval”
- Portable signage, including both number and placement
- Free standing signage
- Local board place making decisions
- Banners
- Verandah signage
- Signage on roofs
- Signage content.

### Deliberations

The Hearings Panel held its deliberations in public on 23 April 2015. The matters deliberated on by the Hearings Panel have been categorised into 6 topic areas and are presented in the order that they were discussed.

**Table 1: Deliberations topic and relevant bylaw clause**

<b>Topic number</b>	<b>Deliberation topic</b>	<b>Bylaw clause</b>
1	Relationship between the proposed new bylaw and the proposed Auckland Unitary Plan	3
2	Comprehensive package of signs	3
3	Requirement to have signage set back 0.8 m from the road on a bus route	9
4	Alcohol advertising on council owned assets – content of signage	13
5	Allowing businesses not on the ground floor to display portable signage	14(3)
6	The display of horizontal cross street banners	18

**Deliberations Topic 1: Relationship between the proposed new bylaw and the proposed Auckland Unitary Plan**

**Proposal as publicly notified**

All non-site related signage advertising any business, service, goods, products, activity or event not directly related to the primary use or activities of that site will be regulated by proposed Auckland Unitary Plan.

Signs to be regulated by proposed Auckland Unitary Plan will also have to comply with traffic controls (clause 9) in the bylaw, as well as any clause in the bylaw that does not have an “equivalent provision” in proposed Auckland Unitary Plan.

**Matters raised in submissions**

Five submitters proposed drafting changes to clause 3(6) and reference to the proposed Auckland Unitary Plan and resource consent.

Submitters felt there was a level of ambiguity with regard to whether the proposed Auckland Unitary Plan, the proposed bylaw, or both sets of requirements apply to certain sign types.

Submitters suggested that it appears that signage may be assessed against both the bylaw and the proposed Auckland Unitary Plan and that the bylaw should instead replicate proposed Auckland Unitary Plan rule 3H.6.3.1.1 whereby signage that requires resource consent will be exempt from consideration under the bylaw.

**Hearings Panel deliberations**

The Hearings Panel deliberated on the views of submitters and acknowledged both written and verbal submissions.

The panel recommends including two new subclauses - 3(4)(b) and 3(4)(c) - and amending subclauses 3(5) and 3(6).

These changes will provide clarity on which signage will be controlled by the proposed Auckland Unitary Plan and which is controlled by the bylaw, ensuring there is no sign type that is regulated by both regimes, and clarifying that an approval under the bylaw is not required in addition to resource consent granted for a proposed Auckland Unitary Plan sign.

The one exception to this is the regulation of the content of the sign, including signage advertising commercial sexual services.

The amendments to this clause of the bylaw now clearly state that proposed Auckland Unitary Plan signs would also have to comply with two clauses in the proposed bylaw. These relate to content (clause 13) and commercial sexual services (clause 23) as the proposed Auckland Unitary Plan cannot address these issues under the Resource Management Act.

## **Deliberations Topic 2 – comprehensive package of signs**

### **Proposal as publicly notified**

The proposal was that all signage that was not considered part of a comprehensive development or re-development of a site would need to meet the requirements of the bylaw.

The bylaw made no provision for a comprehensive package of signage.

### **Matters raised in submissions**

In total nine submitters requested that the bylaw create, and allow for a new category of signage, which they called a “comprehensive package” to be removed from the scope of the bylaw and regulated solely by the proposed Auckland Unitary Plan.

Submitters requested this “package” be made up of all publicly visible signage on a site or sites, which may include branding signs, product signs, directional and information signs, typically with a consistent “design theme”. It would only be applicable to service stations, or businesses on one or more contiguous sites with a minimum aggregate area of 1500 square metres and with provision for five or more car parking spaces.

Submitters also requested this include existing approved signage and signage on a new development that does not meet the \$100, 000 threshold, and therefore would not fall within the proposed Auckland Unitary Plan 'comprehensive re-development' category.

Such signage should, submitters suggested, be considered collectively and holistically as a ‘comprehensive package”, rather than each individual sign considered on its own with regard to the bylaw requirements.

Submitters also raised concerns that certain of their existing signage would not meet the bylaw size and number requirements.

### **Hearings Panel deliberations**

The Hearings Panel deliberated on the views of submitters and acknowledged both written and verbal submissions.

The panel did not accept the submitters’ arguments for the creation of a comprehensive package of signs.

The intention of the bylaw is that, with a limited number of exceptions, all signs will be regulated by it. Introducing the concept of a comprehensive package of signs would result in a shift in the regulatory balance to proposed Auckland Unitary Plan.

A comprehensive package of signs would allow an applicant to make a choice of process which would create uncertainty about which regulatory regime applies and create an open ended concept that would allow for “forum shopping”.

The suggested restriction of a new category of signage applying only to service stations and large sites would risk creating a double standard, with different rules for larger corporations on big sites compared to smaller, more localised, operators.

The panel is of the view that, with a limited number of exceptions, all site related signage will be regulated by the bylaw.

The policy direction underlying the proposed bylaw and the proposed Auckland Unitary Plan involves a clear split between billboards and other signs, with some very limited exceptions. Creating a new category of signage and exempting it from the bylaw would risk undermining that division and the panel do not support submitters request for this proposal.

### **Deliberations Topic 3 – Requirement to have signage set back 0.8 m from the road on a bus route**

#### **Proposal as publicly notified**

Subclause 9(3) of the proposed bylaw, as publicly notified, required all signage to be set back 0.8m from the kerb on an Auckland Transport bus route, and 0.6m from the kerb where there is no bus route.

Whilst this requirement would apply to all signage it is particularly relevant to portable signage, veranda fascia signage and under veranda signage.

Subclause 9(4) of the bylaw as publicly notified also required a person to ensure compliance with subclause 9(3) if Auckland Transport establishes a bus route on a road.

#### **Matters raised in submissions**

Six submitters supported the requirements as publicly notified.

A total of five submitters commented on subclause 9(3), and that the requirement for signage to be the 0.8m from the kerb appears to apply along the whole length of the bus route and not just to the bus stop.

Six submitters also commented on subclause 9(4) and argued that it was unfair on business to expect them to amend their signage following the installation of a new bus route by Auckland Transport and that compliance with this requirement should be within 6 to 12 months.

#### **Hearings Panel deliberations**

Having considered written and oral submissions the panel recommends amending the wording of subclause 9(3) to make it clear that the requirement for signage to be the 0.8m from the kerb only applies where an Auckland Transport bus route runs in a lane directly beside the kerb

(not for example where separated from the kerb by parked cars) at public transport stops. The term public transport stops being preferred over bus stops to allow for light rail vehicle stops should these be located beside the kerb)

The panel do not support submitters request that subclause 9(4) stipulate a timeframe for adherence with subclause 9(3).

## **Deliberations Topic 4 – Alcohol advertising on council owned assets**

### **Proposal as publicly notified**

The bylaw regulates site related signage. All non-site related signage advertising any business, service, goods, products, activity or event not directly related to the primary use or activities of that site will be regulated by proposed Auckland Unitary Plan. Non-site related signage must also comply with the 'content' clauses of the bylaw. The bylaw regulates signage advertising commercial sexual services, as well as the display of any signage that:

- is discriminatory or advocates discrimination;
- is objectionable within the meaning of the Films, videos and Publications Classification Act 1993;
- incites or counsels any person to commit an offence;
- is defamatory.

The regulatory powers that allow for the making of a bylaw do not extend to controlling sign specific product advertising, such as alcohol.

As proposed, the bylaw required all signage to adhere to the Code of Ethics and relevant Code of Practise issued by the New Zealand Advertising Standards Authority (ASA) and that, in the first instance, complaints about the content of signage are referred to the ASA.

### **Matters raised in submissions**

One submitter raised concern about the proliferation and placement of alcohol advertising in their local board area and the detrimental effect it was having in the local community.

One submitter commented that advertising and sponsorship of alcohol and junk food through council signage related to sporting and/or cultural events should be phased out of as soon as possible.

### **Hearings Panel deliberations**

Having considered written and oral submissions the panel noted submitters concerns. The panel further noted that Auckland Transport has an advertising policy which does not allow for the display of any advertisement that promotes alcohol brands or products on its infrastructure, facilities or services. The Auckland Transport policy gives "preference to advertising which supports health and healthy lifestyle choices".



The panel recommends that Auckland Council investigate adopting an equivalent advertising policy to that of Auckland Transport for the display of advertising for alcohol brands or products on infrastructure, facilities, or services owned or operated by the council and Council Controlled Organisation, and that the Manager, Social Policy and Bylaws reports to the Regulatory and Bylaw Committee on that policy.

The Hearings Panel did not consider it to be within the scope of this bylaw as notified to regulate alcohol advertising on publicly visible signage.

## **Deliberations Topic 5 – Allowing businesses not on the ground floor to display portable signage**

### **Proposal as publicly notified**

The bylaw allowed businesses on the ground floor of a building with a street frontage of 2 metres or more to display an individual portable sign on the footpath. It required that 1.8 metres of footpath be kept clear for pedestrian traffic at all times and that all portable signage must be:

- located directly outside the entrance or accessway of the business to which it relates;
- kerbside;
- set back 0.8m from the kerb on an Auckland Transport bus route, and 0.6m from the kerb where there is no bus route.

The bylaw allowed for businesses not on the ground floor of a building that wish to display portable signage to use a portable ladder board.

### **Matters raised in submissions**

This clause drew the highest number of submissions, 127. Approximately 74 per cent of those 127 submitters opposed all or part of the requirements and 100 submitters sought retention of the existing portable sign rules in the legacy Auckland City Council Signs Bylaw.

Eighteen submitters supported the clause as publicly notified, and eight submitters commented on only ground floor business being permitted to display a portable sign.

Two submitters supported the involvement of local boards in determining roads, or parts of roads where portable signage may be prohibited.

### **Hearings Panel deliberations**

The panel considered the written and oral submissions and recommend subclauses 14(3) and 14(4) be amended so that businesses not on the ground floor of a building be given the opportunity to apply to council for approval to display their own individual portable signage on the footpath.

The panel further recommend that an application for approval to display individual portable signage on the footpath from businesses not located on the ground floor should not be treated as an application for exemption in accordance with clause 28 and that the relevant matters when considering approval applications, as set out in clause 29 should not be applied.

## **Deliberations Topic 6 – Horizontal Cross Street banners**

### **Proposal as publicly notified**

The bylaw, allows the relevant authority to identify sites suitable for the display of horizontal cross street banners and to specify the proportion of a banner site to be used for the display of community based events.

### **Matters raised in submissions**

One hundred and ten submitters commented on this clause, approximately 88 per cent of which suggested the current rules for the display of horizontal cross street banners in Newmarket be retained.

One submitter supported the involvement of local boards in determining sites for the display of horizontal cross street banners.

### **Hearings Panel deliberations**

The panel do not agree with submitters' request that the continuation of the current arrangements in Newmarket for the display of horizontal street banners be continued. These arrangements are an operational issue that take place outside of the bylaw and are not inconsistent with the bylaw requirements.

In order to ensure a regionally consistent approach the panel recommend Auckland Transport review the suitability of its existing sites to hold horizontal cross street banners and the contractual management for the display of banners on those sites.

The panel further recommend that Auckland Transport consult with stakeholders and report back to the Board of Auckland Transport and the council's Regulatory and Bylaws Committee on the issue.

## **Consideration**

### **Local board views and implications**

The views of the local boards were sought through two rounds of workshops (August – September 2013 and, March – April 2014).

The first round of engagement was to discuss the review and obtain feedback on the proposed approach to managing signage in, on or visible from a road or public place.

The second round of engagement was to determine the level on interest in local boards contributing to signage related place making decisions.

The majority of local boards supported the outlined approach that recommended providing regulatory support for the various activities through a signage bylaw.

## Māori impact statement

In order to determine the views of Māori staff attended the Regional Kaitiaki Hui on 30 July 2013 and presented to those iwi representatives who were in attendance. In addition two hui were held in Manukau and Orewa on the proposed signage bylaw in October 2013.

Discussions with Māori indicated that bylaws dealing with signage should not be inconsistent with any policies that deal with issues such as protecting the view of historic places or those with specific cultural significance. Beaches are ecologically sensitive areas, especially dunes, and where the council has identified sensitive areas and provided particular access points, such as walkways, it is necessary to protect these areas. The proposed bylaw provides controls for the display of signage in public open spaces.

## General

The proposed bylaw has been developed through pre-consultation with political, internal and external stakeholders, including elected members of the Governing Body (Regulatory and Bylaws Committee Working Party), Auckland Transport, all local boards, council departments and units, and other council controlled organisations, business associations, disability groups, and key industry stakeholders.

The panel would like to thank all those who contributed to the consultation process. The contributions from submitters and other stakeholders have been greatly appreciated.




## Next steps

1. The Signage Bylaw will be considered and received by the governing body of Auckland Council at its meeting on 28 May 2015.
2. The Bylaw is recommended to come into force on 1 October 2015.
3. Staff are developing an operations policy and procedures manual to guide staff on the implementation of this bylaw. The bylaw will replace the legacy bylaws and district plan measures that regulate signage and will be implemented using existing available resources.
4. Auckland Council will investigate adopting an equivalent advertising policy to that of Auckland Transport for the display of advertising for alcohol brands or products on infrastructure, facilities, or services owned or operated by the council and Council Controlled Organisations.
5. Auckland Transport will consult with stakeholders in relation to horizontal cross street banners.

## Attachments

Attachment Number	Description
1	Auckland Transport and Auckland Council and Signage Bylaw 2015
2	Comparison between notified and amended version of the combined Auckland Council and Auckland Transport Signage Bylaw 2015

## Document ownership

Submitted by	Ariarna Hakaraia <b>Legal Counsel (Public Law)</b>	
Recommended by	Mario Zambuto <b>General Counsel</b>	
Approved for submission	David Warburton <b>Chief Executive</b>	

## **Signage Bylaw 2015 Te Ture a Rohe mo nga Tohu 2015**

**Governing Body of Auckland Council made by resolution  
on 28 May 2015**

**Board of Auckland Transport made by resolution  
on 26 May 2015**

The Governing Body of Auckland Council and the Board of Auckland Transport make the following bylaw pursuant to the Local Government Act 2002, the Land Transport Act 1998 and (in the case of Auckland Council only) the Prostitution Reform Act 2003.

*Explanatory note: Both Auckland Council and Auckland Transport have the power under the Local Government Act 2002 to make bylaws to protect the public from nuisance and to protect, promote and maintain public safety and to protect their land and infrastructure. In the case of Auckland Transport, this power can only be exercised in respect of the Auckland transport system, which includes the roads under Auckland Transport's control.*

*In addition, under the Land Transport Act 1998 Auckland Transport has the power to make a bylaw regulating signage that is on or visible from the Auckland transport system. Auckland Council has the same power in relation to any road or public place which is not part of the Auckland transport system.*

*Auckland Council also has power under the Prostitution Reform Act 2003 to make a bylaw that prohibits or regulates signage that advertises commercial sexual services and that is in, or is visible from, a public place.*

*Note that some signage will be regulated by the Auckland Unitary Plan or is regulated by the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013, in particular:*

- *billboards, that is, signage that advertises any business, service, goods, product, activity or event that is not directly related to the primary use or activities occurring on the site of the sign;*
- *signage which is part of a comprehensive development or re-development of a site;*
- *signage on, or in close proximity to, a scheduled historic heritage place;*
- *signage on certain buildings, objects, properties and places of special value.*

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## 1 Title

- (1) This bylaw is the Signage Bylaw 2015.

## 2 Commencement

- (1) This bylaw (except clause 3(5)(d)) comes into force on 1 October 2015.
- (2) Clause 3(5)(d) comes into force on the date that the rules in the Unitary Plan relating to signs on, or in close proximity to, scheduled historic heritage places first have legal effect under section 86B of the Resource Management Act 1991.

## 3 Bylaw-making and application

- (1) Subject to subclause (2), this bylaw is made by:
- (a) Auckland Transport, in the case of signage that is on or visible from the Auckland transport system;
  - (b) Auckland Council, in the case of signage that is on or visible from any road or public place but not visible from the Auckland transport system.
- (2) In this bylaw:
- (a) clause 6(3) of this bylaw is made by Auckland Transport only;
  - (b) clauses 13 and 23 of this bylaw are made by Auckland Council only;
  - (c) clauses 35 and 36 of this bylaw are made by:
    - (i) Auckland Transport, to the extent that those clauses relate to bylaws made by former local authorities to which section 61 of the Local Government (Auckland Transitional Provisions) Act 2010 applies;
    - (ii) Auckland Council, to the extent that those clauses relate to bylaws made by former local authorities to which section 61 of the Local Government (Auckland Transitional Provisions) Act 2010 does not apply.
  - (d) all other clauses in this bylaw are made separately by both Auckland Transport and by Auckland Council.
- (3) In this bylaw, **relevant authority** means:
- (a) Subject to paragraph (c), Auckland Transport, in the case of signage that is on or visible from the Auckland transport system;
  - (b) Auckland Council, in the case of signage that is on or visible from any road or public place but is not on or visible from the Auckland transport system;
  - (c) Auckland Council, in relation to clauses 13 and 23 of this bylaw.

*Explanatory notes:*

*(1) The Local Government (Auckland Council) Act 2009 provides that Auckland Transport may make bylaws in relation to the Auckland transport system. The Auckland transport system, which is defined in clause 37, generally includes all roads (other than motorways and state highways) in Auckland. Auckland Transport is the relevant authority in respect of such land. Auckland Council is prohibited from making bylaws covered by Auckland Transport's jurisdiction and so it is the relevant authority only in respect of any signage visible from a road or public place which is not part of the Auckland transport system.*



*(2) Auckland Transport and Auckland Council will assist persons to ensure that any matter arising under this bylaw is dealt with by the relevant authority. This includes referring any application or inquiry to the other authority where that other authority is the relevant authority.*

- (4) Nothing in this bylaw applies to:
- (a) signage which is not publicly visible signage; or
  - (b) election signage regulated by the Auckland Transport Election Signs Bylaw 2013; or
  - (c) traffic control devices regulated by the Land Transport Rule: Traffic Control Devices 2004.
- (5) Subject to subclause (6), this bylaw does not apply to the following publicly visible signage:
- (a) billboards;
  - (b) comprehensive development or re-development signage;
  - (c) signage on buildings, objects, properties and places of special value subject to rules in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013;
  - (d) signage on, or in close proximity to, a scheduled historic heritage place.
- (6) The following provisions apply to the publicly visible signage referred to in subclause (5)
- (a) clause 13;
  - (b) clause 23;
  - (c) Parts 6 and 7, but only in respect of enforcement or breach of clauses 13 and 23.

*Explanatory note: The signs in subclause (5) will be regulated under the proposed Auckland Unitary Plan or are regulated in the Auckland Council District Plan Hauraki Gulf Islands Section - Operative 2013.*

- (7) Parts 3 and 4 of this bylaw do not apply to the following signage:
- (a) information signage;
  - (b) signage providing information or directions erected by, or on behalf of, a network utility operator in relation to works that it is entitled to undertake on any road or public place or property visible from a road or public place, and provided all otherwise necessary authorisation is obtained;
  - (c) signage that is an integrated part of street furniture, or erected by, on behalf of, or with the approval of the relevant authority;
  - (d) signage erected by the Crown, the council, Auckland Transport, or any other statutory administering body, for the purpose of marking the boundaries of or conveying information in relation to marine reserves, coastal protection areas, cultural heritage sites, or reserves, or to advise of activities which may or may not be undertaken in such areas;
  - (e) regulatory signage that is erected by, on behalf of, or with the approval of the relevant authority;

- (f) signage required by any statute or regulation, or giving safety or security instructions or information, provided that signage does not advertise any goods, products, or services.
- (8) This bylaw applies to Auckland.

## Part 1 - Preliminary provisions

### 4 Purpose

- (1) The purpose of this bylaw is to:
- (a) provide for the safety of vehicular and pedestrian traffic on roads and public places by limiting obstruction and distraction caused by signage;
  - (b) protect the public from nuisance and from harm or damage caused by the poor maintenance or abandonment of signage;
  - (c) assist in enhancing, maintaining, and promoting the visual amenity value of Auckland's cultural character, and its built and natural environments;
  - (d) assist in enabling the economic benefits to Auckland that are provided through signage;
  - (e) assist in protecting roads and other public assets from damage or misuse.

### 5 Definitions

- (1) In this bylaw, unless the context requires otherwise —

**amenity** means the natural or physical qualities and characteristics of a location that contribute to a person's appreciation of its attractiveness, pleasantness, aesthetic coherence, and cultural and recreational attributes.

**approval** includes any conditions to which the approval is subject.

**Auckland** means the same as in the Local Government (Auckland Council) Act 2009.

**Auckland Transport bus route** means the route of a scheduled bus service that is part of the bus network managed and controlled by Auckland Transport.

#### **Auckland transport system**

- (a) means
- (i) the roads (as defined in [section 315](#) of the Local Government Act 1974) within Auckland; and
  - (ii) the public transport services (as defined in [section 5\(1\)](#) of the Land Transport Management Act 2003) within Auckland; and
  - (iii) the public transport infrastructure owned by the council; and
  - (iv) the public transport infrastructure owned by or under the control of Auckland Transport; but
- (b) does not include—
- (i) state highways;
  - (ii) railways under the control of New Zealand Railways Corporation;
  - (iii) off-street parking facilities under the control of the Council;
  - (iv) airfields.

**banner** means any publicly visible signage made of flexible material which is suspended in the air and supported on one or more sides by poles or cables, and includes a banner on a bridge, pole or building.

**billboard**

- (a) means a sign or signage which advertises a business, service, goods, product, activity or event that is not directly related to the primary use or activities occurring on the site of the sign; but
- (b) does not include:
  - (i) stencil signage or similar markings as referred to in clause 15;
  - (ii) a poster or poster signage;
  - (iii) a banner or flag situated on or over a road or public place;
  - (iv) real estate signage or directional real estate signage;
  - (v) vehicle signage as referred to in clause 25;
  - (vi) community event signage as referred to in clause 26;
  - (vii) regional and major event signage as referred to in clause 27.

**building** means the same as in the Unitary Plan.

**business zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) neighbourhood centre;
  - (ii) local centre;
  - (iii) town centre;
  - (iv) metropolitan centre;
  - (v) city centre;
  - (vi) mixed use;
  - (vii) general business;
  - (viii) business park;
  - (ix) light industry;
  - (x) heavy industry;
  - (xi) commercial business zone; and
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013
  - (i) commercial 1 Oneroa village;
  - (ii) commercial 2 Ostend village;
  - (iii) commercial 3 local shops;
  - (iv) commercial 4 visitor facilities;
  - (v) commercial 5 industrial.

**changeable message signage** means publicly visible signage with mechanical or electronic moving images or displays, including LED, neon, and electronically projected images.

**city centre zone waterfront precinct** means any of the following zones in the Unitary Plan:

- (a) port;
- (b) central wharves;
- (c) Viaduct Harbour;
- (d) Wynyard.

**civic spaces zone** means the same as in the Unitary Plan.

**coastal marine area** means the same as in the Resource Management Act 1991.

**coastal zone** means any of:

- (a) the following zones in the Unitary Plan:

- (i) general coastal marine;
  - (ii) marina;
  - (iii) mooring;
  - (iv) minor port;
  - (v) ferry terminal;
  - (vi) defence;
  - (vii) coastal transition; and
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section - Operative 2013:
- (i) commercial 7 wharf;
  - (ii) Matiatia gateway;
  - (iii) Pakatoa;
  - (iv) Rotoroa.

**commercial sexual services** mean the same as in the Prostitution Reform Act 2003.

*Explanatory note: The Prostitution Reform Act 2003 defines commercial sexual services as meaning sexual services that—*

- a. *involve physical participation by a person in sexual acts with, and for the gratification of, another person; and*
- b. *are provided for payment or other reward (irrespective of whether the reward is given to the person providing the services or another person).*

**community event** means an event that is not a major event or a regional event.

**community zone** means the same as in the Unitary Plan.

**comprehensive development signage** means signage relating to a new building or the alteration of an existing building where the building or alteration requires a resource consent and/or building work to the value of at least \$100,000, assessed at the time a building consent application is lodged with the council.

**conservation zone** means the:

- (a) same as in the Unitary Plan; and
- (b) conservation land unit in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013.

**control measure** means a control measure specified in Schedule 1.

**council** means the Governing Body of the Auckland Council or any person delegated or authorised to act on its behalf.

**directional real estate signage** means publicly visible signage providing direction to a building or land that is available to the public for inspection for the purpose of sale, lease or auction.

**event** means an organised temporary activity that takes place on one or more days including an organised gathering, outdoor market, political meeting, parade, protest, wedding, private function, festival, filming, concert, or celebration, multi-venue sports event of a significant scale, fun run marathon, duathlon or triathlon.

**field of play** means sports fields, athletics tracks, motor sport tracks and horse racing tracks.

**field of play advertising hoarding signage** means a hoarding visible from a field of play used to display advertisements of products, services or goods that are not available on the site of the signage.

**free standing signage** means any publicly visible signage that is fixed on or into the ground and that is standing on its own, independent of any building or structure for its primary support, but does not include a flag displayed on a flagpole.

*Explanatory note: A resource consent may be required for a flagpole*

**ground level** means the actual surface level of the finished ground immediately below a sign.

**height** means the distance from the lowest point of a sign to the highest point of the sign, including its structure; and **high** has the equivalent meaning.

**historic heritage value** means a demonstrable association with one or more of the Unitary Plan Historic Heritage Criteria for Scheduling.

**home occupation** means the same as in the Unitary Plan.

**horizontal banner** means a banner which is suspended principally in a horizontal direction.

**informal recreation zone** means the same as in the Unitary Plan.

**information signage** means:

- (a) signage provided or approved by the council, a substantive council controlled organisation or Auckland Transport that provides information or direction to the public and includes the following:
  - (i) education and public awareness and safety signage;
  - (ii) signage relating to a regional event or major event;
  - (iii) signage relating to a place of historic or environmental significance;
  - (iv) public transport signage;
  - (v) regulatory signage;
- (b) signage required by any statute or regulation, or giving safety or security instructions or information, provided that the signage does not advertise any goods or services.

**kerb projection** means any extension of the footpath or verge to narrow the carriageway at a particular point.

**key retail frontage overlay** means any place that is marked as a key retail frontage overlay in the Unitary Plan.

**ladder board** means portable signage on which two or more signs may be displayed that provides the names and contact particulars of separate businesses, organisations or persons.

**LED** means light emitting diode.

**major event** means an event of national or international interest which provides substantial sporting, cultural, social, economic, or other benefits.

**major recreational facility** means a site zoned Special Purpose – Major Recreational Facility, in the Unitary Plan.

*Explanatory note: A major recreation facility is a facility providing for major sport, leisure, entertainment, art and cultural activities that is significantly greater in size and/or built form than a standard recreation facility. These facilities are typically of regional importance with some facilities also of national importance. They are generally multi-purpose venues that attract regional,*

*national and international participants and spectators and are of significant cultural, social and economic value. Such facilities shall generally have:*

- an indoor capacity equal or greater than 1000 people, or*
- a capacity other than indoor equal or greater than 10,000 people.*

**manager** means a person who controls or manages any premises, activity, or event, regardless of whether that person has a proprietary interest in those premises, or that activity, or event.

**navigable waters** means any waters in Auckland whether coastal or inland which are able to be navigated.

**occupier**, in relation to any property or premises, means the inhabitant or occupier of that property or premises.

**owner** in relation to any property or premises, means the person entitled to receive the rack rent of the property or premises, or who would be so entitled if the property or premises were let to a tenant at a rack rent.

**person** includes an individual, a corporation, a body corporate, and an unincorporated body.

**portable signage** means publicly visible signage that can be readily moved and includes a sandwich board, portable flag such as a teardrop flag or flag banner, and any similar device.

**poster** or **poster signage** means temporary publicly visible signage fixed without the need for a supporting structure to a wall, building, fence, or structure (except for street furniture).

**poster board** means a structure or part of a structure intended for the display of posters, and includes a board, poster bollard, or pole wrap.

**poster board site** means a site authorised as a site for the display of poster pursuant to this bylaw.

**poster bollard** means a bollard or pole wrap installed for the purpose of displaying posters.

**premises** means any separately occupied land, building, or part of the same.

**property** means any parcel of land and/or building capable of being transferred, sold, rented, leased, or otherwise disposed of separately from any other parcel of land and/or building(s).

**public open space** means land in any of:

- (a) the following zones in the Unitary Plan:
  - (i) conservation;
  - (ii) informal recreation;
  - (iii) sports and active recreation;
  - (iv) community;
  - (v) civic space; and
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013;
  - (i) open space 1 ecology and landscape;
  - (ii) open space 3 Rangihoua Park

**public place** means any place that, at any material time, is owned, managed, maintained or controlled by the council or a council-controlled organisation and is open to or is being used by the public, whether free or on payment of a charge and includes the navigable waters of

Auckland.

**publicly visible signage** means signage on or visible from a road or public place.

**real estate signage** means publicly visible signage that is advertising for sale, lease, rent or auction the whole or part of the land or premises on which the sign is located or is directly adjacent to.

**regional event** means an event which attracts participants from, or has significance, throughout the Auckland region, or a substantial part of the region.

*Explanatory note: an event as an organised special occasion or activity of limited duration that brings people together for the primary purpose of participating in an uplifting community, cultural, commemorative, recreational, sport, art, educational, or entertainment experience.*

**relevant authority** has the same meaning as in clause 3(3).

**residential zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) large lot;
  - (ii) rural and coastal settlement;
  - (iii) single house;
  - (iv) mixed housing suburban;
  - (v) mixed housing urban;
  - (vi) terrace housing and apartment buildings; and
  
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013
  - (i) island residential 1 traditional residential;
  - (ii) island residential 2 bush residential.

**road** means the same as in the Local Government Act 1974 and includes a part of a road.

*Explanatory note: section 315 of the Local Government Act 1974 states :Road means the whole of any land which is within a district, and which—*

- (a) *immediately before the commencement of this Part was a road or street or public highway; or*
- (b) *immediately before the inclusion of any area in the district was a public highway within that area; or*
- (c) *is laid out by the council as a road or street after the commencement of this Part; or*
- (d) *is vested in the council for the purpose of a road as shown on a deposited survey plan; or*
- (e) *is vested in the council as a road or street pursuant to any other enactment;—*

*and includes—*

- (f) *except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988:*
- (g) *every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;— but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roading Powers Act 1989.*

**roadway** means that portion of the road used or reasonably usable for the time being for vehicular traffic.

**roof** means the exterior surfaces and supporting structures on the top of a building or part of a building.

**rural zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) rural production;
  - (ii) rural coastal;
  - (iii) rural conservation;
  - (iv) mixed rural;
  - (v) countryside living; and
  
- (b) the following land units in the *Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013*
  - (i) landform 1 coastal cliffs;
  - (ii) landform 2 dune systems and sand flats;
  - (iii) landform 3 alluvial flats;
  - (iv) landform 4 wetland systems;
  - (v) landform 5 productive land;
  - (vi) landform 6 regenerating slopes;
  - (vii) landform 7 forest and bush areas;
  - (viii) rural 2 western landscape;
  - (ix) rural 1 landscape amenity;
  - (x) rural 3 Rakino amenity.

**scheduled historic heritage place** means the same as in the Unitary Plan.

**shared space area** means an area specified as a shared zone under the Auckland Transport Traffic Bylaw 2012 or a road declared to be a pedestrian mall pursuant to the Local Government Act 1974.

**signage** and **sign** means an advertisement, message or notice conveyed using any visual medium, which advertises a product, business, service, or event or acts to inform or warn any person, and:

- (a) includes:
  - (i) the frame, supporting device and any associated ancillary equipment whose principal function is to support the advertisement, message or notice;
  - (ii) advertisements, messages or notices affixed to, on, or incorporated within the design of a building;
  - (iii) advertisements, messages or notices placed on, or affixed to, or painted or stencilled onto a window, a fence, a hoarding, street furniture, utility infrastructure, road or building;
  - (iv) murals, banners, flags, posters, balloons, blimps, sandwich board signs, projections of lights or electronic displays;
  
- (b) to avoid doubt, does not include:
  - (i) displays of goods for sale;
  - (ii) displays consisting of props, mannequins, models or similar items.

**site** means

- (a) for the purposes of clause 16 and Table 3 in Schedule 1, the same as in the Unitary Plan;
  
- (b) otherwise, the particular location of the sign or signage or other thing being referred to.



**special purpose zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) airport zone;
  - (ii) cemetery zone;
  - (iii) healthcare facility zone;
  - (iv) Māori purpose zone;
  - (v) quarry zone;
  - (vi) retirement village zone;
  - (vii) green infrastructure corridor;
  - (viii) school; and
  - (ix) tertiary education.
  
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013
  - (i) commercial 6 quarry;
  - (ii) open space 4 marae.

**sports and active recreation zone** means

- (a) land zoned as sports and active recreation in the Unitary Plan; and
- (b) the open space 2 (recreation and community facilities) land unit in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013.

**street frontage** means the extent of a property boundary adjoining a public or private road.

**street furniture** means any structure installed by or with the approval of the council or Auckland Transport in a public place or road and includes utility infrastructure, poles, public refuse receptacles, telephone kiosks or boxes, public art, containers for plants or flowers, mailboxes, seating, parking meters and bus shelters.

**structure** in the coastal marine area means:

- (a) any building, equipment, device, or other facility, fixed to land or bed of a waterbody; and
- (b) includes slipways, jetties, pile moorings, swing moorings, rafts, pontoons, wharves, marine farms, and other objects whether or not these are above or below the waterline of the foreshore; but
- (c) does not include aids to navigation.

**substantive council controlled organisation** means the same as in the Local Government (Auckland Council) Act 2009.

*Explanatory note: The seven substantive council controlled organisations at the date of this bylaw are Auckland Transport, Auckland Council Property Limited, Auckland Council Investments Limited, Auckland Waterfront Development Agency Limited, Auckland Tourism, Events and Economic Development Limited, Regional Facilities Auckland and Watercare Services Limited.*

**sunrise** and **sunset** mean the time of sunrise and sunset in Auckland on any particular day as stated in the New Zealand Nautical Almanac, NZ204.

**traffic control device** means a device erected by, or at the direction of, a road controlling authority used on a road for the purpose of traffic control; and includes any:

- (a) sign, signal, or notice;
- (b) traffic calming device;

- (c) marking or road surface treatment.

**Unitary Plan** means the document described in section 122 of the Local Government (Auckland Transitional Provisions) Act 2010, whether proposed or operative.

**vehicle** means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and

- (a) includes a hovercraft, a skateboard, in-line skates, and roller skates; but
- (b) does not include-
- (i) a perambulator or pushchair;
  - (ii) a shopping or sporting trundler not propelled by mechanical power;
  - (iii) a wheelbarrow or hand-trolley;
  - (iv) a pedestrian-controlled lawnmower;
  - (v) a pedestrian-controlled agricultural machine not propelled by mechanical power;
  - (vi) an article of furniture;
  - (vii) a wheelchair not propelled by mechanical power;
  - (viii) any other contrivance specified by the rules not to be a vehicle for the purposes of this definition;
  - (ix) any rail vehicle.

**veranda signage** means publicly visible signage on a veranda fascia or under a veranda, portico, balcony or awning over a road or public place.

**vertical banner** means a banner which is suspended principally in a vertical direction.

**wall mounted signage** means publicly visible signage that is attached to, painted onto, or projecting beyond the face of, a wall, fence or building.

**wharf** means a level quayside area on the shore of a harbour to which a vessel may be moored to load and unload cargo or passengers. Such an area may include one or more berths (mooring locations), and may include piers, jetties, or other facilities necessary for handling vessels.

**window signage** means publicly visible signage displayed on the glass of a display window or within 0.015 metres of the inside face of the display window and includes etched windows, window branding, window graphics, window promotions including the use of decals, self-adhesive vinyl stickers, posters, and changeable message signage.

**zone** means:

- (a) a zone of the Unitary Plan, and a named zone means a zone of that name in the Unitary Plan; and
- (b) for land in the Hauraki Gulf Islands, a land unit in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013

and **zoned** has an equivalent meaning.

- (2) Unless the context requires another meaning, a term or expression that is defined in the Local Government Act 2002 or the Land Transport Act 1998 and used in this bylaw, but not defined, has the meaning given by the Local Government Act 2002 or the Land Transport Act 1998.

- (3) The Interpretation Act 1999 applies to this bylaw.

- (4) Any explanatory notes and attachments are for information purpose, do not form

part of this bylaw and may be made, amended and revoked without any formal process.

## Part 2 – Requirements applying to all publicly visible signage

### 6 Compliance

- (1) A person must not erect or display any publicly visible signage that does not comply with the requirements of this bylaw, including the control measures in Schedule 1 and any other controls (such as location controls) made by resolution pursuant to this bylaw.
- (2) Subclause (1) does not apply if the person has been granted an exemption from complying with the particular provisions by the relevant authority under clause 28 of this bylaw and is complying with all conditions of that exemption.
- (3) Other than signage for events or freestanding signage, any signage erected on a road in compliance with this bylaw is an authorised encroachment on the road for the purposes of section 357 of the Local Government Act 1974.
- (4) To avoid doubt, compliance with this bylaw does not remove the need to:
  - (a) comply with all other applicable Acts, regulations, standards, bylaws, rules in a regional plan or district plan, rules of law, conditions of resource consent, a reserve management plan prepared under the Reserves Act 1977, or a park management plan prepared under the Local Government Act 2002;
  - (b) obtain consent or permission from a relevant authority in its capacity as the landowner or manager or controller of land, for the display of a sign on its land.

### 7 Amenity

- (1) A person must not:
  - (a) add a structure to the roof, extend a structure above the architectural top of a building, or extend a structure above the outline or profile of a building for the sole purpose of displaying publicly visible signage;
  - (b) display publicly visible signage:
    - (i) on the roof of any building, except with the approval of the relevant authority, or
    - (ii) that obscures the architectural top of the building.
- (2) A person must not attach to or display any publicly visible signage on any street furniture, road, bridge, underpass, overpass, tree or any other council or Auckland Transport infrastructure on a road or in a public place without the approval of the relevant authority.

*Explanatory note: Most signage on street furniture will be a "billboard" and not covered by this bylaw (except for clauses 13 and 23). Approval for display is normally given by way of a contract with the relevant authority.*

- (3) A person must not display publicly visible signage on, or in close proximity to, a scheduled historic heritage place without the prior approval of the relevant authority.
- (4) Subclause (3) is revoked on the date that the rules in the Unitary Plan relating to

signs on, or in close proximity to, scheduled historic heritage places first have legal effect under section 86B of the Resource Management Act 1991.

## **8 Safety and maintenance**

- (1) A person must not display any publicly visible signage:
  - (a) unless it is placed, secured, braced, anchored, constructed, affixed or displayed in such a way that it does not cause a nuisance or endanger public health or safety;
  - (b) that is designed to emit noise, smoke, steam or other matter;
  - (c) that obscures property numbering.
- (2) The owner, occupier, or manager of any premises on which publicly visible signage is displayed and any other person who is responsible for the display of any publicly visible signage must maintain the signage in such a condition that it does not become a nuisance, unsafe, structurally unsound, or create a risk to public health or safety.

## **9 Traffic**

- (1) A person must not display any publicly visible signage that:
  - (a) obstructs the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or intersection, determined according to the Austroads Guide to Road Design;
  - (b) obstructs or hinders the safety or movement of persons using the roadway, or unreasonably obstructs or hinders the safety or movement of persons using the footpath or any other part of the road;
  - (c) obstructs, obscures, or impairs the view of, or forms the background or foreground to, or appears alongside, any traffic control device of similar colour when viewed by the driver of an approaching vehicle;
  - (d) resembles, or is likely to be mistaken for, a traffic control device in colour, shape or appearance;
  - (e) contains reflective, fluorescent or phosphorescent materials that may reflect headlights, distract, or interfere with the vision of a person using the public place or road;
  - (f) is directed at a person driving a vehicle on a road and cannot be read safely by such a person travelling at the legal speed limit of that road;
  - (g) uses flashing or revolving lights, lasers, or any other method of illumination that may adversely affect the amenity of the surrounding area or traffic safety.
- (2) A person must not display any publicly visible signage on:
  - (a) a traffic island, kerb projection, roundabout, or any other traffic separation structure on any road;
  - (b) a traffic control device or its supporting poles, posts or structure;
  - (c) a guidance strip for blind or visually impaired people.

- (3) A person must not display any signage closer to the kerb face than:
- (a) 0.8 metres in situations where a road or part of a road:
    - (i) carries an Auckland Transport bus route; and
    - (ii) has a lane for moving motor vehicles directly beside the kerb; or
  - (b) 0.6 metres in all other situations.
- (4) For the avoidance of doubt, if an Auckland Transport bus route is established on a road, any person responsible for the continuing display of signage adjacent to that road must ensure compliance with subclause (3)(a).

## **10 Changeable message signage**

- (1) A person must not display any changeable message signage which:
- (a) scrolls, is continuously moving or appears to be moving, or is animated;
  - (b) changes rapidly, with a dwell time of less than 8 seconds for any separate display;
  - (c) has a transition time of greater than 1 second from one display to the next;
  - (d) uses more than three sequential images to impart the whole message;
- (2) A person must not display changeable message signage unless it is controlled by an appropriate system that automatically adjusts brightness in response to ambient light conditions and does not exceed a luminance of:
- (a) 5,000 cd/m<sup>2</sup> at any time; and
  - (b) 250 cd/m<sup>2</sup> between sunrise and sunset.

## **11 Static illuminated signage**

- (1) A person must not display any publicly visible signage which is static illuminated signage and which:
- (a) does not comply with the relevant requirements for illumination and glare in the New Zealand Transport Agency's Traffic Control Devices Manual Part 3 Advertising Signs;
  - (b) has upwardly facing lighting unless that lighting is adequately shielded so that the glare from that lighting does not extend beyond the signage and its immediate surround;
  - (c) exceeds the control measures for maximum luminance of illuminated signage in Table 1 of Schedule 1.

## **12 Coastal marine area**

- (1) A person must not display publicly visible signage in the coastal marine area:
- (a) that may be a hazard to navigation of vessels on the navigable waters or inhibits or prevents legitimate public access to the coastal marine area;
  - (b) that is flashing, illuminated, revolving or otherwise moving unless that signage is necessary solely for navigation purposes of vessels on the navigable waters;

- (c) that can be mistaken for an aid to navigation for vessels on the navigable water.
- (2) To avoid doubt, the Crown, the council or a substantive council controlled organisation may display publicly visible signage for the purpose of marking the boundaries of, or conveying information in relation to, marine reserves, coastal protection areas, cultural heritage sites or reserves or to advise of activities which may or may not be undertaken in such areas.

### **13 Content of signage**

- (1) A person must not display publicly visible signage which does not comply with the latest Code of Ethics and any relevant Code of Practice issued by the New Zealand Advertising Standards Authority.
- (2) If the New Zealand Advertising Standards Complaints Authority upholds a complaint in relation to the content of any publicly visible signage, the owner, occupant or manager of any premises on which the signage is displayed and the person who is responsible for the signage displayed must take such steps as are necessary to give effect to the decision of the Authority within two working days.
- (3) A person must not display, place, or allow remaining in place or on display any publicly visible signage that:
  - (a) is discriminatory or advocates discrimination based on one or more of the prohibited grounds of discrimination in the Human Rights Act 1993;
  - (b) is objectionable within the meaning of the Films, Videos and Publications Classification Act 1993;
  - (c) incites or counsels any person to commit any offence;
  - (d) is defamatory.

## **Part 3 - Specific signage types**

### **14 Portable signage**

- (1) Portable signage must comply with the control measures for portable signage in Table 2 Schedule 1.
- (2) Portable signage in relation to any business or person must not be displayed on any road or public place unless the premises of that business or person have direct ground floor frontage and direct ground floor access to the road or public place.
- (3) Notwithstanding subclause (2), a business or person whose premises does not have direct ground floor frontage and direct ground floor access to the road or public place may:
  - (a) display their name and contact particulars on a portable ladder board which complies with subclause (5); or
  - (b) display portable signage on a road or public place which complies with this clause, if approval to do so has been granted by the relevant authority under subclause (4).

- (4) An application may be made to the relevant authority for approval to display portable signage for the purposes of subclause (3)(b), and when deciding whether to grant such approval, the relevant authority will have regard to the purpose of the bylaw in Clause 4.
- (5) For the purposes of subclause (3)(a):
- (a) a portable ladder board must be located directly outside the entrance or accessway of the businesses to which the sign relates and be a minimum of 5 metres away from any other portable ladder board;
  - (b) only one portable ladder board is allowed for each building, and all businesses whose premises are in the same building that are not entitled to their own portable signage must use that ladder board;
  - (c) a portable ladder board must be no more than:
    - (i) 1.5 metres high from the ground;
    - (ii) 0.715 metres wide;
    - (iii) 0.46 metres deep including the frame and supporting base.
- (6) All portable signage, including portable ladder boards, displayed on a road or public place must be:
- (a) displayed kerbside of the main ground level entrance of the premises to which it relates and in a manner which does not hinder or obstruct access to the premises; and
  - (b) placed in such a way that at least 1.8 metres width of the footpath remains clear; and
  - (c) placed towards the roadway edge of a footpath rather than directly beside the premises; and
  - (d) placed:
    - (i) at least 0.8 metres from the kerb face in situations where that part of the road carries an Auckland Transport bus route, and has a lane for moving motor vehicles directly beside the kerb; or
    - (ii) at least 0.6 metres from the kerb face in all other situations; and
  - (e) at least 5 metres from the intersection of any roads; and
  - (f) at least 2 metres from any access way, service lane, or vehicle crossing; and
  - (g) where there is a grass verge:
    - (i) entirely on the grass verge, and in compliance with (d) if possible; or
    - (ii) partly on the grass verge and partly on the footpath; or
    - (iii) if a grass verge is not available entirely on the footpath; and
  - (h) at least 5 metres from the roadway, if there is no kerb.
- (7) Portable signage, including portable ladder boards, must not be displayed:
- (a) in a shared space area;
  - (b) in relation to any home occupation.

- (8) Part of a portable sign, including portable ladder boards, must be within 0.15 metres of the ground and able to be readily detectable by a blind or visually impaired person using a cane.
- (9) All portable signage, including portable ladder boards, must be removed from the road or public place each day at the close of business and whenever liable to be displaced because of adverse weather conditions.
- (10) The relevant authority, may by resolution, specify roads parts of roads or public places where portable signage, including portable ladder boards, is prohibited.

## **15 Stencil signage and similar markings advertising services or products**

- (1) A person must not display stencil signage or any similar marking advertising services or products:
  - (a) on the roadway;
  - (b) on any other part of a road or public place, without the approval of the relevant authority.
- (2) The relevant authority may in addition to any general conditions for an approval impose conditions for the display of stencil signage or a similar marking in relation to:
  - (a) the period of time of the display;
  - (b) the location and content of the display, for example that it be directly outside the premises to which it relates, and be for a product or service available from those premises.
- (3) The materials used for the stencil or similar marking must:
  - (a) be able to be washed off with water without leaving any residue; and
  - (b) not be slippery, reflective or likely to impact on public safety or have an adverse effect on the stormwater network.
- (4) The stencil or similar marking must not resemble or be likely to be mistaken for a traffic control device.
- (5) The relevant authority may specify by resolution footpaths, parts of a footpath and public places where stencil signage or similar markings are allowed.

## **16 Free standing signage**

- (1) Free standing signage must comply with the control measures for free standing signage in Table 3 of Schedule 1.
- (2) Free standing signage must:
  - (a) be not less than 2 metres from the side boundaries of the site on which it is located, if the site frontage is more than 6 metres wide;
  - (b) be at least 5 metres from any building which is more than 1.5 metres high;
  - (c) be at least 10 metres from any other free standing sign (including a free standing sign which is a billboard) on the same site, or any portable signage displayed on the site or on the road or public place adjacent to the site, if the free standing sign is primarily identifying or advertising a



business or activity carried on at the site;

- (d) be at least 2 metres from any free standing sign (including a free standing sign which is a billboard) on another site under different ownership.
- (3) Subject to subclause (4), the number of free standing signs permitted on a site is:
- (a) for sites with a road frontage of 60 metres or less, no more than one free standing sign per road frontage, so long as the total number of such free standing signs (including billboards) does not exceed one per road frontage;
  - (b) for sites with a road frontage of more than 60 metres but less than 100 metres, up to two free standing signs per road frontage, so long as the total number of such free standing signs (including billboards) does not exceed two per road frontage;
  - (c) for sites with a road frontage of 100 metres or more, up to three free standing signs per road frontage, so long as the total number of such free standing signs (including billboards) does not exceed three per road frontage.
- (4) Subclause (3) does not apply if, and to the extent that, Table 3 of Schedule 1 specifies a different control measure for the number of free standing signs in a particular zone or of a particular type.

## **17 Poster signage**

- (1) A poster may only be displayed on:
- (a) a poster board site or poster bollard; or
  - (b) the inside of a window of any premises, subject to compliance with clause 21.
- (2) A poster must not exceed:
- (a) 0.594 metres by 0.841 metres in size (A1) when displayed in a window;
  - (b) 6 metres squared (5A0) when displayed on a poster board or poster bollard.
- (3) The surface area available for the display of posters must not:
- (a) exceed 6 metres squared, in the case of a poster board;
  - (b) exceed 12 metres squared, in the case of a poster bollard.
- (4) A poster must clearly display the name and contact details (including a telephone number) of the person responsible for displaying and maintaining that poster.
- (5) A poster advertising an event must be removed no later than three days after the event.
- (6) The relevant authority may specify by resolution poster board sites for the purpose of this clause.
- (7) The relevant authority may, as a condition of a resolution made under subclause(6) specify a proportion of the area of a poster board or poster board site that must be used only for advertisements for artistic, cultural, religious, community, or regional events.

## 18 Banners

- (1) The relevant authority may specify by resolution sites over a road or public place that may be used for the display of horizontal banners, and may specify controls for the display of such banners on that site, including specifying the proportion of the site that must be used only for advertisements for artistic, cultural, religious, community, regional, or major events.
- (2) A person must not display a horizontal banner on any road or public place except in accordance with a resolution made under subclause (1).
- (3) A horizontal banner must:
  - (a) not exceed an area of 21 square metres;
  - (b) have a minimum clearance of 6.5 metres above the level of any road;
  - (c) have reinforced corners with eyelets to allow the fixing of ropes or cables;
  - (d) have a safe working fixing point load (pullout load) of a minimum of 1 tonne (10 kN) certified by a Registered Engineer's calculations;
  - (e) have vertical stays sown in, with a vertical dimension of 1 metre or more at any point on the banner, at minimum intervals of 3 metres to prevent bowing under wind loads;
  - (f) have all rope connections to a horizontal cross street banner, other than strainer and catch ropes, made with eye-over-steel thimble connections shackled to a galvanised steel rope with a minimum diameter of 0.01 metres.
- (4) A vertical banner:
  - (a) must not be displayed in a residential zone;
  - (b) must not exceed:
    - (i) 0.9 metres in width and
    - (ii) 2 metres in height; and
  - (c) must have a minimum clearance of 6.5 metres above the level of any road; and
  - (d) may only be attached to an approved multi-functional pole or a light pole where it is structurally able to take the additional loading and has been approved for this purpose by the relevant authority.

*Explanatory note: Compliance with this clause does not remove the need to obtain landowner consent from Auckland Transport or Auckland Council to place a banner on or over its land: see clause 6(4)(b). Auckland Transport may impose a fee for use of airspace over a public place or a road under section 341 of the Local Government Act 1974.*

## 19 Veranda signage

- (1) Veranda signage:
  - (a) must comply with the appropriate control measures for veranda signage in Table 4 and Table 5 of Schedule 1; and

- (b) must not be erected on top of a veranda; and
- (c) may only advertise products, services, goods or events available or taking place on the site on which it is located.

## **20 Wall mounted signage**

- (1) Wall mounted signage:
  - (a) must comply with the appropriate control measures for wall mounted signage in Table 6 and Table 7 of Schedule 1; and
  - (b) must not be mounted so as to cover any window; and
  - (c) may only advertise products, services, goods or events available or taking place on the site on which it is located.

## **21 Window signage**

- (1) Window signage on the ground floor of a building subject to a key retail frontage overlay must not account for more than 25 per cent of the width of the window and 25 per cent of its height.
- (2) Window signage on the ground floor of a building in the specified areas in subclause (3) must not account for more than:
  - (a) 50 per cent of the width of the window and 50 per cent of its height where it fronts a street or public open space; or
  - (b) 70 per cent of the width of the window and 25 per cent of its height where it fronts a public open space which is on the side or rear boundary.
- (3) The specified areas for the purposes of subclause (2) are:
  - (a) General Commercial Frontage overlay;
  - (b) Local Centre zone;
  - (c) Neighbourhood Centre zone;
  - (d) Mixed Use zone;
  - (e) Business Park zone;
  - (f) General Business zone; and
  - (g) those areas in the Metropolitan Centre and Town Centre zones not subject to a key retail frontage overlay.
- (4) Where a publicly accessible link is provided through a site or block as part of a development, window signage on the ground floor of those buildings with facades facing the through-site link must not account for more than 70 per cent of the length of the ground floor building facade that faces the through-site link and 25 per cent of its height.
- (5) To avoid doubt, nothing in this clause applies to window signage above the ground floor.

## **Part 4 - Signage uses**

### **22 Signage in Public Open Spaces**

- (1) No publicly visible signage may be displayed in a public open space except as permitted by or pursuant to this clause.

- (2) In a conservation zone and an informal recreation zone:
  - (a) publicly visible signage must only be displayed on a building to which it relates; and:
  - (b) must indicate the club, code, or facility as its primary message.
- (3) In a sports and active recreation zone, field of play advertising hoarding signage, scoreboards and changeable message board signage are permitted, subject to subclauses (4) and (5).
- (4) Field of play advertising hoarding signage in a sports and active recreation zone must:
  - (a) indicate the name of the club, code, or facility as its primary message; and
  - (b) be no higher than one metre and no wider than 2.4 metres; and
  - (c) face in towards the playing surface on which it is located; and
  - (d) be single sided; and
  - (e) be located on permanent infrastructure; and
  - (f) be approved by the relevant authority prior to display.
- (5) Scoreboards and changeable image board signage in a sports and active recreation zone may not be displayed except on the day an event is taking place.
- (6) Except as otherwise permitted pursuant to this clause, publicly visible signage may not be displayed in a public open space unless:
  - (a) the signage is associated with an activity which is permitted under the Unitary Plan in the relevant zone; and
  - (b) the relevant authority has given approval to the display.

### **23 Signage advertising commercial sexual services**

- (1) Publicly visible signage that advertises commercial sexual services must be no larger than:
  - (a) 0.33 square metres in a residential zone
  - (b) square metre in all other zones.
- (2) Notwithstanding clause 14(3) a person may only display signage advertising commercial sexual services on a wall mounted sign attached either to a fence or a wall of the premises at which the services are provided.
- (3) Publicly visible signage advertising commercial sexual services may only contain:
  - (a) the name of the operator or registered business, and
  - (b) street number, and
  - (c) telephone number.
- (4) Publicly visible signage advertising commercial sexual services must not contain:
  - (a) flashing lights; or

- (b) changeable message signage; or
- (c) sexualised shapes or images.

## **24 Real estate signage**

- (1) Real estate signage must comply with the control measures for real estate signage in Table 8 of Schedule 1.
- (2) Real estate signage must be located within the boundary of the property to which it relates, or flush on the wall or fence of that property except that if the property does not have direct road frontage, signage may be displayed on the grass verge or, if there is no grass verge, any unsealed portion of the road, directly outside the property to which it relates.
- (3) Subclause (2) does not apply to:
  - (a) directional real estate signage, so long as that signage complies with the control measures for directional real estate signage in Table 8 of Schedule 1; or
  - (b) real estate flags or banners attached to a vehicle during the time of an open home or on site auction, so long as that signage complies with the control measures for real estate flags or banners in Table 8 of Schedule 1 and neither the flag or banner nor any supporting structure protrudes from the side of the vehicle.

## **25 Vehicle signage**

- (1) A person must not display any signage on or connected to a moving or parked trailer or vehicle that is on or visible from a road or a public place, if the principal function of the trailer or vehicle is to display advertising material.
- (2) A person must not display signage on a vehicle used on a road if that signage protrudes from the side of the vehicle in a manner that compromises the safe and efficient operation of the road, or creates a nuisance to, or interferes with other road users.
- (3) A person who is a motor vehicle trader under the Motor Vehicle Sales Act 2003 may only display signage related to the sale of a vehicle when that vehicle is on a road if the vehicle is being used for a test drive or being taken to a garage or vehicle testing facility.

*Explanatory note: A person who is not a motor vehicle trader may display signage related to the sale of a vehicle when that vehicle is on a road but only if the vehicle is being used in the course of ordinary day to day travel. See also clause 23 of the Auckland Transport Traffic Safety Bylaw 2012*

- (4) Notwithstanding subclause (1) a real estate flag or banner may be displayed on a stationary vehicle in accordance with clause 24(3)(b).

## **26 Community event signage**

- (1) Community event signage must comply with the control measures for community event signage in Table 9 of Schedule 1.

- (2) The relevant authority may by resolution approve public sites for the display of community event signage and may specify controls for the display of signage on the site.
- (3) Community event signage may be displayed on private property associated with that community with the consent of the occupier or if an occupier cannot be located the consent of the owner of the private property.
- (4) Community event signage may be affixed to the front face of a fence between private property and a public place but only if it is flat against the surface area of the fence and does not protrude from it.
- (5) Community event signage must clearly display the name and contact details (including a telephone number) of the person responsible for establishing and maintaining the signage who can be contacted to repair, secure or otherwise take action in relation to its display. These details may be provided on the back of the sign.
- (6) Community event signage must not be displayed any earlier than 21 days before the event and must be removed no later than 3 days after the event.

## **27 Regional and major event signage and major recreational facilities**

- (1) Regional and major event signage must comply with the portable, free standing, horizontal wall mounted, and flat wall mounted signage control measures in Schedule 1.
- (2) Regional and major event signage may only be displayed on the site where the event is to take place or at a site specified for that purpose by the relevant authority under this clause.
- (3) The relevant authority may by resolution approve sites for the display of regional and major event signage and may specify controls for the display of signage on the site.
- (4) Regional and major event signage must clearly display the name and contact details (including a telephone number) of the person responsible for establishing and maintaining the signage who can be contacted to repair, secure or otherwise take action in relation to its display. These details may be provided on the back of the sign.
- (5) Publicly visible signage attached to the exterior of a major recreational facility may comprise only:
  - (a) the date and time of a forthcoming event; and
  - (b) the name and/or logo of:
    - (i) the building owner or occupier;
    - (ii) the sponsor of the principal occupier or user of the facility;
    - (iii) the sponsor of an event taking place at the facility, but only while the event is taking place;
  - (c) reference to the primary activities which take place at the facility.
- (6) Any signs located on a major recreational facility must be flush with the building surface, and not project out from the wall or above the roof of the facility.
- (7) This clause does not limit:

- (a) signage painted on the roof of a major recreational facility.
- (b) signage at a major recreational facility that is directed primarily at the field of play.

## **Part 5 – Exemptions, approvals and administrative matters**

### **28 Exemptions for non-complying signage**

- (1) An application may be made to the relevant authority for an exemption to allow the display of publicly visible signage that does not comply with this bylaw.
- (2) Such an application must be made in the prescribed form and be accompanied by payment of the application and processing fees and such supporting information as required to enable processing of the application.
- (3) Exemptions may be granted or refused at the discretion of the relevant authority:
  - (a) having taken into account the criteria in subclause (4) and such of those matters in clause 29 as are considered relevant; and
  - (b) upon such terms and conditions as provided for in clause 30 of this bylaw as the relevant authority considers appropriate.
- (4) An exemption may be granted under subclause (3) only if;
  - (a) the relevant authority is satisfied that granting the exemption will not significantly prejudice the achievement of the purpose of this bylaw; and
  - (b) the relevant authority is satisfied that one or more of the following applies:
    - (i) the signage is in substantial compliance with the bylaw and further compliance is unnecessary;
    - (ii) the action taken on, or provision made for, the matter to which the requirement relates is as effective as, or more effective than, compliance with the requirement;
    - (iii) a requirement or requirements in the bylaw is unreasonable or inappropriate in the particular case;
    - (iv) events have occurred that make compliance with a requirement or requirements in the bylaw unnecessary or inappropriate in the particular case.

### **29 Relevant matters when considering exemption applications and approvals**

- (1) When considering an application for an exemption under clause 28 and the conditions which may be imposed under it, the relevant authority may take into account any or all of the following matters:
  - (a) the extent to which the signage will promote the achievement of:
    - (i) Auckland Transport's and the council's strategies and policies for the management of signage; and
    - (ii) any relevant operational policy, guidance document or management practice of, or approved by, the relevant authority;
  - (b) the impact of the proposed signage on the visual amenity of the locality. In undertaking this assessment, the following matters may be considered:
    - (i) any relevant urban design guideline;
    - (ii) any relevant urban design assessment criteria of the Unitary Plan or the Auckland Council District Plan Hauraki Gulf Islands Section-Operative 2013;

- (iii) the extent to which the size, proportion and location of any proposed signage detracts from the character of any public place from which it can be seen, including the characteristics of the streetscape, natural environment, landscaping and open space;
  - (iv) the extent to which signage is visible and dominates views from any residential zone, residential precinct or residential land unit;
  - (v) where placed on a building, the extent to which the signage appears as an integrated element of that building such that it respects, and positively relates to, structural bays, structural elements, architectural features, building proportions and the overall design of the building;
  - (vi) the extent to which the structure of any free-standing signage impacts on the visual amenity of the area;
  - (vii) the extent to which the signage, in conjunction with existing signage within the same visual catchment, creates adverse cumulative effects;
  - (viii) the extent to which the signage detracts from the visual qualities of any scheduled heritage building or site, located within the same visual catchment that are fundamental to the reasons for the heritage listing;
- (c) the impact of the signage on traffic safety and public safety;
  - (d) compliance with the Unitary Plan or the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013, other bylaws or other statutory requirements, if applicable.
- (2) When considering whether or not to give approval for any matter requiring approval under this bylaw (not being an application for an exemption under clause 28), and the conditions to which the approval may be subject, the relevant authority may take into account such of the matters in subclause (1) as are relevant in the circumstances of the approval being sought.

### **30 Conditions**

- (1) The terms and conditions upon which an exemption may be granted under clause 28 include:
- (a) the location and duration of display of the signage;
  - (b) the design, material, colour, size, structure and specifications of the signage;
  - (c) the construction and maintenance requirements for the signage;
  - (d) the frequency at which the signage must be inspected and maintained;
  - (e) conditions that in the opinion of the relevant authority are reasonably necessary to ensure traffic safety, public safety, pedestrian access or the visual amenity of the immediate area of the signage;
  - (f) conditions relating to lighting, moving images, and luminance;
  - (g) the provision of a bond or insurance in favour of the relevant authority where failure to comply with the conditions of the exemption could result in costs for the relevant authority.
- (2) An approval under this bylaw (not being an exemption granted under clause 28) may be subject to conditions including any of the conditions in subclause (1) as are



relevant in the circumstances of the approval sought.

### **31 Fees**

- (1) The relevant authority may by resolution prescribe fees in relation to an application for an exemption or an approval under this bylaw, including fees to process an application to review an existing exemption or approval, or to inspect signage.

## **Part 6 - Enforcement Powers**

### **32 Enforcement of the bylaw**

- (1) In the absence of proof to the contrary, the person responsible for the promotion of a product, goods, service, event, or information displayed on a sign is presumed to be responsible for that signage.
- (2) The owner, occupier and manager of any premises on which publicly visible signage is displayed are each responsible for compliance with this bylaw.
- (3) Where a person does not comply with the conditions of an exemption or approval granted by a relevant authority under this bylaw, the relevant authority may, in addition to or instead of any other enforcement action, take one or more of the following steps:
  - (a) issue a written warning to the person, which may be considered as evidence of a breach of a condition of the exemption or approval during any subsequent review of the exemption or approval;
  - (b) review the exemption or approval, which may result in the exemption or approval being amended, suspended or withdrawn.

### **33 Removal of signage**

- (1) In addition to the powers conferred on it by any other enactment, the relevant authority may remove or cause to be removed from a premise, road or public place any signage displayed in breach of this bylaw.
- (2) The relevant authority may, pursuant to section 163 of the Local Government Act 2002, remove or alter signage constructed or displayed in breach of this bylaw and may recover any costs of removal or alteration from the person who committed the breach.
- (3) All signage on premises associated with a business that has ceased to trade from those premises must be removed by the owner, occupier or manager of the premises within three calendar months of the date that the business ceased to trade, except for signage that in the opinion of the relevant authority;
  - (a) holds historic heritage value; or
  - (b) is an integral part of the structure of a building and cannot be removed in a cost effective manner.

## **Part 7 – Offences and Penalties**

### **34 Bylaw breaches**

- (1) A person who fails to comply with this bylaw commits a breach of this bylaw and is liable to a penalty on conviction under the Land Transport Act 1998 or the Local Government Act 2002.

## **Part 8 - Transitional provisions and savings**

### **35 Transitional provisions**

- (1) Signage, other than portable signage, lawfully established prior to this bylaw coming into force may remain in place for the period of any approval granted for that signage without breaching this bylaw, subject to compliance with the requirements of clauses 7 to 13 of this bylaw.
- (2) Subject to subclause (3), signage remaining in place pursuant to subclause (1) may be altered, repaired or maintained.
- (3) Subclauses (1) and (2) do not apply if:
- (a) there is a change to the size or the location of the signage; or
  - (b) there is a change from static to changeable message signage; or
  - (c) the signage is otherwise altered so that it no longer complies with a condition of any relevant approval.
- (4) Portable signage must comply with the requirements of this bylaw within six calendar months of the date of this bylaw coming into effect.
- (5) Any application for a licence, consent, permit, dispensation, permission or other form of approval made under a former bylaw that was filed before the day on which this bylaw commences must be dealt with by the relevant authority as if it had been made under this bylaw.
- (6) For the purposes of this clause and clauses 36(1) and 36(2), a former bylaw is any of the following:
- (a) Clause 5 of Auckland City Council Bylaw No. 30 - Brothels and Commercial Sex Premises;
  - (b) Auckland City Council Signs Bylaw 2007;
  - (c) Clause 6 of the Franklin District Brothel Bylaw 2010;
  - (d) Franklin District Council Control of Signs Bylaw 2007;
  - (e) Clause 5 of the Manukau City Consolidated Bylaw 2008, Chapter 3 – Brothels;
  - (f) Chapter 19 (Temporary Signs) of the Manukau City Consolidated Bylaw 2008;
  - (g) Clause 4 of the North Shore City Bylaw 2000, Part 25 – Brothels;
  - (h) North Shore City Part 12 (Control of Temporary Signs) Bylaw 2000;
  - (i) Papakura District Council Control of Advertising Signs Bylaw 2008;
  - (j) Clause 7 of the Rodney District Council, Chapter 14 – Brothels and Commercial Sex Premises;
  - (k) Rodney District Council, Chapter 22 of the General Bylaw 1998, (Temporary Signs).

### **36 Savings provisions**

- (1) Any dispensation or approval granted for any signage, other than portable signage, under former bylaw continues to have effect notwithstanding the revocation of that bylaw, for the duration of the dispensation or approval.

- (2) Any dispensation or approval granted for any portable signage under a former bylaw continues to have effect for a period of six calendar months from the date of this bylaw coming into effect.
- (3) The prohibition on portable signs on roads in Appendix 2 of the Auckland City Council Signs Bylaw 2007 continues to have effect notwithstanding the revocation of that bylaw until replaced by a resolution made under clause 14(9) of this bylaw.

## SCHEDULE 1

### Control measures

**Table 1. Maximum luminance of illuminated signage (excluding LEDs)**

Illuminate area (m <sup>2</sup> )	Areas with street lighting (cd/m <sup>2</sup> )	Areas without street lighting (cd/m <sup>2</sup> )
Up to and including 0.5	2000	1000
Over 0.5 up to and including 2	1600	800
Over 2 up to and including 5	1200	600
Over 5 up to and including 10	1000	600
Over 10	800	400

**Table 2. Portable signage**

Zone	Size		Number
General Business Business Park Light Industry Heavy Industry	<p style="text-align: center;"><b>Board sign</b></p> <p>Maximum height from the ground of 1.2 metres high x 0.6 metres wide x 0.46 metres deep, with a maximum area of 0.72 square metres, including the frame and supporting base</p>	<p style="text-align: center;"><b>Flag sign</b></p> <p>Maximum size of the teardrop style flag of 1.85 metres high x 0.5 metres wide and a maximum total height of 2.2 metres from the base of the sign to the top of it</p>	<p>One board or teardrop style flag per mobile vendor / trading premise (where permitted)</p> <p style="text-align: center;"><b>or</b></p> <p>One board or teardrop flag per mobile vendor / trading premise (where permitted)</p>
Neighbourhood Centre Local Centre Town Centre Metropolitan Centre City Centre Mixed Use Rural Special purpose			
Public open space			
Major recreational facility			
City Centre Waterfront precincts in the coastal marine area  Coastal	<p style="text-align: center;"><b>Board sign</b></p> <p>Maximum height from the ground of 1.2 metres high x 0.6 metres wide x 0.46 metres deep including the frame and supporting base</p>	<p style="text-align: center;"><b>Flag sign</b></p> <p>Maximum size of the teardrop style flag of 1.85 metres high x 0.5 metres wide and a maximum total height of 2.2 metres from the base</p>	<p>One board or teardrop style flag per premise at wharf deck level only (ie: the actual surface level of the wharf or other structure).</p>

		top of it	existing structure
Residential	<b>Board sign</b> Maximum height from the ground of 1.2 metres high x 0.6 metres wide x 0.46 metres deep, with a maximum area of 0.72 square metres, including the frame and supporting base	<b>Flag sign</b> Maximum size of the teardrop style flag of 1.85 metres high x 0.5 metres wide and a maximum total height of 2.2 metres from the base of the flag sign to the top of it	One board or teardrop style flag per historic heritage place or retail outlet lawfully established prior to this bylaw coming into effect
All other zones	<b>Not permitted</b>		

**Table 3. Free standing signage**

Zone	Type	Size	Number	Location
All zones	Local, community, regional or major event	Maximum of 1.5 square metres	One per site	Dedicated site and excludes major recreational facilities
Neighbourhood Centre	Freestanding identification	Maximum height of 6 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	Refer clause 16(3)	Located directly outside the premise / facility / major recreational facilities
	Menu board	Maximum surface area 4.2 square metres	Maximum surface area 2.4 square metres	One menu board per drive-through lane or on the site boundary
Local Centre	Way finding	Maximum height of 2 metres including base and supporting structure Maximum width of 1 metre Maximum area of surface area of 2 square metres	Two per vehicle / pedestrian entrance per site	Vehicle or pedestrian entrance
City Centre	Freestanding identification	Maximum height of 8 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	Refer clause 16(3)	Located directly outside the premise / facility
Town Centre	Menu board	Maximum surface area 4.2 square metres	One menu board per drive-through lane	One menu board per drive-through lane or on the site boundary
Metropolitan Centre	Way finding	Maximum height of 2 metres including base and supporting structure	Two per vehicle / pedestrian entrance	Vehicle or pedestrian entrance
Mixed use				

		Maximum width of 1 metre Maximum area of surface area of 2 square metres	per site	
Major recreational facility	Freestanding identification	Maximum height of 8 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	Refer clause 16(3)	On an area set aside by a local board or designated by council / Auckland Transport, and removed 3 days after the event
	Way finding	Maximum height of 2 metres including base and supporting structure Maximum width of 1 metre Maximum area of surface area of 2 square metres	Two per vehicle / pedestrian entrance per site	Vehicle or pedestrian entrance
General business	Freestanding identification	Maximum height of 8 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	Refer clause 16(3)	Located directly outside the premise
Business park				
Light industry	Menu board	Maximum surface area of 4.2 square metres	One menu board per drive through lane	One menu board per drive-through lane or on the site boundary
Heavy industry	Way finding	Maximum height of 2 metres including base and supporting structure Maximum width of 1 metre Maximum area of surface area of 2 square Metres	Two per vehicle entrance per site	Vehicle entrance
Coastal	Freestanding identification	Maximum permitted height 4 metres above wharf deck level Maximum surface area of 3 square metres	One sign per structure (i.e. per wharf or building on a wharf)	Must be attached to or located immediately adjoining the building, wharf, or structure that is being identified or sited where the product, business or services is available. On a wharf or other structure in the coastal marine area, ground level means the actual surface level of the wharf or other structure
Conservation	Freestanding identification	Maximum surface area of 3 square metres and a minimum ground clearance of 0.8metres	By application and with landowner consent	Must be attached to or located immediately adjoining the building or structure that is being identified or sited where the product, business or services is available
Informal Recreation			By application and with landowner	

			Consent	
Sports and Active Recreation			One per licensee / lessee	By application and with landowner consent
Civic Space			By application and with landowner consent	Must be attached to or located immediately adjoining the building or structure that is being identified or sited where the product, business or services is available
Community				
All other zones	<b>By application only and with landowner consent</b>			

**Table 4. Veranda fascia signage**

Zone	Number	Size	Content
All zones (excluding residential, public open space, coastal and major recreational facilities)	One per tenancy	Maximum height of 0.6 metres. Must not project more than 0.3 metres from fascia with a minimum ground clearance of at least 2.7 metres	Advertising content limited to 50% of the sign  General provisions apply
Public Open Space	One per building frontage		
Major recreational facility	One per pedestrian entrance		
Coastal	One per building frontage	Maximum length of 5 metres, Maximum height of 0.6 metres. Must not project more than 0.3 metres from fascia with a minimum ground clearance of at least 2.7 metres Must not protrude beyond the eaves of the building. On a wharf or other structure in the coastal marine area, ground level means the actual surface level of the wharf or other structure.	
Residential	One per historic heritage place or retail outlet lawfully established prior to this bylaw coming into effect	Maximum height of 0.6 metres . Must not project more than 0.3 metres from fascia with a minimum ground clearance of at least 2.7 metres	

**Table 5. Under veranda signage**

<b>Zone</b>	<b>Number</b>	<b>Size</b>	<b>Location</b>
City Centre Metropolitan Centre Town Centre Local Centre Neighbourhood Centre Mixed use Coastal Major recreational facility	Limited to one every five metres of property frontage per business with a maximum of four per business	Maximum height of 0.6 metres including supporting structures. Not be more than 0.25 metres in depth	Be positioned 1. at 90 degrees to the wall to which the veranda is attached; 2. so that the sign has a minimum height clearance of 2.7 metres above ground level; 3. so that the end of the sign is at least 0.5 metres from the fascia line; 4. a minimum of 5 metres away from any other under veranda sign of the same business.
Public Open Space	<b>By application only and with landowner consent</b>		

**Table 6. Horizontal wall mounted signage**

<b>Zone</b>	<b>Type</b>	<b>Number</b>	<b>Area / Size</b>	<b>Height / Protrusion</b>
General Business Business Park Light Industry Heavy Industry Neighbourhood Centre Local Centre Town Centre Metropolitan centre City Centre Mixed Use	Mounted at 90° to the wall	1 per every 5 metres of wall length	Not exceeding 2 square metres per side of the sign	To protrude no more than 1 metre from the wall to which it is affixed To be located a minimum of 3 metres and a maximum of 8 metres above street level
All other zones	<b>By application only and with landowner consent</b>			



**Table 7. Flat wall mounted signage**

<b>Zone</b>	<b>Number</b>	<b>Area / Size</b>	<b>Height/ Protrusion</b>
Major recreational facility	No more than eight signs attached to a main stadium building	The maximum area of any one sign attached to a main stadium building shall not exceed 40 square metres	No restriction
Town Centre Local Centre Neighbourhood Centre Mixed Use	1 per business every 5 metres of wall length	Not exceeding 3 square metres per sign Cumulatively not covering more than 25% of the street frontage or 50% of the side or rear wall area	On the ground floor, a maximum of 3 metres above street or ground level. Otherwise no restriction.
City Centre Metropolitan Centre		Not exceeding 6 square metres per sign Cumulatively not covering more than 25% of the street frontage or 50% of the side or rear wall area	
General Business Business Park Light Industry Heavy Industry	1 per business every 5 metres of wall length	Not exceeding 5 square metres	On the ground floor, a maximum of 5 metres above street or ground level. Otherwise no restriction.
Coastal		Not exceeding 2 square metres	On the ground floor, a maximum of 4 metres above wharf deck level Not to protrude beyond the wall, eaves of building or structure to which it is located on. On a wharf or other structure in the coastal marine area, ground level means the actual surface level of the wharf or other structure. Otherwise no restriction.
Residential		0.33 square metres	Must be on ground floor level of building
Public Open Space		Not exceeding 1 square metre	A maximum of 3 metres above ground level
Rural		Not exceeding 2 square metres	A maximum of 4 metres above street or ground level
Special Purpose		Not exceeding 2 square metres	

**Table 8. Real estate signage**

<b>Zone</b>		<b>Directional signage</b>	<b>Flags or banners</b>	<b>Boards</b>
Residential				
	<b>Number</b>	Single agency listing - maximum of three per property Multiple listing maximum of two signs per agency	Maximum of one per property	Single agency maximum of one  Multiple agency maximum of three signs, one per agency
	<b>Height</b>	Not to exceed 0.28 square metres area, 1 metre max height	Not to exceed 2.3 metres high	Single agency - not to exceed more than 1.8 square metres and no more than 2 metres above ground level  Multiple agency –each not to exceed 0.6 square metres
	<b>Location</b>	At no more than three intersections leading towards the property or one outside the property and at no more than two intersections leading towards the property	Must either be on the property for sale/ lease or auction or attached to / secured by a parked vehicle directly outside that property	Located on the property
	<b>Placement</b>	Not placed within 0.6 metres of the kerb face	Not placed within 0.6 metres of the kerb face.	Not placed within 0.5 metres of the kerb face.
	<b>Duration</b>	Auction signage must be removed on the day of the auction; or Open home signage must be removed on the day of the last open home of that weekend	May only be displayed during the period of the open home or auction (including time for set up and close down of that event). Must be removed on the same day as the open home / auction	Must be removed within seven days of the sold notification being placed on the sign.
Rural				
	<b>Number</b>	Maximum of two signs per property	Maximum of one per property	Maximum of two per property
	<b>Height</b>	Not to exceed 0.28 square metres area, 1m max high	Not to exceed 2.4 metres high	Not to exceed 2.88 square metres and no more than 2 metres above ground level
	<b>Location</b>	At no more than three intersections leading towards the property or one outside the property and at no more than two intersections leading towards the property.	Must either be on the property or secured to a parked vehicle directly outside that property so long as the banner does not protrude from the side of the vehicle.	On the boundaries of the property and one at the primary entrance to the property.

<b>Zone</b>		<b>Directional signage</b>	<b>Flags or banners</b>	<b>Boards</b>
	<b>Placement</b>	Not placed within 0.6 metres of the kerb face	Not placed within 0.6 metres of the kerb face.	Not placed within 0.6 metres of the kerb face.
	<b>Duration</b>	Auction signage must be removed on the day of the auction; or "Open home" signage must be removed on the day of the last open home of that weekend	May only be displayed during the period of the open home or auction (including time for set up and close down of that event). Must be removed on the same day as the open home / auction	Must be removed within seven days of the sold notification being placed on the sign.
All other zones		<b>Directional signs</b>	<b>Flags</b>	<b>Boards</b>
	<b>Number</b>	Max of two signs	Maximum of one per property	Single agency maximum of one.  Multiple agency maximum of three signs, one per agency
	<b>Height</b>	Not to exceed 0.28 square metres area, 1 metre max height	Not to exceed 2.3 metres high	Sole agency -not exceeding 2.88 square metres and 2 metres high
	<b>Location</b>	At no more than three intersections leading towards the property or one outside the property and at no more than two intersections leading towards the property	Must either be on the property or secured to a parked vehicle directly outside that property so long as the banner does not protrude from the side of the vehicle.	Located on the property
	<b>Placement</b>	Not placed within 0.6 metres of the kerb face	Not placed within 0.6 metres of the kerb face.	Not placed within 0.6m of the kerb face.
	<b>Duration</b>	Auction signage must be removed on the day of the auction; or "Open home" signage must be removed on the day of the last open home of that weekend	May only be displayed during the period of the open home or auction (including time for set up and close down of that event). Must be removed on the same day as the open home / auction	May not be displayed for more than six months in any consecutive 12 month period  Must be removed within seven days of the sold notification being placed on the sign.

**Table 9. Community event signage**

<b>Zone</b>	<b>Size</b>	<b>Number</b>	<b>Time period</b>
Public Open Space Residential Business Special purpose	1.5 square metres max Maximum height 1.5m from ground level and the bottom edge of sign must not be less than 0.5 metres from ground level.	One per street frontage	21 days prior to event, removed within 3 days of event
Coastal	1.5 square metres max 1.5 metres max height above wharf deck level or mean high water spring mark if not located on an existing structure.		Cannot be used for more than 4 occasions in one calendar year
All other zones	<b>Prohibited</b>		

# Additional Information to Signage Bylaw 2015

This document contains matters for information purposes only and do not form part of any bylaw. They include matters made pursuant to a bylaw and other matters to assist in the ease of understanding, use and maintenance.

The information contained in this document may be updated at any time.

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## Section 1

### History of Bylaw

Action	Description	Date of Decision	Decision Reference	Commencement
Make	<p>The following signs bylaws in force on 31 Oct 2010 deemed to have been made by Auckland Council</p> <p>(a) Auckland City Council No 27 Signs (2007);</p> <p>(b) Franklin District Council Control of Signs Bylaw 2007;</p> <p>(c) Manukau City Consolidated Bylaw 2008 Chapter 19 Temporary Signs;</p> <p>(d) North Shore City Council Bylaw 2000 Part 12 Control of Temporary Signs;</p> <p>(e) Papakura District Council Control of Advertising Signs Bylaw 2008;</p> <p>(f) Rodney District Council General Bylaw 1998 Chapter 22 Temporary Signs.</p>	01 Nov 2010	Section 63 Local Government (Auckland Transitional Provisions) Act 2010	01 Nov 2010
Revoke	<p>(a) Clause 5 of the Auckland City Council Bylaw No. 30 - Brothels and Commercial Sex Premises;</p> <p>(b) Auckland City Council Signs Bylaw 2007;</p> <p>(c) Clause 6 of the Franklin District Brothel Bylaw 2010;</p> <p>(d) Franklin District Council Control of Signs Bylaw 2007;</p> <p>(e) Clause 5 of the Manukau City Consolidated Bylaw 2008, Chapter 3 – Brothels;</p>	<p>26 May 2015 (Board of Auckland Transport)</p> <p>28 May 2015 (Governing Body of Auckland Council)</p>		1 October 2015

Action	Description	Date of Decision	Decision Reference	Commencement
	<p>(f) Chapter 19 (Temporary Signs) of the Manukau City Consolidated Bylaw 2008;</p> <p>(g) Clause 4 of the North Shore City Bylaw 2000, Part 25 – Brothels;</p> <p>(h) North Shore City Part 12 (Control of Temporary Signs) Bylaw 2000;</p> <p>(i) Papakura District Council Control of Advertising Signs Bylaw 2008;</p> <p>(j) Clause 7 of the Rodney District Council, Chapter 14 – Brothels and Commercial Sex Premises;</p> <p>(k) Rodney District Council, Chapter 22 of the General Bylaw 1998, (Temporary Signs).</p>			
Make	Signage Bylaw 2015	<p>26 May 2015 (Board of Auckland Transport)</p> <p>28 May 2015 (Governing Body of Auckland Council)</p>	TBC	1 October 2015

## Section 2

### Related Documents

<b>Document Title</b>	<b>Description of Document</b>	<b>Location of Document</b>
Decision Minutes and Agenda	Decisions on submissions to proposed signage bylaw	<a href="http://www.aucklandcouncil.govt.nz">www.aucklandcouncil.govt.nz</a>
Signage Bylaw Statement of Proposal	Provides background to the trading in public places bylaw	<a href="http://www.aucklandcouncil.govt.nz">www.aucklandcouncil.govt.nz</a>
Hearings Report	Background and summary of submissions to proposed signage bylaw	<a href="http://www.aucklandcouncil.govt.nz">www.aucklandcouncil.govt.nz</a>
Deliberations Report	Submitters requests and staff recommendations for change	<a href="http://www.aucklandcouncil.govt.nz">www.aucklandcouncil.govt.nz</a>
Chairs report to the governing body	Recommendations and final bylaw for approval	<a href="http://www.aucklandcouncil.govt.nz">www.aucklandcouncil.govt.nz</a>
Long Term Plan	Outlines financial plans	<a href="http://www.aucklandcouncil.govt.nz">www.aucklandcouncil.govt.nz</a>
The Local Government Act 2002	Provides certain functions, duties, powers and penalties to make and enforce this bylaw	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>
Land Transport Act 1998	Provides certain functions, duties, powers and penalties to make and enforce this bylaw	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>
Local Government (Auckland Council) Act 2010	Provides certain functions, duties, powers and penalties to make and enforce this bylaw	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>
Bylaws Act 1910	Provides for certain matters related to the validity of bylaws	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>
Interpretation Act 2009	Provides for certain matters related to the interpretation of bylaws	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>



### Section 3

#### Delegations

Clause	Function, Duty, Power to be Delegated	Delegated Authority	Date of Delegation Decision	Decision Reference	Commencement of Delegation
All	All powers, duties and functions.	TBC	TBC	TBC	1 October 2015

### Section 4

#### Enforcement Powers

Legislative Provision	Description of Legislative Provision
Part 8 of Local Government Act 2002	162 Injunctions restraining commission of offences and breaches of bylaws 163 Removal of works in breach of bylaws 164 Seizure of property not on private land 165 Seizure of property from private land 168 Power to dispose of property seized and impounded 171 General power of entry 172 Power of entry for enforcement purposes 173 Power of entry in cases of emergency 175 Power to recover for damage by wilful or negligent behaviour 176 Costs of remedying damage arising from breach of bylaw 178 Enforcement officers may require certain information 183 Removal of fire hazards 185 Occupier may act if owner of premises makes default 186 Local authority may execute works if owner or occupier defaults 187 Recovery of cost of works by local authority 188 Liability for payments in respect of private land

### Section 5

#### Offences and Penalties

Legislative provision	Description of offence	Fine	Infringement fee	Other penalty
Local Government Act 2002	A person who fails to comply with Parts 2, 3 and 4 of this bylaw commits a breach of this bylaw	Under section 242 of the Local Government Act 2002 person who is convicted of an offence against a bylaw is liable to a fine not exceeding \$20,000.	nil	
Land Transport Act 1998 and		Under section 22AB(1)(b) of the Land Transport Act 1998 is liable to the fine in the LTA not to exceed \$500		



An Auckland Council Organisation



Te Kaunihera o Tāmaki Makaurau

# Signage Bylaw 201~~5~~4 Te Ture ā - Rohe mo nga Tohu 201~~5~~4 (~~as at xx Month 2014~~)

Governing Body of Auckland Council  
made by resolution on

~~28DD~~ Mayon~~th~~ 201~~5~~4

Board of Auckland Transport  
made by resolution  
on

~~26DD~~ Mayon~~th~~ 201~~5~~4

The Governing Body of Auckland Council and the Board of Auckland Transport make the following bylaw pursuant to the Local Government Act 2002, the Land Transport Act 1998 and (in the case of Auckland Council only) the Prostitution Reform Act 2003.

*Explanatory note: Both Auckland Council and Auckland Transport have the power under the Local Government Act 2002 to make bylaws to protect the public from nuisance and to protect, promote and maintain public safety and to protect their land and infrastructure. In the case of Auckland Transport, this power can only be exercised in respect of the Auckland transport system, which includes the roads under Auckland Transport's control. In addition, under the Land Transport Act 1998 Auckland Transport has the power to make a bylaw regulating signage that is on or visible from the Auckland transport system. Auckland Council has the same power in relation to any road or public place which is not part of the Auckland transport system.*

*Auckland Council also has power under the Prostitution Reform Act 2003 to make bylaws that prohibit or regulate signage that advertises commercial sexual services and that is in, or is visible from, a public place.*

*Note that some signage ~~is also will be~~ regulated by the Auckland Unitary Plan, or is regulated by the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013, in particular:*

- *Billboards, that is, signage that advertises any business, service, goods, product, activity or event that is not directly related to the primary use or activities occurring on the site of the sign;*
- *signage which is part of a comprehensive development or re-development of a site;*
- *signage on, or in close proximity to, ~~within~~ a scheduled historic heritage place; and*
- *signage on certain ~~rules for~~ buildings, objects, properties, and places of special value.*

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## 1 Title

- (1) This bylaw is the Signage Bylaw 20154.

## 2 Commencement

- (1) This bylaw (~~except clause 3(5)(d)~~) comes into force on 1 October~~[date]~~ 2015.

(2) Clause 3(5)(d) comes into force on the date that the rules in the Unitary Plan relating to signs on, or in close proximity to, scheduled historic heritage places first have legal effect under section 86B of the Resource Management Act 1991.

## 3 Bylaw-making and application

- (1) Subject to subclause (2), this bylaw is made by:

- (a) Auckland Transport, in the case of signage that is on or visible from the Auckland transport system;
- (b) Auckland Council, in the case of signage that is on or visible from any road or public place but not visible from the Auckland transport system.

- (2) In this bylaw:

- (a) clause 6(3) of this bylaw is made by Auckland Transport only;
- (b) ~~clauses 13 and~~ 23 of this bylaw ~~are~~ made by Auckland Council only;
- (c) clauses 35 and 36 of this bylaw are made by:
  - (i) Auckland Transport, to the extent that those clauses relate to bylaws made by former local authorities to which section 61 of the Local Government (Auckland Transitional Provisions) Act 2010 applies;
  - (ii) Auckland Council, to the extent that those clauses relate to bylaws made by former local authorities to which section 61 of the Local Government (Auckland Transitional Provisions) Act 2010 does not apply.
- (d) ~~A~~all other clauses in this bylaw are made separately by both Auckland Transport and by Auckland Council.

- (3) In this bylaw, **relevant authority** means:

- (a) Subject to paragraph (c), Auckland Transport, in the case of signage that is on or visible from the Auckland transport system;
- (b) Auckland Council, in the case of signage that is on or visible from any road or public place but is not on or visible from the Auckland transport system.

(c) Auckland Council, in relation to clauses 13 and 23 of this bylaw.

*Explanatory notes:*

*(1) The Local Government (Auckland Council) Act 2009 provides that Auckland Transport may make bylaws in relation to the Auckland transport system. The Auckland transport system, which is defined in clause 37, generally includes all roads (other than motorways and state highways) in Auckland. Auckland Transport is the relevant authority in respect of such land. Auckland Council is prohibited from making bylaws covered by Auckland Transport's jurisdiction and so it is the relevant authority only in respect of any signage*

*visible from a road or public place which is not part of the Auckland transport system.  
(2) Auckland Transport and Auckland Council will assist persons to ensure that any matter arising under this bylaw is dealt with by the relevant authority. This includes referring any application or inquiry to the other authority where that other authority is the relevant authority.*

- (4) Nothing in this bylaw applies to:  
(a) signage which is not publicly visible signage.

~~(5) This bylaw does not apply to:~~

- ~~(ba)~~ election signage regulated by the Auckland Transport Election Signs Bylaw 2013;

- ~~(cb)~~ traffic control devices regulated by the Land Transport Rule: Traffic Control Devices 2004.

~~(5e) Subject to subclause (6), this bylaw does not apply to the following publicly visible signage. Other than clause 9, this bylaw does not apply to signage of the following types to the extent that they comply with specific rules in the Unitary Plan that are equivalent to provisions of this bylaw:~~

- ~~(a) billboards, signage that advertises any business, service, goods, product, activity or event that is not directly related to the primary use or activities occurring on the site of the sign;~~

- ~~(b) signage which is part of a comprehensive development or re-development of a signagete;~~

- ~~(c) signage on buildings, objects, properties and places of special value subject to rules in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013;~~

- ~~(de)~~ signage on, or in close proximity to, within a scheduled historic heritage place.

~~(6) The following provisions apply to the publicly visible signage referred to in subclause (5)~~

- ~~(a) clause 13;~~

- ~~(b) clause 23;~~

- ~~(c) Parts 6 and 7, but only in respect of enforcement or breach of clauses 13 and 23.~~

*Explanatory note: The signs in subclause (5) will be regulated under the proposed Auckland Unitary Plan or are regulated in the Auckland Council District Plan Hauraki Gulf Islands Section - Operative 2013.*

(7) Parts 3 and 4 of this bylaw do not apply to the following signage:

- (a) information signage;

- (b) signage providing information or directions erected by, or on behalf of, a network utility operator in relation to works that it is entitled to undertake on any road or public place or property visible from a road or public place, and provided all otherwise necessary authorisation is obtained;

- (c) signage that is an integrated part of street furniture, or erected by, on behalf of, or with the approval of the relevant authority;
- (d) signage erected by the Crown, the council, Auckland Transport, or any other statutory administering body, for the purpose of marking the boundaries of or conveying information in relation to marine reserves, coastal protection areas, cultural heritage sites, or reserves, or to advise of activities which may or may not be undertaken in such areas;
- (e) ~~regulatory signage that is erected by, on behalf of, or with the approval of the relevant authority, council or Auckland Transport~~
- ~~(e)(f) signage required by any statute or regulation, or giving safety or security instructions or information, provided that signage does not advertise any goods, products, or services.-~~

(8) This bylaw applies to Auckland.

## Part 1 - Preliminary provisions

### 4 Purpose

- (1) The purpose of this bylaw is to:
- (a) provide for the safety of vehicular and pedestrian traffic on roads and public places by limiting obstruction and distraction caused by signage;
  - (b) protect the public from nuisance and from harm or damage caused by the poor maintenance or abandonment of signage;
  - (c) assist in enhancing, maintaining, and promoting the visual amenity value of Auckland's cultural character, and its built and natural environments;
  - (d) assist in enabling the economic benefits to Auckland that are provided through signage;
  - (e) assist in protecting roads and other public assets from damage or misuse.

### 5 Definitions

- (1) In this bylaw, unless the context requires otherwise —

**amenity** means the natural or physical qualities and characteristics of a location that contribute to a person's appreciation of its attractiveness, pleasantness, aesthetic coherence, and cultural and recreational attributes.

**approval** ~~means a licence, permit or written authority granted by the relevant authority under this bylaw and includes~~ includes any conditions to which the approval is subject.

**Auckland** means the same as in the Local Government (Auckland Council) Act 2009.

**Auckland Transport bus route** means the route of a scheduled bus service which is ~~part of the bus network under the management~~ and controlled ~~by~~ Auckland Transport.

### Auckland transport system

- (a) means
- (i) the roads (as defined in [section 315](#) of the Local Government Act 1974) within Auckland; and
  - (ii) the public transport services (as defined in [section 5\(1\)](#) of the Land Transport Management Act 2003) within Auckland; and
  - (iii) the public transport infrastructure owned by the council; and
  - (iv) the public transport infrastructure owned by or under the control of Auckland Transport; but
- (b) does not include—
- (i) state highways;
  - (ii) railways under the control of New Zealand Railways Corporation;
  - (iii) off-street parking facilities under the control of the Council;
  - (iv) airfields.

**banner** means any publicly visible signage made of flexible material which is suspended in the air and supported on one or more side by poles or cables, and includes a banner on a bridge, pole or building.

**billboard**

(a) means a sign or signage which advertises a business, service, goods, product, activity or event that is not directly related to the primary use or activities occurring on the site of the sign; but

(b) does not include:

- (i) stencil signage or similar markings as referred to in clause 15;
- (ii) a poster or poster signage;
- (iii) a banner or flag situated on or over a road or public place;
- (iv) real estate signage or directional real estate signage;
- (v) vehicle signage as referred to in clause 25;
- (vi) community event signage as referred to in clause 26;
- (vii) regional and major event signage as referred to in clause 27.

**building** means the same as in the Unitary Plan.

**business zone** means any of:

- (a) the following zones in the Unitary Plan:
- (i) neighbourhood centre;
  - (ii) local centre;
  - (iii) town centre;
  - (iv) metropolitan centre;
  - (v) city centre;
  - (vi) mixed use;
  - (vii) general business;
  - (viii) business park;
  - (ix) light industry;
  - (x) heavy industry;
  - (xi) commercial business zone; and
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013
- (i) commercial 1 Oneroa village;
  - (ii) commercial 2 Ostend village;
  - (iii) commercial 3 local shops;
  - (iv) commercial 4 visitor facilities;
  - (v) commercial 5 industrial.

**changeable message signage** means publicly visible signage with mechanical or electronic moving images or displays, including LED, neon, and electronically projected images.

**city centre zone waterfront precinct** means any of the following zones in the Unitary Plan:

- (a) port;
- (b) central wharves;
- (c) Viaduct Harbour;
- (d) Wynyard.

**civic spaces zone** means the same as in the Unitary Plan.

**coastal marine area** means the same as in the Resource Management Act 1991.

**coastal zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) general coastal marine;
  - (ii) marina;
  - (iii) mooring;
  - (iv) minor port;
  - (v) ferry terminal;
  - (vi) defence;
  - (vii) coastal transition; and
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section - Operative 2013:
  - (i) commercial 7 wharf;
  - (ii) Matiatia gateway;
  - (iii) Pakatoa;
  - (iv) Rotoroa.

**commercial sexual services** mean the same as in the Prostitution Reform Act 2003.

*Explanatory note: The Prostitution Reform Act 2003 defines commercial sexual services as meaning sexual services that—*

- (a) involve physical participation by a person in sexual acts with, and for the gratification of, another person; and*
- (b) are provided for payment or other reward (irrespective of whether the reward is given to the person providing the services or another person).*

**community event** means an event that is not a major event or a regional event.

**community zone** means the same as in the Unitary Plan.

**comprehensive development signage** means signage relating to a new building or the alteration of an existing building where the building or alteration requires a resource consent and/or building work to the value of at least \$100,000, assessed at the time a building consent application is lodged with the council.

**conservation zone** means the

- (a) same as in the Unitary Plan; and
- (b) conservation land unit in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013.



**control measure** means a control measure specified in Schedule 1.

**council** means the Governing Body of the Auckland Council or any person delegated or authorised to act on its behalf.

**directional real estate signage** means publicly visible signage providing direction to a building or land that is available to the public for inspection for the purpose of sale, lease or auction.

**event** means an organised temporary activity that takes place on one or more days including an organised gathering, outdoor market, political meeting, parade, protest, wedding, private function, festival, filming, concert, or celebration, multi-venue sports event of a significant scale, fun run marathon, duathlon or triathlon

**field of play** means sports fields, athletics tracks, motor sport tracks and horse racing tracks.

**field of play advertising hoarding signage** means a hoarding visible from a field of play used to display advertisements of products, services or goods that are not available on the site of the signage.

**free standing signage** means any publicly visible signage that is fixed on or into the ground and that is standing on its own, independent of any building or structure for its primary support, but does not include a flag displayed on a flagpole.

*Explanatory note: A resource consent may be required for a flagpole*

**ground level** means the actual surface level of the finished ground immediately below a sign.

**height** means the distance from the lowest point of a sign to the highest point of the sign, including its structure; and **high** has the equivalent meaning.

~~**historic heritage place** means any place that is included in the schedule of Significant Historic Heritage Places in the Unitary Plan.~~

**historic heritage value** means a demonstrable association with one or more of the Unitary Plan Historic Heritage Criteria for Scheduling.

**home occupation** means the same as in the Unitary Plan.

**horizontal banner** means a banner which is suspended principally in a horizontal direction.

**informal recreation zone** means the same as in the Unitary Plan.

**information signage** means:

- (a) signage provided or approved by the council, a substantive council controlled organisation or Auckland Transport that provides information or direction to the public and includes the following:
  - (i) education and public awareness and safety signage;
  - (ii) signage relating to a regional event or major event;
  - (iii) signage relating to a place of historic or environmental significance;
  - (iv) public transport signage;
  - (v) regulatory signage;

(b) signage required by any statute or regulation, or giving safety or security instructions or information, provided that the signage does not advertise any goods or services.

~~signage provided or approved by the council, a substantive council controlled organisation or Auckland Transport that provides information or direction to the public and includes the following:~~

- ~~(a) education and public awareness and safety signage;~~
- ~~(b) signage relating to a regional event or major event;~~
- ~~(c) signage relating to a place of historic or environmental significance;~~
- ~~(d) public transport signage;~~
- ~~(e) regulatory signage.~~

**kerb projection** means any extension of the footpath or verge to narrow the carriageway at a particular point.

**key retail frontage overlay** means any place that is marked as a key retail frontage overlay in the Unitary Plan.

**ladder board** means portable signage on which two or more signs may be displayed that provides the names and contact particulars of separate businesses, organisations or persons.

**LED** means light emitting diode.

**major event** means an event of national or international interest which provides substantial sporting, cultural, social, economic, or other benefits.

**major recreational facility** means a site zoned Special Purpose – Major Recreational Facility, in the Unitary Plan

*Explanatory note: A major recreation facility is a facility providing for major sport, leisure, entertainment, art and cultural activities that is significantly greater in size and/or built form than a standard recreation facility. These facilities are typically of regional importance with some facilities also of national importance. They are generally multi-purpose venues that attract regional, national and international participants and spectators and are of significant cultural, social and economic value. Such facilities shall generally have:*

- an indoor capacity equal or greater than 1000 people, or*
- a capacity other than indoor equal or greater than 10,000 people.*

**manager** means a person who controls or manages any premises, activity, or event, regardless of whether that person has a proprietary interest in those premises or that activity or event.

**navigable waters** means any waters in Auckland whether coastal or inland which are able to be navigated.

**occupier**, in relation to any property or premises, means the inhabitant occupier of that property or premises.

**owner** in relation to any property or premises, means the person entitled to receive the rack rent of the property or premises, or who would be so entitled if the property or premises were let to a tenant at a rack rent.

**person** includes an individual, a corporation, a body corporate, and an unincorporated body.

**portable signage** means publicly visible signage that can be readily moved and includes a sandwich board, portable flag such as a teardrop or flag banner, and any similar device.

**poster** or **poster signage** means temporary publicly visible signage fixed without the need for a supporting structure to a wall, building, fence, or structure (except for street furniture).

**poster board** means a structure or part of a structure intended for the display of posters, and includes a board, bollard, or pole wrap.

**poster board site** means a site authorised as a site for the display of poster pursuant to this bylaw.

**poster bollard** means a bollard or pole wrap installed for the purpose of displaying posters.

**premises** means any separately occupied land, building, or part of the same.

**property** means any parcel of land and/or building capable of being transferred, sold, rented, leased, or otherwise disposed of separately from any other parcel of land and/or building(s).

**public open space** means land in any of:

- (a) the following zones in the Unitary Plan:
  - (i) conservation;
  - (ii) informal recreation;
  - (iii) sports and active recreation;
  - (iv) community;
  - (v) civic space; and
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013;
  - (i) open space 1 ecology and landscape;
  - (ii) open space 3 Rangihoua Park

**public place** means any place that, at any material time, is owned, managed, maintained or controlled by the council or a council-controlled organisation and is open to or is being used by the public, whether free or on payment of a charge and includes the navigable waters of Auckland—

(a) — means an outdoor place or part of an outdoor place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and

(b) — includes the navigable waters of Auckland.

**publicly visible signage** means signage on or visible from a road or public place.

**real estate signage** means publicly visible signage that is advertising for sale, lease, rent or auction the whole or part of the land or premises on which the sign is located or is directly adjacent to.

**regional event** means an event which attracts participants from, or has significance, throughout the Auckland region, or a substantial part of the region.

*Explanatory note: an event as an organised special occasion or activity of limited duration that*

*brings people together for the primary purpose of participating in an uplifting community, cultural, commemorative, recreational, sport, art, educational, or entertainment experience.*

**relevant authority** has the same meaning as in clause 3(3).

**residential zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) large lot;
  - (ii) rural and coastal settlement;
  - (iii) single house;
  - (iv) mixed housing suburban;
  - (v) mixed housing urban;
  - (vi) terrace housing and apartment buildings; and
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013
  - (i) island residential 1 traditional residential;
  - (ii) island residential 2 bush residential.

**road** means the same as in the Local Government Act 1974 and includes a part of a road.

*Explanatory note: section 315 of the Local Government Act 1974 states :Road means the whole of any land which is within a district, and which—*

- (a) immediately before the commencement of this Part was a road or street or public highway; or*
- (b) immediately before the inclusion of any area in the district was a public highway within that area; or*
- (c) is laid out by the council as a road or street after the commencement of this Part; or*
- (d) is vested in the council for the purpose of a road as shown on a deposited survey plan; or*
- (e) is vested in the council as a road or street pursuant to any other enactment;—*  
*and includes—*
- (f) except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988:*
- (g) every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;—*  
*but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roading Powers Act 1989.*

**roadway** means that portion of the road used or reasonably usable for the time being for vehicular traffic.

**roof** means the exterior surfaces and supporting structures on the top of a building or part of a building.

**rural zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) rural production;
  - (ii) rural coastal;
  - (iii) rural conservation;
  - (iv) mixed rural;

- (v) countryside living; and
- (b) the following land units in the *Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013*
  - (i) landform 1 coastal cliffs;
  - (ii) landform 2 dune systems and sand flats;
  - (iii) landform 3 alluvial flats;
  - (iv) landform 4 wetland systems;
  - (v) landform 5 productive land;
  - (vi) landform 6 regenerating slopes;
  - (vii) landform 7 forest and bush areas;
  - (viii) rural 2 western landscape;
  - (ix) rural 1 landscape amenity;
  - (x) rural 3 Rakino amenity.

**scheduled historic heritage place** means the same as in the Unitary Plan.

**shared space area** means an area specified as a shared zone under the Auckland Transport Traffic Bylaw 2012 or a road declared to be a pedestrian mall pursuant to the Local Government Act 1974.

**signage** and **sign** means an advertisement, message or notice conveyed using any visual medium, which advertises a product, business, service, or event or acts to inform or warn any person and :-

(a) includes:

- (i) the frame, supporting device and any associated ancillary equipment whose principal function is to support the advertisement, message or notice;
- (ii) advertisements, messages or notices affixed to, on, or incorporated within the design of a building;
- (iii) advertisements, messages or notices placed on, or affixed to, or painted or stencilled onto a window, a fence, a hoarding, street furniture, utility infrastructure, road or building;
- (iv) murals, banners, flags, posters, balloons, blimps, sandwich board signs, projections of lights or electronic displays;

(b) to avoid doubt, does not include:

- (i) displays of goods for sale;
- (ii) displays consisting of props, mannequins, models or similar items

~~It includes:~~

~~(a) the frame, supporting device and any associated ancillary equipment whose principal function is to support the advertisement, message or notice;~~

~~(b) advertisements, messages or notices affixed to, on, or incorporated within the design of a building;~~

~~(c) advertisements, messages or notices placed on, or affixed to, or painted or stencilled onto a window, a fence, a hoarding, street furniture, utility infrastructure, road or building;~~

~~(d) murals, banners, flags, posters, balloons, blimps, sandwich board signs, projections of lights or electronic displays.~~

**site** means

(a) for the purposes of clause 16 and Table 3 in Schedule 1, the same as in the Unitary Plan;

(b) otherwise, the particular location of the sign or signage or other thing being referred to.

**special purpose zone** means any of:

- (a) the following zones in the Unitary Plan:
  - (i) airport zone;
  - (ii) cemetery zone;
  - (iii) healthcare facility zone;
  - (iv) Māori purpose zone;
  - (v) quarry zone;
  - (vi) retirement village zone;
  - (vii) green infrastructure corridor;
  - (viii) school; and
  - (ix) tertiary education.
- (b) the following land units in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013
  - (i) commercial 6 quarry;
  - (ii) open space 4 marae.

**sports and active recreation zone** means

- (a) land zoned as sports and active recreation in the Unitary Plan; and
- (b) the open space 2 (recreation and community facilities) land unit in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013;

**street frontage** means the extent of a property boundary adjoining a public or private road.

**street furniture** means any structure installed by or with the approval of the council or Auckland Transport in a public place or road and includes utility infrastructure, poles, public refuse receptacles, telephone kiosks or boxes, public art, containers for plants or flowers, mailboxes, seating, parking meters and bus shelters.

**structure** in the coastal marine area means:

- (a) any building, equipment, device, or other facility, fixed to land or bed of a waterbody; and
- (b) includes slipways, jetties, pile moorings, swing moorings, rafts, pontoons, wharves, marine farms, and other objects whether or not these are above or below the waterline of the foreshore; but
- (c) does not include aids to navigation.

**substantive council controlled organisation** means the same as in the Local Government (Auckland Council) Act 2009.

*Explanatory note: The seven substantive council controlled organisations at the date of this bylaw are Auckland Transport, Auckland Council Property Limited, Auckland Council Investments Limited, Auckland Waterfront Development Agency Limited, Auckland Tourism, Events and Economic Development Limited, Regional Facilities Auckland and Watercare Services Limited*

**sunrise** and **sunset** mean the time of sunrise and sunset in Auckland on any particular day as stated in the New Zealand Nautical Almanac, NZ204.

**traffic control device** means a device erected by, or at the direction of, a road controlling authority used on a road for the purpose of traffic control; and includes any:

- (a) sign, signal, or notice;
- (b) traffic calming device;
- (c) marking or road surface treatment.

**Unitary Plan** means the document described in section 122 of the Local Government (Auckland Transitional Provisions Act) 2010, whether proposed or operative.

**vehicle**

~~(b)~~ **(a)** means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and

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~~(b)~~ **(a)** includes a hovercraft, a skateboard, in-line skates, and roller skates; but

~~(b)~~ **(eb)** does not include-

- (i) a perambulator or pushchair;
- (ii) a shopping or sporting trundler not propelled by mechanical power;
- (iii) a wheelbarrow or hand-trolley;
- (iv) a pedestrian-controlled lawnmower;
- (v) a pedestrian-controlled agricultural machine not propelled by mechanical power;
- (vi) an article of furniture;
- (vii) a wheelchair not propelled by mechanical power;
- (viii) any other contrivance specified by the rules not to be a vehicle for the purposes of this definition;
- (ix) any rail vehicle.

**veranda signage** means publicly visible signage on a veranda fascia or under a veranda, portico, balcony or awning over a road or public place.

**vertical banner** means a banner which is suspended principally in a vertical direction.

**wall mounted signage** means publicly visible signage that is attached to, or projecting beyond the face of, a wall, ~~fence,~~ or building.

**wharf** means a level quayside area on the shore of a harbour to which a vessel may be moored to load and unload cargo or passengers. Such an area may include one or more berths (mooring locations), and may include piers, jetties, or other facilities necessary for handling vessels.

**window signage** means publicly visible signage displayed on the glass of a display window or within 0.015 metres of the inside face of the display window and includes etched windows, window branding, window graphics, window promotions including the use of decals, self-adhesive vinyl stickers, posters, and changeable message signage.

**zone** means:

- (a) a zone of the Unitary Plan, and a named zone means a zone of that name in the Unitary Plan; and
- (b) for land in the Hauraki Gulf Islands, a land unit in the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013

and **zoned** has an equivalent meaning.

(2) Unless the context requires another meaning, a term or expression that is defined in the Local Government Act 2002 or the Land Transport Act 1998 and used in this bylaw, but not defined, has the meaning given by the Local Government Act 2002 or the Land Transport Act 1998.

(3) The Interpretation Act 1999 applies to this bylaw.

~~(4) To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, standards, bylaws, rules in a regional plan or district plan, rules of law, conditions of resource consent, a reserve management plan prepared under the Reserves Act 1977, or a park management plan prepared under the Local Government Act 2002.~~

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(54) Any explanatory notes and attachments are for information purpose, do not form part of this bylaw and may be made, amended and revoked without any formal process.

## Part 2 – Requirements applying to all publicly visible signage

### 6 Compliance

(1) A person must not erect or display any publicly visible signage that does not comply with the requirements of this bylaw, including the control measures in Schedule 1 and any other controls (such as location controls) made by resolution pursuant to this bylaw.

(2) Subclause (1) does not apply if the person has been granted an exemption approval from complying with the particular provisions by the relevant authority granted under clause 28 of this bylaw ~~to display the signage~~ and is complying with all ~~terms and~~ conditions of that ~~exemption approval~~.

(3) Other than signage for events or freestanding signage, any signage erected on a road in compliance with this bylaw is an authorised encroachment on the road for the purposes of section 357 of the Local Government Act 1974.

~~(4) To avoid doubt, compliance with this bylaw does not remove the need to:~~  
~~(a) comply with all other applicable Acts, regulations, standards, bylaws, rules in a regional plan or district plan, rules of law, conditions of resource consent, a reserve management plan prepared under the Reserves Act 1977, or a park management plan prepared under the Local Government Act 2002;~~  
~~(b) obtain consent or permission from a relevant authority in its capacity as the landowner or manager or controller of land, for the display of a sign on its land.~~

### 7 Amenity

(1) A person must not:  
(a) add a structure to the roof, extend a structure above the architectural top of a building, or extend a structure above the outline or profile of a building for the sole purpose of displaying publicly visible signage;  
(b) display publicly visible signage:



- (i) on the roof of any building, except with the approval of the relevant authority, or
- (ii) that obscures the architectural top of the building.

- (2) A person must not:  
~~(a)~~ attach to or display any publicly visible signage on any street furniture, road, bridge, underpass, overpass, tree or any other council or Auckland Transport infrastructure on a road or in a public place without the approval of the relevant authority.

*Explanatory note: Most signage on street furniture will be a "billboard" and not covered by this bylaw (except for clauses 13 and 23). Approval for display is normally given by way of a contract with the relevant authority.*

- ~~(3) A person must not display any publicly visible signage on, or in close proximity to, a scheduled historic heritage place without the prior approval of the relevant authority.~~

- ~~(4) Subclause (3) is revoked on the date that the rules in the Unitary Plan relating to signs on, or in close proximity to, scheduled historic heritage places first have legal effect under section 86B of the Resource Management Act 1991.~~

- ~~(e) display any publicly visible signage on or in front of a scheduled building, site or item with historic heritage value without the approval of the relevant authority.~~

## 8 Safety and maintenance

- (1) A person must not display any publicly visible signage:
- (a) unless it is placed, secured, braced, anchored, constructed, affixed or displayed in such a way that it does not cause a nuisance or endanger public health or safety;
  - (b) that is designed to emit noise, smoke, steam or other matter;
  - (c) that obscures property numbering.
- (2) The owner, occupier or manager of any premises on which publicly visible signage is displayed and any other person who is responsible for the display of any publicly visible signage must maintain the signage in such a condition that it does not become a nuisance, unsafe, structurally unsound, or create a risk to public health or safety.

## 9 Traffic

- (1) A person must not display any publicly visible signage that:
- (a) obstructs the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or intersection, determined according to the Austroads Guide to Road Design;
  - (b) obstructs or hinders the safety or movement of persons using the roadway, or unreasonably obstructs or hinders the safety or movement of persons using the footpath or any other part of the road;

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- (c) obstructs, obscures, or impairs the view of, or forms the background or foreground to, or appears alongside, any traffic control device of similar colour when viewed by the driver of an approaching vehicle;
  - (d) resembles, or is likely to be mistaken for, a traffic control device in colour, shape or appearance;
  - (e) contains reflective, fluorescent or phosphorescent materials that may reflect headlights, distract, or interfere with the vision of a person using the public place or road;
  - (f) is directed at a person driving a vehicle on a road and cannot be read safely by such a person travelling at the legal speed limit of that road;
  - (g) uses flashing or revolving lights, lasers, or any other method of illumination that may adversely affect the amenity of the surrounding area or traffic safety.
- (2) A person must not display any publicly visible signage on:
- (a) a traffic island, kerb projection, roundabout, or any other traffic separation structure on any road;
  - (b) a traffic control device or its supporting poles, posts or structure;
  - (c) a guidance strip for blind or visually impaired people.
- (3) A person must not display any signage closer to the kerb face than:
- (a) 0.8 metres in situations where a road or part of a road:
    - (i) carries an Auckland Transport bus route; and
    - (ii) has a lane for moving motor vehicles directly beside the kerb; or for a road with an Auckland Transport bus route;
  - (b) 0.6 metres in all other situations for a road without an Auckland Transport bus route.
- (4) For the avoidance of doubt, if an Auckland Transport bus route is established on a road, any person responsible for the continuing display of signage adjacent to that road must ensure compliance with subclause (3)(a).

## 10 Changeable message signage

- (1) A person must not display any changeable message signage which:
- (a) scrolls, is continuously moving or appears to be moving, or is animated;
  - (b) changes rapidly, with a dwell time of less than 8 seconds for any separate display;
  - (c) has a transition time of greater than 1 second from one display to the next;
  - (d) uses more than three sequential images to impart the whole message;
  - (e) ~~exceeds a luminance of 5000 cd/m<sup>2</sup> between sunrise and sunset and 500 cd/m<sup>2</sup> between sunset and sunrise if it is lit by LED or similar technology used for digital display signage.~~

- (2) A person must not display changeable message signage unless it is controlled by an appropriate system that automatically adjusts brightness in response to ambient light conditions and does not exceed a luminance of:
- (a) 5,000 cd/m<sup>2</sup> at any time; and
  - (b) 250 cd/m<sup>2</sup> between sunrise and sunset.

## 11 Static illuminated signage

- (1) A person must not display any publicly visible signage which is static illuminated signage and which:
- (a) does not comply with the relevant requirements for illumination and glare in the New Zealand Transport Agency's Traffic Control Devices Manual Part 3 Advertising Signs;
  - (b) has upwardly facing lighting unless that lighting is adequately shielded so that the glare from that lighting does not extend beyond the signage and its immediate surround;
  - (c) exceeds the control measures for maximum luminance of illuminated signage in Table 1 of Schedule 1.

## 12 Coastal marine area

- (1) A person must not display publicly visible signage in the coastal marine area:
- (a) that may be a hazard to navigation of vessels on the navigable waters or inhibits or prevents legitimate public access to the coastal marine area;
  - (b) that is flashing, illuminated, revolving or otherwise moving unless that signage is necessary solely for navigation purposes of vessels on the navigable waters;
  - (c) that can be mistaken for an aid to navigation for vessels on the navigable water.
- (2) To avoid doubt, the Crown, the council or a substantive council controlled organisation may display publicly visible signage for the purpose of marking the boundaries of or conveying information in relation to marine reserves, coastal protection areas, cultural heritage sites or reserves or to advise of activities which may or may not be undertaken in such areas.

## 13 Content of signage

- (1) A person must not display publicly visible signage which does not comply with the latest Code of Ethics and any relevant Code of Practice issued by the New Zealand Advertising Standards Authority.
- (2) If the New Zealand Advertising Standards Complaints Authority upholds a complaint in relation to the content of any publicly visible signage, the owner, occupant or manager of any premises on which the signage is displayed and the person who is responsible for the signage displayed must take such steps as are necessary to give effect to the decision of the Authority within two working days.

- (3) A person must not display, place, or allow remaining in place or on display any publicly visible signage that:
- (a) is discriminatory or advocates discrimination based on one or more of the prohibited grounds of discrimination in the Human Rights Act 1993;
  - (b) is objectionable within the meaning of the Films, Videos and Publications Classification Act 1993;
  - (c) incites or counsels any persons to commit any offence;
  - (d) is defamatory.

### Part 3 - Specific signage types

#### 14 Portable signage

- (1) Portable signage must comply with the control measures for portable signage in Table 2 of Schedule 1.
- (2) Portable signage in relation to any business or person must not be displayed on any road or public place unless the premises of that business or person have direct ground floor frontage and direct ground floor access to the road or public place.
- (3) Notwithstanding subclause (2) a business or person es whose premises does not have direct ground floor street frontage and direct ground floor access to the road or public place may
- (a) of 2 metres or more may display their name and contact particulars on a portable ladder board which complies with subclause (5) or;
  - (b) display portable signage on a road or public place which complies with this clause, if approval to do so has been granted by the relevant authority under subclause (4).
- ~~must be located directly outside the entrance or accessway of the businesses to which the sign relates and be a minimum of 5 metres away from any other portable ladder board.~~
- (4) An application may be made to the relevant authority for approval to display portable signage for the purposes of subclause (3)(b), and when deciding whether to grant such approval, the relevant authority will have regard to the purpose of the bylaw in Clause 4.
- (5) For the purposes of subclause (3)(a):
- (a) a portable ladder board must be located directly outside the entrance or accessway of the businesses to which the sign relates and be a minimum of 5 metres away from any other portable ladder board
  - ~~(a)~~(b) only one portable ladder board is allowed for each building, and all businesses whose premises are in the same building that are not entitled to their own portable signage must use that ladder board.
  - ~~(b)~~(c) a portable ladder board must be no more than:
    - (i) 1.5 metres high from the ground;
    - (ii) 0.715 metres wide;

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(iii) 0.46 metres deep including the frame and supporting base.

(66) ~~All~~ Portable signage, including portable ladder boards, displayed on any road or public place must be:

(a) displayed kerbside of the main ground level entrance of the premises to which it relates and in a manner which does not hinder or obstruct access to the premises; and

(b) placed in such a way that at least 1.8 metres width of the footpath remains clear; and

(c) placed towards the roadway edge of a footpath rather than directly beside the premises; and

(d) placed:

(i) at least 0.8 metres from the kerb face in situations where that part of the road carries an Auckland Transport bus route, and has a lane for moving motor vehicles directly beside the kerb; or

~~(ii) at least 0.6 metres from the kerb face in all other situations; and at least 0.6 metres from the kerb face for a road without an Auckland Transport bus route, or at least 0.8 metres from the kerb face of a road with an Auckland Transport bus route; and~~

(e) at least 5 metres from the intersection of any roads; and

(f) at least 2 metres from any access way, service lane, or vehicle crossing; and

(g) ~~entirely on the grass verge, if possible; or partly on the grass verge and partly on the footpath; or if a grass verge is not available, entirely on the footpath; and where there is a grass verge:~~

(i) entirely on the grass verge, and in compliance with (d) if possible;

or

(ii) partly on the grass verge and partly on the footpath; or

(iii) if a grass verge is not available entirely on the footpath; and

(h) at least 5 metres from the roadway, if there is no kerb.

(67) Portable signage, including portable ladder boards, must not be displayed:

(a) in a shared space area;

(b) in relation to any home occupation.

(78) ~~Part of a~~ portable signage, including portable ladder boards, must be within 0.15 metres of the ground and able to be readily detectable by a blind or visually impaired person using a cane.

(89) All portable signage, including portable ladder boards, must be removed from the road or public place each day at the close of business and whenever liable to be displaced because of adverse weather conditions.

(910) The relevant authority, may by resolution, specify roads parts of roads or public places where portable signage, including portable ladder boards, is prohibited.

## 15 Stencil signage and similar markings advertising services or products

- (1) A person must not display stencil signage or any similar marking advertising services or products:
  - (a) on the roadway;
  - (b) on any other part of a road or public place, without the approval of the relevant authority.
- (2) The relevant authority may in addition to any general conditions for an approval impose conditions for the display of stencil signage or a similar marking in relation to:
  - (a) the period of time of the display;
  - (b) the location and content of the display, for example that it be directly outside the premises to which it relates, and be for a product or service available from those premises.
- (3) The materials used for the stencil or similar marking must:
  - (a) be able to be washed off with water without leaving any residue; and
  - (b) not be slippery, reflective or likely to impact on public safety or have an adverse effect on the stormwater network.
- (4) The stencil or similar marking must not resemble or be likely to be mistaken for a traffic control device.
- (5) The relevant authority may specify by resolution footpaths, parts of a footpath and public places where stencil signage or similar markings are allowed.

## 16 Free standing signage

- ~~(1) Free standing signage must comply with the control measures for free standing signage in Table 3 of Schedule 1.~~
- ~~(2) Free standing signage must:
  - ~~(a) be at least 2 metres from the side boundary of the site on which it is located; and~~
  - ~~(b) 5 metres from any building; and~~
  - ~~(c) only advertise products, services, or goods available on the site of the sign; and~~
  - ~~(d) be at least 10 metres from any other free standing signage on the same site, if the signs are primarily identifying or advertising a business carried on at the site.~~~~
- (1) Free standing signage must comply with the control measures for free standing signage in Table 3 of Schedule 1.
- (2) Free standing signage must:
  - (a) be not less than 2 metres from the side boundaries of the site on which it is located, if the site frontage is more than 6 metres wide;

- (b) be at least 5 metres from any building which is more than 1.5 metres high;
- (c) be at least 10 metres from any other free standing sign (including a free standing sign which is a billboard) on the same site, or any portable signage displayed on the site or on the road or public place adjacent to the site, if the free standing sign is primarily identifying or advertising a business or activity carried on at the site;
- (d) be at least 2 metres from any free standing sign (including a free standing sign which is a billboard) on another site under different ownership.
- (3) Subject to subclause (4), the number of free standing signs permitted on a site is:

  - (a) for sites with a road frontage of 60 metres or less, no more than one free standing sign per road frontage, so long as the total number of such free standing signs (including billboards) does not exceed one per road frontage;
  - (b) for sites with a road frontage of more than 60 metres but less than 100 metres, up to two free standing signs per road frontage, so long as the total number of such free standing signs (including billboards) does not exceed two per road frontage;
  - (c) for sites with a road frontage of 100 metres or more, up to three free standing signs per road frontage, so long as the total number of such free standing signs (including billboards) does not exceed three per road frontage.
- (4) Subclause (3) does not apply if, and to the extent that, Table 3 of Schedule 1 specifies a different control measure for the number of free standing signs in a particular zone or of a particular type

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## 17 Poster signage

- (1) A poster may only be displayed on:

  - (a) a poster board site or poster bollard; or
  - (b) the inside of a window of any premises, subject to compliance with clause 21.

~~must not exceed 0.594 metres by 0.841 metres (A1) in size.~~
- (2) A poster must not exceed:

  - (a) 0.594 metres by 0.841 metres in size (A1) when displayed in a window;
  - (b) 6 metres squared (5A0) when displayed on a poster board or poster bollard.
- ~~(1) A poster may only be displayed on:~~

  - ~~(a) a poster board site; or~~
  - ~~(b) the inside of a window of any premises, subject to compliance with clause 21.~~
- ~~(2) A poster board must not exceed 6 square metres.~~

- (3) The surface area available for the display of posters must not:
  - (a) exceed 6 metres squared, in the case of a poster board;
  - (b) exceed 12 metres squared, in the case of a poster bollard.
- (4) A poster must clearly display the name and contact details (including a telephone number) of the person responsible for displaying and maintaining that poster.
- (5) A poster advertising an event must be removed no later than three days after the event.
- (6) The relevant authority may specify by resolution poster board sites for the purpose of this clause.
- (7) The relevant authority may, as a condition of a resolution made under subclause (6) specify a proportion of the area of a poster board or poster board site that must be used only for advertisements for artistic, cultural, religious, community, or regional events.

## 18 Banners

- (1) The relevant authority may specify by resolution sites over a road or public place that may be used for the display of banners, and may specify controls for the display of banners on that site, including specifying the proportion of the site that must be used only for advertisements for artistic, cultural, religious, community, regional, or major events.-
- (2) A person must not display a horizontal banner on any road or public place except in accordance with a resolution made under subclause (1) the approval of the relevant authority.
- (3) A horizontal banner must:
  - (a) not exceed an area of 21 square metres;
  - (b) have a minimum clearance of 6.5 metres above the level of any road
  - (c) have reinforced corners with eyelets to allow the fixing of ropes or cables;
  - (d) have a safe working fixing point load (pullout load) of a minimum of 1 tonne (10 kN) certified by a Registered Engineer's calculations;
  - (e) have vertical stays sown in, with a vertical dimension of 1 metre or more at any point on the banner, at minimum intervals of 3 metres to prevent bowing under wind loads;
  - (f) have all rope connections to a horizontal cross street banner, other than strainer and catch ropes, made with eye-over-steel thimble connections shackled to a galvanised steel rope with a minimum diameter of 0.01 metres.
- (4) A vertical banner:
  - (a) must not be displayed in a residential zone;
  - (b) must not exceed:
    - (i) 0.9 metres in width and
    - (ii) 2 metres in height; and

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~~(c) must have a minimum clearance of 6.5 metres above the level of any road; and~~

~~(d) may only be attached to an approved multi-functional pole or a light pole where it is structurally able to take the additional loading and has been approved for this purpose by the relevant authority.~~

*Explanatory note: Compliance with this clause does not remove the need to obtain landowner consent from Auckland Transport or Auckland Council to place a banner on or over its land: see clause 6(4)(b). Auckland Transport may impose a fee for use of airspace over a public place or a road under section 341 of the Local Government Act 1974.*

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~~(4) horizontal banner must not be displayed above a public open space without consent of the owners of the land upon which the structure that the banner is attached to is erected on.~~

~~(5) The relevant authority may, as a condition of a resolution made under subclause (1) specify a proportion of the area of a banner site that must be used only for advertisements for artistic, cultural, religious, community, regional, or major events.~~

~~(6) A vertical banner must not be displayed in a residential zone.~~

~~(7) A vertical banner must not exceed:~~

~~(a) 0.9 metres in width and~~

~~(b) 2 metres in height~~

~~(3) A vertical banner must have a minimum clearance of 6.5 metres above the level of any road.~~

~~(4) A vertical banner may only be attached to an approved multi-functional pole or an approved light pole where it is structurally able to take the additional loading and has been approved for this purpose by the relevant authority.~~

*Explanatory Note: Auckland Transport may impose a fee for use of airspace over a public place or a road under section 341 of the Local Government Act 1974.*

## 19 Veranda signage

(1) Veranda signage:

(a) must comply with the appropriate control measures for veranda signage in Table 4 and Table 5 of Schedule 1; and

(b) must not be erected on top of a veranda; and

(c) may only advertise products, services, goods or events available or taking place on the ~~site on which it is located~~ premises adjacent to the sign.

## 20 Wall mounted signage

(1) Wall mounted signage:

- (a) must comply with the appropriate control measures for wall mounted signage in Table 6 and Table 7 of Schedule 1; and
- (b) must not be mounted so as to cover any window; and
- (d) may only advertise products, services, goods or events available or taking place on the site on which it is located~~premises adjacent to the sign.~~

## 21 Window signage

- (1) Window signage on the ground floor of a building subject to a key retail frontage overlay must not account for more than 25 per cent of the width of the window and 25 per cent of its height.
- (2) Window signage on the ground floor of a building in the specified areas in subclause (3) must not account for more than:
  - (a) 50 per cent of the width of the window and 50 per cent of its height where it fronts a street or public open space; or
  - (b) 70 per cent of the width of the window and 25 per cent of its height where it fronts a public open space which is on the side or rear boundary.
- (3) The specified areas for the purposes of subclause (2) are:
  - (a) General Commercial Frontage overlay;
  - (b) Local Centre zone;
  - (c) Neighbourhood Centre zone;
  - (d) Mixed Use zone;
  - (e) Business Park zone;
  - (f) General Business zone; and
  - (g) those areas in the Metropolitan Centre and Town Centre zones not subject to a key retail frontage overlay.
- (4) Where a publicly accessible link is provided through a site or block as part of a development, window signage on the ground floor of those buildings with facades facing the through-site link must not account for more than 70 per cent of the length of the ground floor building facade that faces the through-site link and 25 per cent of its height.
- (5) To avoid doubt, nothing in this clause applies to window signage above the ground floor.

## Part 4 - Signage uses

### 22 Signage in Public Open Spaces

- (1) No publicly visible signage may be displayed in a public open space except as permitted by or pursuant to this clause.
- (2) In a conservation zone and an informal recreation zone:
  - (a) publicly visible signage must only be displayed on a building to which it relates; and
  - (b) must indicate the club, code, or facility as its primary message.

- (3) In a sports and active recreation zone, field of play advertising hoarding signage, scoreboards and changeable message board signage are permitted, subject to subclauses (4) and (5).
- (4) Field of play advertising hoarding signage in a sports and active recreation zone must:
  - (a) indicate the name of the club, code, or facility as its primary message; and
  - (b) be no higher than one metre and no wider than 2.4 metres; and
  - (c) face in towards the playing surface on which it is located; and
  - (d) be single sided; and
  - (e) be located on permanent infrastructure; and
  - (f) be approved by the relevant authority prior to display.
- (5) Scoreboards and changeable image board signage in a sports and active recreation zone may not be displayed except on the day an event is taking place.
- (6) Except as otherwise permitted pursuant to this clause, publicly visible signage may not be displayed in a public open space unless:
  - (a) the signage is associated with an activity which is permitted under the Unitary Plan in the relevant zone; and
  - (b) the relevant authority has given approval to the display.

### **23 Signage advertising commercial sexual services**

- (1) Publicly visible signage that advertises commercial sexual services must be no larger than:
  - (a) 0.33 square metres in a residential zone
  - (b) 1 square metre in all other zones.
- (2) Notwithstanding clause 14(3) a person may only display signage advertising commercial sexual services on a wall mounted sign attached either to a fence or a wall of the premises at which the services are provided.
- (3) Publicly visible signage advertising commercial sexual services may only contain:
  - (a) the name of the operator or registered business, and
  - (b) street number, and
  - (c) telephone number.
- (4) Publicly visible signage advertising commercial sexual services must not contain:
  - (a) flashing lights; or
  - (b) changeable message signage; or
  - (c) sexualised shapes or images.

## 24 Real estate signage

- (1) Real estate signage must comply with the control measures for real estate signage in Table 8 of Schedule 1.
- (2) Real estate signage must be located within the boundary of the property to which it relates, or flush on the wall or fence of that property except that if the property does not have direct road frontage, signage may be displayed on the grass verge or, if there is no grass verge, any unsealed portion of the road, directly outside the property, ~~or as close as practical to the property~~ to which it relates.
- (3) Subclause (2) does not apply to:
  - (a) directional real estate signage, so long as that signage complies with the control measures for directional real estate signage in Table 8 of Schedule 1; or
  - (b) real estate flags or banners attached to a vehicle during the time of an open home or on site auction, so long as that signage complies with the control measures for real estate flags or banners in Table 8 of Schedule 1 and neither the flag or banner nor any supporting structure protrudes from the side of the vehicle.

## 25 Vehicle signage

- (1) A person must not display any signage on or connected to a moving or parked trailer or vehicle that is on or visible from a road or a public place, if the principal function of the trailer or vehicle is to display advertising material.
- (2) A person must not display signage on a vehicle used on a road if that signage protrudes from the side of the vehicle in a manner that compromises the safe and efficient operation of the road, or creates a nuisance to, or interferes with other road users.
- (3) A person who is a motor vehicle trader under the Motor Vehicle Sales Act 2003 may only display signage related to the sale of a vehicle when that vehicle is on a road if the vehicle is being used for a test drive or being taken to a garage or vehicle testing facility.

*Explanatory Note: A person who is not a motor vehicle trader may display signage related to the sale of a vehicle when that vehicle is on a road but only if the vehicle is being used in the course of ordinary day to day travel. See also clause 23 of the Auckland Transport Traffic Safety Bylaw 2012.*

- (4) Notwithstanding subclause (1) a real estate flag or banner may be displayed on a stationary vehicle in accordance with clause 24(3)(b).

## 26 Community event signage

- (1) Community event signage must comply with the control measures for community event signage in Table 9 of Schedule 1.
- (2) The relevant authority may by resolution approve public sites for the display of community event signage and may specify controls for the display of signage on the site.

- (3) Community event signage may be displayed on private property associated with that community with the consent of the occupier or if an occupier cannot be located the consent of the owner of the private property.
- (4) Community event signage may be affixed to the front face of a fence between private property and a public place but only if it is flat against the surface area of the fence and does not protrude from it.
- (5) Community event signage must clearly display the name and contact details (including a telephone number) of the person responsible for establishing and maintaining the signage who can be contacted to repair, secure or otherwise take action in relation to its display. These details may be provided on the back of the sign.
- (6) Community event signage must not be displayed any earlier than 21 days before the event and must be removed no later than 3 days after the event.

## **27 Regional and major event signage and major recreational facilities**

- (1) Regional and major event signage must comply with the portable, free standing, horizontal wall mounted, and flat wall mounted signage control measures in Schedule 1.
- (2) Regional and major event signage may only be displayed on the site where the event is to take place or at a site specified for that purpose by the relevant authority under this clause.
- (3) The relevant authority may by resolution approve sites for the display of regional and major event signage and may specify controls for the display of signage on the site.
- (4) Regional and major event signage must clearly display the name and contact details (including a telephone number) of the person responsible for establishing and maintaining the signage who can be contacted to repair, secure or otherwise take action in relation to its display. These details may be provided on the back of the sign.
- (5) Publicly visible signage attached to the exterior of a major recreational facility may comprise only:
  - (a) the date and time of a forthcoming event; and
  - (b) the name and/or logo of:
    - (i) the building owner or occupier;
    - (ii) the sponsor of the principal occupier or user of the facility;
    - (iii) the sponsor of an event taking place at the facility, but only while the event is taking place;
  - (c) reference to the primary activities which take place at the facility.
- (6) Any signs located on a major recreational facility must be flush with the building surface, and not project out from the wall or above the roof of the facility.
- (7) This clause does not limit:
  - (a) signage painted on the roof of a major recreational facility.

- (b) signage at a major recreational facility that is directed primarily at the field of play.

## Part 5 – Exemptions, Approvals and administrative matters

### 28 Approval of Exemptions for non-complying signage

- (1) An application may be made to the relevant authority for an exemption to allow the display of publicly visible signage ~~approval to display publicly visible signage~~ that:

~~(a) — requires approval under this bylaw;~~

~~(b)~~ does not comply with this bylaw.

- (2) Such an application must be made in the prescribed form and be accompanied by payment of the application and processing fees and such supporting information as required to enable processing of the application.

- (3) ~~Approval~~Exemptions may be granted or refused:

~~(a) —~~ at the discretion of the relevant authority,  
(a) having taken into account the criteria in in subclause (4) and such of those matters in clause 29 as are considered relevant; and

(b) upon such terms and conditions as provided for in clause 30 of this bylaw as the relevant authority considers appropriate.

- (4) An ~~applicaxemption for approval~~ may be granted under subclause ~~(34)~~(b) only if;

(a) the relevant authority is satisfied that granting the ~~exemptionapproval~~ will not significantly prejudice the achievement of the purpose of this bylaw; and

(b) the relevant authority is satisfied that one or more of the following applies:

- (i) the signage is in substantial compliance with the bylaw and further compliance is unnecessary;
- (ii) the action taken on, or provision made for, the matter to which the requirement relates is as effective as, or more effective than, compliance with the requirement;
- (iii) a requirement or requirements in the bylaw is unreasonable or inappropriate in the particular case;
- (iv) events have occurred that make compliance with a requirement or requirements in the bylaw unnecessary or inappropriate in the particular case.

### 29 Relevant matters when considering exemptionapproval applications and approvals

- (1) When considering an application for an exemption under clause 28 approval of signage under this bylaw and the conditions which may~~te~~ be imposed under it, the relevant authority may take into account any or all of the following matters:

(a) the extent to which the signage will promote the achievement of:

- (i) Auckland Transport's and the council's strategies and policies for the management of signage; and

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- (ii) any relevant operational policy, guidance document or management practice of, or approved by, the relevant authority;
- (b) the impact of the proposed signage on the visual amenity of the locality. In undertaking this assessment, the following matters may be considered:
  - (i) any relevant urban design guideline;
  - (ii) any relevant urban design assessment criteria of the Unitary Plan or the Auckland Council District Plan Hauraki Gulf Islands Section - Operative 2013;
  - (iii) the extent to which the size, proportion and location of any proposed signage detracts from the character of any public place from which it can be seen, including the characteristics of the streetscape, natural environment, landscaping and open space;
  - (iv) the extent to which signage is visible and dominates views from any residential zone, residential precinct or residential land unit;
  - (v) where placed on a building, the extent to which the signage appears as an integrated element of that building such that it respects, and positively relates to, structural bays, structural elements, architectural features, building proportions and the overall design of the building;
  - (vi) the extent to which the structure of any free-standing signage impacts on the visual amenity of the area;
  - (vii) the extent to which the signage, in conjunction with existing signage within the same visual catchment, creates adverse cumulative effects;
  - (viii) the extent to which the signage detracts from the visual qualities of any scheduled heritage building or site, located within the same visual catchment that are fundamental to the reasons for the heritage listing;
- (c) the impact of the signage on traffic safety and public safety;
- ~~(d) any known past issues which may affect, or may in the future affect, the appearance or safety of the signage or the ability of any person to comply with the conditions of an approval;~~
- (ed) compliance with the Unitary Plan or the Auckland Council District Plan Hauraki Gulf Islands Section – Operative 2013, other bylaws or other statutory requirements, if applicable.

~~(2) When considering whether or not to give approval for any matter requiring approval under this bylaw (not being an application for an exemption under clause 28), and the conditions to which the approval may be subject, the relevant authority may take into account such of the matters in subclause (1) as are relevant in the circumstances of the approval being sought~~

### 30 **Conditions of approval**

- (1) The terms and conditions upon which an ~~exemption~~approval may be granted under clause 28 include:
  - (a) the location and duration of display of the signage;
  - (b) the design, material, colour, size, structure and specifications of the signage;
  - (c) the construction and maintenance requirements for the signage;

- (d) the frequency at which the signage must be inspected and maintained;
- (e) conditions that in the opinion of the relevant authority are reasonably necessary to ensure traffic safety, public safety, pedestrian access or the visual amenity of the immediate area of the signage;
- (f) conditions relating to lighting, moving images, and luminance;
- (g) the provision of a bond or insurance in favour of the relevant authority where failure to comply with the conditions of approval could result in costs for the relevant authority.

(2) An approval under this bylaw (not being an exemption granted under clause 28) may be subject to conditions including any of the conditions in subclause (1) as are relevant in the circumstances of the approval sought.

~~(2)~~

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### 31 Fees

- (1) The relevant authority may by resolution prescribe fees in relation to an application for an exemption or an approval, including fees to process an application to review an existing approval, or to inspect signage.

## Part 6 - Enforcement Powers

### 32 Enforcement of the bylaw

- (1) In the absence of proof to the contrary, the person responsible for the promotion of a product, goods, service, event, or information displayed on a sign is presumed to be responsible for that signage.
- (2) The owner, occupier and manager of any premises on which publicly visible signage is displayed are each responsible for compliance with this bylaw.
- (3) Where a person does not comply with the terms and conditions of an approval granted by a relevant authority under this bylaw, the relevant authority may, in addition to or instead of any other enforcement action, take one or more of the following steps:
  - (a) issue a written warning to the person, which may be considered as evidence of a breach of a condition of the approval during any subsequent review of the approval;
  - (b) review the approval, which may result in:
    - (i) amendment of the approval; or
    - (ii) suspension of the approval; or
    - (iii) withdrawal of the approval.

### 33 Removal of signage

- (1) In addition to the powers conferred on it by any other enactment, the relevant authority may remove or cause to be removed from a premise, road or public place any signage displayed in breach of this bylaw.



- (2) The relevant authority may, pursuant to section 163 of the Local Government Act 2002, remove or alter signage constructed or displayed in breach of this bylaw and may recover any costs of removal or alteration from the person who committed the breach.
- (3) All signage on premises associated with a business that has ceased to trade from those premises must be removed by the owner, occupier or manager of the premises within three calendar months of the date that the business ceased to trade, except for signage that in the opinion of the relevant authority;
  - (a) holds historic heritage value; or
  - (b) is an integral part of the structure of a building and cannot be removed in a cost effective manner.

#### **Part 7 - Offences and Penalties**

##### **34 Bylaw breaches**

- (1) A person who fails to comply with this bylaw commits a breach of this bylaw and is liable to a penalty on conviction under the Land Transport Act 1998 or the Local Government Act 2002.

#### **Part 8 - Transitional provisions, revocations and savings**

##### **35 Transitional provisions**

- (1) Signage, other than portable signage, lawfully established prior to this bylaw coming into force may remain in place for the period of any approval granted for that signage without breaching this bylaw, subject to compliance with the requirements of [Part 2 clauses 7 to 13 of this bylaw](#).
- (2) Subject to subclause (3), signage remaining in place pursuant to subclause (1) may be altered, repaired or maintained.
- (3) Subclauses (1) and (2) do not apply if:
  - (a) there is a change to the size or the location of the signage; or
  - (b) there is a change from static to changeable message signage; or
  - (c) the signage is otherwise altered so that it no longer complies with a condition of any relevant approval.
- (4) Portable signage must comply with the requirements of this bylaw within six calendar months of the date of this bylaw coming into effect.
- (5) Any application for a licence, consent, permit, dispensation, permission or other form of approval made under a bylaw referred to in clause 36(1) that was filed before the day on which this bylaw commences must be dealt with by the relevant authority as if it had been made under this bylaw.
- (6) For the purpose of this clause and clauses 36(1) and 36(2), a former bylaw is any of the following:
  - (a) Clause 5 of Auckland City Council Bylaw No. 30 - Brothels and Commercial Sex Premises;
  - (b) Auckland City Council Signs Bylaw 2007;
  - (c) Clause 6 of the Franklin District Brothel Bylaw 2010;

- (d) Franklin District Council Control of Signs Bylaw 2007;
- (e) Clause 5 of the Manukau City Consolidated Bylaw 2008, Chapter 3 – Brothels;
- (f) Chapter 19 (Temporary Signs) of the Manukau City Consolidated Bylaw 2008;
- (g) Clause 4 of the North Shore City Bylaw 2000, Part 25 – Brothels;
- (h) North Shore City Part 12 (Control of Temporary Signs) Bylaw 2000;
- (i) Papakura District Council Control of Advertising Signs Bylaw 2008;
- (j) Clause 7 of the Rodney District Council, Chapter 14 – Brothels and Commercial Sex Premises;
- (k) Rodney District Council, Chapter 22 of the General Bylaw 1998, (Temporary Signs).

### 36 ~~Revocations and~~ Savings provisions

- (1) The following bylaws are revoked:
- ~~(a) Clause 5 of the Auckland City Council Bylaw No. 30 – Brothels and Commercial Sex Premises;~~
- ~~(b) Auckland City Council Signs Bylaw 2007;~~
- ~~(c) Clause 6 of the Franklin District Brothel Bylaw 2010;~~
- ~~(d) Franklin District Council Control of Signs Bylaw 2007;~~
- ~~(e) Clause 5 of the Manukau City Consolidated Bylaw 2008, Chapter 3 – Brothels;~~
- ~~(f) Chapter 19 (Temporary Signs) of the Manukau City Consolidated Bylaw 2008;~~
- ~~(g) Clause 4 of the North Shore City Bylaw 2000, Part 25 – Brothels;~~
- ~~(h) North Shore City Part 12 (Control of Temporary Signs) Bylaw 2000;~~
- ~~(i) Papakura District Council Control of Advertising Signs Bylaw 2008;~~
- ~~(j) Clause 7 of the Rodney District Council, Chapter 14 – Brothels and Commercial Sex Premises;~~
- ~~(k) Rodney District Council, Chapter 22 of the General Bylaw 1998, (Temporary Signs).~~

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- ~~(21)~~ Any dispensation or approval granted for any signage, other than portable signage, under a bylaw ~~referred to in subclause (1)~~ continues to have effect notwithstanding the revocation of that bylaw, for the duration of the dispensation or approval.
- ~~(32)~~ Any dispensation or approval granted for any portable signage under a ~~former~~ bylaw ~~referred to in subclause (1)~~ continues to have effect ~~notwithstanding the revocation of that bylaw,~~ for a period of six calendar months from the date of this bylaw coming into effect.
- ~~(43)~~ ~~Despite subclause (1),~~ ~~†~~ The prohibition on portable signs on roads in Appendix 2 of the Auckland City Council Signs Bylaw 2007 continues to have effect notwithstanding the revocation of that bylaw until replaced by a resolution made under clause 14(9) of this bylaw.

## SCHEDULE 1

### Control measures

**Table 1. Maximum luminance of illuminated signage (excluding LEDs)**

illuminated area (m <sup>2</sup> )	Areas with street lighting (cd/m <sup>2</sup> )	Areas without street lighting (cd/m <sup>2</sup> )
Up to and including 0.5	2000	1000
Over 0.5 up to and including 2	1600	800
Over 2 up to and including 5	1200	600
Over 5 up to and including 10	1000	600
Over 10	800	400

**Table 2. Portable signage**

Zone	Size		Number
General Business Business Park Light Industry Heavy Industry	<p><b>Board sign</b> Maximum height from the ground of 1.24 metres high x 0.6745 metres wide x 0.46 metres deep <u>with a maximum area of 0.72 square metres</u>, including the frame and supporting base</p>	<p><b>Flag sign</b> Maximum size of the <u>teardrop style</u> flag of 1.85 metres high x 0.5 metres wide and a maximum total height of 2.2 metres from the base of the sign to the top of it</p>	<p>One board or <u>teardrop style</u> flag per mobile vendor / trading premise (where permitted)</p> <p><b>or</b></p> <p>One board or <u>teardrop style</u> flag per mobile vendor / trading premise (where permitted)</p>
Neighbourhood Centre Local Centre Town Centre Metropolitan Centre City Centre Mixed Use Rural Special purpose			
Public open space			
Major recreational facility			
City Centre Waterfront precincts in the coastal marine area	<p><b>Board sign</b> Maximum height from the ground of 1.24 metres high x 0.6745 metres wide x 0.46 metres deep including the frame and supporting base</p>	<p><b>Flag sign</b> Maximum size of the <u>teardrop style</u> flag of 1.85 metres high x 0.5 metres wide and a maximum total height of 2.2 metres from the base of the flag</p>	<p>One board or <u>teardrop style</u> flag per premise at wharf deck level only (ie: the actual surface level of the wharf or other structure). Not permitted unless on an</p>
Coastal			

Residential	<p><b>Board sign</b></p> <p>Maximum height from the ground of 1.24 metres high x 0.6745 metres wide x 0.46 metres deep, with a maximum area of 0.72 square metres including the frame and supporting base</p>	<p>sign to the top of it</p> <p><b>Flag sign</b></p> <p>Maximum size of the teardrop style flag of 1.85 metres high x 0.5 metres wide and a maximum total height of 2.2 metres from the base of the flag sign to the top of it</p>	<p>existing structure</p> <p>One board or teardrop style flag per historic heritage place or retail outlet lawfully established prior to this bylaw coming into effect</p>
All other zones	<b>Not permitted</b>		

**Table 3. Free standing signage**

Zone	Type	Size	Number	Location
All zones	Local, community, regional or major event	Maximum of 1.5 square metres	One per site	Dedicated site and excludes major recreational facilities
Neighbourhood Centre	Freestanding identification	Maximum height of 6 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	<del>One per street frontage per site</del> Refer clause 16(3)	Located directly outside the premise / facility / major recreational facilities
	Menu board	<del>Menu board</del> Maximum surface area 4.2 square metres	Maximum surface area 2.4 square metres	One menu board per drive-through lane or on the site boundary
Local Centre	Way finding	Maximum height of 2 metres including base and supporting structure Maximum width of 1 metre Maximum area of surface area of 2 square metres	Two per vehicle / pedestrian entrance per site	Vehicle or pedestrian entrance
City Centre	Freestanding identification	Maximum height of 8 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	<del>One per street frontage per site</del> Refer clause 16(3)	Located directly outside the premise / facility
Town Centre	Menu board	Maximum surface area 4.2 square metres	One menu board per drive-through lane	One menu board per drive-through lane or on the site boundary
Metropolitan Centre	Way finding	Maximum height of 2 metres including	Two per vehicle /	Vehicle or pedestrian entrance

Mixed use		base and supporting structure Maximum width of 1 metre Maximum area of surface area of 2 square metres	pedestrian entrance per site	
Major recreational facility	Freestanding identification	Maximum height of 8 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	<u>One per street frontage per site</u> <u>Refer clause 16(3)</u>	On an area set aside by a local board or designated by council / Auckland Transport, and removed 3 days after the event
	Way finding	Maximum height of 2 metres including base and supporting structure Maximum width of 1 metre Maximum area of surface area of 2 square metres	Two per vehicle / pedestrian entrance per site	Vehicle or pedestrian entrance
General business	Freestanding identification	Maximum height of 8 metres including base and supporting structure Maximum width of 2 metres Maximum surface area of 4 square metres	<u>One per street frontage per site</u> <u>Refer clause 16(3)</u>	Located directly outside the premise
Business park				
Light industry	Menu board	Maximum surface area of 4.2 square metres	One menu board per drive through lane	One menu board per drive-through lane or on the site boundary
Heavy industry	Way finding	Maximum height of 2 metres including base and supporting structure Maximum width of 1 metre Maximum area of surface area of 2 square metres	Two per vehicle entrance per site	Vehicle entrance
Coastal	Freestanding identification	Maximum permitted height 4 metres above wharf deck level Maximum surface area of 3 square metres	One sign per structure (i.e. per wharf or building on a wharf)	Must be attached to or located immediately adjoining the building, wharf, or structure that is being identified or sited where the product, business or services is available. On a wharf or other structure in the coastal marine area, ground level means the actual surface level of the wharf or other structure
Conservation	Freestanding identification	Maximum surface area of 3 square metres and a minimum ground clearance of	By application and with landowner	Must be attached to or located immediately adjoining the building or

		0.8metres	consent	structure that is being identified or sited where the product, business or services is available
Informal Recreation			By application and with landowner consent	
Sports and Active Recreation			One per licensee / lessee	By application and with landowner consent
Civic Space			By application and with landowner consent	Must be attached to or located immediately adjoining the building or structure that is being identified or sited where the product, business or services is available
Community				
All other zones	<b>By application only and with landowner consent</b>			

**Table 4. Veranda fascia signage**

Zone	Number	Size	Content
All zones (excluding residential, public open space, coastal and major recreational facilities)	One per tenancy	Maximum height of 0.64 metres <del>or height of fascia, whichever is the lesser</del> . Must not project more than 0.3 metres from fascia with a minimum ground clearance of at least 2.7 metres	Advertising content limited to 50% of the sign  General provisions apply
Public Open Space	One per building frontage		
Major recreational facility	One per pedestrian entrance		
Coastal	One per building frontage	Maximum length of 5 metres, Maximum height of 0.64 metres <del>or height of fascia, whichever is the lesser</del> . Must not project more than 0.3 metres from fascia with a minimum ground clearance of at least 2.7 metres Must not protrude beyond the eaves of the building. On a wharf or other structure in the coastal marine area, ground level means the actual surface level of the wharf or other structure.	
Residential	One per historic heritage	Maximum height of 0.64 metres <del>or height of fascia,</del>	

	place or retail outlet lawfully established prior to this bylaw coming into effect	<del>whichever is the lesser.</del> Must not project more than 0.3 metres from fascia with a minimum ground clearance of at least 2.7 metres	
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**Table 5. Under veranda signage**

Zone	Number	Size	Location
City Centre Metropolitan Centre Town Centre Local Centre Neighbourhood Centre Mixed use Coastal Major recreational facility	Limited to one <del>every per</del> five metres of <del>property shop</del> frontage <del>per business with a maximum of</del> <del>four per business</del>  <del>Maximum of four per business</del>	Maximum height of 0.6 metres including supporting structures. Not be more than 0.25 metres in depth	Be positioned 1. at 90 degrees to the wall to which the veranda is attached; 2. so that the sign has a minimum height clearance of 2.7 metres above ground level; 3. so that the end of the sign is at least 0.5 metres from the fascia line; 4. a minimum of 5 metres away from any other under veranda sign <del>of the same business</del> .
Public Open Space	<b>By application only and with landowner consent</b>		

**Table 6. Horizontal wall mounted signage**

Zone	Type	Number	Area / Size	Height / Protrusion
General Business Business Park Light Industry Heavy Industry Neighbourhood Centre Local Centre Town Centre Metropolitan centre	Mounted at 90° to the wall	1 per every 5 metres of wall length	Not exceeding 2 square metres per side of the sign	To protrude no more than 1 metre from the wall to which it is affixed To be located a minimum of 3 metres and a maximum of 8 metres above street level

City Centre Mixed Use				
All other zones	<b>By application only and with landowner consent</b>			

**Table 7. Flat wall mounted signage**

<b>Zone</b>	<b>Number</b>	<b>Area / Size</b>	<b>Height/ Protrusion</b>
Major recreational facility	No more than eight signs attached to a main stadium building	The maximum area of any one sign attached to a main stadium building shall not exceed 40 square metres	<u>No restriction</u>
Town Centre Local Centre Neighbourhood Centre Mixed Use	1 per business every 5 metres of wall length	Not exceeding 3 square metres per sign Cumulatively not covering more than 25% of the street frontage or 50% of the side or rear wall area	<u>On the ground floor, a maximum of 3 metres above street or ground level.</u> <u>Otherwise no restriction</u>
City Centre Metropolitan Centre		Not exceeding 6 square metres per sign Cumulatively not covering more than 25% of the street frontage or 50% of the side or rear wall area	
General Business Business Park Light Industry Heavy Industry	1 per business every 5 metres of wall length	Not exceeding 5 square metres	<u>On the ground floor, a maximum of 5 metres above street or ground level.</u> <u>Otherwise no restriction.</u>
Coastal		Not exceeding 2 square metres	<u>On the ground floor, a maximum of 4 metres above wharf deck level</u> Not to protrude beyond the wall, eaves of building or structure to which it is located on. On a wharf or other structure in the coastal marine area, ground level means the actual surface level of the wharf or other structure
Residential		0.33 square metres	<u>Must be on the ground floor level of building</u>
Public Open Space		Not exceeding 1 square metre	A maximum of 3 metres above ground level
Rural		Not exceeding 2 square metres	A maximum of 4 metres above street or



Special Purpose		Not exceeding 2 square metres	ground level
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**Table 8. Real estate signage**

Zone		Directional signage	Flags or banners	Boards
Residential				
	<b>Number</b>	Single agency listing - maximum of three per property Multiple listing maximum of two signs per agency	Maximum of one per property	Single agency maximum of one  Multiple agency maximum of three signs, one per agency
	<b>Height</b>	Not to exceed 0.28 square metres area, 1 metre max height	Not to exceed 2.3 metres high	Single agency - not to exceed more than 1.8 square metres and no more than 2 metres above ground level  Multiple agency –each not to exceed 0.6 square metres
	<b>Location</b>	At no more than three intersections leading towards the property or one outside the property and at no more than two intersections leading towards the property	Must either be on the property for sale/ lease or auction or attached to / secured by a parked vehicle directly outside that property	Located on the property
	<b>Placement</b>	Not placed within 0.6 metres of the kerb face	Not placed within 0.6 metres of the kerb face.	Not placed within 0.5 metres of the kerb face.
	<b>Duration</b>	Auction signage must be removed on the day of the auction; or Open home signage must be removed on the day of the last open home of that weekend	May only be displayed during the period of the open home or auction (including time for set up and close down of that event). Must be removed on the same day as the open home / auction	Must be removed within seven days of the sold notification being placed on the sign.
Rural				
	<b>Directional signs</b>		<b>Flags</b>	<b>Boards</b>
	<b>Number</b>	Maximum of two signs per property	Maximum of one per property	Maximum of two per property
	<b>Height</b>	Not to exceed 0.28 square metres area, 1m max high	Not to exceed 2.4 metres high	Not to exceed 2.88 square metres and no more than 2 metres above ground level

Zone		Directional signage	Flags or banners	Boards
	<b>Location</b>	At no more than three intersections leading towards the property or one outside the property and at no more than two intersections leading towards the property.	Must either be on the property or secured to a parked vehicle directly outside that property so long as the banner does not protrude from the side of the vehicle.	On the boundaries of the property and one at the primary entrance to the property.
	<b>Placement</b>	Not placed within 0.6 metres of the kerb face	Not placed within 0.6 metres of the kerb face.	Not placed within 0.6 metres of the kerb face.
	<b>Duration</b>	Auction signage must be removed on the day of the auction; or "Open home" signage must be removed on the day of the last open home of that weekend	May only be displayed during the period of the open home or auction (including time for set up and close down of that event). Must be removed on the same day as the open home / auction	Must be removed within seven days of the sold notification being placed on the sign.
All other zones		<b>Directional signs</b>	<b>Flags</b>	<b>Boards</b>
	<b>Number</b>	Max of two signs	Maximum of one per property	Single agency maximum of one.  Multiple agency maximum of three signs, one per agency
	<b>Height</b>	Not to exceed 0.28 square metres area, 1 metre max height	Not to exceed 2.3 metres high	Sole agency -not exceeding 2.88 square metres and 2 metres high
	<b>Location</b>	At no more than three intersections leading towards the property or one outside the property and at no more than two intersections leading towards the property	Must either be on the property or secured to a parked vehicle directly outside that property so long as the banner does not protrude from the side of the vehicle.	Located on the property
	<b>Placement</b>	Not placed within 0.6 metres of the kerb face	Not placed within 0.6 metres of the kerb face.	<u>Not placed within 0.6m of the kerb face.</u>
	<b>Duration</b>	Auction signage must be removed on the day of the auction; or "Open home" signage must be removed on the day of the last open home of that weekend	May only be displayed during the period of the open home or auction (including time for set up and close down of that event). Must be removed on the same day as the open home / auction	May not be displayed for more than six months in any consecutive 12 month period  Must be removed within seven days of the sold notification being placed on the sign.

**Table 9. Community event signage**

<b>Zone</b>	<b>Size</b>	<b>Number</b>	<b>Time period</b>
Public Open Space Residential Business Special purpose	1.5 square metres max Maximum height 1.5m from ground level and the bottom edge of sign must not be less than 0.5 metres from ground level.	One per street frontage	21 days prior to event, removed within 3 days of event
Coastal	1.5 square metres max 1.5 metres max height above wharf deck level or mean high water spring mark if not located on an existing structure.		Cannot be used for more than 4 occasions in one calendar year
All other zones	<b>Prohibited</b>		