Signage Bylaw 2015
Te Ture a Rohe mo nga Tohu 2015

Board of Auckland Transport made by resolution
on 26 May 2015

Governing Body of Auckland Council made by resolution
on 28 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.
Contents

1 Title ........................................................................................................................................... 4
2 Commencement ........................................................................................................................... 4
3 Bylaw-making and application .................................................................................................... 4

Part 1 - Preliminary provisions ...................................................................................................... 6
4 Purpose ......................................................................................................................................... 6
5 Definitions ...................................................................................................................................... 6

Part 2 – Requirements applying to all publicly visible signage ................................................... 15
6 Compliance ...................................................................................................................................... 15
7 Amenity .......................................................................................................................................... 15
8 Safety and maintenance ............................................................................................................... 16
9 Traffic ........................................................................................................................................... 16
10 Changeable message signage ....................................................................................................... 17
11 Static illuminated signage ........................................................................................................... 17
12 Coastal marine area ...................................................................................................................... 17
13 Content of signage ....................................................................................................................... 18

Part 3 - Specific signage types ....................................................................................................... 18
14 Portable signage .......................................................................................................................... 18
15 Stencil signage and similar markings advertising services or products ................................... 20
16 Free standing signage .................................................................................................................. 20
17 Poster signage ............................................................................................................................. 21
18 Banners ....................................................................................................................................... 22
19 Veranda signage .......................................................................................................................... 22
20 Wall mounted signage .................................................................................................................. 23
21 Window signage ........................................................................................................................... 23

Part 4 - Signage uses ....................................................................................................................... 23
22 Signage in Public Open Spaces .................................................................................................... 23
23 Signage advertising commercial sexual services ....................................................................... 24
24 Real estate signage ....................................................................................................................... 25
25 Vehicle signage ............................................................................................................................. 25
26 Community event signage .......................................................................................................... 25
27 Regional and major event signage and major recreational facilities .......................................... 26

Part 5 – Exemptions, approvals and administrative matters ......................................................... 27
28 Exemptions for non-complying signage ..................................................................................... 27
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.
(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.

**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 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;
   (ix) tertiary education; and

(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/m² at any time; and
(b) 250 cd/m² 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.
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
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) 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 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

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;

36 Savings provisions

(1) Any dispensation or approval granted for any signage, other than portable signage, under a 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(10) of this bylaw.
SCHEDULE 1

Control measures

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

<table>
<thead>
<tr>
<th>Illuminated area (m²)</th>
<th>Areas with street lighting (cd/m²)</th>
<th>Areas without street lighting (cd/m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to and including 0.5</td>
<td>2000</td>
<td>1000</td>
</tr>
<tr>
<td>Over 0.5 up to and including 2</td>
<td>1600</td>
<td>800</td>
</tr>
<tr>
<td>Over 2 up to and including 5</td>
<td>1200</td>
<td>600</td>
</tr>
<tr>
<td>Over 5 up to and including 10</td>
<td>1000</td>
<td>600</td>
</tr>
<tr>
<td>Over 10</td>
<td>800</td>
<td>400</td>
</tr>
</tbody>
</table>

Table 2. Portable signage

<table>
<thead>
<tr>
<th>Zone</th>
<th>Size</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Business</td>
<td>Board sign</td>
<td>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</td>
</tr>
<tr>
<td>Business Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Industry</td>
<td>Flag sign</td>
<td>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</td>
</tr>
<tr>
<td>Heavy Industry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighbourhood Centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town Centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metropolitan Centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixed Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special purpose</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public open space</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major recreational facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Centre Waterfront precincts in the coastal marine area</td>
<td>Board sign</td>
<td>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</td>
</tr>
<tr>
<td>Coastal</td>
<td>Flag sign</td>
<td>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</td>
</tr>
<tr>
<td>Zone</td>
<td>Type</td>
<td>Size</td>
</tr>
<tr>
<td>--------------------------</td>
<td>---------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>All zones</td>
<td>Local, community, regional or major event</td>
<td>Maximum of 1.5 square metres</td>
</tr>
<tr>
<td>Neighbourhood Centre</td>
<td>Freestanding identification</td>
<td>Maximum height of 6 metres including base and supporting structure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum width of 2 metres</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum surface area of 4 square metres</td>
</tr>
<tr>
<td>Local Centre</td>
<td>Menu board</td>
<td>Maximum surface area 4.2 square metres</td>
</tr>
<tr>
<td></td>
<td>Way finding</td>
<td>Maximum height of 2 metres including base and supporting structure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum width of 1 metre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum area of surface area of 2 square metres</td>
</tr>
<tr>
<td>City Centre</td>
<td>Freestanding identification</td>
<td>Maximum height of 8 metres including base and supporting structure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum width of 2 metres</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum surface area of 4 square metres</td>
</tr>
<tr>
<td>Town Centre</td>
<td>Menu board</td>
<td>Maximum surface area 4.2 square metres</td>
</tr>
<tr>
<td>Metropolitan Centre</td>
<td>Way finding</td>
<td>Maximum height of 2 metres including base and supporting structure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum width of 1 metre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum area of surface area of 2 square metres</td>
</tr>
<tr>
<td>Mixed use</td>
<td>Way finding</td>
<td>Maximum height of 2 metres including base and supporting structure</td>
</tr>
</tbody>
</table>

Table 3. Free standing signage

<table>
<thead>
<tr>
<th>Zone</th>
<th>Type</th>
<th>Size</th>
<th>Number</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td><strong>Board sign</strong></td>
<td>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</td>
<td>Top of it</td>
<td>One board or teardrop style flag per historic heritage place or retail outlet lawfully established prior to this bylaw coming into effect</td>
</tr>
<tr>
<td></td>
<td><strong>Flag sign</strong></td>
<td>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</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other zones</td>
<td>Not permitted</td>
<td>Top of it</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Freestanding identification</td>
<td>Max. Height</td>
<td>Max. Width</td>
<td>Max. Area</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>-----------------------------</td>
<td>-------------</td>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Major recreational facility</td>
<td>Freestanding identification</td>
<td>8 m</td>
<td>2 m</td>
<td>4 m</td>
</tr>
<tr>
<td>Light industry</td>
<td>Freestanding identification</td>
<td>8 m</td>
<td>2 m</td>
<td>4 m</td>
</tr>
<tr>
<td>Heavy industry</td>
<td>Freestanding identification</td>
<td>4.2 m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal</td>
<td>Freestanding identification</td>
<td>4 m</td>
<td></td>
<td>3 m</td>
</tr>
<tr>
<td>Conservation</td>
<td>Freestanding identification</td>
<td>3 m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informal Recreation</td>
<td>Freestanding identification</td>
<td>3 m</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Or 0.8 m

Per site

Per site

Per site

Per vehicle / pedestrian entrance per site

Vehicle entrance

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.
<table>
<thead>
<tr>
<th>Zone</th>
<th>Number</th>
<th>Size</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports and Active Recreation</td>
<td>One per licensee / lessee</td>
<td>By application and with landowner consent</td>
<td></td>
</tr>
<tr>
<td>Civic Space</td>
<td>By application and with landowner consent</td>
<td>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</td>
<td></td>
</tr>
<tr>
<td>Community</td>
<td>By application only and with landowner consent</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 4. Veranda fascia signage

<table>
<thead>
<tr>
<th>Zone</th>
<th>Number</th>
<th>Size</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>All zones (excluding residential, public open space, coastal and major recreational facilities)</td>
<td>One per tenancy</td>
<td>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</td>
<td></td>
</tr>
<tr>
<td>Public Open Space</td>
<td>One per building frontage</td>
<td>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. Advertising content limited to 50% of the sign General provisions apply</td>
<td></td>
</tr>
<tr>
<td>Major recreational facility</td>
<td>One per pedestrian entrance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal</td>
<td>One per building frontage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>One per historic heritage place or retail outlet lawfully established prior to this bylaw coming into effect</td>
<td>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</td>
<td></td>
</tr>
</tbody>
</table>
Table 5. Under veranda signage

<table>
<thead>
<tr>
<th>Zone</th>
<th>Number</th>
<th>Size</th>
<th>Location</th>
</tr>
</thead>
</table>
| City Centre                 | Limited to one every five metres of property frontage 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. |
| Metropolitan Centre         |        |                                                                      |                                                                          |
| Town Centre                 |        |                                                                      |                                                                          |
| Local Centre                |        |                                                                      |                                                                          |
| Neighbourhood Centre        |        |                                                                      |                                                                          |
| Mixed use                   |        |                                                                      |                                                                          |
| Coastal                     |        |                                                                      |                                                                          |
| Major recreational facility |        |                                                                      |                                                                          |
| Public Open Space           |        | **By application only and with landowner consent**                   |                                                                          |

Table 6. Horizontal wall mounted signage

<table>
<thead>
<tr>
<th>Zone</th>
<th>Type</th>
<th>Number</th>
<th>Area / Size</th>
<th>Height / Protrusion</th>
</tr>
</thead>
</table>
| General Business Business Park | 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 |
| Light Industry              |                                           |        |             |                                                                                     |
| Heavy Industry              |                                           |        |             |                                                                                     |
| Neighbourhood Centre        |                                           |        |             |                                                                                     |
| Local Centre                |                                           |        |             |                                                                                     |
| Town Centre                 |                                           |        |             |                                                                                     |
| Metropolitan centre         |                                           |        |             |                                                                                     |
| City Centre                 |                                           |        |             |                                                                                     |
| Mixed Use                   |                                           |        |             |                                                                                     |
| All other zones             | **By application only and with landowner consent** |        |             |                                                                                     |
### Table 7. Flat wall mounted signage

<table>
<thead>
<tr>
<th>Zone</th>
<th>Number</th>
<th>Area / Size</th>
<th>Height/ Protrusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major recreational facility</td>
<td>No more than eight signs attached to a main stadium building</td>
<td>The maximum area of any one sign attached to a main stadium building shall not exceed 40 square metres</td>
<td>No restriction</td>
</tr>
<tr>
<td>Town Centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighbourhood Centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixed Use</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Centre</td>
<td>1 per business every 5 metres of wall length</td>
<td>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</td>
<td>On the ground floor, a maximum of 3 metres above street or ground level. Otherwise no restriction.</td>
</tr>
<tr>
<td>Metropolitan Centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Business</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Park</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Industry</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heavy Industry</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal</td>
<td>1 per business every 5 metres of wall length</td>
<td>Not exceeding 5 square metres per sign Cumulatively not covering more than 25% of the street frontage or 50% of the side or rear wall area</td>
<td>On the ground floor, a maximum of 5 metres above street or ground level. Otherwise no restriction.</td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td>0.33 square metres</td>
<td>Must be on ground floor level of building</td>
</tr>
<tr>
<td>Public Open Space</td>
<td></td>
<td>Not exceeding 1 square metre</td>
<td>A maximum of 3 metres above ground level</td>
</tr>
<tr>
<td>Rural</td>
<td></td>
<td>Not exceeding 2 square metres</td>
<td>A maximum of 4 metres above street or ground level</td>
</tr>
<tr>
<td>Special Purpose</td>
<td></td>
<td>Not exceeding 2 square metres</td>
<td></td>
</tr>
</tbody>
</table>
## Table 8. Real estate signage

<table>
<thead>
<tr>
<th>Zone</th>
<th>Directional signage</th>
<th>Flags or banners</th>
<th>Boards</th>
</tr>
</thead>
</table>
| Residential   | Single agency listing - maximum of three per property  
Multiple listing maximum of two signs per agency | Maximum of one per property  
Multiple agency maximum of three signs, one per agency | Single agency maximum of one  
Multiple 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 |
| Number        | Not to exceed 0.28 square metres area, 1 metre max height                           | Not to exceed 2.3 metres high  
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  
Must be removed within seven days of the sold notification being placed on the sign |
| Height        | 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. |                                                                                                   |
| Location      | Not placed within 0.6 metres of the kerb face.  
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 |                                                                                                   |                                                                                                   |
| Placement     | 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 |                                                                                                   |                                                                                                   |
| Duration      | Maximum of two per property  
Maximum of one per property  
Maximum of two per property |                                                                                                   |                                                                                                   |
| Rural         | Maximum of two signs per property  
Maximum of one per property  
Maximum of two per property |                                                                                                   |                                                                                                   |
| Number        | 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 |                                                                                                   |
| Height        | 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. |                                                                                                   |
<table>
<thead>
<tr>
<th>Zone</th>
<th>Directional signage</th>
<th>Flags or banners</th>
<th>Boards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Placement</td>
<td>Not placed within 0.6 metres of the kerb face.</td>
<td>Not placed within 0.6 metres of the kerb face.</td>
<td>Not placed within 0.6 metres of the kerb face.</td>
</tr>
<tr>
<td>Duration</td>
<td>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</td>
<td>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</td>
<td>Must be removed within seven days of the sold notification being placed on the sign.</td>
</tr>
<tr>
<td>All other zones</td>
<td><strong>Directional signs</strong></td>
<td><strong>Flags</strong></td>
<td><strong>Boards</strong></td>
</tr>
<tr>
<td>Number</td>
<td>Max of two signs</td>
<td>Maximum of one per property</td>
<td>Single agency maximum of one.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Multiple agency maximum of three signs, one per agency</td>
</tr>
<tr>
<td>Height</td>
<td>Not to exceed 0.28 square metres area, 1 metre max height</td>
<td>Not to exceed 2.3 metres high</td>
<td>Sole agency - not exceeding 2.88 square metres and 2 metres high</td>
</tr>
<tr>
<td>Location</td>
<td>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</td>
<td>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.</td>
<td>Located on the property</td>
</tr>
<tr>
<td>Placement</td>
<td>Not placed within 0.6 metres of the kerb face.</td>
<td>Not placed within 0.6 metres of the kerb face.</td>
<td>Not placed within 0.6m of the kerb face.</td>
</tr>
<tr>
<td>Duration</td>
<td>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</td>
<td>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</td>
<td>May not be displayed for more than six months in any consecutive 12 month period.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Must be removed within seven days of the sold notification being placed on the sign.</td>
</tr>
</tbody>
</table>
Table 9. Community event signage

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

Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>History of bylaw</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>Related Documents</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>Delegations</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>Enforcement Powers</td>
<td>8</td>
</tr>
<tr>
<td>5</td>
<td>Offences and Penalties</td>
<td>8</td>
</tr>
</tbody>
</table>
## History of Bylaw

### Section 1

<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
<th>Date of Decision</th>
<th>Decision Reference</th>
<th>Commencement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make</td>
<td>The following signs bylaws in force on 31 Oct 2010 deemed to have been made by Auckland Council (a) Auckland City Council No 27 Signs (2007); (b) Franklin District Council Control of Signs Bylaw 2007; (c) Manukau City Consolidated Bylaw 2008 Chapter 19 Temporary Signs; (d) North Shore City Council Bylaw 2000 Part 12 Control of Temporary Signs; (e) Papakura District Council Control of Advertising Signs Bylaw 2008; (f) Rodney District Council General Bylaw 1998 Chapter 22 Temporary Signs.</td>
<td>01 Nov 2010</td>
<td>Section 63 Local Government (Auckland Transitional Provisions) Act 2010</td>
<td>01 Nov 2010</td>
</tr>
<tr>
<td>Revoke</td>
<td>(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;</td>
<td>26 May 2015</td>
<td>Agenda item 10.1</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>Action</td>
<td>Description</td>
<td>Date of Decision</td>
<td>Decision Reference</td>
<td>Commencement</td>
</tr>
<tr>
<td>--------</td>
<td>-------------</td>
<td>------------------</td>
<td>--------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>(f)</td>
<td>Chapter 19 (Temporary Signs) of the Manukau City Consolidated Bylaw 2008;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(g)</td>
<td>Clause 4 of the North Shore City Bylaw 2000, Part 25 – Brothels;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(h)</td>
<td>North Shore City Part 12 (Control of Temporary Signs) Bylaw 2000;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i)</td>
<td>Papakura District Council Control of Advertising Signs Bylaw 2008;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(j)</td>
<td>Clause 7 of the Rodney District Council, Chapter 14 – Brothels and Commercial Sex Premises;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Make</td>
<td>Signage Bylaw 2015</td>
<td>26 May 2015 (Board of Auckland Transport)</td>
<td>Agenda item 10.1</td>
<td>1 October 2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td>28 May 2015 (Governing Body of Auckland Council)</td>
<td>GB/2015/35</td>
<td></td>
</tr>
</tbody>
</table>
## Related Documents

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

### Section 3

<table>
<thead>
<tr>
<th>Clause</th>
<th>Function, Duty, Power to be Delegated</th>
<th>Delegated Authority</th>
<th>Date of Delegation</th>
<th>Decision Reference</th>
<th>Commencement of Delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>Administration and enforcement (excluding traffic control devices)</td>
<td>Auckland Council</td>
<td>2 April 2015</td>
<td>-</td>
<td>2 April 2015</td>
</tr>
<tr>
<td>14(10)</td>
<td>Power to specify roads or public spaces where portable signage is prohibited.</td>
<td>Regulatory Committee</td>
<td>1 November 2016</td>
<td>GB/2016/237</td>
<td>1 November 2016</td>
</tr>
<tr>
<td>15(5)</td>
<td>Power to specify footpaths or public places where stencil signage is allowed.</td>
<td>Regulatory Committee</td>
<td>1 November 2016</td>
<td>GB/2016/237</td>
<td>1 November 2016</td>
</tr>
</tbody>
</table>
| 17(6)  | Power to specify poster board sites for the purpose of this clause.  
As per sub clause (6), power to specify a proportion of the area of a poster board sign or poster board site that must be used for advertisements for artistic, cultural, religious, community or regional events. | Regulatory Committee | 1 November 2016 | GB/2016/237 | 1 November 2016 |
<p>| 18(1)  | Power to specify sites over a road or public place to display horizontal banners along with controls and specifying the proportion of the site that can be used for advertisements for artistic, cultural, religious, community or regional events. | Regulatory Committee | 1 November 2016 | GB/2016/237 | 1 November 2016 |
| 18(2)  | Power to approve public sites for the display of community event signage and controls for the display of signage on | Regulatory Committee | 1 November 2016 | GB/2016/237 | 1 November 2016 |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Function, Duty, Power to be Delegated</th>
<th>Delegated Authority</th>
<th>Date of Delegation Decision</th>
<th>Decision Reference</th>
<th>Commencement of Delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>27(3)</td>
<td>Power to approve sites for the display of major and regional event signage and may specify controls for the display of signage on the site.</td>
<td>Regulatory Committee</td>
<td>1 November 2016</td>
<td>GB/2016/237</td>
<td>1 November 2016</td>
</tr>
<tr>
<td>31(1)</td>
<td>Power to prescribe fees in relation to an application for an exemption or approval under the bylaw.</td>
<td>Regulatory Committee</td>
<td>1 November 2016</td>
<td>GB/2016/237</td>
<td>1 November 2016</td>
</tr>
<tr>
<td>All</td>
<td>Power to make a decision on applications for an exemption from any clause in the Signage Bylaw 2015</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>All</td>
<td>Power to approve the display of publicly visible signage on a roof of any building</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>All</td>
<td>Power to approve the display of signage on street furniture, road, bridge, underpass, overpass, tree or other AT/AC infrastructure</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>7(3)</td>
<td>Power to approve the display of publicly visible signage on, or in close proximity to, a scheduled historic</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>Clause</td>
<td>Function, Duty, Power to be Delegated</td>
<td>Delegated Authority</td>
<td>Date of Delegation Decision</td>
<td>Decision Reference</td>
<td>Commencement of Delegation</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------</td>
<td>---------------------</td>
<td>-----------------------------</td>
<td>-------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>14(4)</td>
<td>Power to approve the display of portable signage for premises that do not have ground floor frontage and direct floor access to the road or public place</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>15(1)(b)</td>
<td>Power to approve the display of stencil signage or similar marking advertising services or products and impose conditions</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>15(2)</td>
<td>Power to approve the display of stencil signage or similar marking advertising services or products and impose conditions</td>
<td>Resource Consents (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>18(4)(d)</td>
<td>Power to approve the approval of multi-functional pole or light pole for attachment of a vertical banner</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>22(4)(f)</td>
<td>Power to approve the display of signage in sports and active recreation zones</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>22(6)(b)</td>
<td>Power to approve the display of signage in any public open space</td>
<td>Licensing and Compliance (Team Leader)</td>
<td>28 May 2015</td>
<td>GB/2015/35</td>
<td>1 October 2015</td>
</tr>
<tr>
<td>Clause</td>
<td>Function, Duty, Power to be Delegated</td>
<td>Delegated Authority</td>
<td>Date of Delegation</td>
<td>Decision Reference</td>
<td>Commencement of Delegation</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------</td>
<td>---------------------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Resource Consents (Team Leader)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section 4

**Enforcement Powers**

<table>
<thead>
<tr>
<th>Legislative Provision</th>
<th>Description of Legislative Provision</th>
</tr>
</thead>
</table>
| 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  
177 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**

<table>
<thead>
<tr>
<th>Legislative provision</th>
<th>Description of offence</th>
<th>Fine</th>
<th>Infringement fee</th>
<th>Other penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government Act 2002</td>
<td>A person who fails to comply with Parts 2, 3 and 4 of this bylaw commits a breach of this bylaw</td>
<td>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.</td>
<td>nil</td>
<td></td>
</tr>
<tr>
<td>Land Transport Act 1998 and</td>
<td></td>
<td>Under section 22AB(1)(b) of the Land Transport Act 1998 is liable to the fine in the LTA not to exceed $500</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>