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# **PROPOSED NEW SIGNS BYLAW 2022**

## **ALL SUBMISSIONS WRITTEN FEEDBACK Vol.1**

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<b>Submission number</b>	<b>Organisation</b>
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91	Business North Harbour Incorporated
92	Community Action on Youth and Drugs
93	Disabled Persons Assembly NZ
94	Communities Against Alcohol Harm Inc
95	New Zealand Sign and Display Association (Inc)
96	NB: Duplicate of submission number 88 (Phantom Billstickers Limited)
97	Waka Kotahi New Zealand Transport Agency (Waka Kotahi)
98	Digital Signs
99	Safety Collective Tāmaki Makaurau
100	NB: Duplicate of submission number 73 (Newmarket Business Association)
101	Te Runanga o Ngati Whatua
102	Blind Citizens NZ
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108	Pukekohe Business Association





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business:** Hobsonville Community Trust

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**Your local board:** Upper Harbour

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Other

**Tell us why, and if there is anything you would change?** I think it should be allowed to advertise from 3 days before the sale to generate awareness. On the date is too late.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** There are some great events that benefit the community but may be run by a business. Even though we are a not-for-profit group, this restriction to only groups such as us could actually have a negative impact on the community if community events run by businesses can't advertise. Also, what about schools - both public and private schools

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Please ensure that there is easy clarification around Auckland Transport owned land/sites as well and also about permanent event noticeboards that can be used to change to different community events.

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

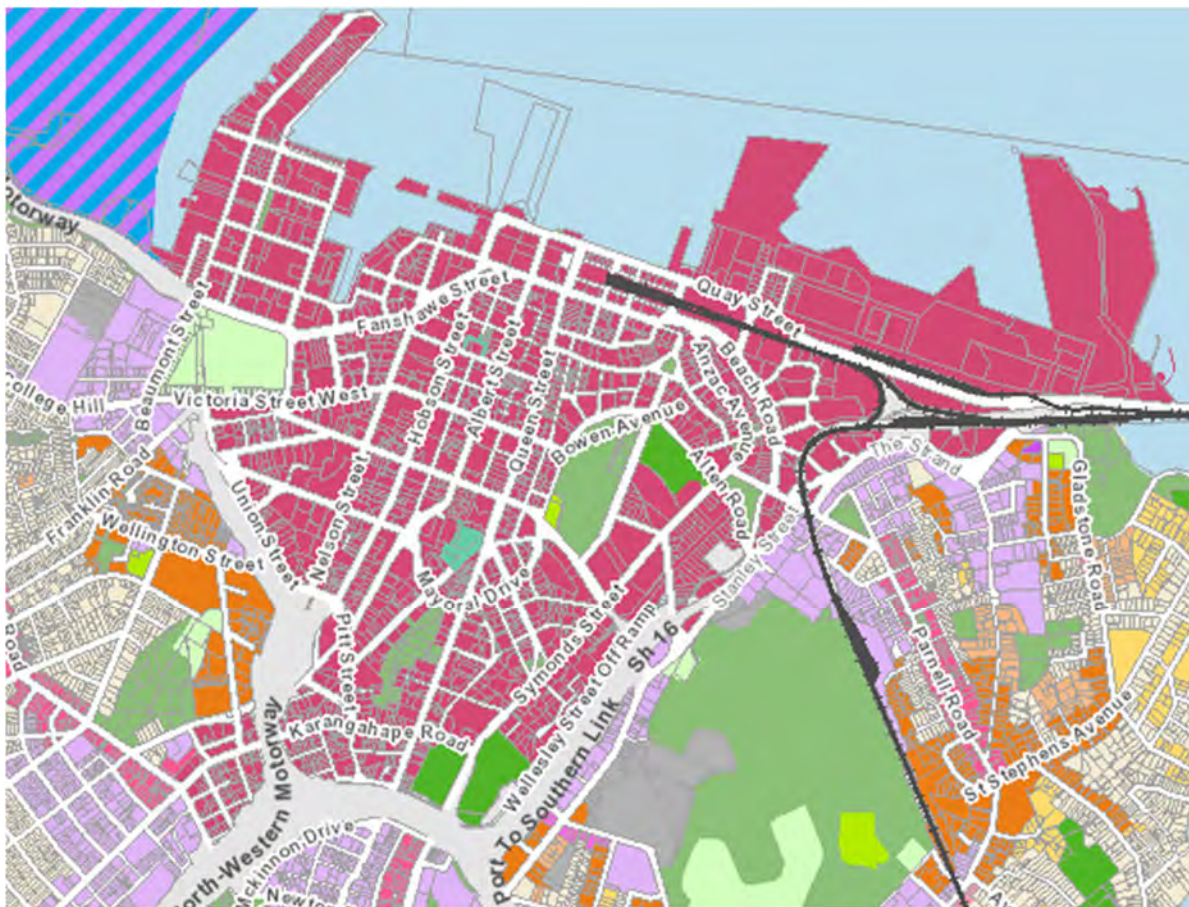
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley



- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development

- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Ōrākei

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Get rid of this rule, in most cases it is the home owner who has paid for the fence.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**



We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

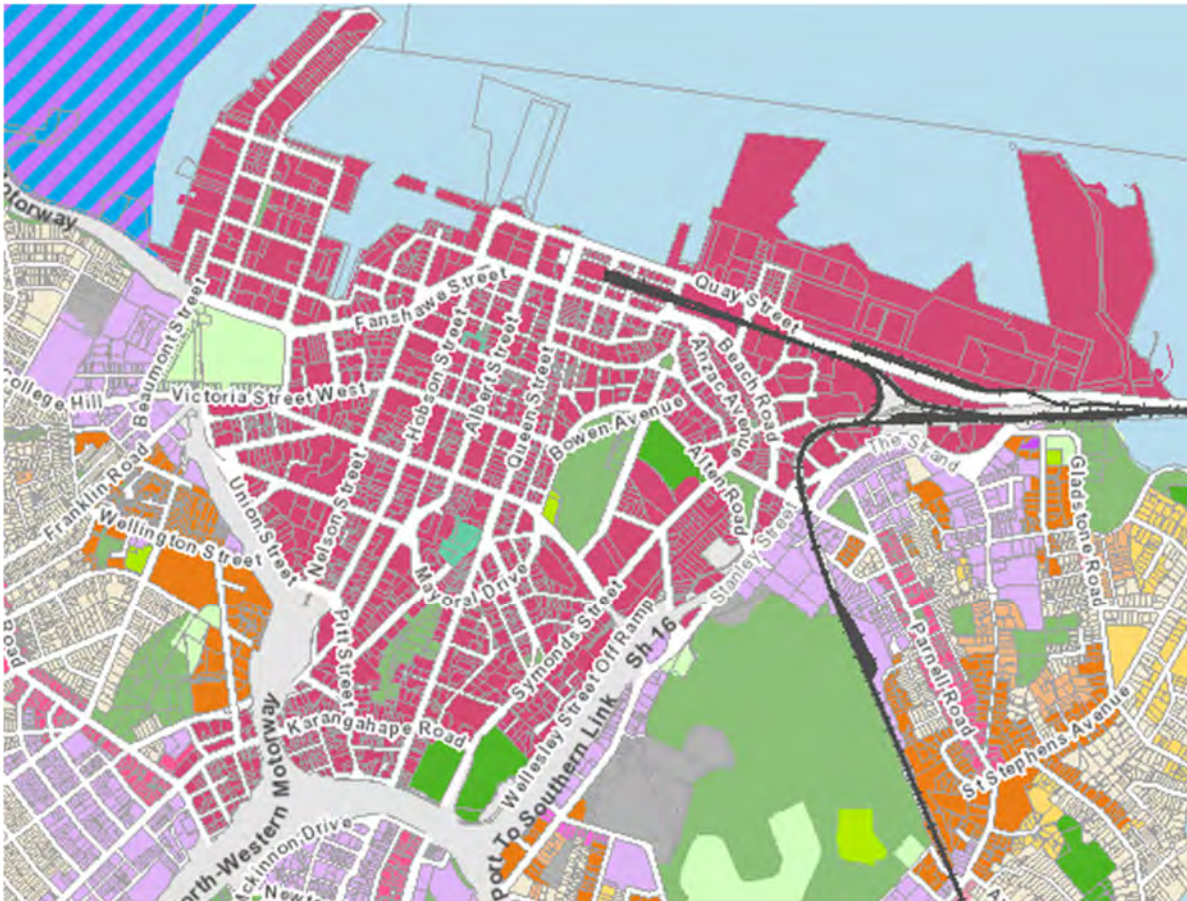
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?** I need more information to give feedback, this has very little information supplied

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.



We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Upper Harbour

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

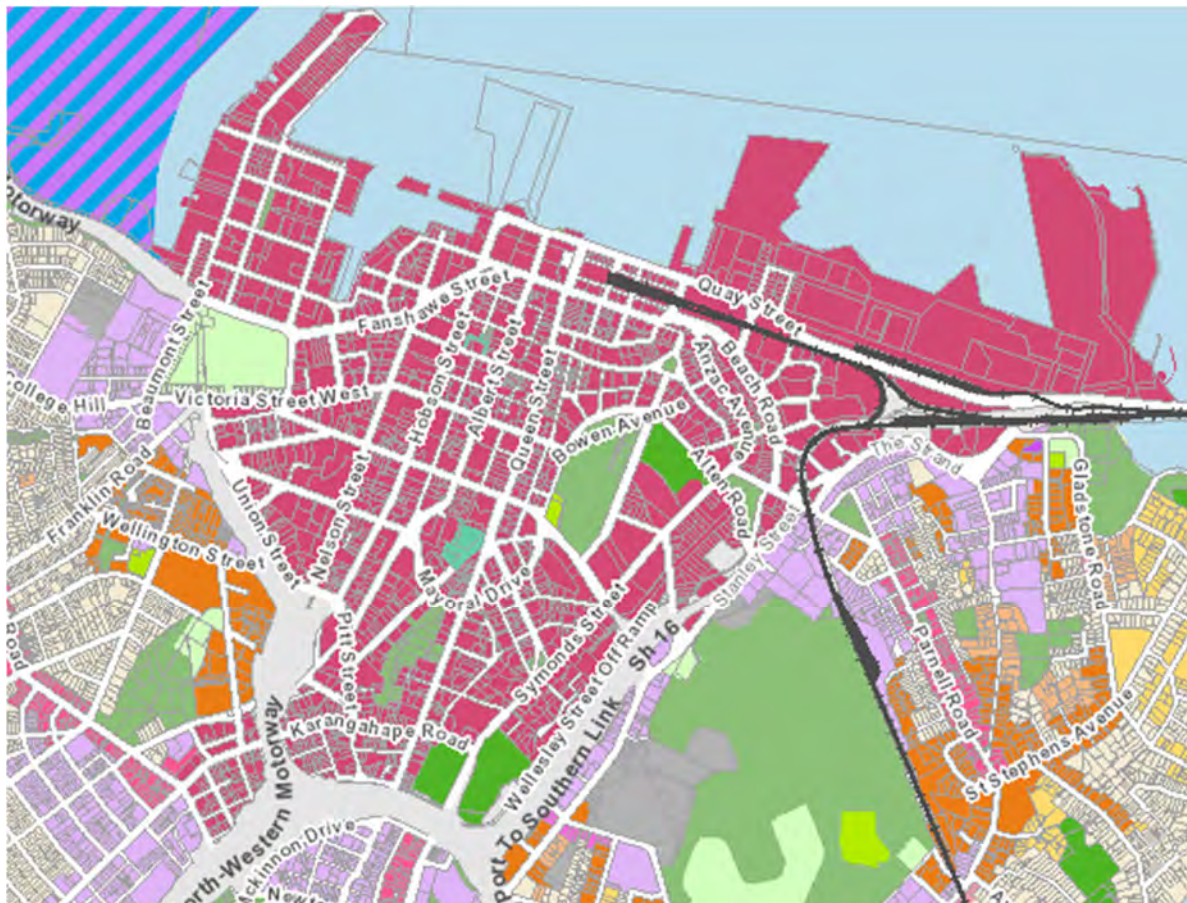
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** These signs post a footpath hazard/nuisance for blind and low vision folks.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

#### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

#### **What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

#### **What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## **15. Controls (additional rules) and Approvals (permissions)**

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

The type of signs which pose the greatest danger to blind and low vision folks are anything a cane would miss. So anything where the stand/base (at the height of the cane when in front so shin-height) is narrower than the sign itself. That includes signs on poles at headheight too.

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** They need to be clear of street intersections etc so that turning traffic or traffic emerging from driveways is not impeded and has a clear view.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** These areas should be election and other signage free unless advertising an event in the park or reserve

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Fairness has to be seen to be effective

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** AS long as they do not prohibit pedestrian use of the footpath

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

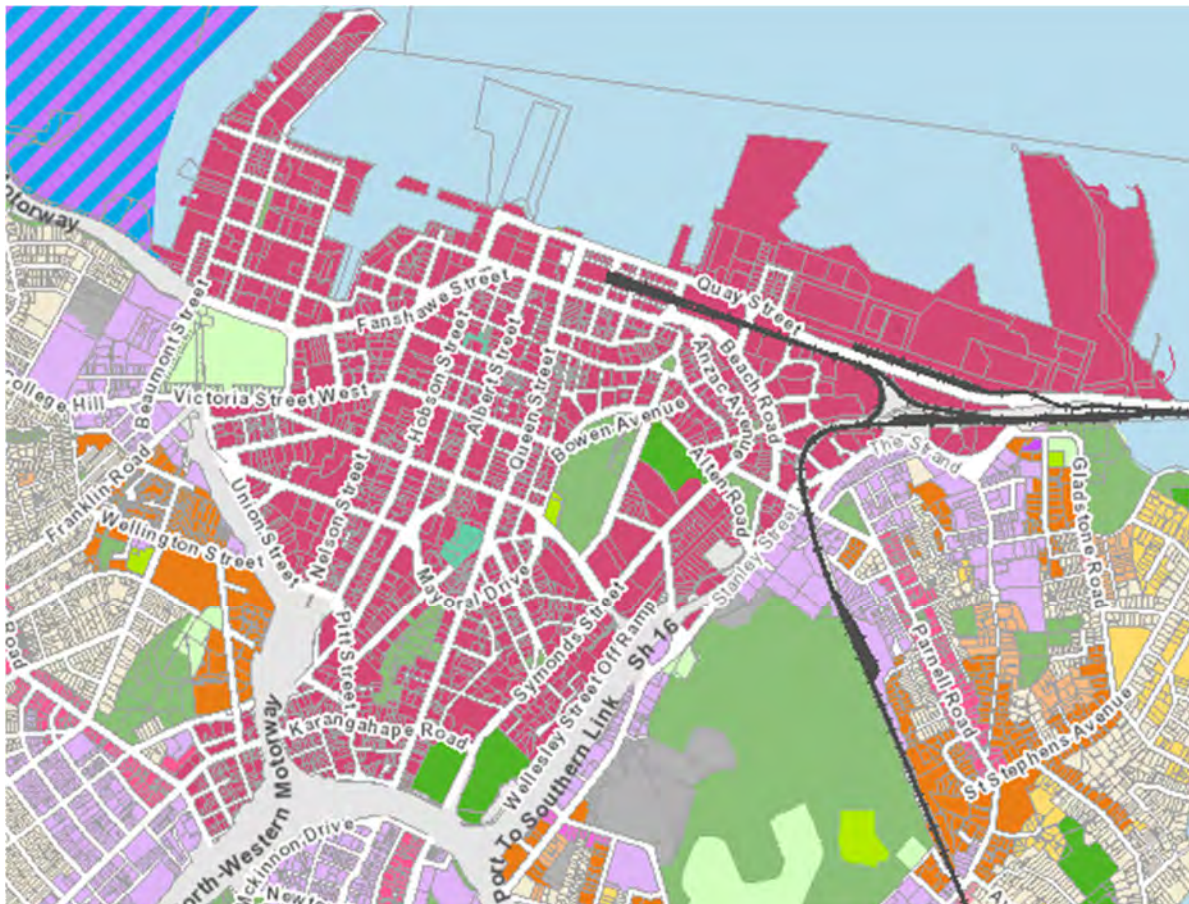
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** These signs make it difficult for pedestrians to walk along the footpath

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** If not then people will erect them wherever they like

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:



- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Currently a lot of these signs make sightlines difficult when driving as they obstruct the view for the driver

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?****Response:** No response**Tell us why, and if there is anything you would change?****Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?****Response:** No response**Tell us why, and if there is anything you would change?****Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?****Response:** No response**Tell us why, and if there is anything you would change?****15. Controls (additional rules) and Approvals (permissions)****Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Rodney

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

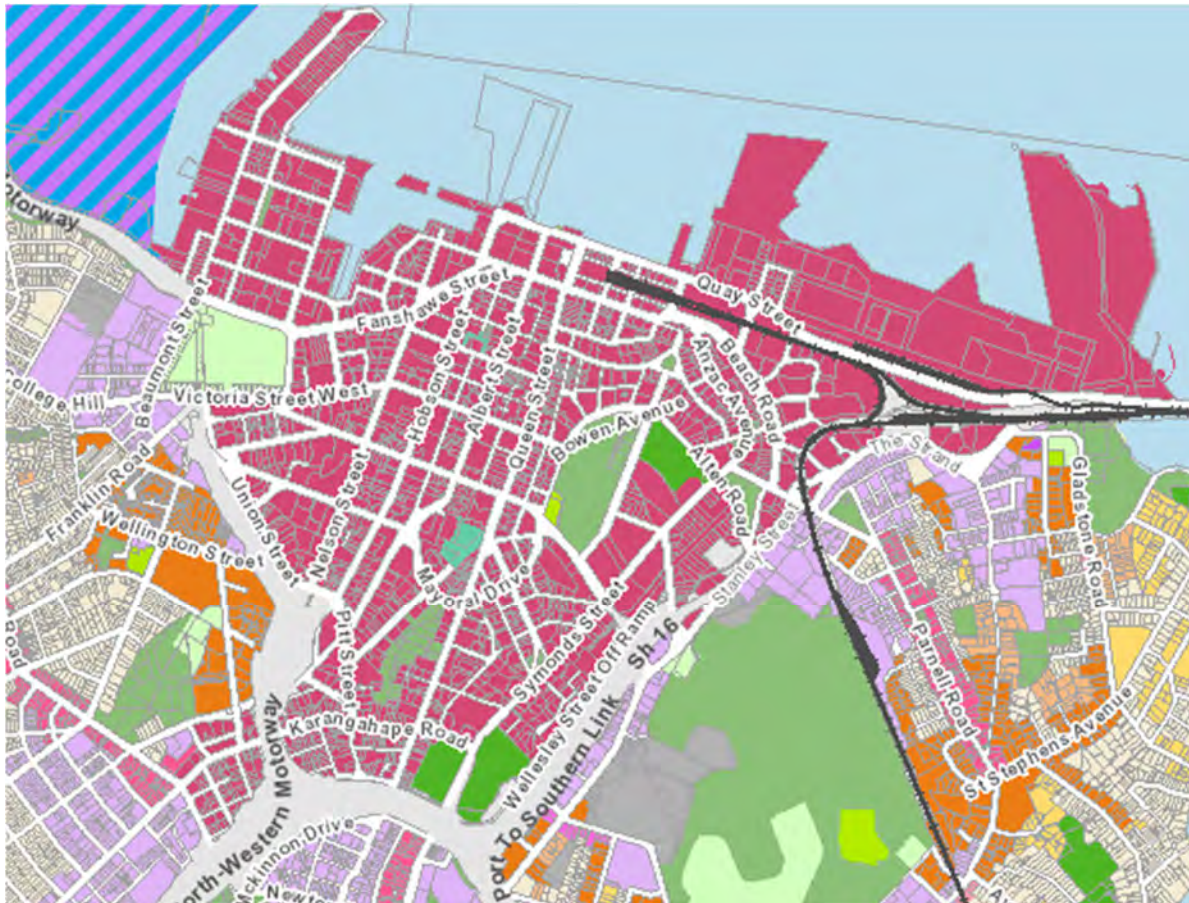
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I submit that large advertising signs on a trailer, parked on the road solely for the purpose of advertising, are a visual polluter and unnecessary road safety issue and should be banned.



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Albert-Eden

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.



We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Most public display advertising should be banned. It is visual pollution and only promotes consumption. Continuously increasing consumption is incompatible with action to address climate change.

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

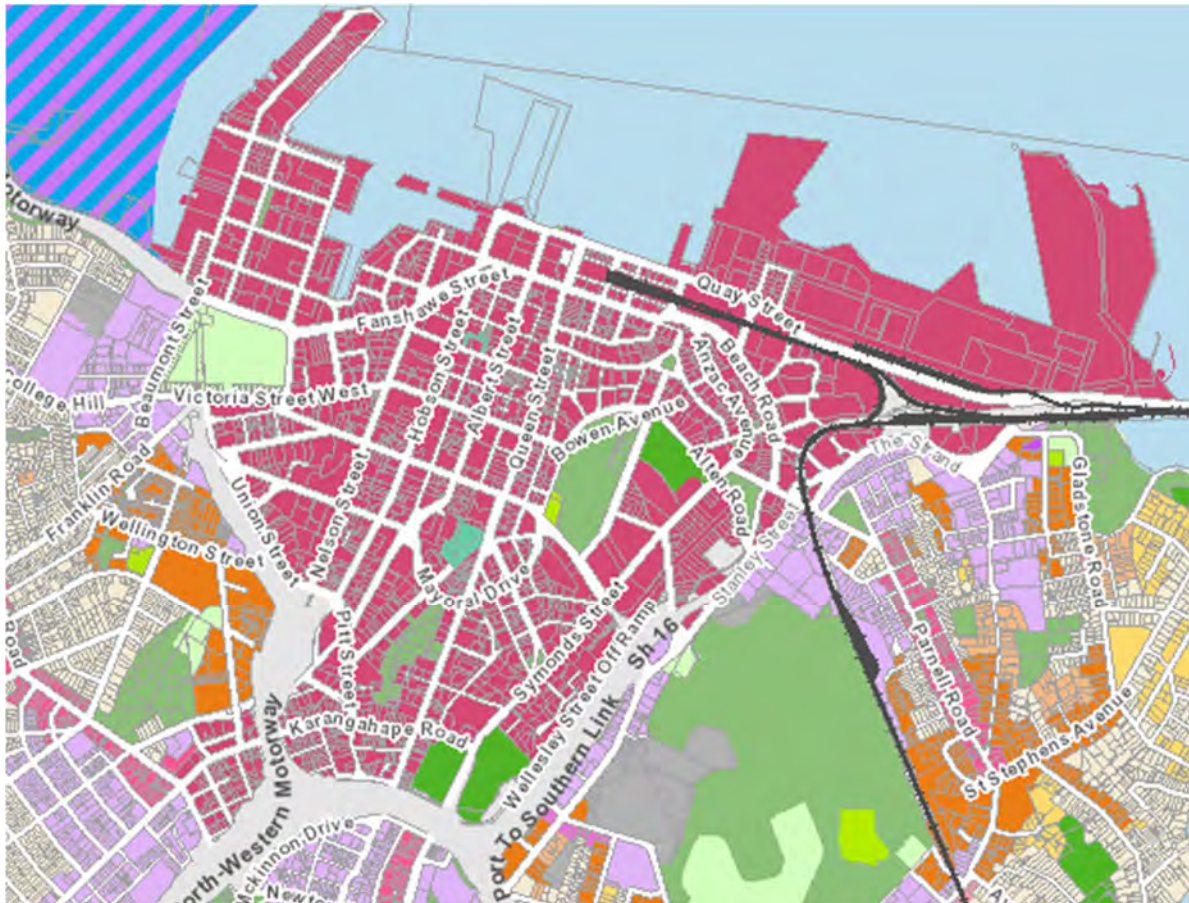
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** portable signs on footpaths are clutter and are privatisation of valuable public space. They rely on pedestrians having to avoid and move around them. They are dangerous for people with lower mobility or sight.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

### What is your opinion on the proposed rules for portable signs?

**Response:** Disagree

**Tell us why, and if there is anything you would change?** In general placing signs on any pedestrian amenity, even on noncouncil controlled spaces, is undesirable. These spaces have been designed to have certain clear spaces for movement. Allowing portable signs in these spaces can make them dangerous.

## 6. Posters

### Proposal: Clarify current rules, including that poster board sites require approval

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### What is your opinion on the proposed rules for posters?

**Response:** No response

### Tell us why, and if there is anything you would change?

## 7. Real estate signs

### Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

### What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?

**Response:** Disagree

**Tell us why, and if there is anything you would change?** There is no need for increasing signage size.

Anyone wanting additional information can access it by contacting the associated agent, or online.

### Proposal B: Clarify current rules, including the maximum number and placement of real estate signs

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

## 6

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

### What is your opinion on the proposed rules for real estate signs?

**Response:** Disagree

**Tell us why, and if there is anything you would change?** In an overheated realestate market we do not need more signage. It is bad for the mental health of the large sector of Auckland that cannot afford home ownership.

Real estate signs should be restricted to one small sign within the property boundary only.

Everything else is visual clutter that serves as a constant reminder to poorer people in our community of their permanent disadvantage.

## 8. Stencil signs

### Proposal: Clarify current rules, including the definition and placement of stencil signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

### What is your opinion on the proposed rules for stencil signs?

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

### Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Trailer signs should be regulated to ensure that they are only an adjunct to the main purpose of the trailer. Eg: billboard trailers should be banned.

### 10. Verandah signs

#### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 11. Wall-mounted signs

#### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Most public display advertising should be banned. It is visual pollution and only promotes consumption. Continuously increasing consumption is incompatible with action to address climate change.

#### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences



- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Most public display advertising should be banned. It is visual pollution and only promotes consumption. Continuously increasing consumption is incompatible with action to address climate change.

## 12. Window signs

#### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Like other town centres, window coverage by signage should be limited. The trend in lower queen street for complete window coverage makes the street front impersonal.

Public display advertising is visual pollution and only promotes over consumption. Continuously increasing consumption is incompatible with action to address climate change.

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

#### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:



- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Electronic signs with changing display should be banned.

The visual and light pollution, combined with the distraction caused, are damaging to the mental health of our population.

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (**cl 27**)
- luminance rules apply between ‘sunset and sunrise’ (**cl 27**)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (**cl 27 and 28**)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (**cl 28**)
- LED signs must comply with the maximum luminance standards for static illuminated signs (**cl 28**)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Electronic signs with changing display should be banned.

The visual and light pollution, combined with the distraction caused, are damaging to the mental health of our population.

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I would be happy with rules that allowed council to apply additional restrictions, but not that allow council to waive restrictions built into the bylaw.

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

### **What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

### **Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

### **Important privacy information**

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Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Albert-Eden

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.



We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

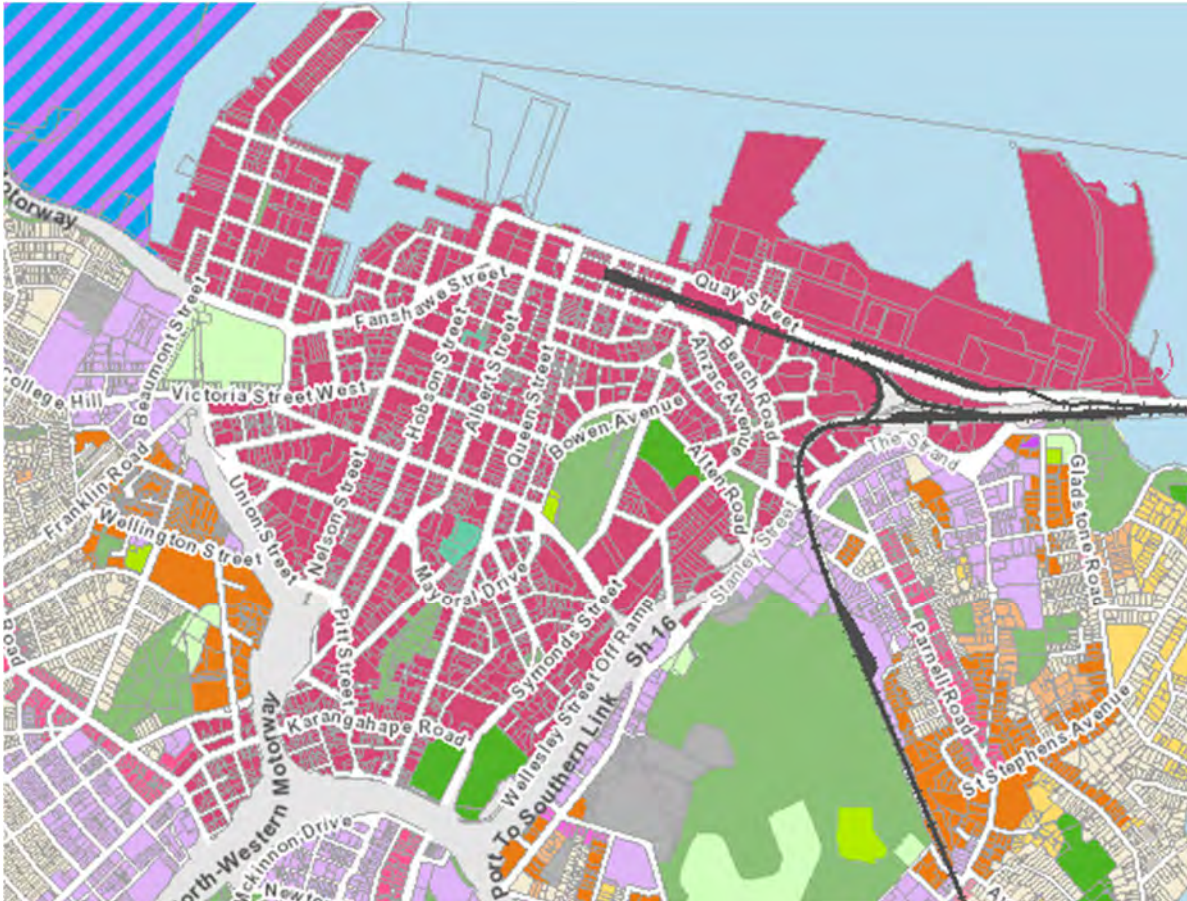
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** There is more than enough advertising signage around now.

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**



**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Kaipātiki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

#### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**



### **Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

#### **What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

#### **What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **15. Controls (additional rules) and Approvals (permissions)**

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs



- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Whau

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

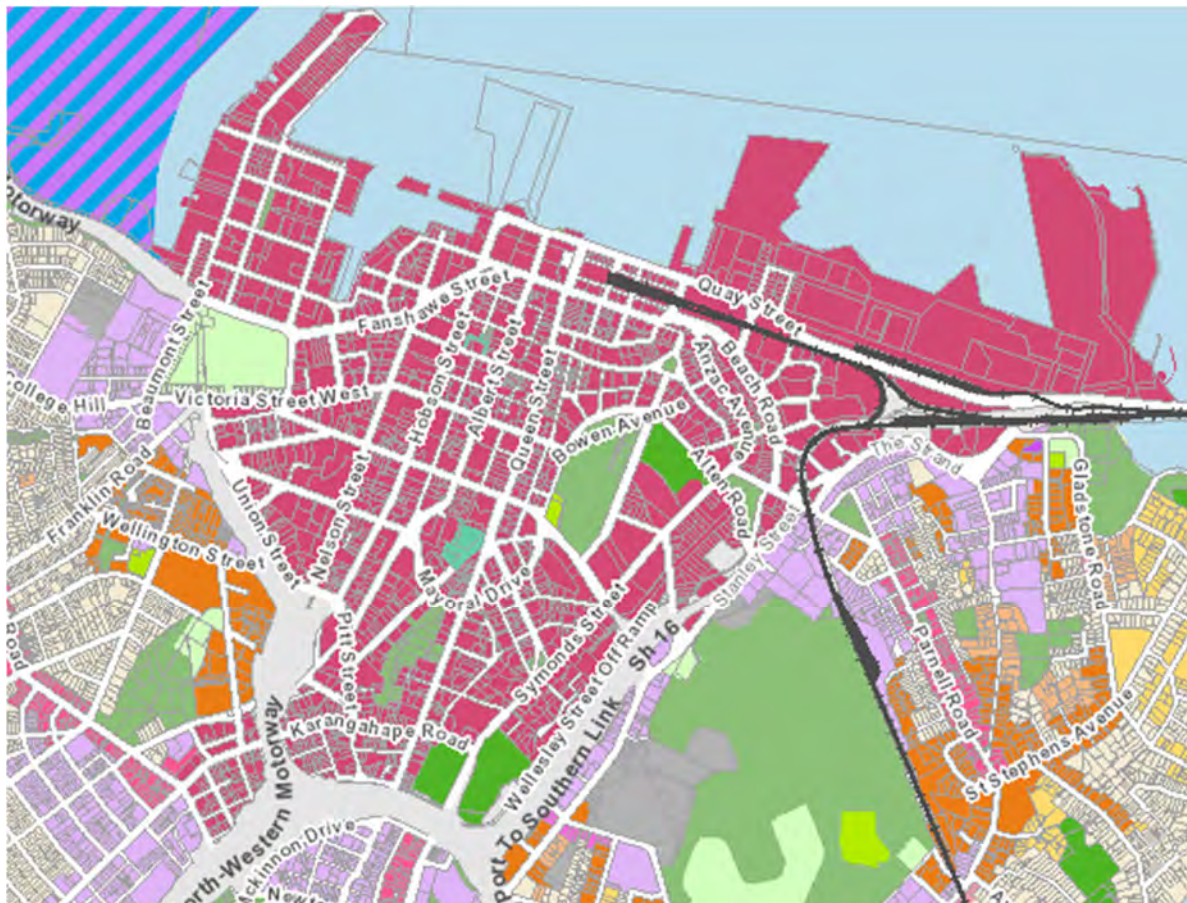
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

#### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

#### **What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

#### **What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **15. Controls (additional rules) and Approvals (permissions)**

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.



**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Albert-Eden

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

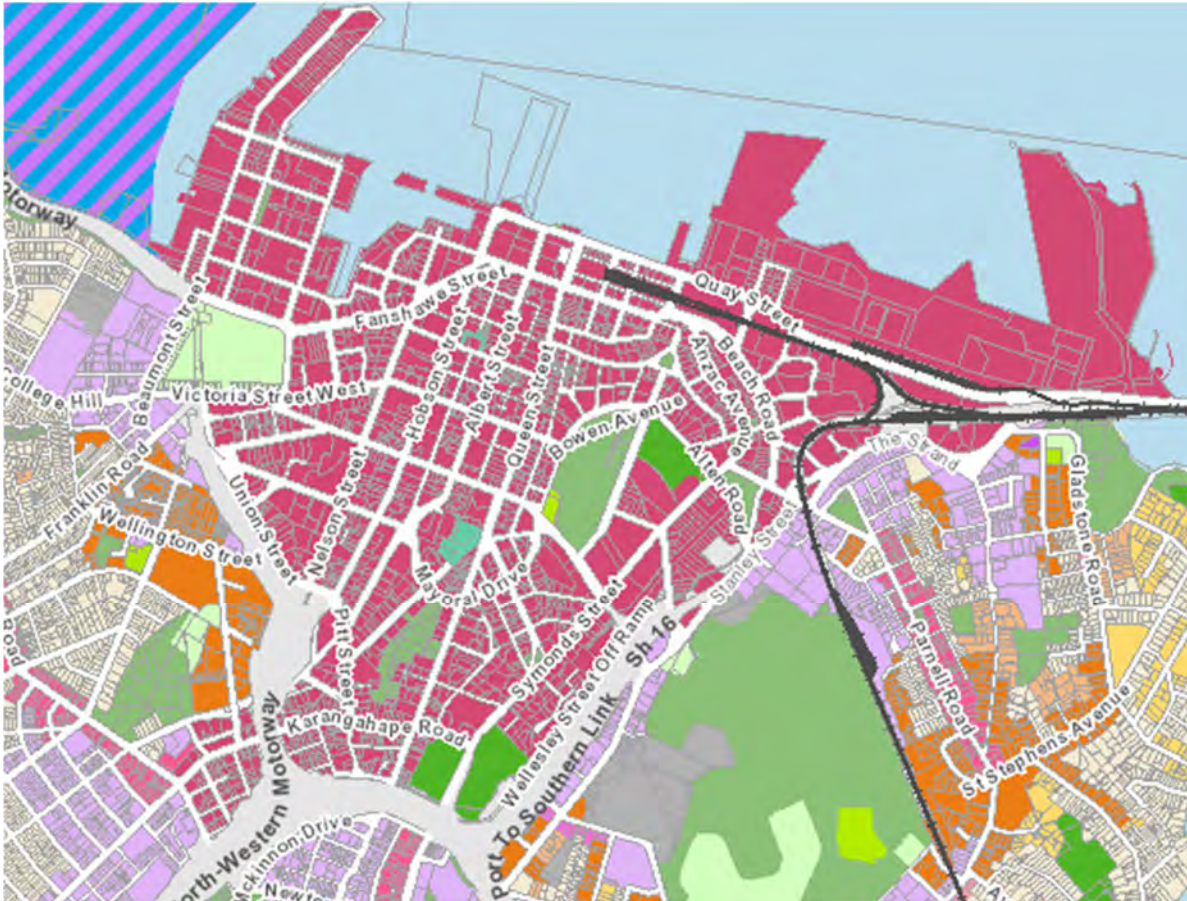
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Henderson-Massey

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** ... "on the day of" is far too restrictive - add a couple of days (up to 7) before

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

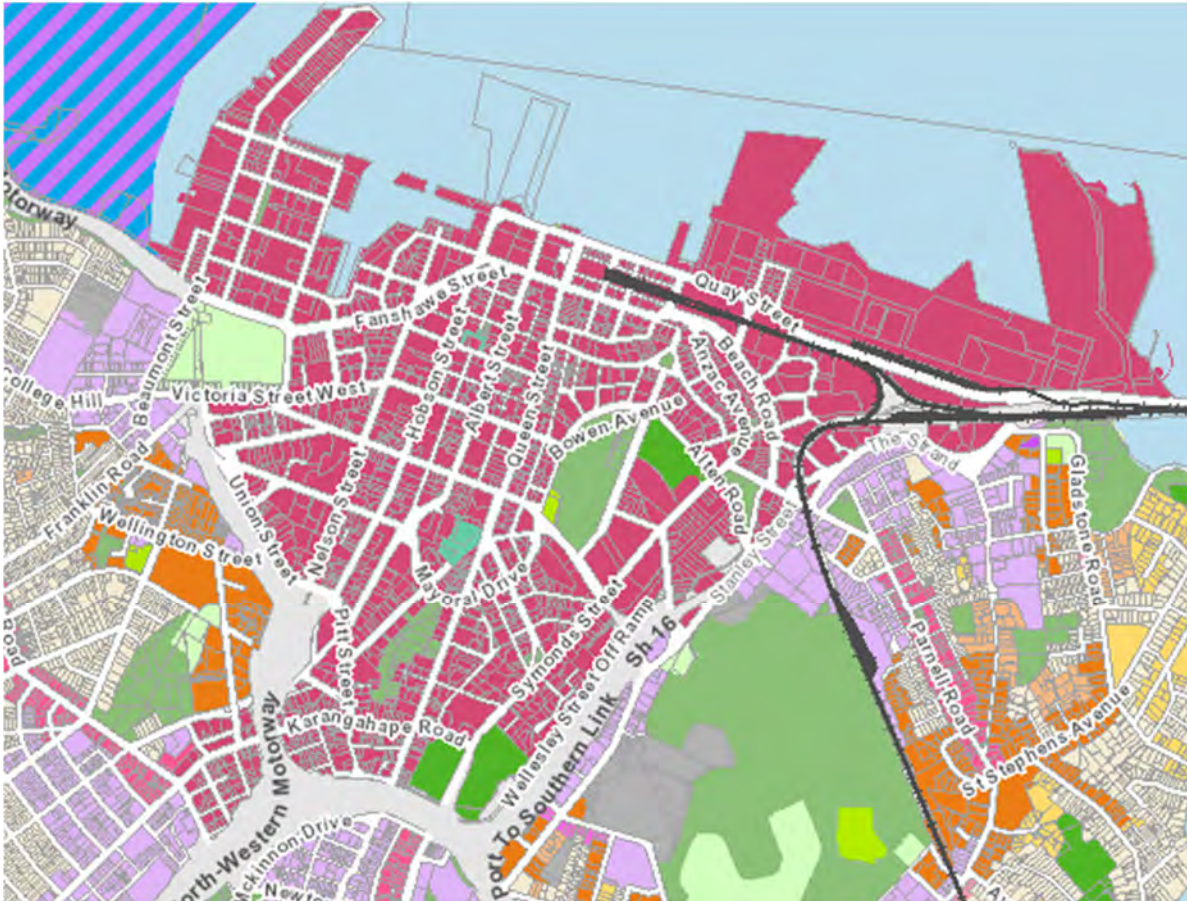
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree



**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Approved by whom? Council? OVERLY RESTRICTIVE without cause.

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Not necessary

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** OVERLY RESTRICTIVE



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

### **Tell us why, and if there is anything you would change? Why???**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Not necessary; OVERLY RESTRICTIVE

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Introduces confusion and allows for Council to violate the other rules (for unspecified reasons, i.e., favoritism for relatives, political statements, etc.). This is an example of a rule which should be considered **BLATANTLY ILLEGAL**.

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw

- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

Is this an example of Council having nothing better to do?

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Waitākere Ranges

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Yes, please limit these mostly unsightly signs for a limited period. 9 weeks is good and sufficient.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Agree with removing the nonsense Entrust election signs. This is a postal election and the contenders can present themselves via mail. No needed at all for visual pollution.

## 3. Event signs

### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Other

**Tell us why, and if there is anything you would change?** It would make sense to also allow these garage sales signs the day before.

### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** These kind of signs are one of the few methods local not-for-profit organizers can use to inform the local public about their community event. So indeed there needs to places to put up these signs.

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## **5. Portable signs**

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

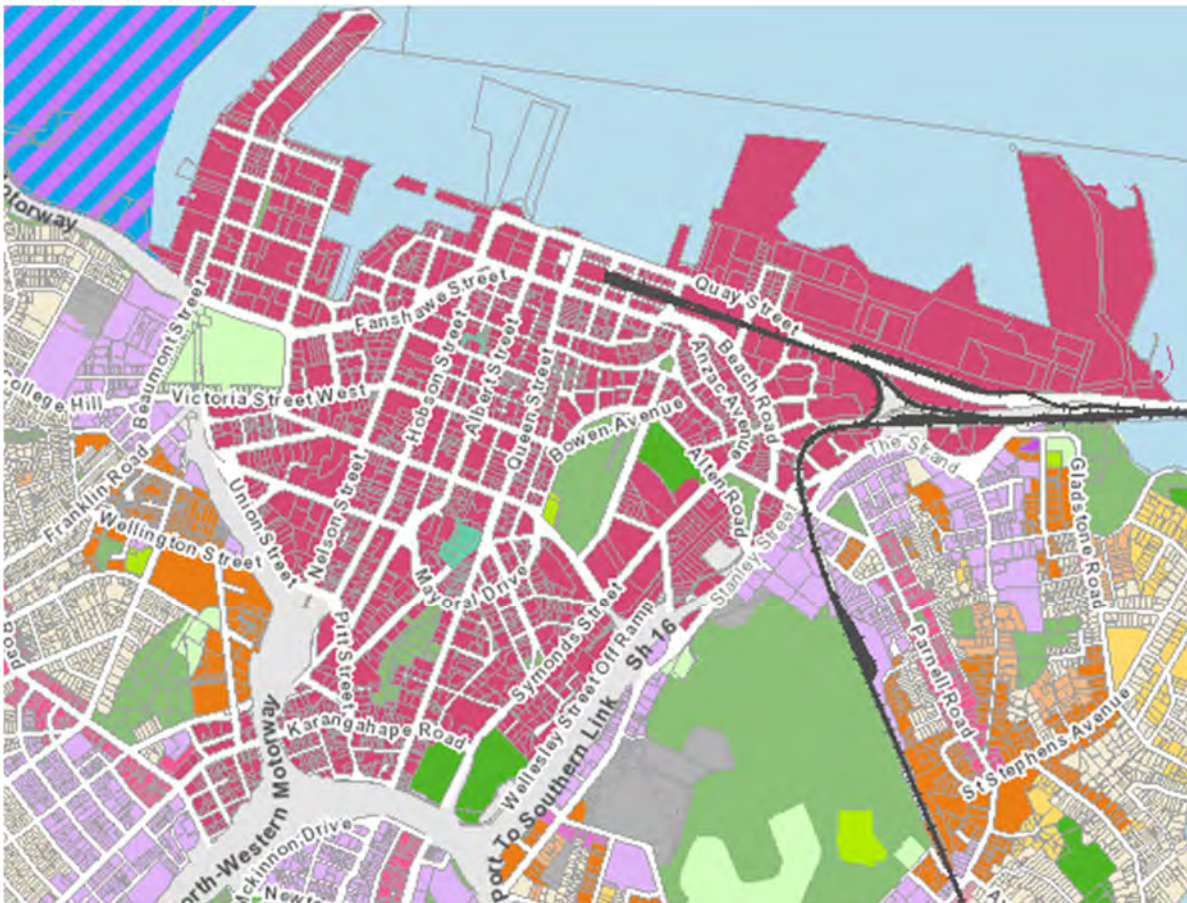
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.



We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?****Response:** Agree**Tell us why, and if there is anything you would change?****Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?****Response:** Agree**Tell us why, and if there is anything you would change?****Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?****Response:** Disagree

**Tell us why, and if there is anything you would change?** Some heritage signs are better to leave visible, as long as they do not cause confusion.

**15. Controls (additional rules) and Approvals (permissions)****Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Should be able to advertise up to 7 days before the event.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Many events are of benefit to the local community but not necessarily organised by a not for profit organisation.

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Need more information on what is allowed and what signed is not permitted.

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** It seems to be another case of bureaucracy when there is not an issue especially when the signs are on private land.

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

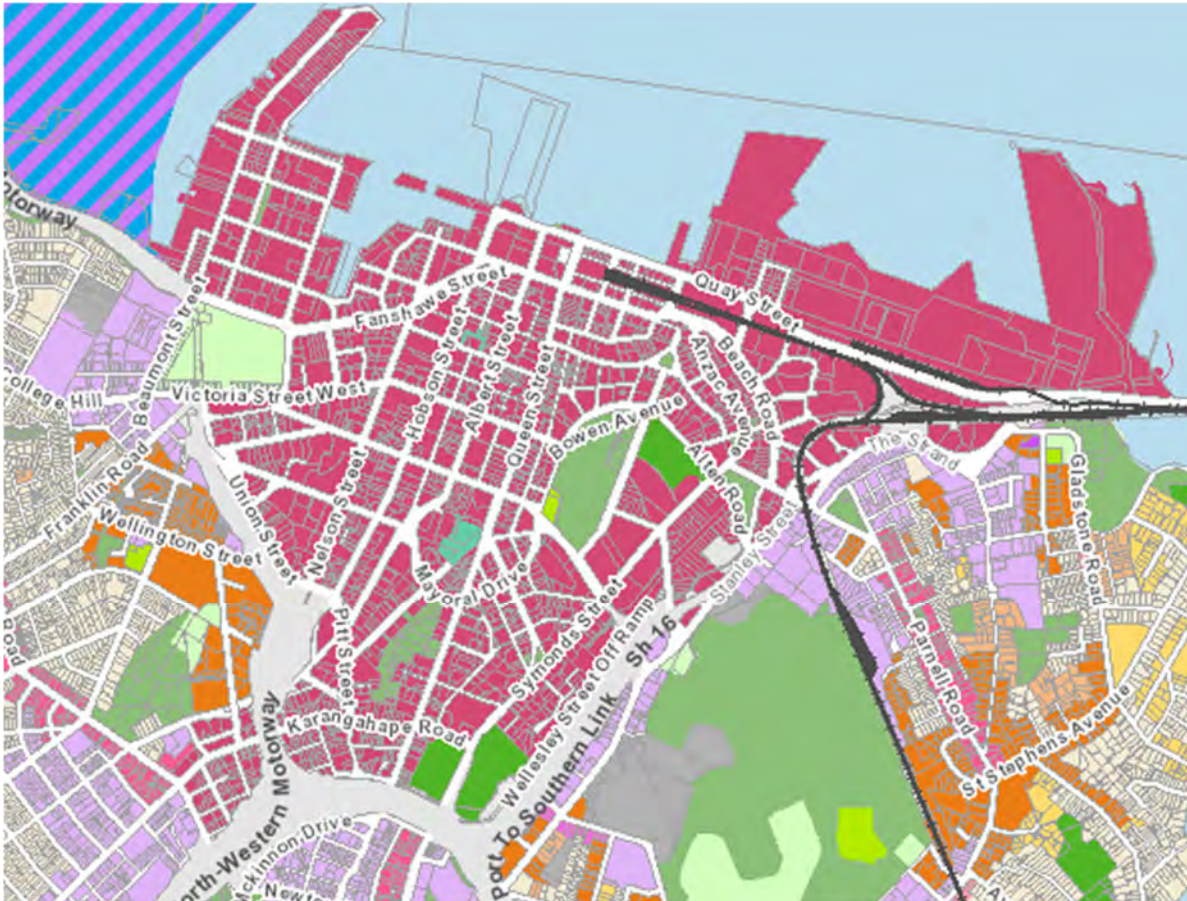
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Are you intending to restrict signage on a vehicle? If this is the intention I disagree.



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** In fact there should be no restriction on signs on private property in industrial zones

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Waitematā

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.



We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

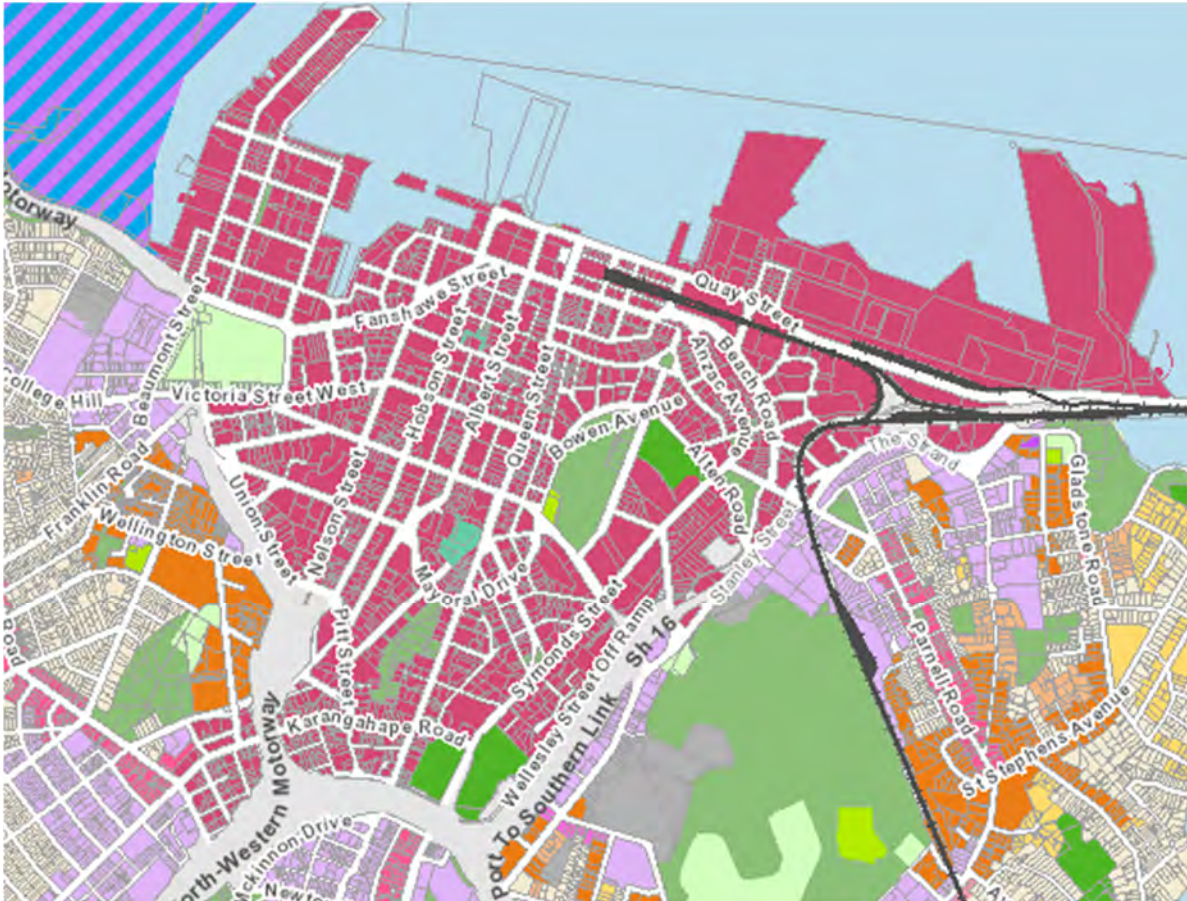
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** I don't know

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** I don't know

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

I am concerned about LED billboards that display content for approx 5 seconds per slide. They are distracting for traffic users and motorists. They are an eyesore for residents who look out their apartments or balconies at them. Day and night, these distracting LED signs are promoting products and services are visually intruding into our lives. They take away our peaceful enjoyment of being at home.

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Waitemata

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

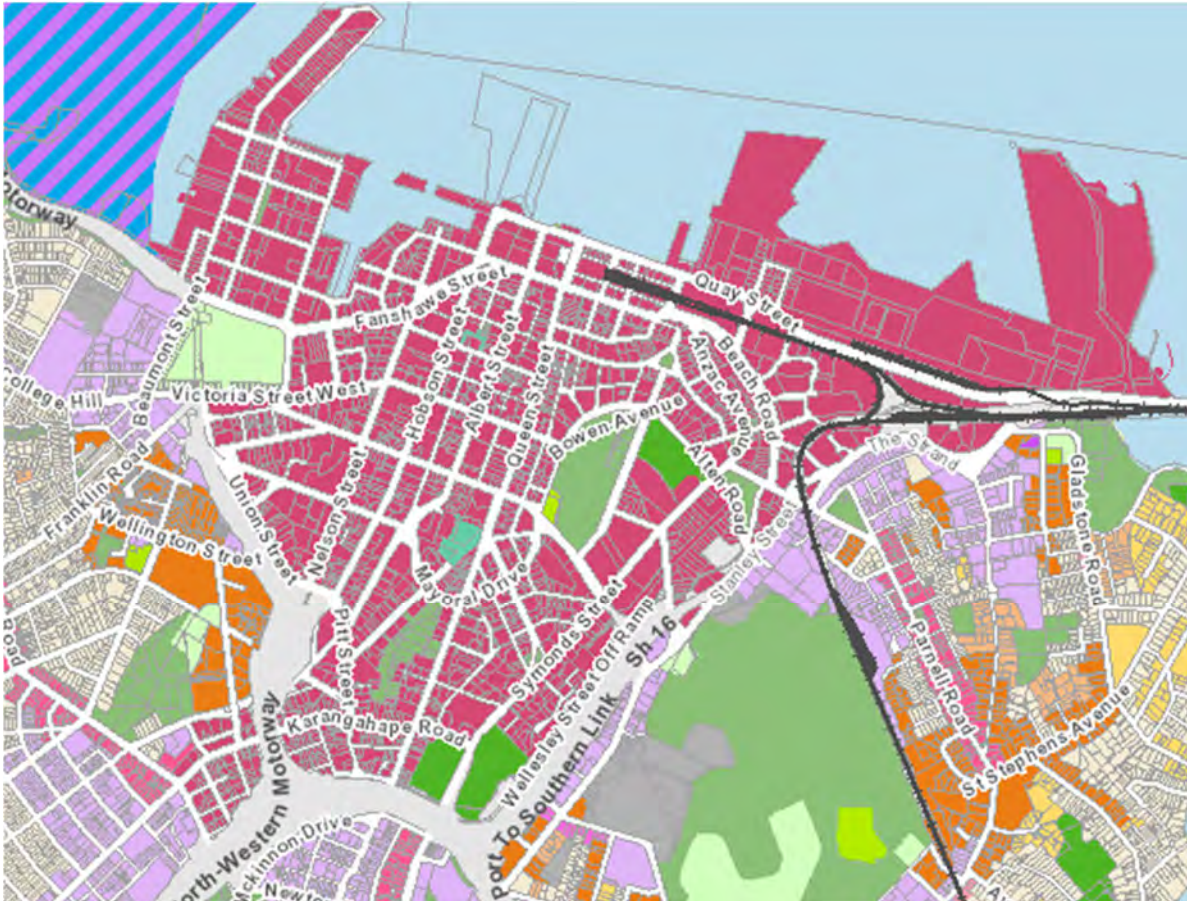
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs



- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Henderson-Massey

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

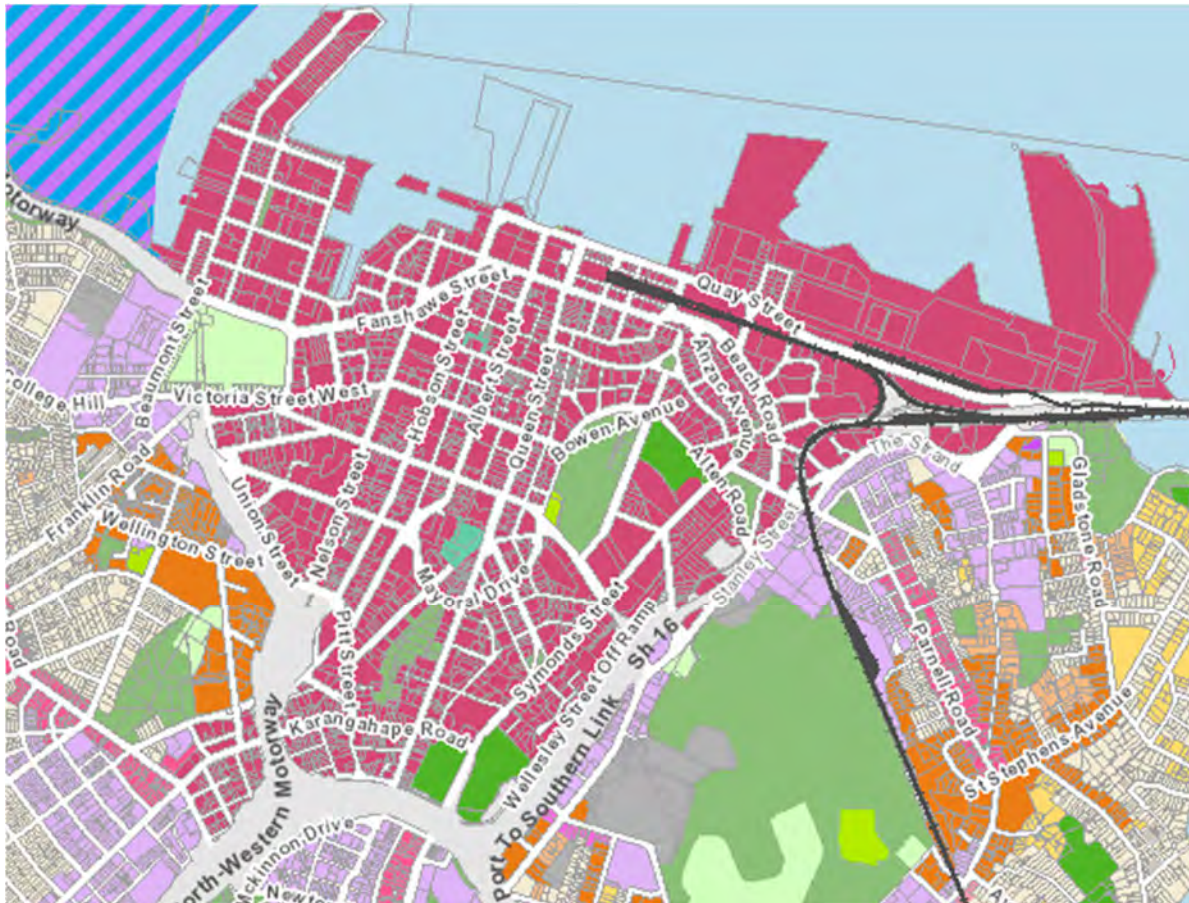
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.



**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

Digital video signs flashing at intersections are distracting while driving and shouldn't be allowed. E.g at Newton gully, symonds st, and khyber pass intersection.

The new road signs made of lots of little lights are really difficult for me to see with my astigmatism even with glasses on, they create light flares that get in the way of my vision at night.

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** People should be able to do what they want and you guys already control to much of our lives

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** The current councilor should not have any extra advertising time and any extra time should only be given to the people challenging the current council.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** This again should only apply if it is the current councils signs as people that compete are already at a disadvantage.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change? DO NOT TOUCH ANYTHING TO DO WITH ENTRUST!**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

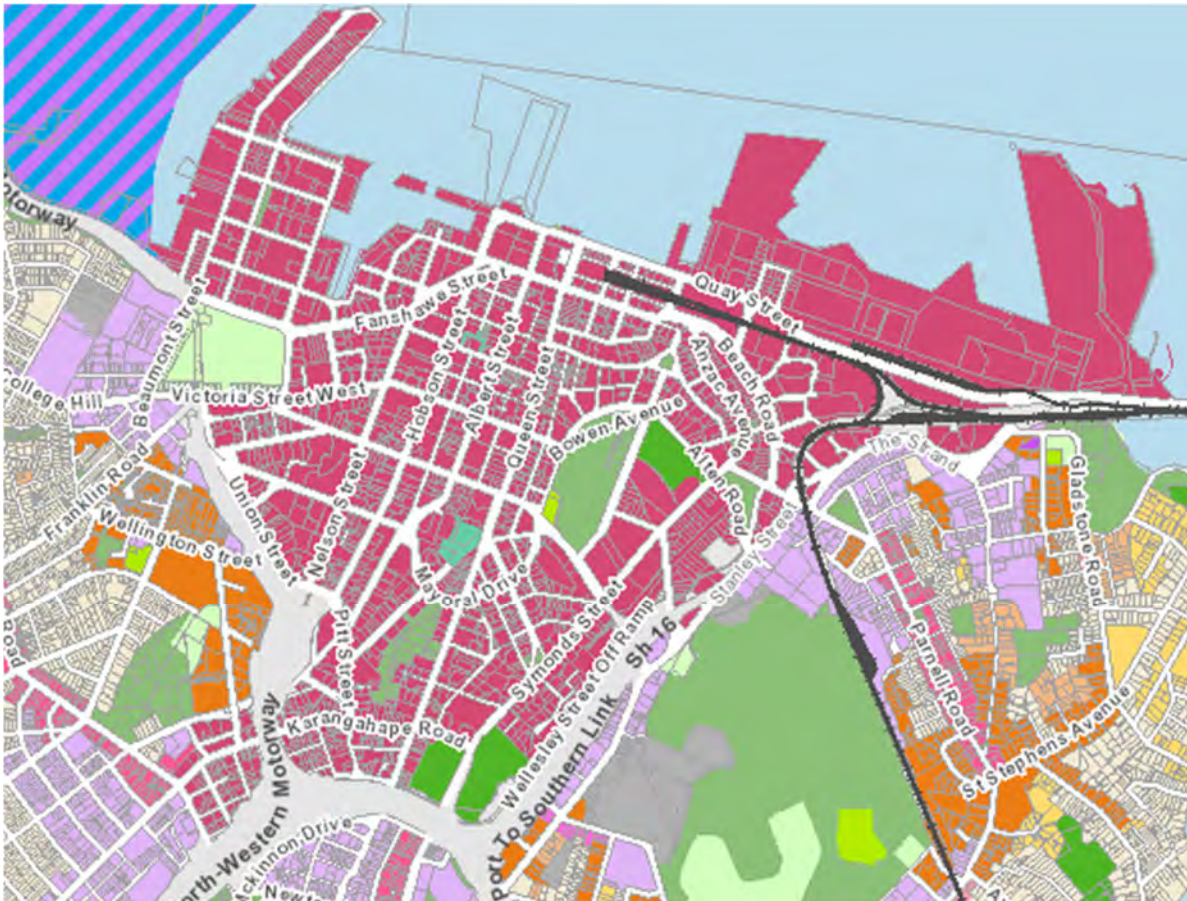
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:



- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

### Important privacy information

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

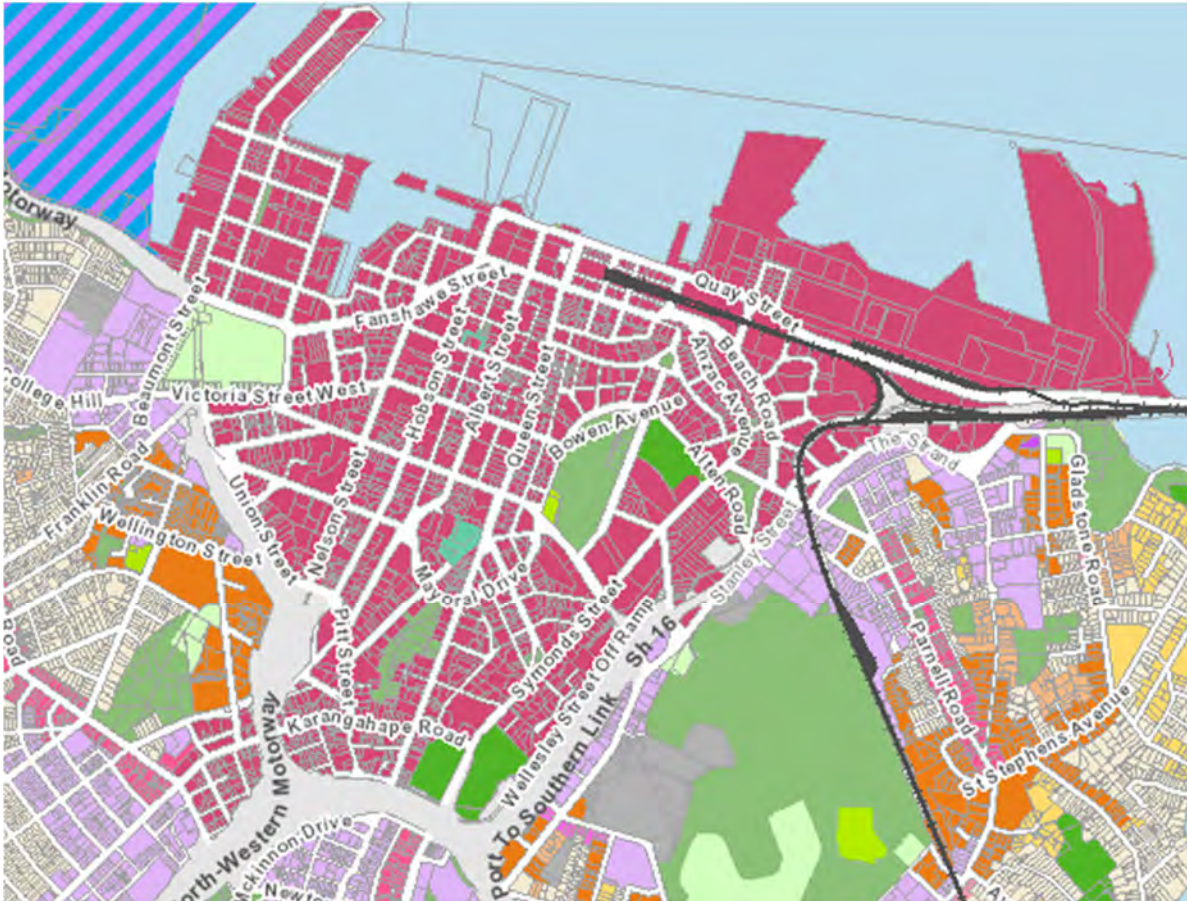
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Howick

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** You need rules on the removal of these items, the colours, animations or apparent movements / changes in their displays, and the VERY HEAVY fines for breaches of rules (I'm thinking of \$50k for organisations who break the rules!)



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Election signs should be banned on ALL privately owned properties aside from the MP's residential and office properties. This prevents certain leeches, er, politicians, from abusing private property fences, for example, for their personal gain. Also, you need rules on the removal of these items, the colours, animations or apparent movements / changes in their displays, and the VERY HEAVY fines for breaches of rules (I'm thinking of \$50k for politicians who break the rules!)

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** You need rules on the removal of these items, the colours, animations or apparent movements / changes in their displays, and the VERY HEAVY fines for breaches of rules (I'm thinking of \$50k for organisations who break the rules!)

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** They should be restricted to placement ON THE PROPERTY only, and NOT in public space. They should also be subject to tight rules about their mountings to avoid being blown into pedestrians, cars, cyclists, and house windows.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** You need rules on the removal of these items, the colours, animations or apparent movements / changes in their displays, and the VERY HEAVY fines for breaches of rules (I'm thinking of \$50k for organisations who break the rules!)

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** ALL signs should be firmly secured to prevent being blown away and into passers-by or property and cause injury or damage.

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Why 2m on different sites? Hell no! 10m regardless of where they are!

## 5. Portable signs

### Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

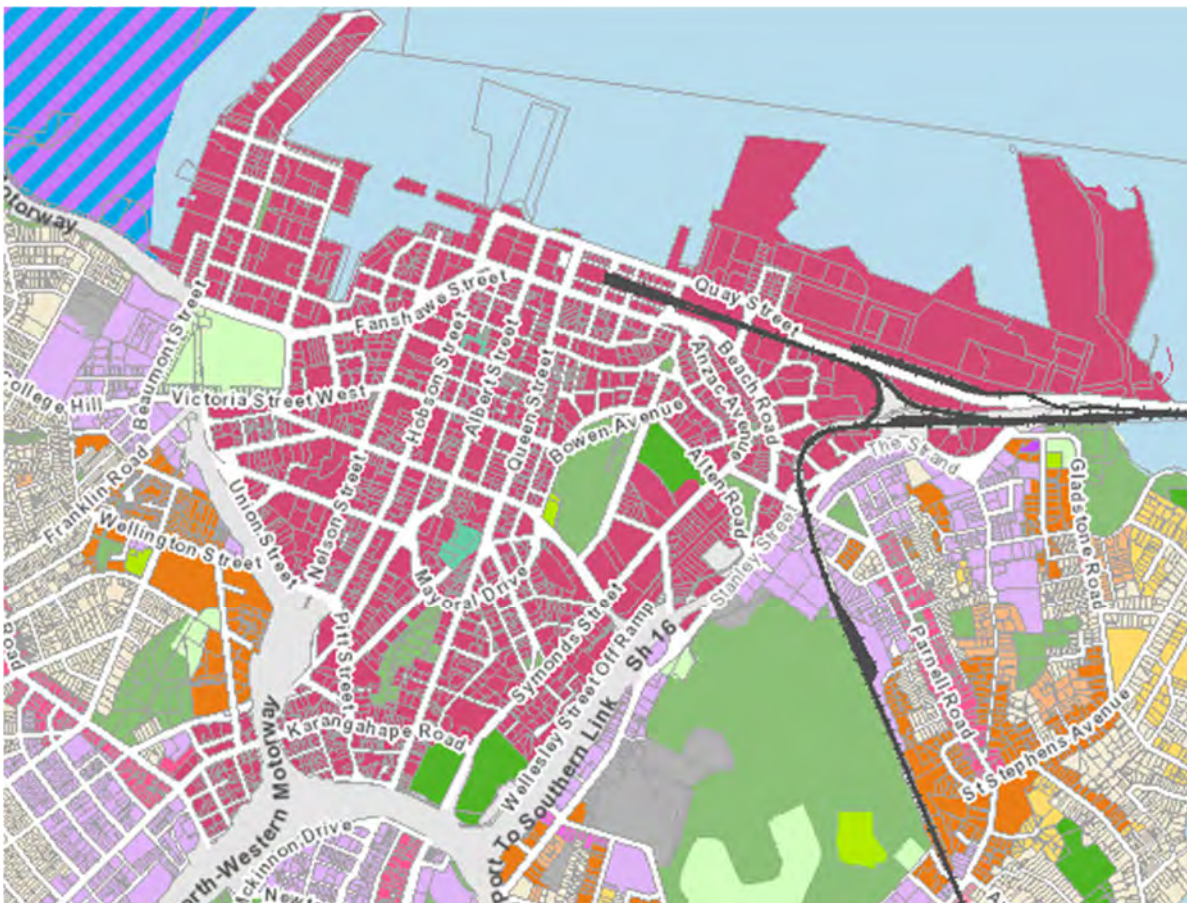
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** ALL signs should be firmly secured to prevent being blown away and into passers-by or property and cause injury or damage regardless of the ownership of the site on which they are placed.

**6. Posters****Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**7. Real estate signs****Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**



**Response:** Other

**Tell us why, and if there is anything you would change?** Estate agents are marginally below councillors in the abyss of evil, and should not be allowed to advertise at all in public spaces. Their online presence and office space ads are more than enough already!

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** "clarify that real estate signs are allowed for each property in a sub-division or housing development" Hell bloody no! This is a bloody stupid rule! This rule will allow thirty signs up for the same development that releases 30 pigeon holes, er, units for sale at mansion prices! A development is a single property and should have only one sign in the public view, and then a sign at the front door to each unit on sale within the property.

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Other

**Tell us why, and if there is anything you would change?** What are the rules? You must be pretty bloody stupid to expect ANY sensible response to that one given that there is ZERO indication of what exactly you're proposing!

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Same as above!

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**



**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** What about the content of these signs? Can I advertise free lessons in bomb-making, for example? It's all over Youtube...

**12. Window signs****Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** We absolutely need these restrictions! Natural light indoors is healthier for Customers and staff. Passers-by want to see the REAL shit inside, not the fake shit on advert boards!

**13. Special rules for certain signs**

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** WTF are you on about? You need to explain yourselves!

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Other

**Tell us why, and if there is anything you would change?** How should I know? Again, you need to explain what you actually want to do. Why are any publicly visible signs allowed without approval?

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Where are they?

;-)

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Other

**Tell us why, and if there is anything you would change?** That's necessary but hopelessly insufficient! You need to ban ALL animation / movement on ALL signs visible to vehicle operators regardless of the type of vehicle. That means boats, cars, bicycles, etc. You also need a sign that limits the size of the sign to well below the current house-sized electronic displays that are DANGEROUSLY distracting with their flashing lights, animations that move images, and brightness and colour variations. And you need to limit the number of signs and the sq.m area of signs per kilometer AND increase the minimum distance between them. Roadside signs that are directed at traffic are a DANGEROUS DISTRACTION and introduce serious risk to collisions.

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (**cl 27**)
- luminance rules apply between 'sunset and sunrise' (**cl 27**)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (**cl 27 and 28**)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (**cl 28**)
- LED signs must comply with the maximum luminance standards for static illuminated signs (**cl 28**)

### What is your opinion on the proposed rules for illuminated signs?

**Response:** Other

**Tell us why, and if there is anything you would change?** "the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)" Hell no! Absolutely REMOVE "if required by Auckland Council or Auckland Transport"! That bit allows you to exert bias to those who pay you enough! Hell no! ALL signs must be demonstrated to comply. And make damn sure that electronic signs are included in this!

### Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

### What is your opinion on the proposed rules for businesses that have ceased to trade?

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Hell no! That is far too long! Three weeks is ample time to remove signage! There is no need for any more time.

## 15. Controls (additional rules) and Approvals (permissions)

### Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception

- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Why allow ANY "signs that do not comply with the Bylaw"? This is another window that you're trying to make to give you the opportunity to impose bias and / or solicit what amounts to bribes (call them whatever you like, they're bribes" to allow non-compliant signs! Absolutely NO!

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

### Do you have any other comments on the proposed Signs Bylaw?

Are we allowed signs to demand that Goff be replaced with someone trustworthy, competent, and worthy of the role? If not, why not?

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business** The Chapel Cafe

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**Your local board:** Outside Auckland

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** A T-shirt can be a sign for advertisement or campaign. A bicycle can carry a banner behind the chair. An Air balloon can be a banner, as well. You can install it above the building. Laser can be a sign at night.



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** An application can be a space for election. Election sign can be installed at the Britomart station and in a train .

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** paper is the best tool I believe like poster or print flyers for temporary sales.

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I recommend an air ballloon. it can be a untiresome.

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

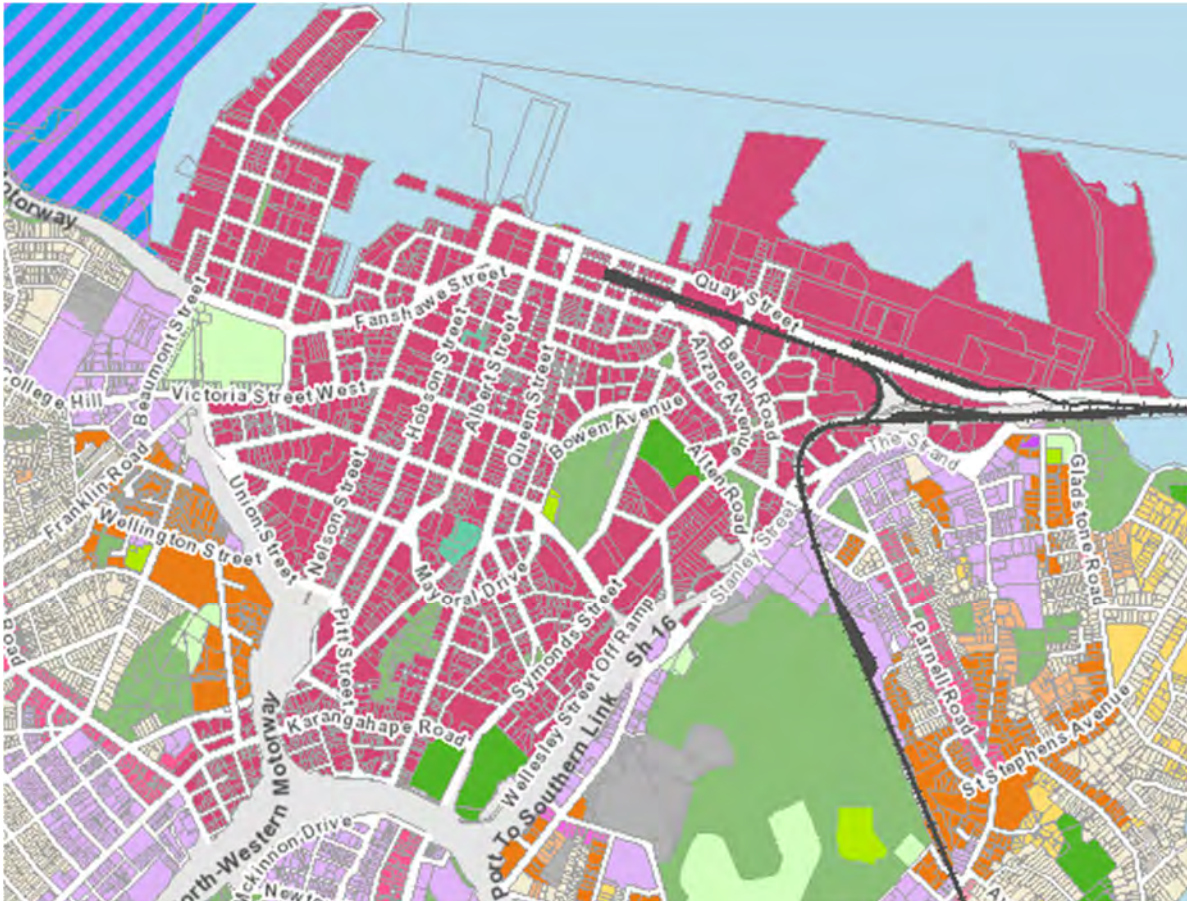
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

### What is your opinion on the proposed rules for portable signs?

**Response:** Agree

**Tell us why, and if there is anything you would change?** T-shirts, Bicycle. cars, and pets can be a portable sign.

## 6. Posters

### Proposal: Clarify current rules, including that poster board sites require approval

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### What is your opinion on the proposed rules for posters?

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

### Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

### What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### Proposal B: Clarify current rules, including the maximum number and placement of real estate signs

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24



- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**



We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Hibiscus and Bays

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Fair enough - the signs are local & inform us and disappear after 9 weeks.

I'd get cross if they don't get removed on time!

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Would get really, really cross if they weren't removed immediately on 9 weeks.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:



- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs.

This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I'm not stupid - I make my own decisions despite how many signs go up!

## 3. Event signs

### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Agree - because I have the choice to attend a local 'event', or not.

IMPORTANT to remove the signs next day and suggest a severe reprimand otherwise.

### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Because the signs would relate to very LOCAL happenings they would be relevant & important.

We have the choice to ignore.

But the by-law must be strict for removal of the signs the very next day.

My opinion is that it is very annoying to see out-of-date notices!

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I think it is OK for Real Estate to put 'Open Home' Ads on local corners.

If one is looking for a home it is very handy.

For the rest of us - we don't really notice.

As long as they remove the sign after the Open Home! please!

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

### **What is your opinion on the proposed rules for free-standing signs?**

Response: Agree

Tell us why, and if there is anything you would change?

5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

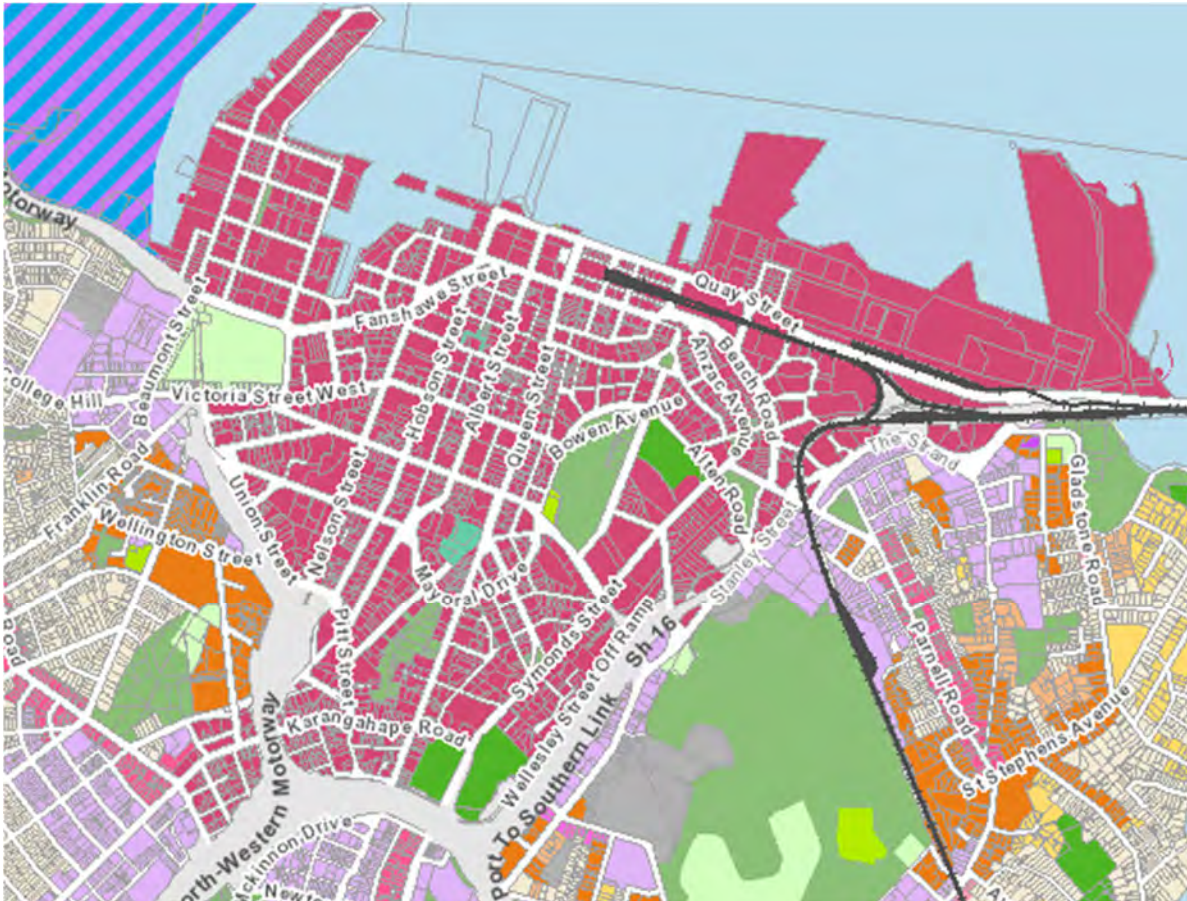
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

Key: ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?** I live in Orewa and actually enjoy the billboards on Hibiscus Highway (opp the CampGround)!

I think the billboards must be removed immediately after the event date.

### **Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

### **What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I live in Orewa and actually enjoy the billboards on Hibiscus Highway (opp the CampGround)!

I think the billboards must be removed immediately after the event date.

## 6. Posters

### **Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### **What is your opinion on the proposed rules for posters?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I think this rule would preclude local small businesses that would just like to get their event put there.

Unfair to bog them down with pre-red-tape when they are probably struggling under past Covid restrictions anyway. Auckland City Council - instead make a fineable rule to (possibly) fine for now removing signs after event!

## 7. Real estate signs

### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** You can't sell if you can't advertise! Local information is always best!

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Sounds restrictive to me! I don't agree with ALL of those rules.

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.



**What is your opinion on the proposed rules for stencil signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** OFFS - this idea? - who thought this one up? Bureaucracy getting into fantasy land, eh??

I am just an ordinary 'nearly retired' 73 yr old single female living in Orewa - I don't have any 'agenda'!

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** vehicles - go for it! I'll just ignore you unless you have something I need!

Who thought this one up? Bureaucracy getting into fantasy land, eh??

Any use of my rates on this nonsense would be a NO-NO!

I'm just an ordinary 'nearly retired' 73 yr old single female living in Orewa - I don't have any 'agenda'!

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** OMG - Please let businesses advertise their businesses to their ability.

If they are hopeless to start - they'll soon learn to get more professional.

Who thought this one up? Bureaucracy getting into fantasy land, eh??

I'm just an ordinary 'nearly retired' 73 yr old single female living in Orewa - I don't have any 'agenda'!

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** My closest industrial zone is SILVERDALE and i think they should be able to advertise as much as they can!

No matter how much I see a whacking great ad enticing me to buy bags of concrete I would still ignore for delicate plants at Kings Garden Centre! Any roadside ads wouldn't offend me in the slightest!

Another case of Council Bureaucracy slipping into fantasy land, eh??

I'm just an ordinary 'nearly retired' 73 yr old single female living in Orewa - I truly don't have any 'agenda'!

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Oooo too much to care about!

I haven't seen any complaints in our local paper??

My closest industrial zone SILVERDALE - Local businesses must advertise as much as they can to survive Covid!

No matter how much I see a whacking great ad enticing me to buy bags of concrete I would still ignore - choosing ads for Kings Garden Centre or PaknSave or Bunnings. Each to his own!

Any roadside ads wouldn't offend me in the slightest!

I'm just an ordinary 'nearly retired' 73 yr old single female living in Orewa - I truly don't have any 'agenda'!



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** In Orewa there has never been a problem with signage along the Beach Highway. It is well self-monitored.

If there is 'trouble' another areas of Greater Auckland and if the Council makes a 'One Rule Fits All' - I fear that it will destroy the life-blood of our local businesses and societies and clubs in OREWA.

It could be the same in our other Greater Auckland communities but maybe they don't SPEAK UP!

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)

- make rules easier to read and understand.

### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** In Orewa there has never been a problem with signage along the Beach Highway. It is well self-monitored.

If there is 'trouble' another areas of Greater Auckland and if the Council makes a 'One Rule Fits All' - I fear that it will destroy the life-blood of our local businesses and societies and clubs in OREWA.

It could be the same in our other Greater Auckland communities but maybe they don't SPEAK UP!

### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** This is where advertising needs to be sensibly 'out' at our local Crew College

OREWA FAMILY PLANNING CENTRE - yikes! has no-one ever heard of it?!????

Medal for the nurse at the Youth Cente, Orewa Western Reserve - by the Skate Park.

Do check the Family Planning website for times...

Previously It provided an indiscreet service for sexually active Orewa College students until 'someone' complained! How stupid was that?!

OFFS - up-tight parents - get over it, embrace life and support Family Planning OREWA.

## **14. General rules for all signs**

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Disagree

**Tell us why, and if there is anything you would change?** I honestly think our TAX/rates money & the working-time involved in what AucklandCouncil is asking us about would truly be better spent on getting a good NZ rail connected RAIL system u and running!

Safety?? It all rests on the driver doesn't it! Nothing to do with the Auckland City council!

If you want safety/less cars on Roads/Motorways why doesn't ACC lay rail-tracks down bus routes (instead of buses??) just saying ....

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Oooo yuk - agree to that!

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (**cl 27**)
- luminance rules apply between 'sunset and sunrise' (**cl 27**)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (**cl 27 and 28**)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (**cl 28**)
- LED signs must comply with the maximum luminance standards for static illuminated signs (**cl 28**)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

#### **What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** ooo the survey is sooo long I can't concentrate on that complicated question.

I hope it isn't a crucial one!

### **15. Controls (additional rules) and Approvals (permissions)**

#### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

#### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?** Ooo on a brief read I'd say you slipped this complex question in at the end when us mere rate-payers are nodding off under the complexities of the question! Interesting if you have personal feedback to MY comment??

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Other

**Tell us why, and if there is anything you would change?** I think this last question is a dodgy waster, chaps.

**Just when thoughtful people are thinking "OMG not ANOTHER question"!**

**Yes- I would challenge the Auckland Council to employ more FORWARD PLANNING THINKERS and de-clutter employees that make up wittering questionnaires like what I've just filled in. No offense.**

**Linda, Orewa**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

This questionnaire is a dodgy time-waster, chaps.

I guess you're hoping to ingratiate us into thinking that you really care what we think?

Let me tell you that my thinking friends think "OMG not ANOTHER quest - what's the point"?

I would challenge the Auckland Council to employ our rate-funds to employing FORWARD PLANNING THINKERS and please de-clutter the employees that make wittering questionnaires like this. No offence.

Linda, Orewa

PS I am an independent 73yr old business woman living in Orewa - still working & contributing to the Auckland/NZ community.

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Hibiscus and Bays

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Must be on own property not blocking footpaths or obstructing traffic on road view. Should apply to whole city not just center



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Vandalized ones must be repaired or removed asap. should also apply to whole city not just center

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** If on private fence and not offensive fair enough

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Because sometimes these signs are never withdrawn after event

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** As long as not obstructing anything else especially pedestrian and traffic and sorted promptly if vandalised

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Not obstructing anything ,foot traffic

## **5. Portable signs**

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

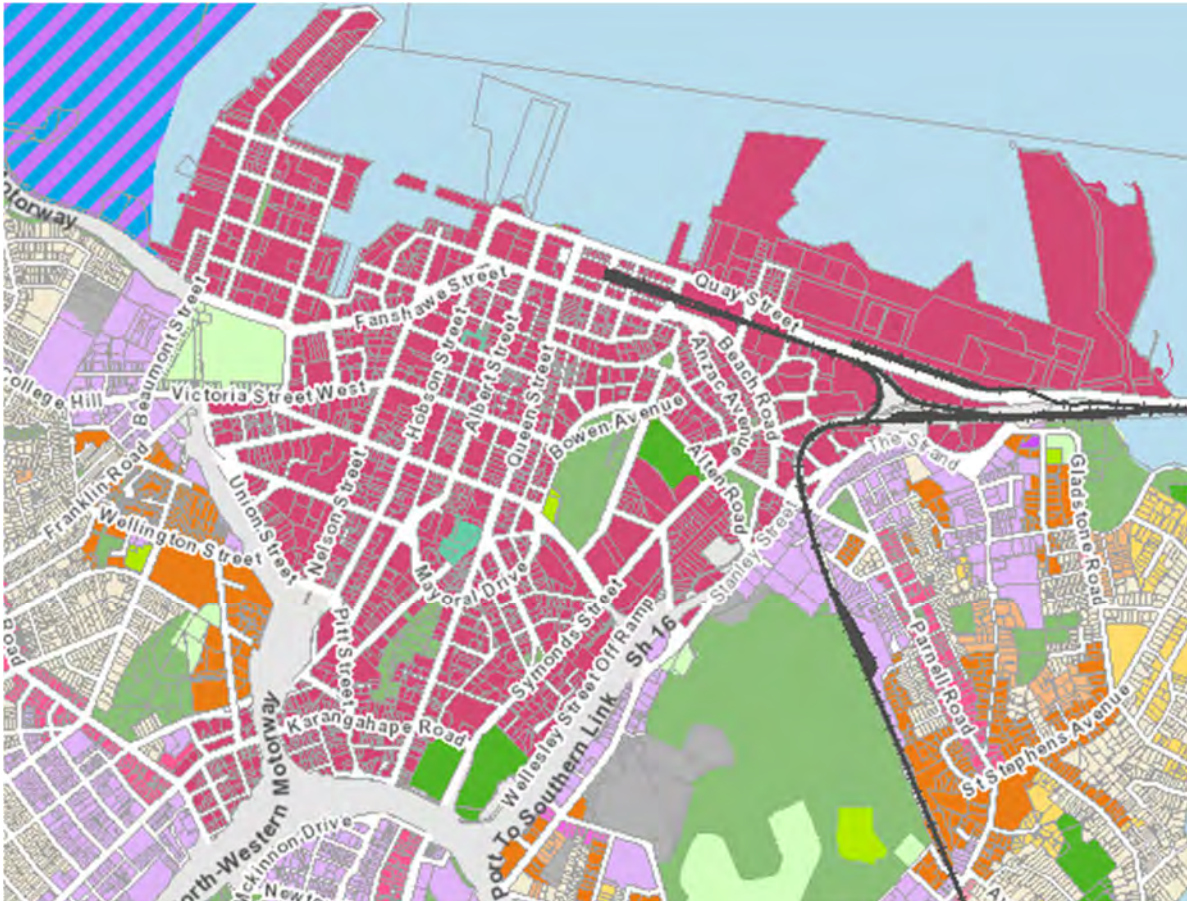
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Should include whole city , especially shopping centers

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development



- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Person's vehicle as long as not offensive is their property

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Again if not offensive and on their property and not visually obstructing,

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?****Response:** Agree**Tell us why, and if there is anything you would change?** But surely building permit required**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?****Response:** Disagree**Tell us why, and if there is anything you would change?** We always say we want a more vibrant city and signage adds to that**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?****Response:** Disagree**Tell us why, and if there is anything you would change?** Get tougher 30 days us more than long enough**15. Controls (additional rules) and Approvals (permissions)****Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Make it simple to follow

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change? But instead of may be prosecuted will be. leaves no room for mates of mates to get away with it whilst someone else gets fined for the same**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Franklin

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Don't need loosening of election signage controls

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

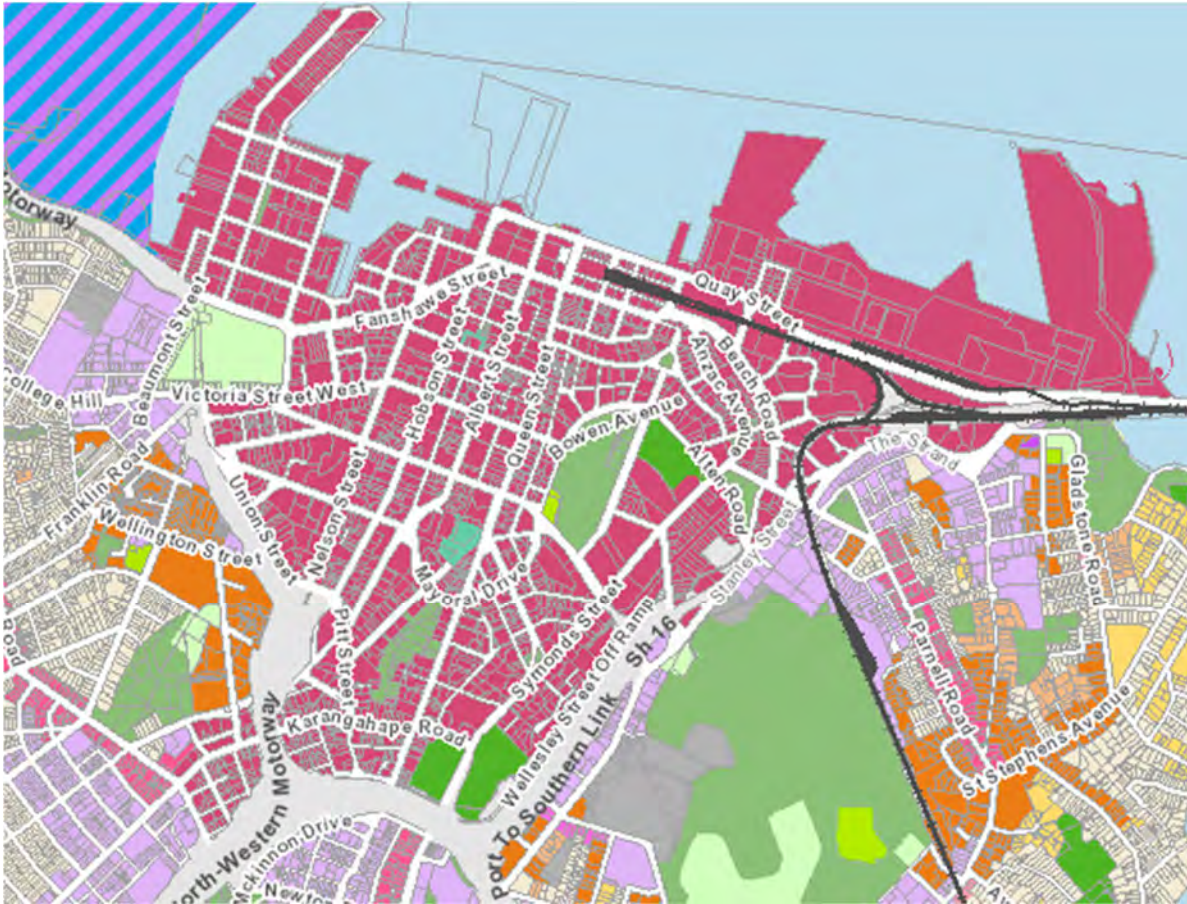
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?** Should be expanded massively. Don't need advertising obstructing footpaths.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Larger signage with longer messages will distract drivers, including heavy vehicles for longer periods. Weren't speed bylaws designed to reduce crashes?

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** tighten laws to reduce clutter, not allow for more signage, ie fences

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** if it is a legal business should not have separate rules

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?****Response:** Agree**Tell us why, and if there is anything you would change?****Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?****Response:** Agree**Tell us why, and if there is anything you would change?****Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?****Response:** Disagree

**Tell us why, and if there is anything you would change?** If the sign has historical value shouldn't be covered up. 3 months is fair time frame.

**15. Controls (additional rules) and Approvals (permissions)****Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Ōrākei

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.



We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

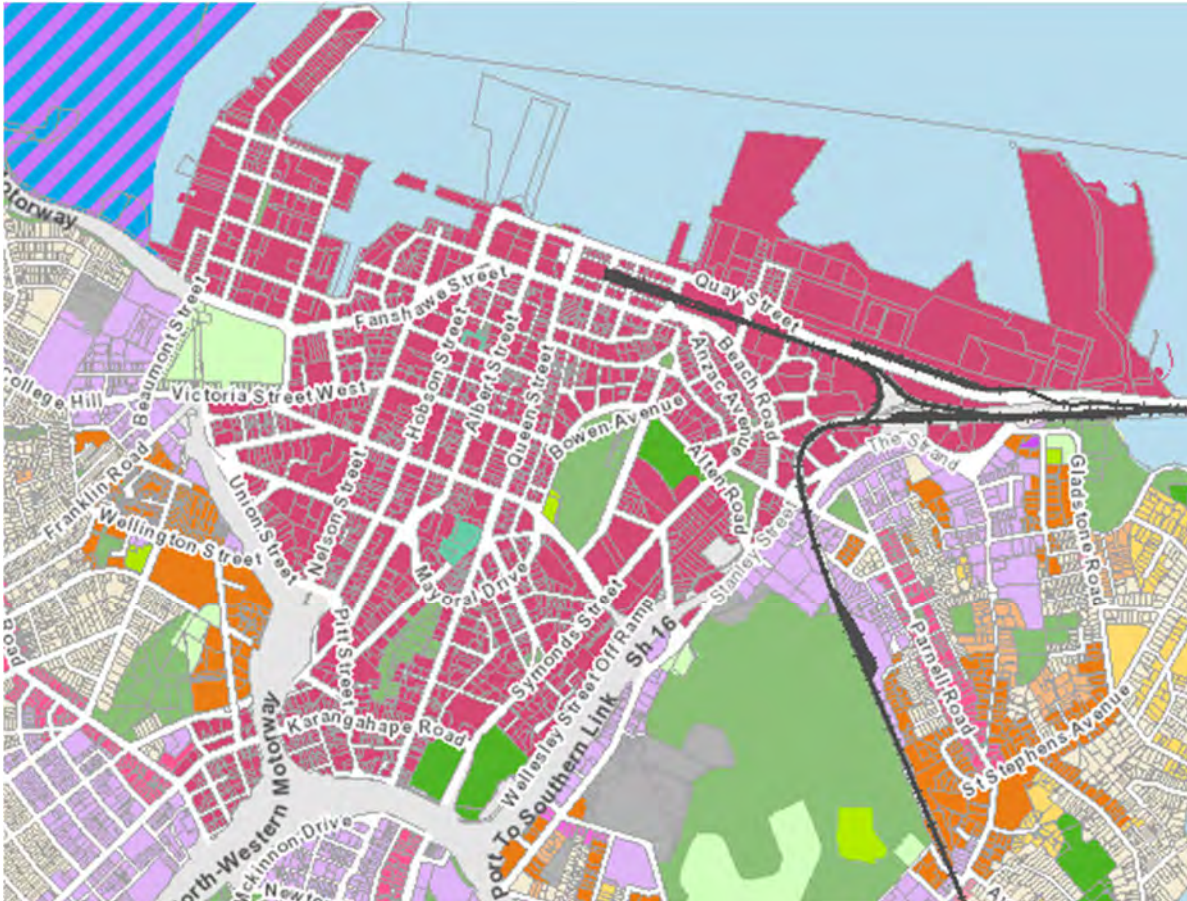
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** I don't know

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

#### **Tell us why, and if there is anything you would change? Ugly**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Remove all illuminated signs- they are distracting to drivers, eyesores in our city, and not ecofriendly

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw

- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Franklin

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Keep election signs to sites normally recognised as being suitable.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Private property is just that, don't need council dictating everything.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** To allow the recycling of goods there should be fewer impediments not greater. Who would regulate this? Greater cost to council for regulation must be avoided. Few people would take note of new rules.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Again, fewer impediments for this type of event-for the good of the community, this should be the goal of the council.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **5. Portable signs**

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

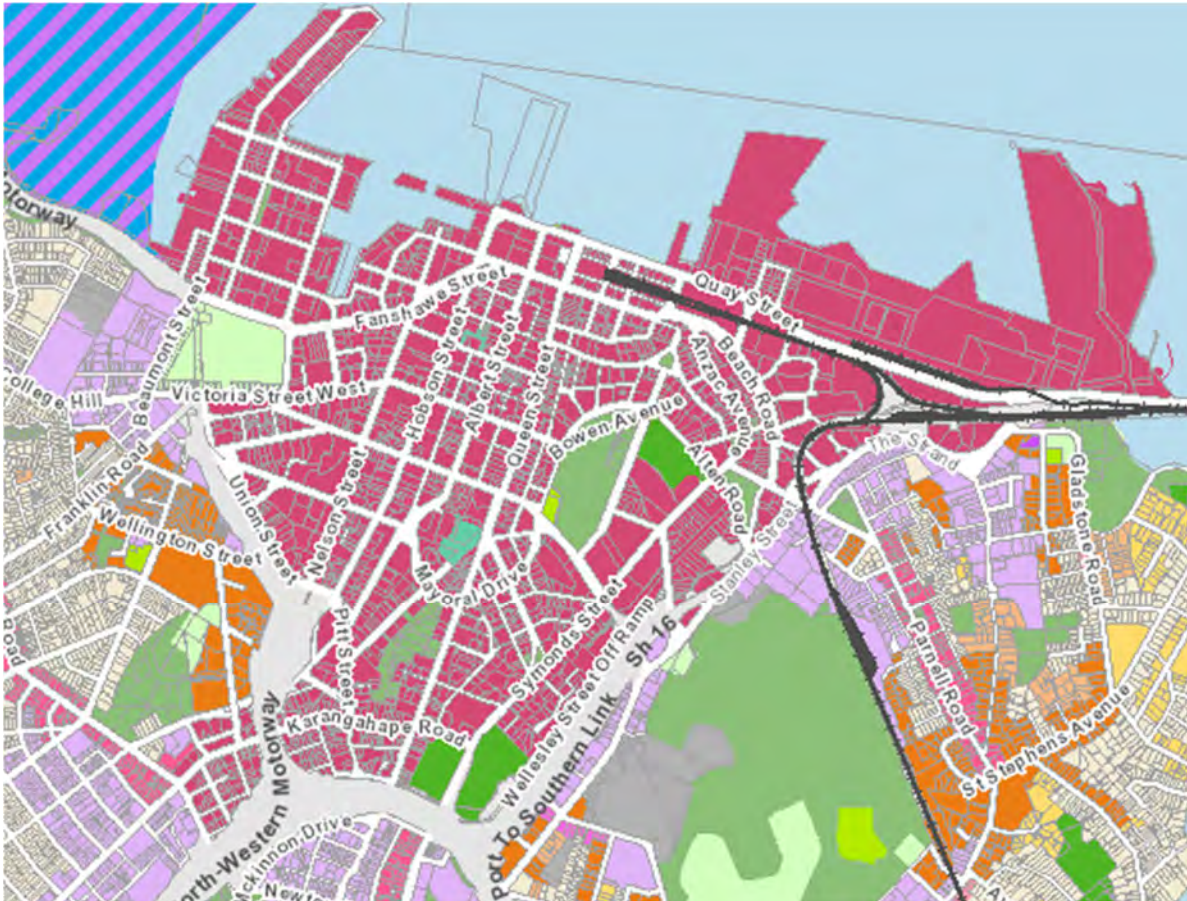


The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** There are many small business's in this area which rely on these types of signs to bring in business.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development

- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Window signs are essential for potential customers to be aware of the business in operation on that site.

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Disagree



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.



We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Howick

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** A blanket ban on such positioning stops signs being placed on a fence adjoining a park but which ultimately is mainly seen by road users, without having the distraction of those signs on a frontage fence.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I agree in principle however, for people who have no other way of notifying potential buyers and who need to put up a sign a few days prior, this part of the reform is grossly unfair.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I do not see why council needs to get involved in whether a community event is going to make a profit or not, since community events generally benefit

community organizations. This seems to be just another layer of unnecessary bureaucracy - another waste of ratepayer's money.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

### **What is your opinion on the proposal for rules for event signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Much of this would seem to be just common sense and could be just written in without extensive consultation however, council seems to be in a different world to the general public when it comes to measurements from a wall, for example, and would just appear to be aimed at employing more people to go around with tape measures.

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**



## 5. Portable signs

### Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

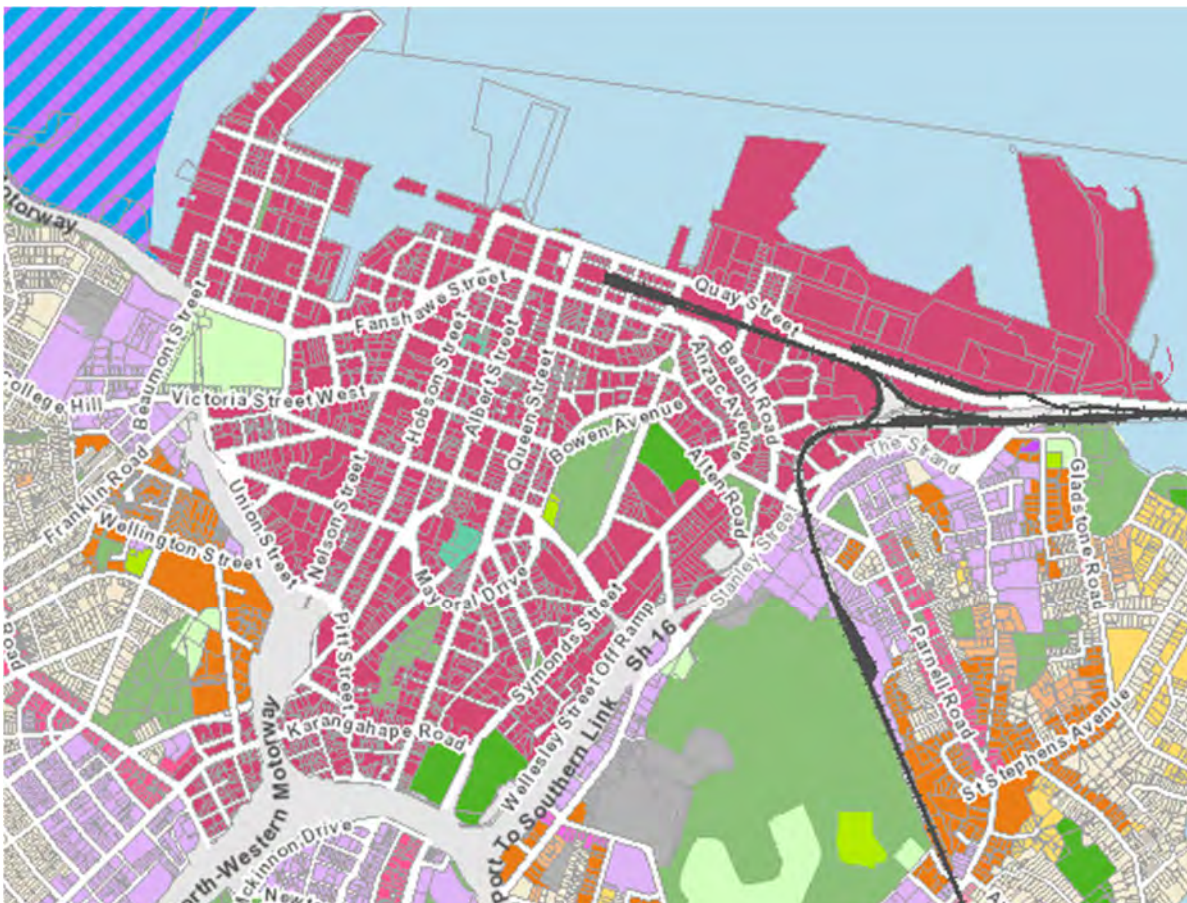
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I agree in principle however, I'm not sure that the retailers in that area, who are trying to recover their businesses and who have had the public, in some cases, directed away from their premises by public works, would agree.



**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs

- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I agree in principle to the aim of your clause however, being a retired signwriter, I can point to thousands of examples of signs, all over the country, that do not comply with this wording. Are you going to require these to be removed?

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Not sure how you would police your rule re removal if the operator has flown the coup! It is usually incumbent on the next tenant to replace it, usually at their expense. Is the council going to heavy-handedly force the new owner or tenant to remove an old sign?

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Other

**Tell us why, and if there is anything you would change?** This seems to be just duplication of topics already covered.

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.



We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Albert-Eden

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Community events such as Big Gay Out or Diwali should be able to advertise in these public spaces. commercial events such as Baby Expo, Food Expo etc should not be able to, otherwise, it just adds unnecessary clutter to the city environment.

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** If this includes the FreeStanding billboards then we need to reduce the number of them in general. They are a visual eyesore in the central city and especially the LED/electric billboards are far too bright and create light pollution for residents who live in apartments nearby.

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

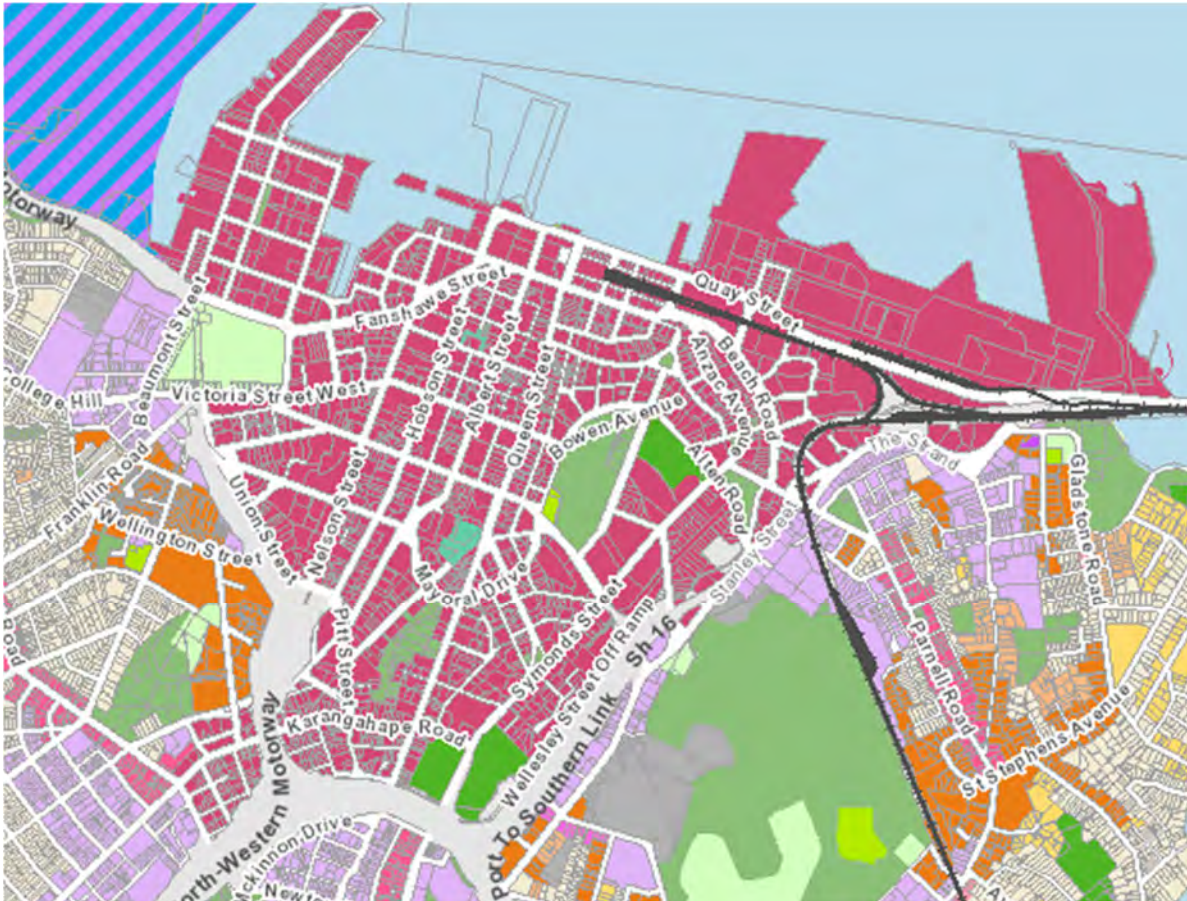


The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Approval process should take into account the number of existing poster sites in the area. The city centre has too many billboards, posters etc.

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24



- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** If this includes large billboards mounted on buildings in the city then we need to reduce the number of them in general. They are a visual eyesore in the central city and especially the LED/electric billboards are far too bright and create light pollution for residents who live in apartments nearby.

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Other

**Tell us why, and if there is anything you would change?** The LED/electric billboards are far too bright and create light pollution for residents who live in apartments in the city centre. The number of them should be reduced or limited.

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?****Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Luminance limits at night time will need to be adequately monitored and enforced. Apartment dwellers in the city centre are faced with light pollution that affects their quality of life. There should also be a strict limit on the number of illuminated signs in an area to limit the overall level of light pollution.

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)

- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Henderson-Massey

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** If people are getting paid to have signs on their fence and are OK with the damage it causes then it should be up to them, but only in place for a limited time

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** People should be able to advertise a bit in advance. Some people are struggling financially and may be doing this to generate some extra income. It is a good opportunity for those that don't have much money to buy second hand goods well. Signs should be tidy though!

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **5. Portable signs**

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

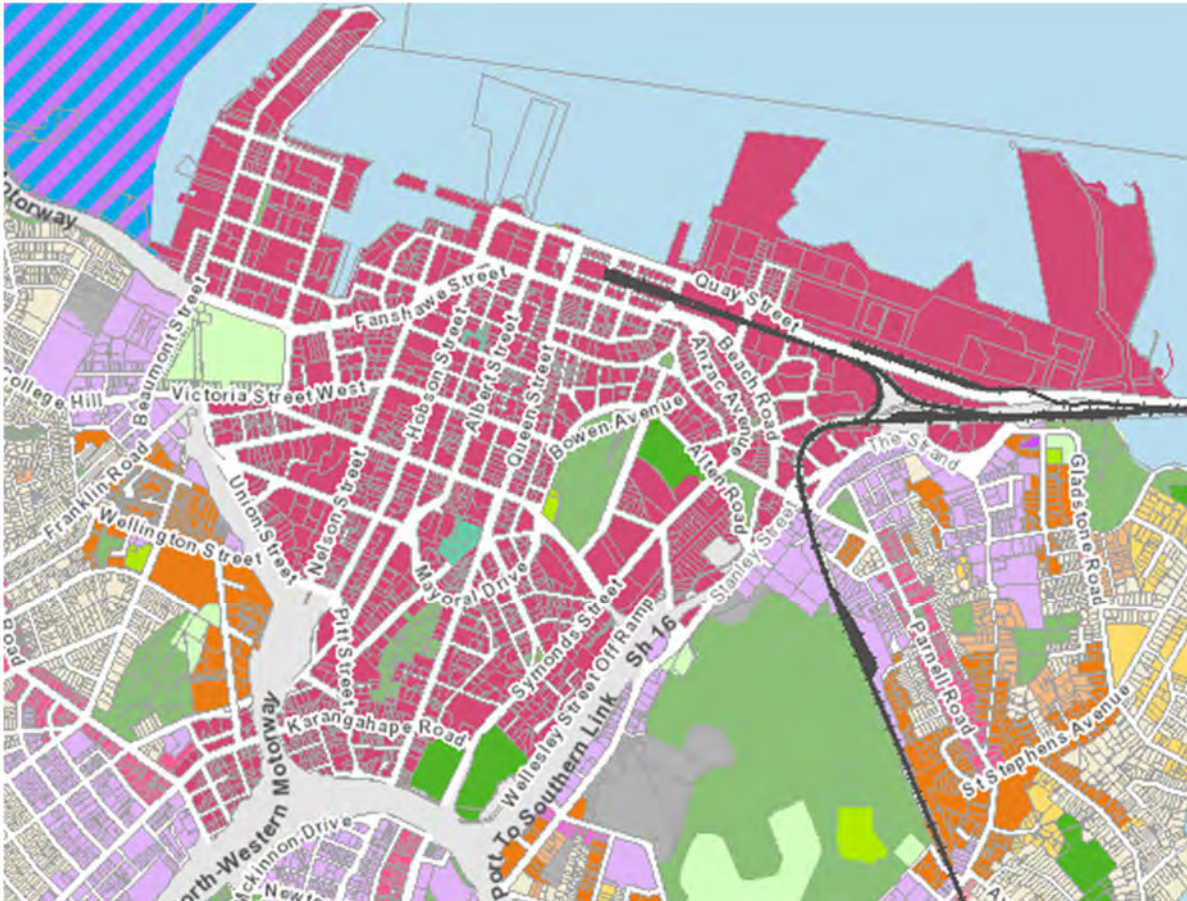
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).



**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Other

**Tell us why, and if there is anything you would change?** For banners on council-controlled public places require an approval (by Council)

Exclude signage to building on council-controlled public places , such as sports clubs, etc



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Agree in principal

No Election signage on council-controlled public places parks and reserves.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** No objection to election signage on private property opposite a council controlled park, reserve or open space.

Agree to no election signage on a council controlled park, reserve or open space.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Increase the signage time to up to 7 days of the event

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Restrictions as elections signs not applicable for major, regional, sub-regional and community events.

Signage for Sports or events at a council controlled park, reserve or open space should be permitted on a council controlled park, reserve or open space.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** All signage should not impinge on the public pathways, etc

## 5. Portable signs

### Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

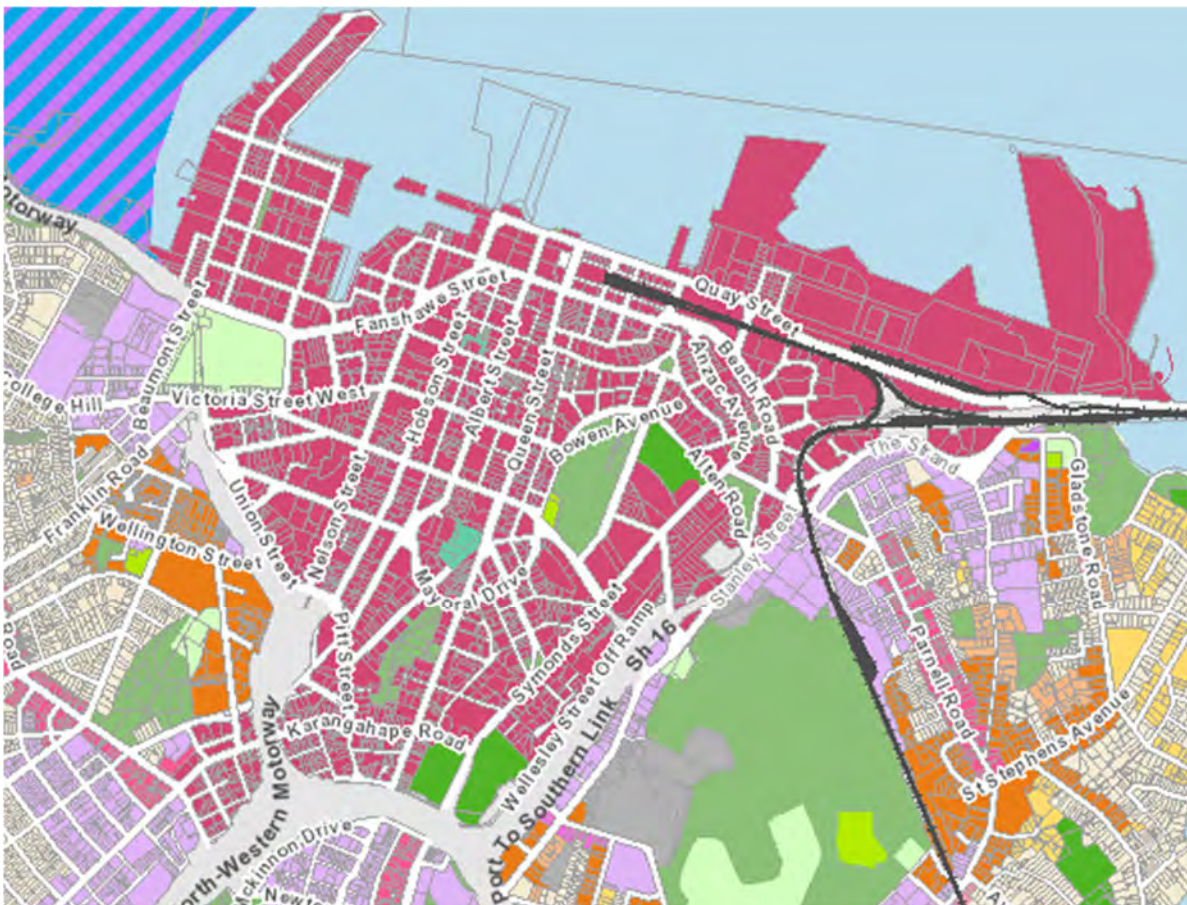
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** This should be extended to all areas.

Keep pathways clear.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** See above , Keep pathways clear.

**6. Posters****Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**7. Real estate signs****Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree



**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Keep pathways clear.

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs



- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Other

**Tell us why, and if there is anything you would change?** Add rules the restrict the change of quick illumination levels ie from dark coloured to bright as it provides a strobing effect

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Add rules the restrict the change of quick illumination levels ie from dark coloured to bright as it provides a strobing effect

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Generally agree, but relax restrictions to bodies that lease property and own facilities on parks, etc to allow signage for advertising events at the council space

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Ōrākei

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

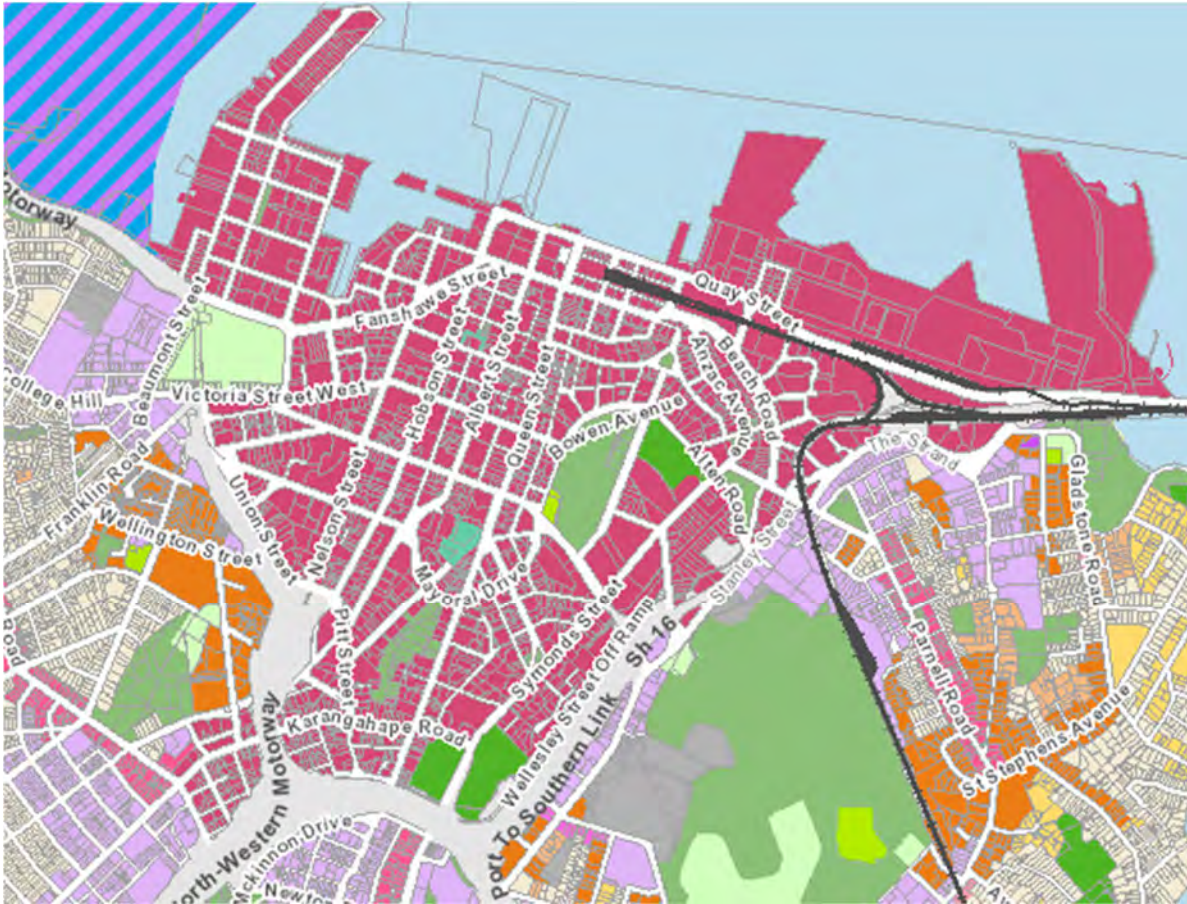
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Sandwich boards even when placed 'correctly' get in the way and reduce the amount of space for pedestrians and wheelchairs and the like. Far too often they're blown over, which causes more hazard. I think they should be prohibited on just about any public sidewalk anywhere in the city.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Rodney

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** People should be allowed 3 days so that customers are aware of the event

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** But we should be able to place signs on any road side in the region of the event

**Proposal C: Clarify the current event sign rules, including their definition and placement**



We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

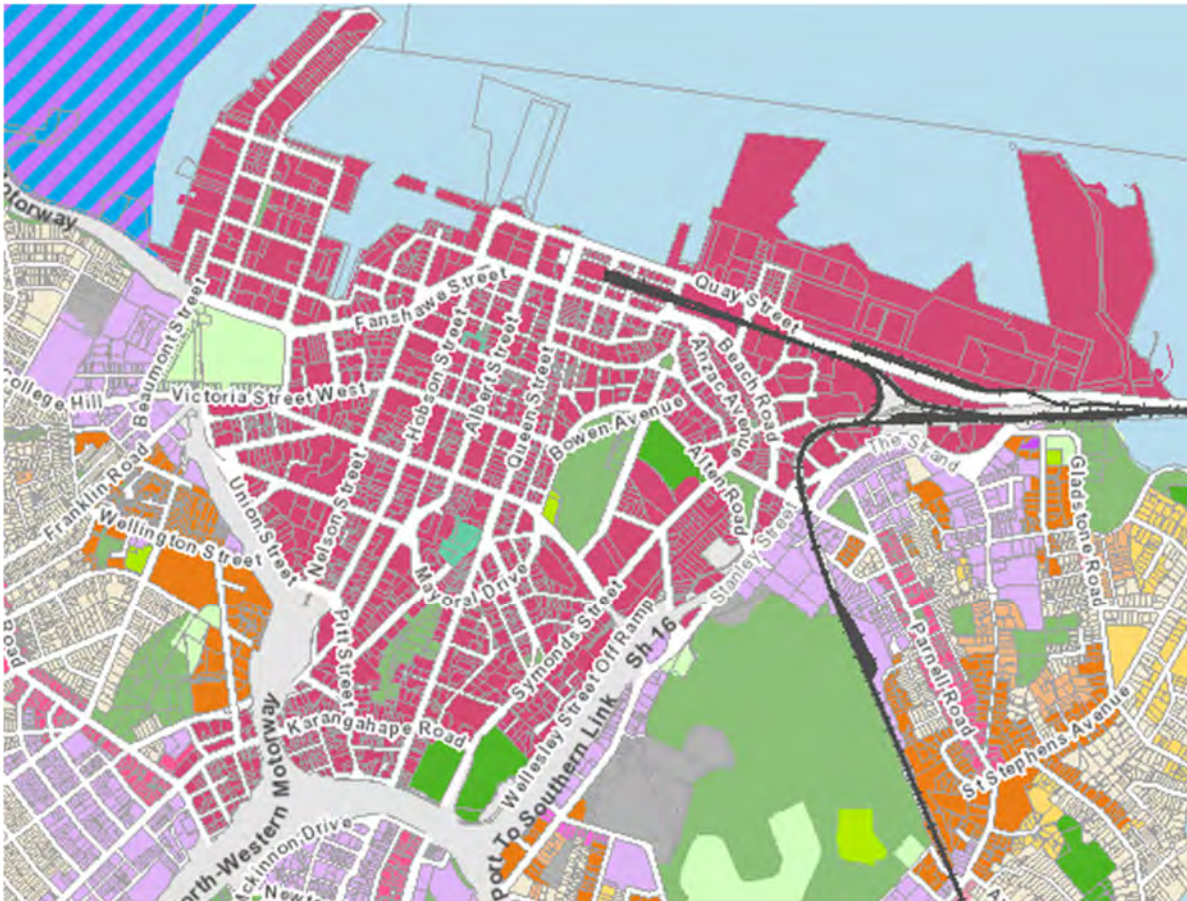
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Upper Harbour

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Ensure compliance and, that they come down within a day of the event (if event advertising) All banner advertising should have rules (not guidelines) to ensure safety (ie do not erect if windy conditions expected)

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Ensure compliance for "day of garage sale" only. Too many signs are stuck to power poles or street lights and left to become litter.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Ensure safety of signs, particularly in windy conditions

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

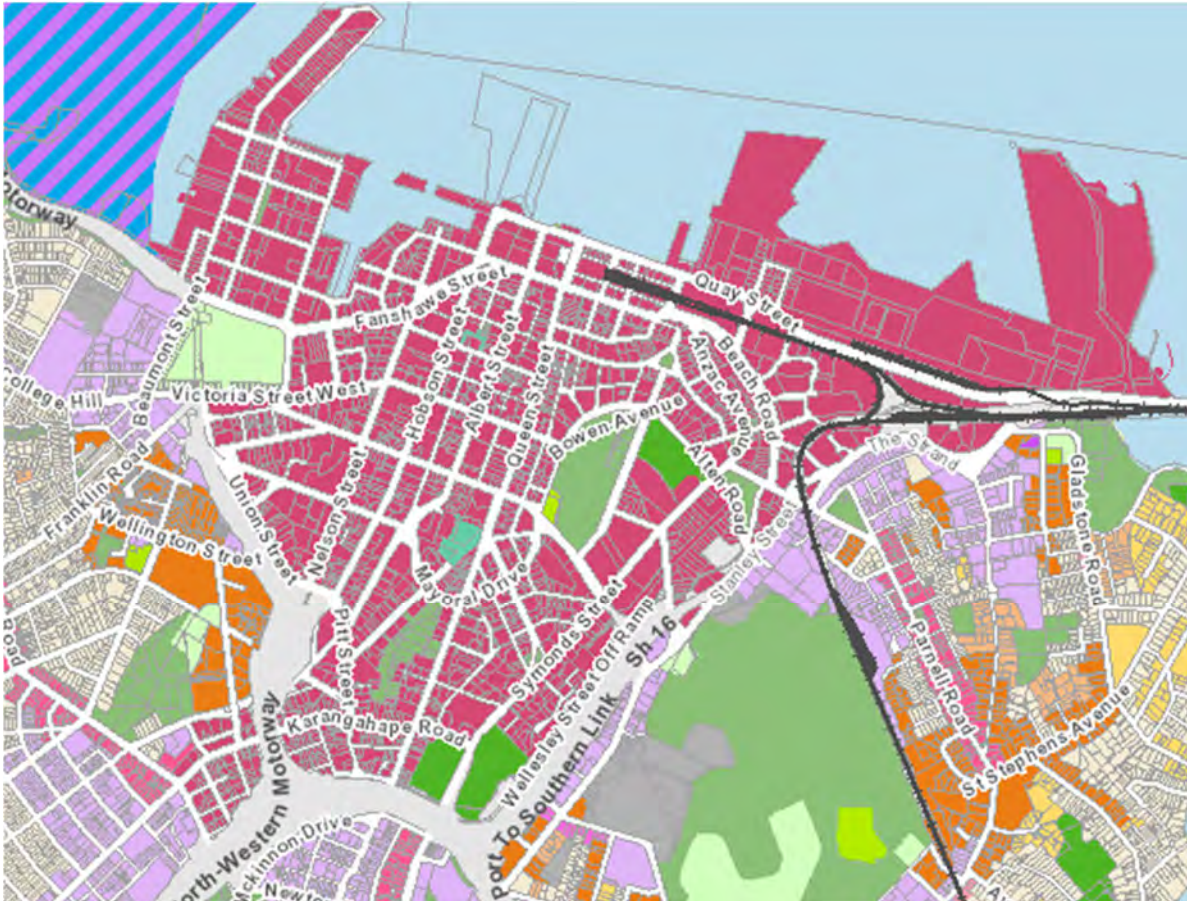
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Too much signage already in the city. Large signs are not for decimating large amounts of information. Billboards can do this job

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** One For Sale sign per house only.

No directional signs, no flags, no illuminated signs.

I work in this industry. And, the current rules are constantly flouted. Flags are up for 3 days, open home signs left up 24/7. Nowadays buyers can see, using apps on their phone, where a property is. They do not need to use open home signs to find their way there. Get rid of real estate signage, except for ONE For Sale sign. And, this would reduce clutter and keep our streets looking much nicer. The stakes used on real estate pointer boards are lethal - the ends are extremely sharp metal.

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**



**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?****Response:** No response**Tell us why, and if there is anything you would change?****Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?****Response:** No response**Tell us why, and if there is anything you would change?****Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?****Response:** No response**Tell us why, and if there is anything you would change?****15. Controls (additional rules) and Approvals (permissions)****Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.



We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Devonport-Takapuna

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** It's too long

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** These signs are an irrelevant eyesore

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I have no idea why these signs are needed at all. They are an eyesore

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** But I have no idea how it is worth your while to enforce this

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

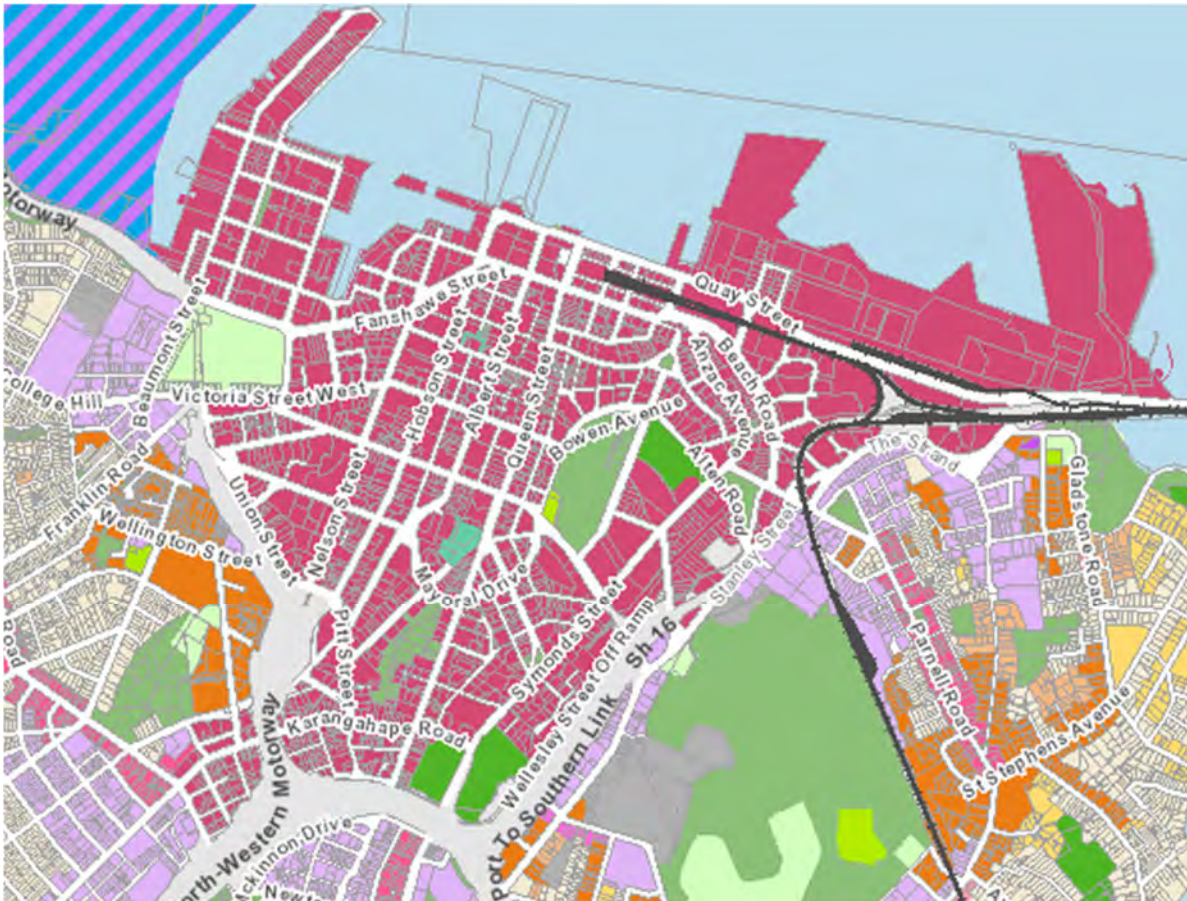
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:



- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**



**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I struggle with how three calendar months is less clear than 60 working days.

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw



- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Devonport-Takapuna

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Also need a time limit pre-event. Also an expiry date for open-ended options.

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

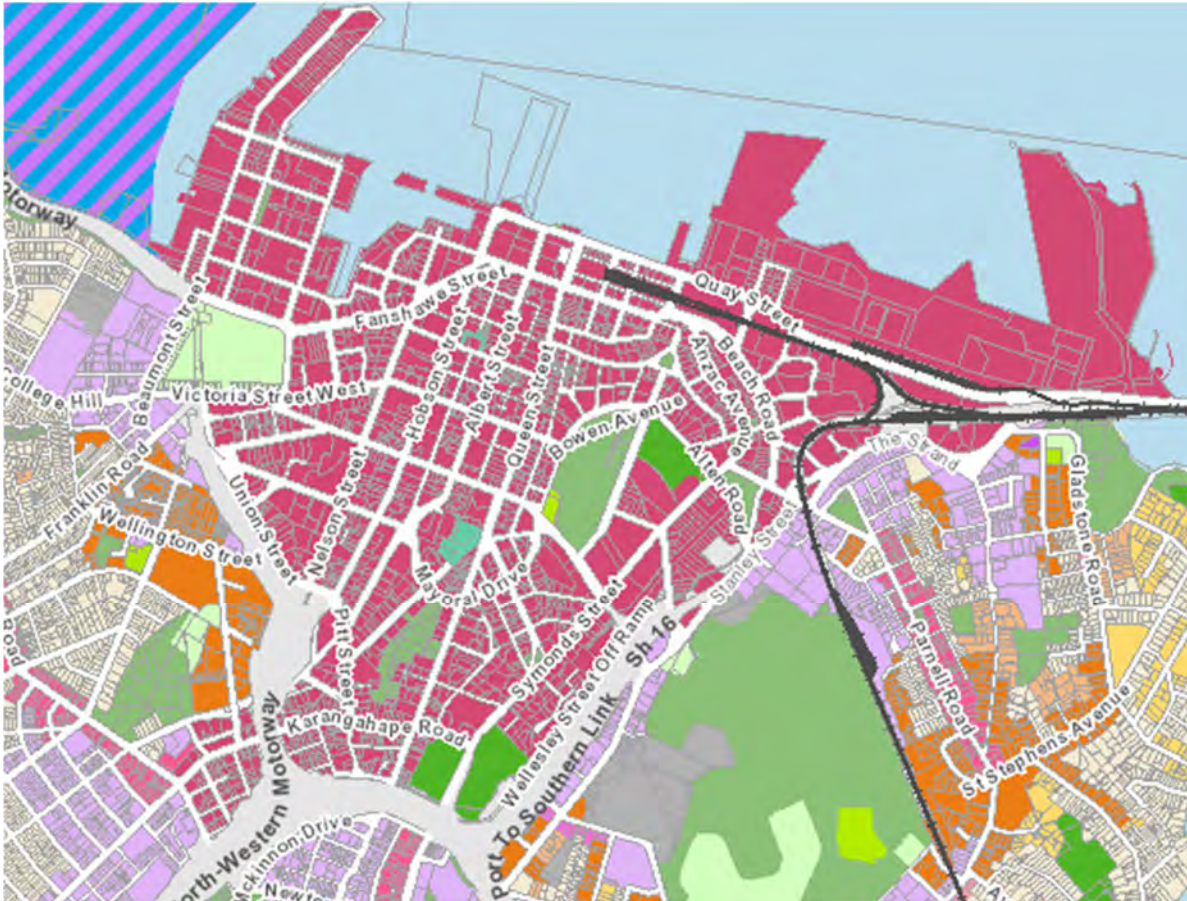
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

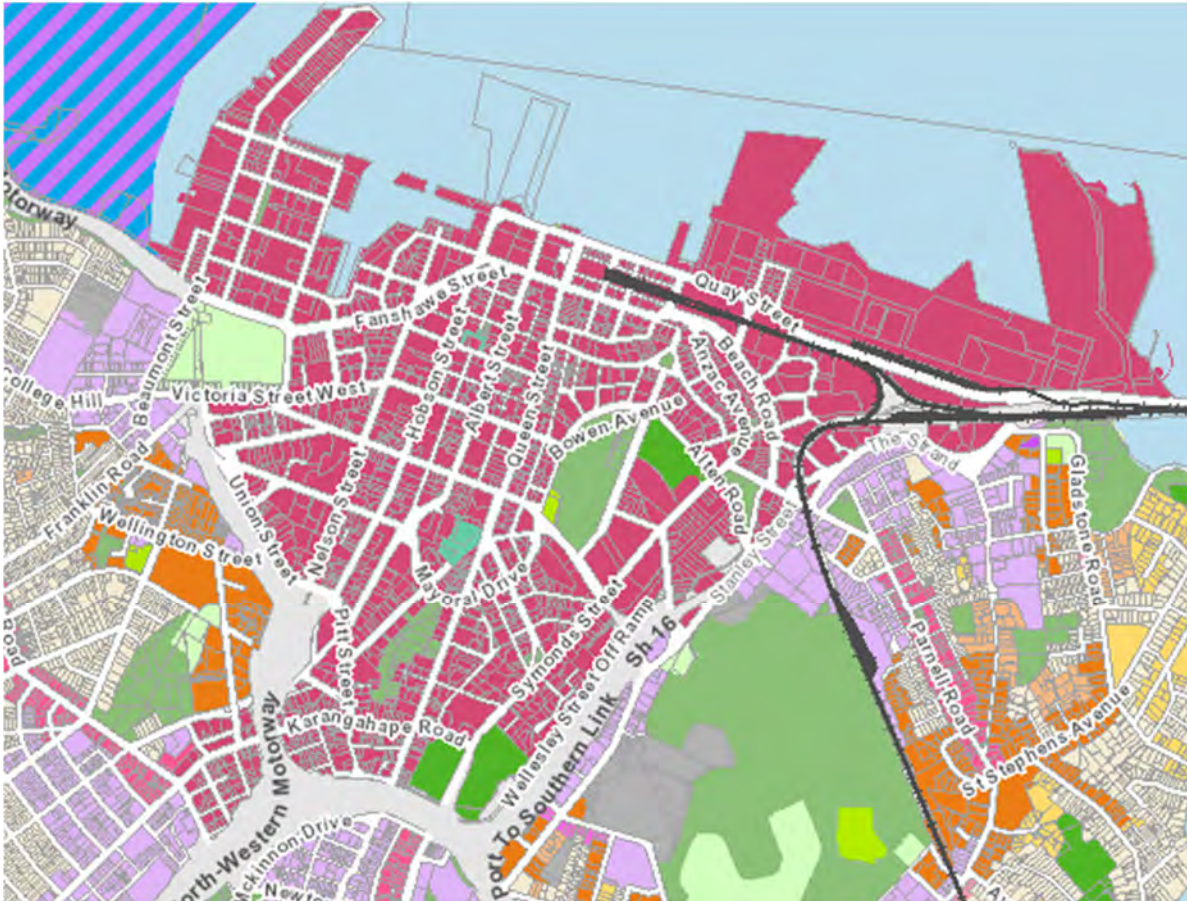
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Howick

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Must be removed after 9 week period

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Council controlling signs on private property is encroaching on the property owners rights to do what he likes within his/her own property

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Too difficult to police not really an issue costs of compliance would out weigh benefits if any

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** What if a not for profit sign is sponsored and the sponsors name is included on the sign. Think this should be allowed

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

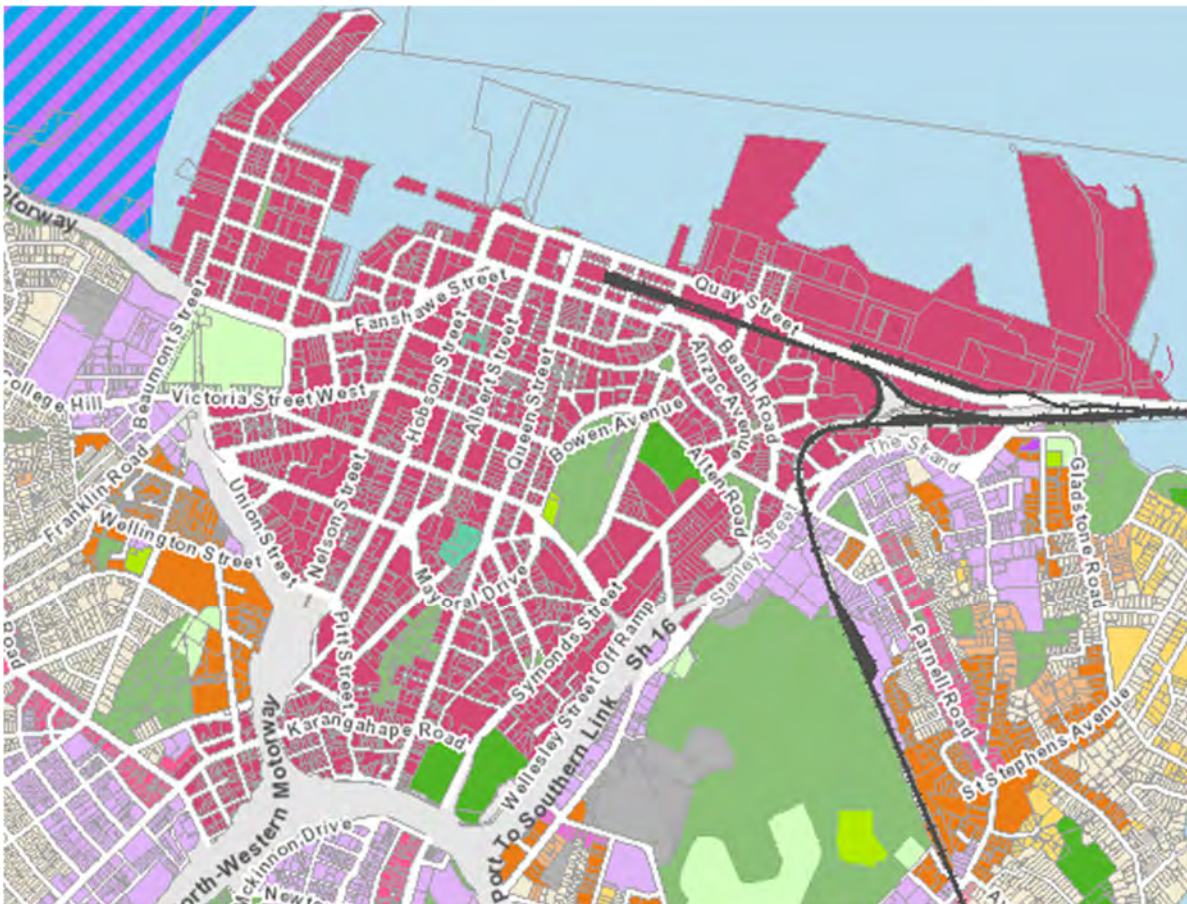
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal:** Clarify current rules, including that poster board sites require approval

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A:** Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify current rules, including the maximum number and placement of real estate signs

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24



- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?** Seems reasonable

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?** Reasonable

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**



We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Reasonable

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Albert-Eden

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I think this rule would be hardest for the smaller parties who don't have the means of heaps of large signs.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty



- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Other

**Tell us why, and if there is anything you would change?** I agree with the part requesting the event to be run by a not-for-profit organisation. I disagree with opening up all election signs spaces. It is enough visual clutter to have those spaces used at election times.

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**4. Free-standing signs****Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Not sure I understand why, when on different sites, we can be flooded with signs every 2m. I do understand that the 10m rule might not allow for a sign on some narrow properties but maybe the rule should rather permit one sign per 10m property front, to be a minimum distance from the boundary to the next lot, so no one can place their sign in order to prevent their neighbour to erect one legally.

**5. Portable signs****Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

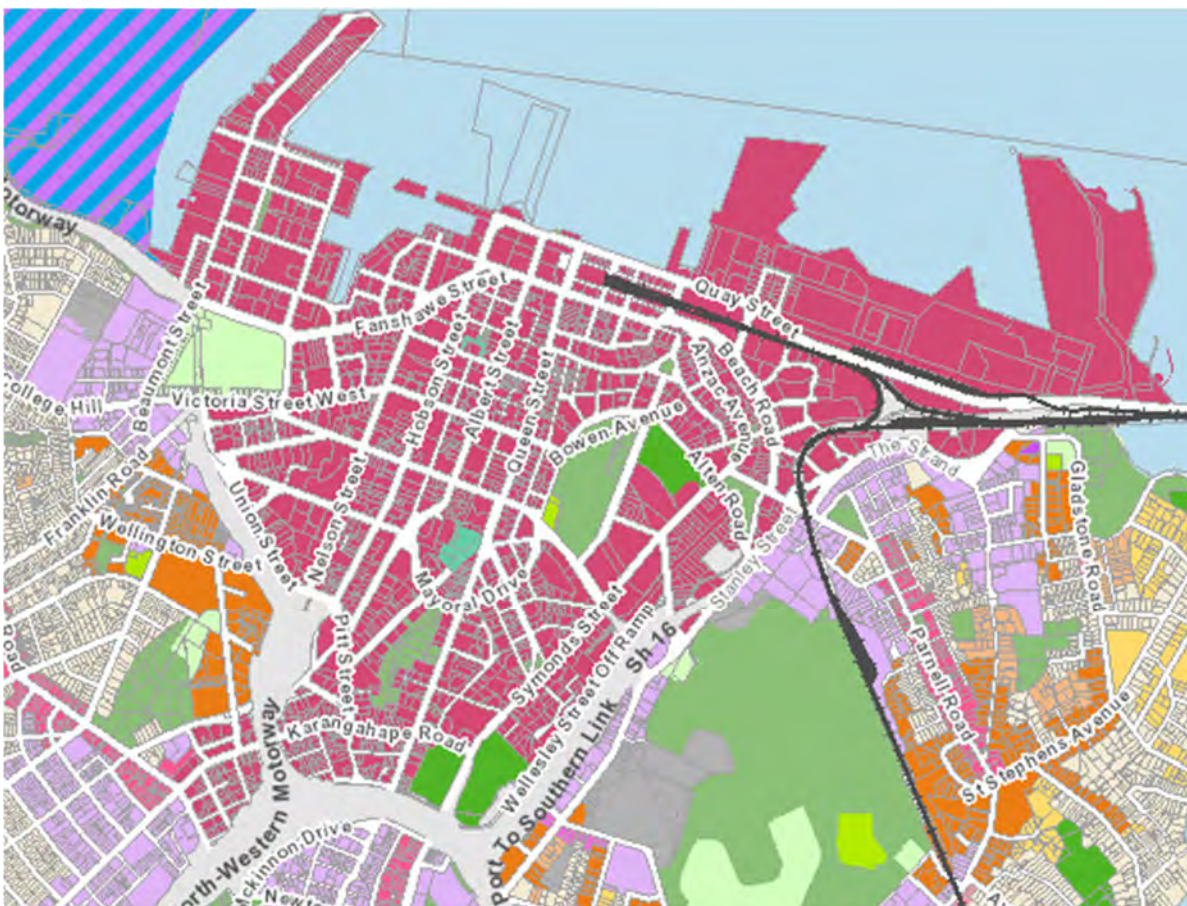
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**



**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**



**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** I support the opinion of the NZPC on the issue. They should be consulted.

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

#### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Ōrākei

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Banners on private property should be able to advertise or state anything at all that is not illegal - Council has no right to exhibit any form of censorship.

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I don't think we should have any election signs in Auckland on public property at all. They are a hideous eyesore along the road side verges and most fall over in the wind before they are taken down. There is enough media for politicians to get air time without making our streets uglier.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** People should be able to erect election signs on private property no matter where they face - that is a basic right of freedom and democracy - Council has no right to be a Censor.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

### **What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** These rules should only apply on public land - if someone wants something on private land that is their God given right.

## 3. Event signs

### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Other



**Tell us why, and if there is anything you would change?** I agree with event signs, but not election signs on public land.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

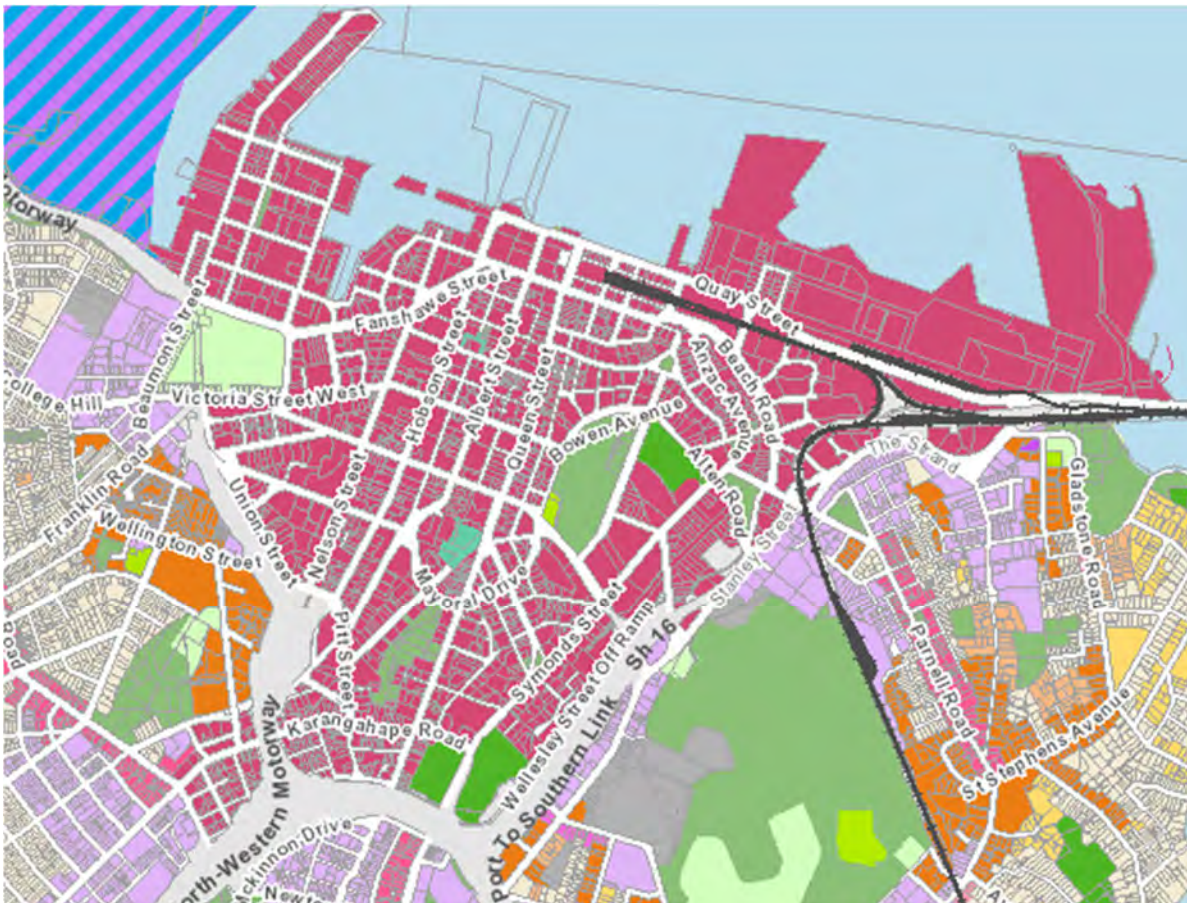
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** They are ugly and they block footpaths and parking areas.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Do not agree with needing to have an approval for a poster board site if it is private property.

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Don't need any bigger, more hideous real estate signs that are there for months and months.

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**8. Stencil signs****Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**9. Vehicle signs****Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** You have no right to exhibit censorship, specifications or approval requirements of signs on private vehicles, especially considering the signage you plaster all over AT buses. If it's legal under the road code leave it alone.

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Just delete any rules regarding verandah signs.

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences

- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.



We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** You should not treat sexual service premises any different to other commercial premises. I don't like churches as they are dishonest manipulative organisations, but you aren't proposing to treat them the same way as sexual service premises.

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)



- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (cl 25)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Yes - stop all advertising on AT buses and at bus stops.

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays

- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

#### **What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** You are really scratching the bottom of the barrel for ideas here if you think it its important to change the removal time from 3 calendar months to 60 working days - everyone's working days per week are quite different

### 15. Controls (additional rules) and Approvals (permissions)

#### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

#### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

#### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Rodney

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Too much of a bombardment with election signs. Would like to see both quantity and length of exposure reduced.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

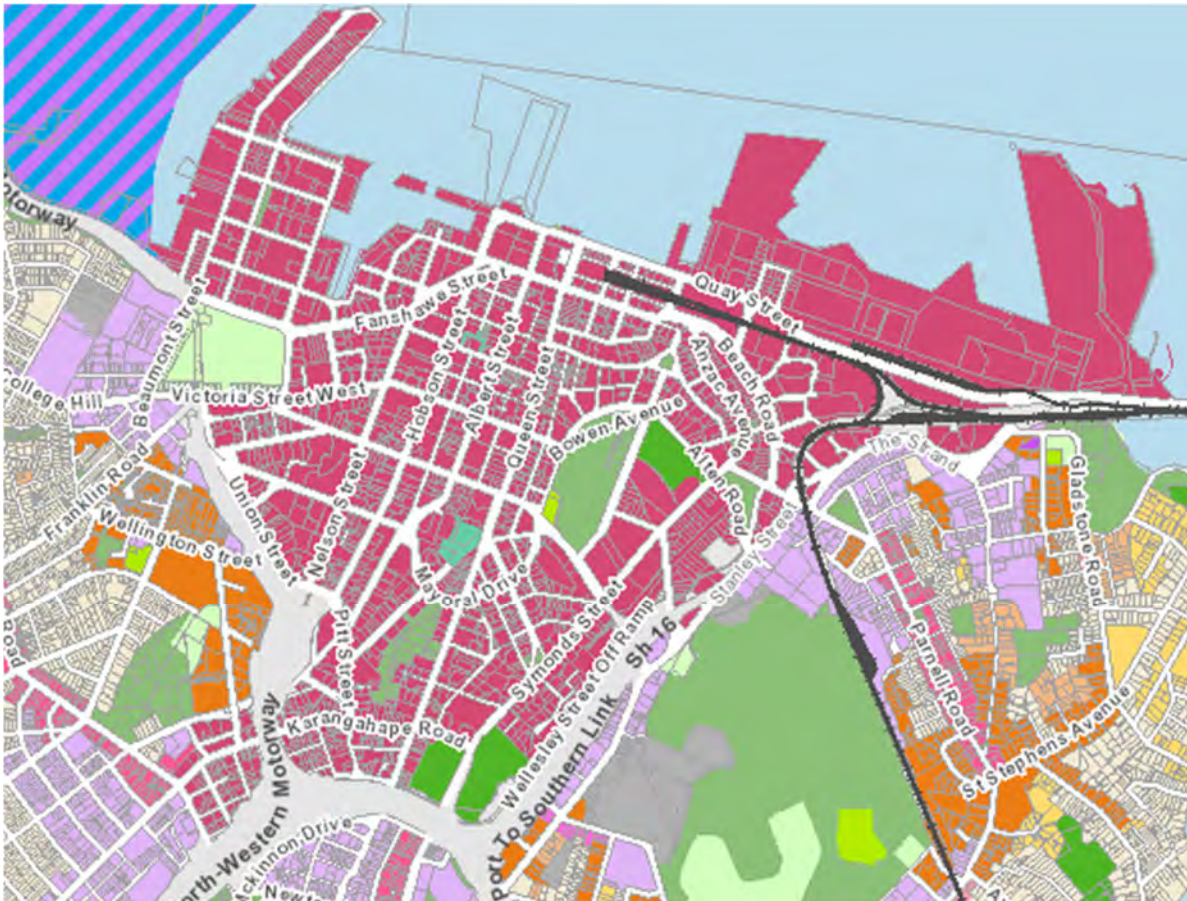
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:



- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** would like to see more restrictions on illuminated signs. I struggle to see that they are necessary from an energy wasting point of view.

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** 60 working days is much harder to work out than 3 calendar months, it really doesn't matter if one business might have a day less than another one to take down signs. Stick with the easy to set deadline.

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).



We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw

- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** I don't know

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

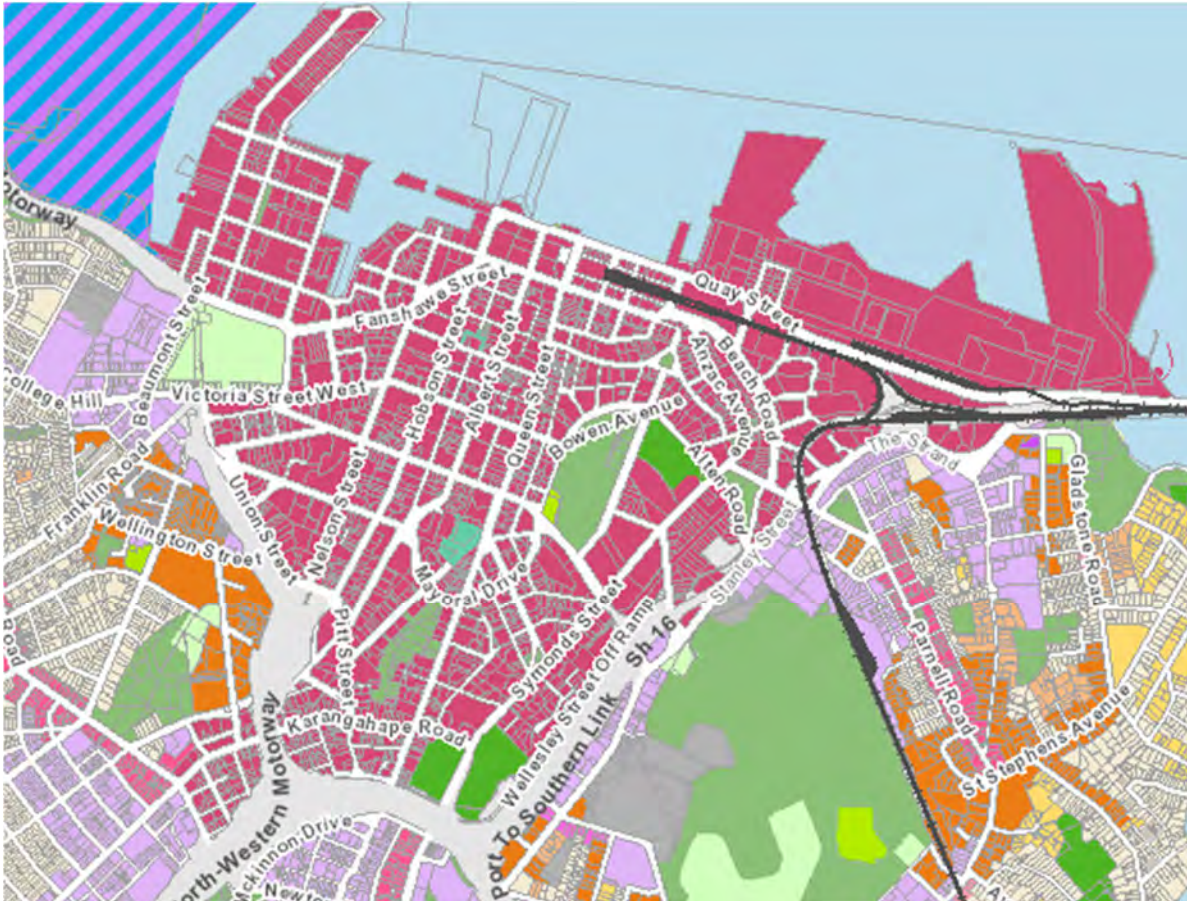
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.



**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Kaipātiki

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Billboards for elections seem such an outdated concept. They clutter our streets and provide distractions for drivers who move around our city. For people who are going to vote anyway, I can't see that the visual pollution of them provide sufficient excuse to maintain them. If we have to have them, 9 weeks seems an extraordinary amount of time for them to be able to be cluttering our streets. 1 month at most would be sufficient

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

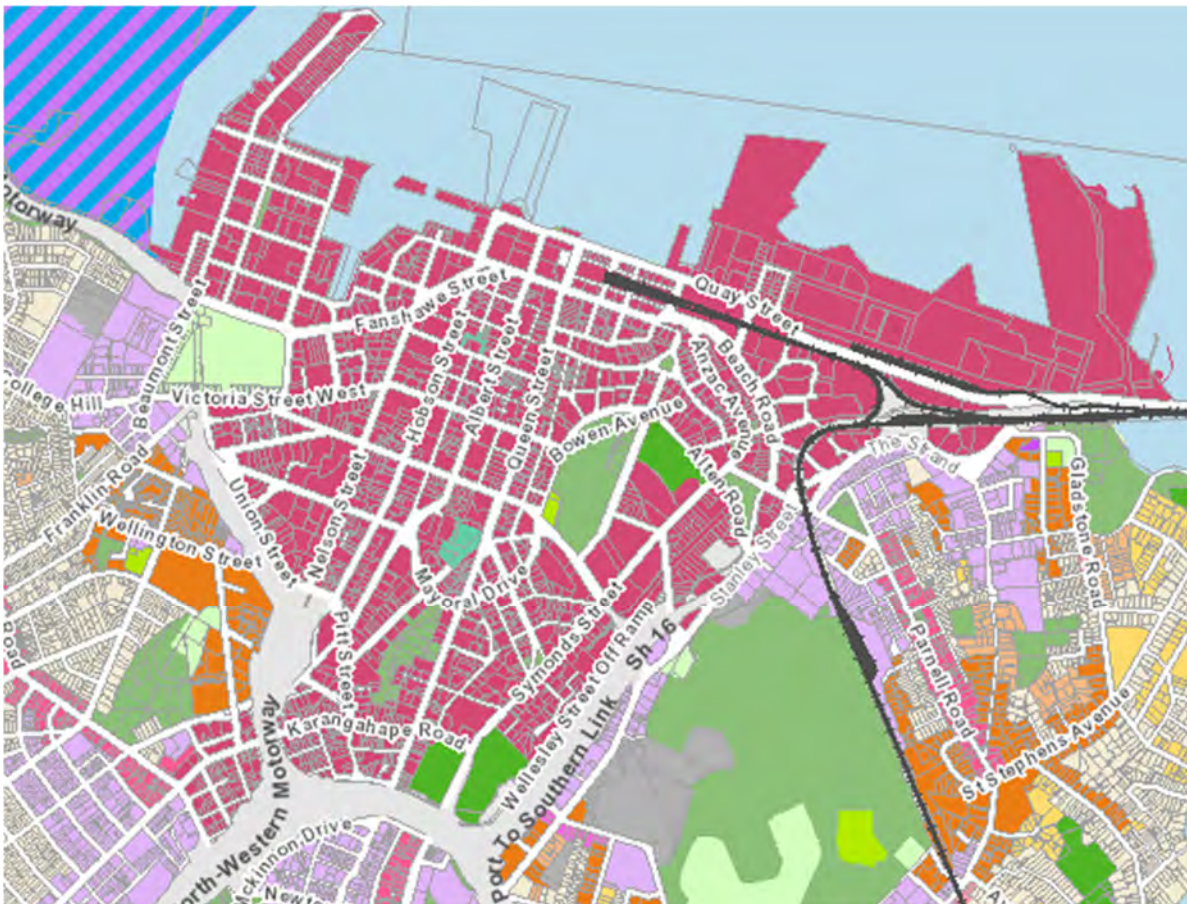
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Why just do this in the city centre? What about other town centres? I'd love to reduce the amount of signs in my neighbourhood

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley



- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

### **What is your opinion on the proposed rules for portable signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** I have concerns about the use of flags and signs that impede people's ability to see traffic etc so could there be an inclusion of guidance around signage close to traffic junctions. I also have concerns about too many portable signs on pavements in town centres. It would be good to see some incentives to reduce the number of them and to encourage businesses to put them away at night - that certainly doesn't seem to happen at many of my local businesses.

## 6. Posters

### **Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### **What is your opinion on the proposed rules for posters?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 7. Real estate signs

### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**



We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

[Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.](#)

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Rodney

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Non site-specific roadside stuff is just plain dangerous, scruffy and not relevant to the traveller

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Traffic visibility issues need to be emphasized.....tons of places they're put are traffic dangerous and sight lines should be protected for safety

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Its closing a loophole

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** its temporary and site and time specific...good call.....make sure sign placer is up for removing them after event!

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** But does this mean a whole bunch of trailer signs 2m apart on public land at Kumeu (where signs seem to be uncontrollably breeding)???

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

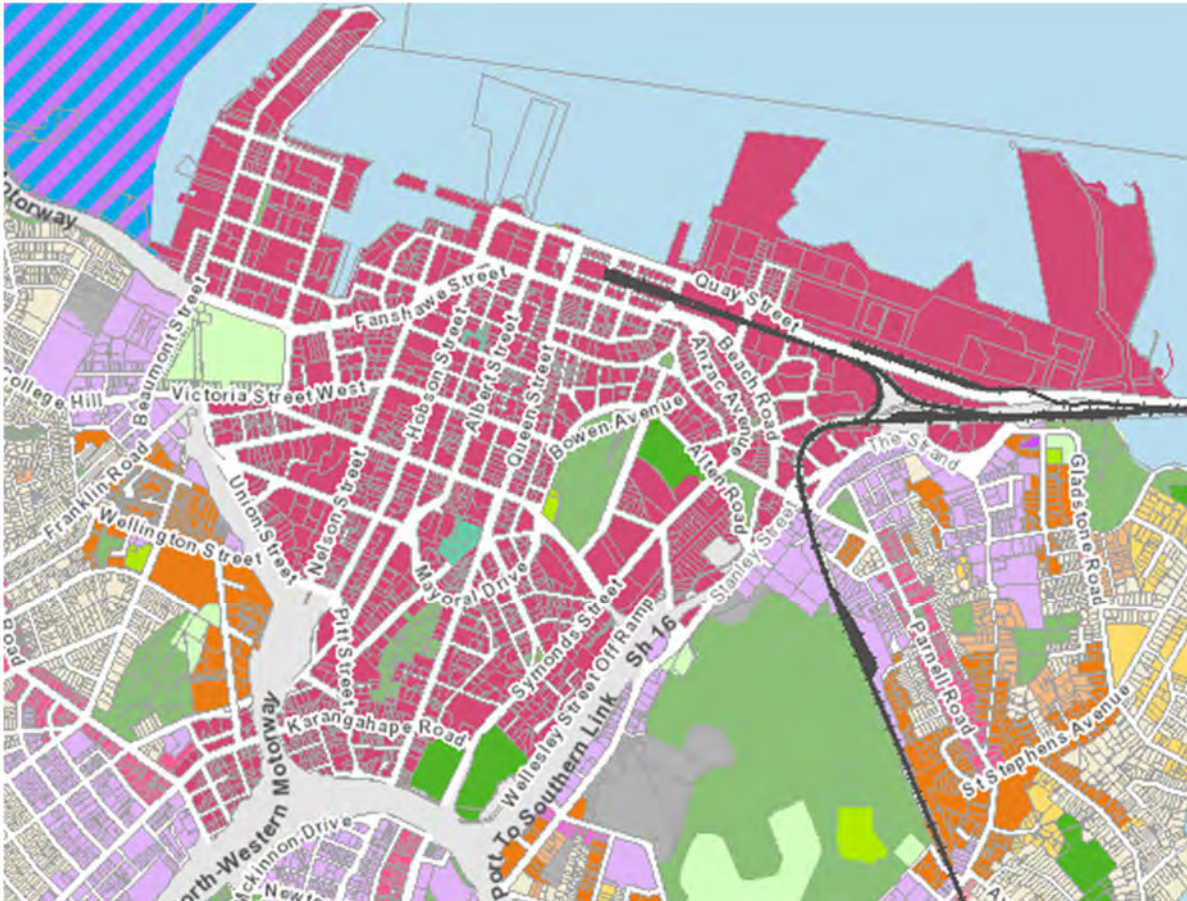
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Other

**Tell us why, and if there is anything you would change?** some signs are kind of funky and add colour but overarching idea should be to allow safe passage of pedestrians....and not clutter or appropriate public space for private good

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley



- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development

- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Its already ugly.....these are adverts, plain and simple...if we want it all to look like Barrys Point/Rosebank/Penrose/Kumeu then go for it but I think its already super ugly

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Surely only site specific???? Otherwise here they come!

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Other

**Tell us why, and if there is anything you would change?** How about the impede clause on terrestrial signage for drivers??? Signs all over footpaths impede drivers' vision of approaching traffic....

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** another loophole

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** None of these distracting signs ought to be visible by ANY driver anywhere

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)

- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

We seem to be getting buried under signage...west auckland kumeu huapai is now super ugly, hard to decipher, confusing and downright dangerous when entering highway from driveways.....local board is deaf on this....so how about sorting it? Its UGLY!

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Albert-Eden

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Banners on private sites should not be restricted to only advertising goods or events available on that site. Owners and Leaseholders should not be restricted in their use of their property. The council as already given permission for the building to be in place and be visible any public places surrounding said building.



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Signs should be able to be put in place 3 days before the event. On the day seems overly harsh and essentially renders the signs significantly less effective to the point of questioning if they would be effective at all. Election signs are allowed months in advance.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** It seems unreasonable to differentiate not-for-profit groups from profitable groups. Events should still be able to be run by profitable groups and be given the same opportunities with regard to signage as everyone else.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Sounds reasonable.

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Would you want to put some hard rules in place around maximum sizes?

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

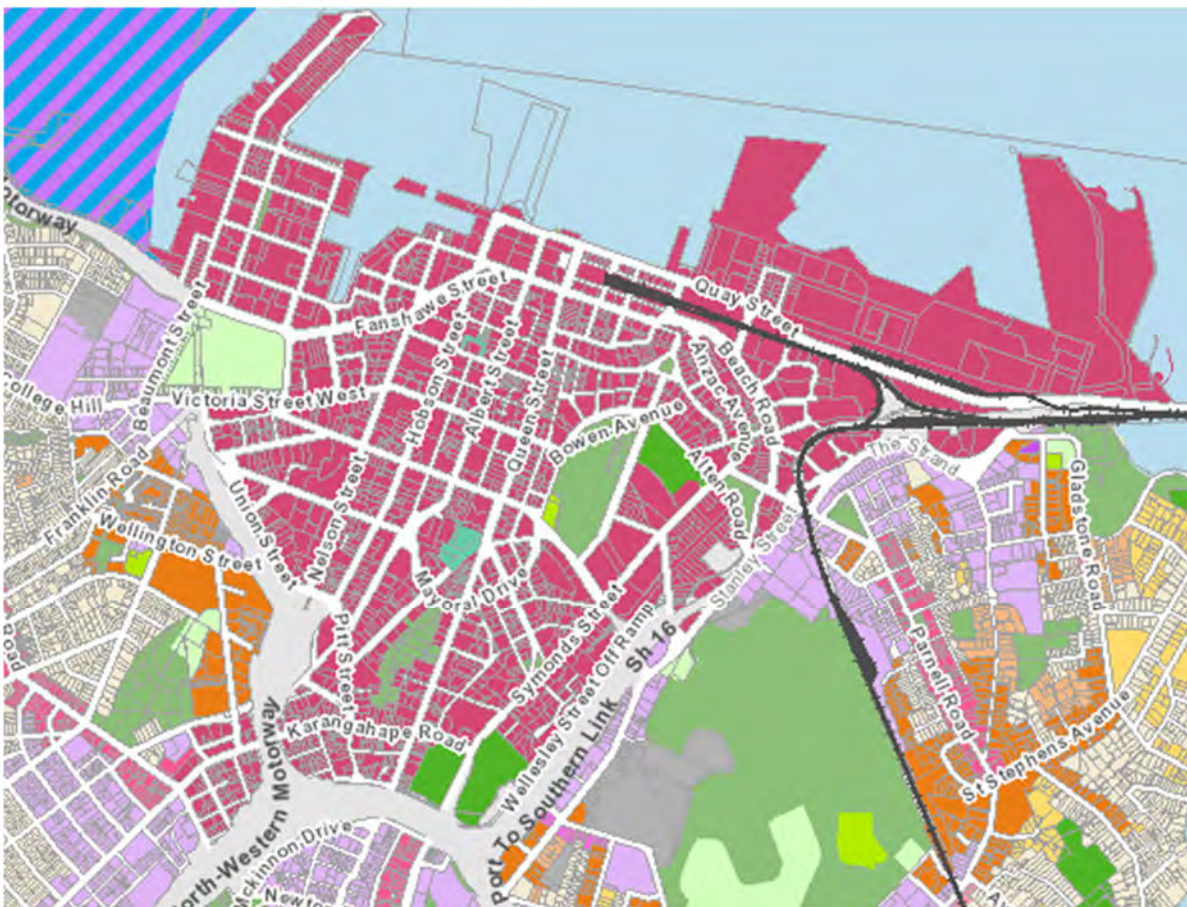
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Seems unreasonable at this time, during a lockdown, with months or perhaps years of reduced foot traffic, in addition to the havoc and reduced pedestrians caused by the CRL development, to then add another restriction in place for City Centre business. Why not make this rule come into effect in 2026+.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

#### **What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Sounds reasonable, but the existing rules haven't been clarified, so don't know how restrictive this is being. I suggest setting an actual maximum size rather than the very vague "must be able to be carried by one person" rule.

## 6. Posters

#### **Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

#### **What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** If it isn't clear that a poster board site must be approved before it can be installed, then it probably doesn't need to be approved. So I think you need to explain your change more clearly. However it sounds reasonable.

## 7. Real estate signs

#### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree



**Tell us why, and if there is anything you would change?** Sure, seems like a complete waste of time and energy.

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs



- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** While I understand that you are "clarifying" rules, I do not agree because the rules should be the same for all business.

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Providing they obtain a building consent, this seems reasonable.

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Make it 90 days

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval

- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (cl 29)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

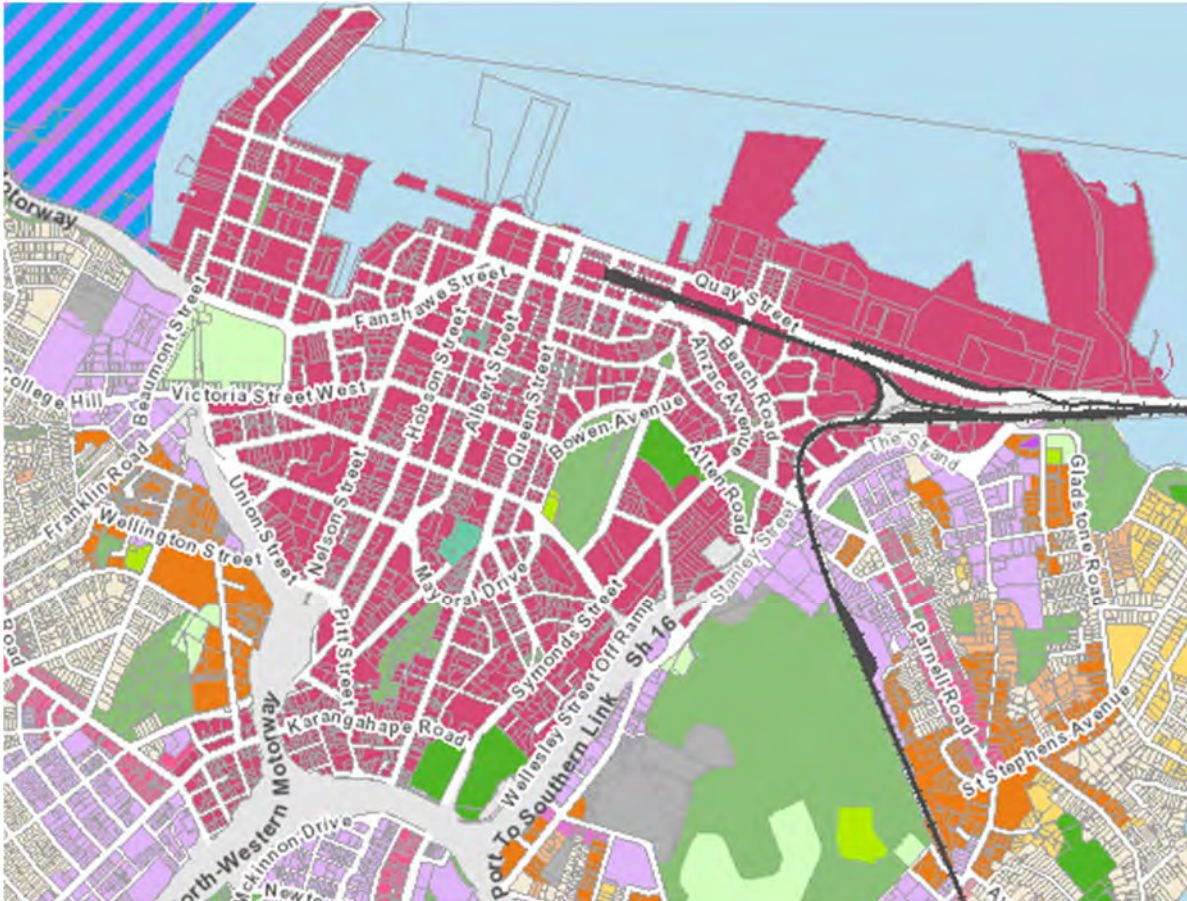
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**



We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Makes perfect sense.

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** If a company is in business, they need to maintain their sign. If they go out of business, they should remove the sign without causing damage to building.

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** 60 working days is too long.

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.



We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

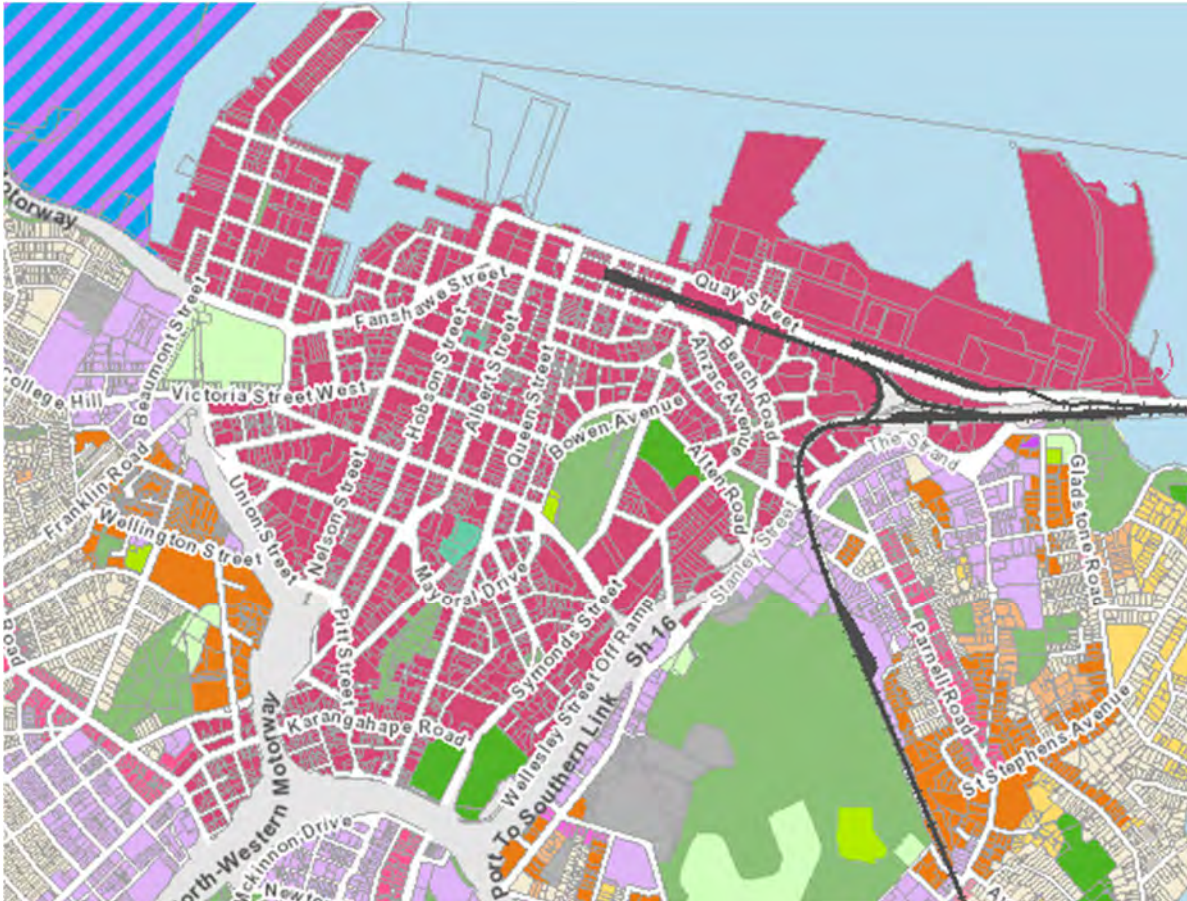
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Manurewa

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system should be able to display anything the road or property owner wants them to display. They should also be able to display viewpoints and opinions which obviously are not products, services, goods, or events.

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** There should be no limits on the placement of election signs providing it is done with the permission of the land owner.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Completely disagree. It should be entirely the decision of the land owner as to what signs are or are not erected on their property and what they display and in what direct. To limit this would limit the opportunity for viewers to engage with ideas they might not otherwise have considered.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

### **What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Disagree, please continue to allow Entrust elections to display signage. And provide for other energy trusts to do the same.

## 3. Event signs

### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Should be able to erect the quantity of signs suggested the day before the event.

### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** If the signs are on private property, and are temporary, they should be able to erect as many and as close as they see fit. If it is on council controlled land then the proposed distancing rules should apply.

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**



Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

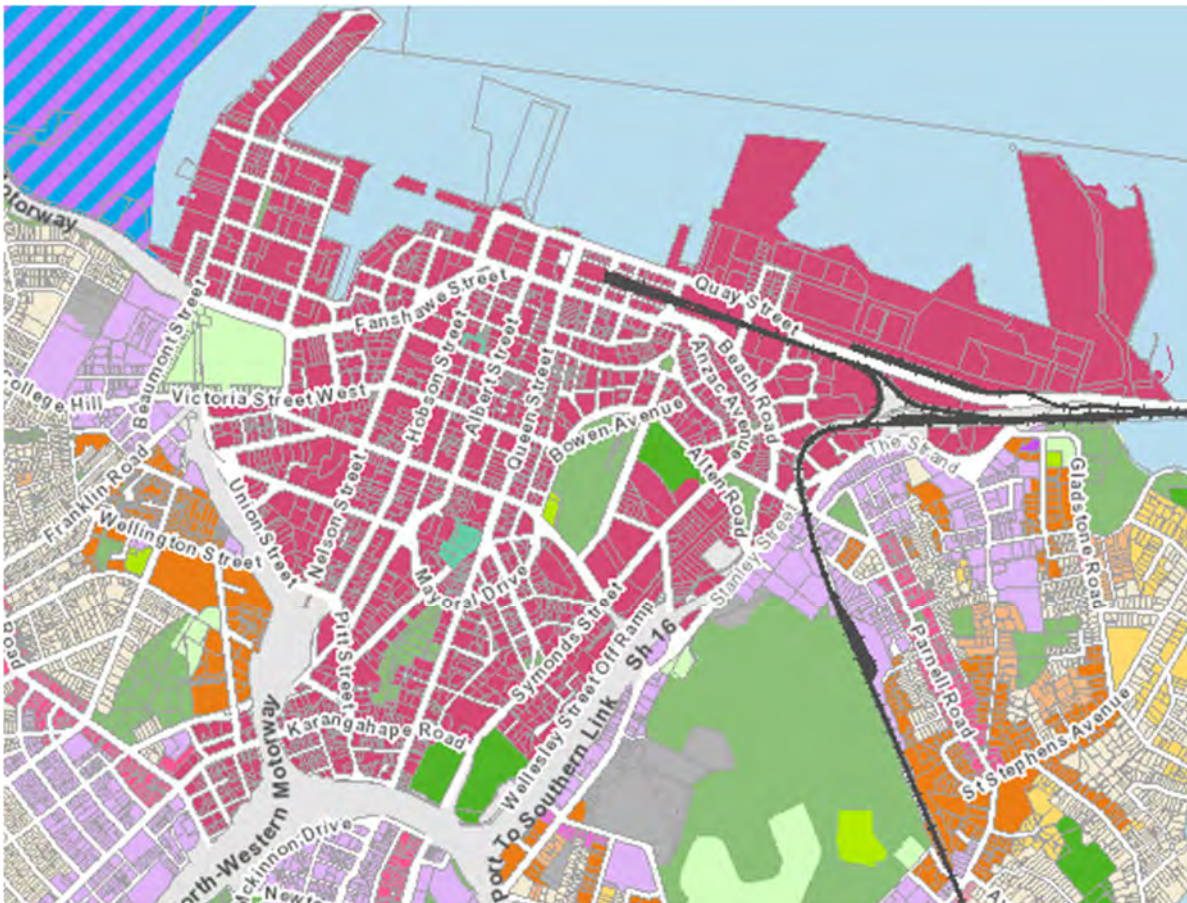
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Strongly disagree. Portable signs should be able to be displayed, not banned.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Agree with the size definition. Disagree with the placement limits.

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** If the poster board is on private land it should not need approval for installation. The council should not dictate or determine how private land can be used in this way.

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Agree with the rules applying to real estate signs but not election signs.

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs

- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:



- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Signs on boundary fences with an Open Space Zone should not require council approval (for example, from Auckland Council or Auckland Transport) if they are on the private land owner's property.

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Strongly agree. Being even smaller and more discreet is also supported.

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)

- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (cl 25)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** An owner should not be prohibited from making alterations to their own property.

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays



- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Puketāpapa

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

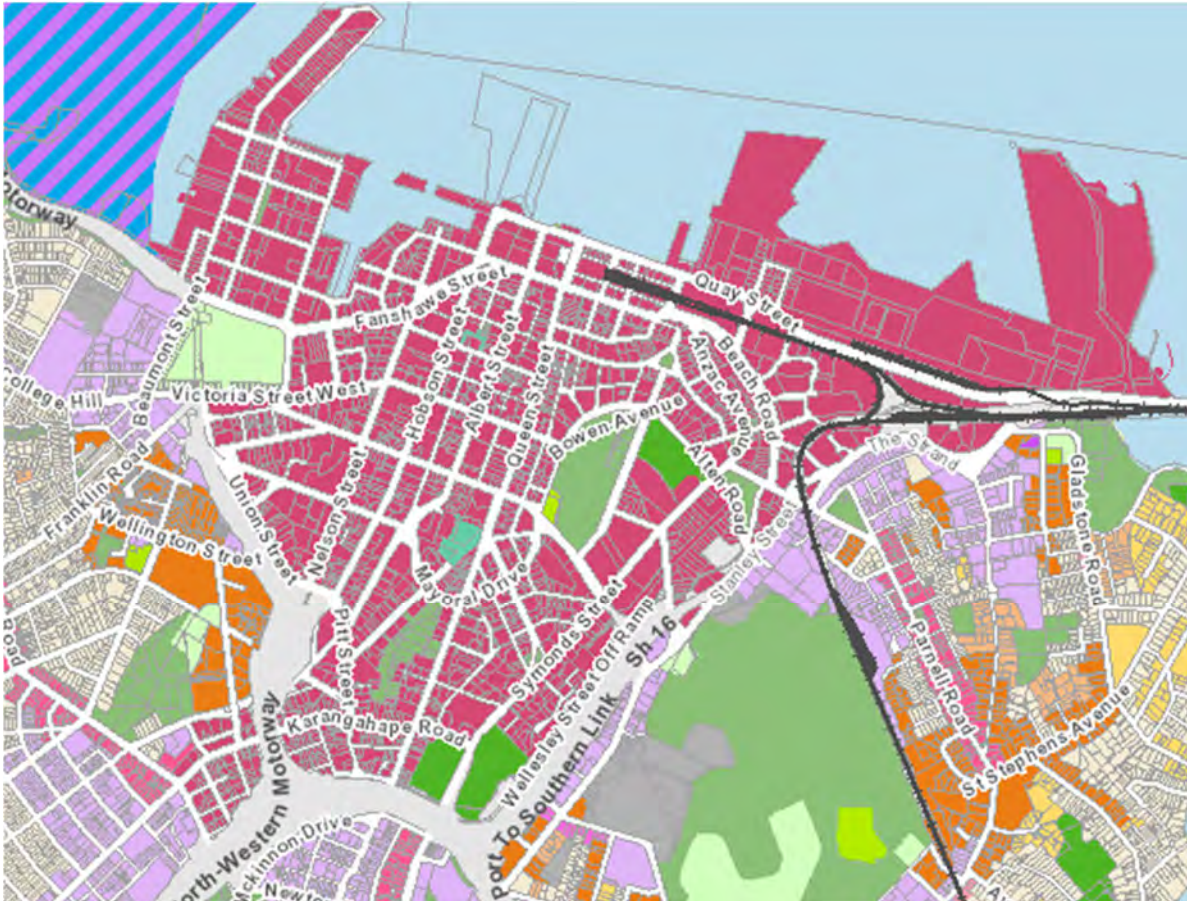
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Illuminated signs are becoming common, especially around schools. Many of these are now being used to advertise positions such as sports coaches etc, and to congratulate a students achievement. The idea is fine but they are usually put in a position for maximum viewing by passing motorists. This can distract traffic. I have noticed cars slowing to read them and if they have contact data like phone numbers cars will slow as a driver tries to memorise/photograph or write down a number.

I think they are fine at intersections but should come on with the red light and go off when it is green. A whole new market opens up for advertisers.

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I have spent time in Asian countries where illuminated signs are everywhere. At night this can be very bright and glary and also confusing.. This is to be avoided in my opinion

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** But as per my answer to the general rule for safety more control near traffic areas is important. No of changes of message per minute etc. so that traffic flow is not controlled by the amount a person can read as they go past.

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)



- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Rodney

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** They are an eyesore and not needed

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** We do not need signs to tell us anything to do with elections. We can read what we want on the internet or news

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Not needed

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

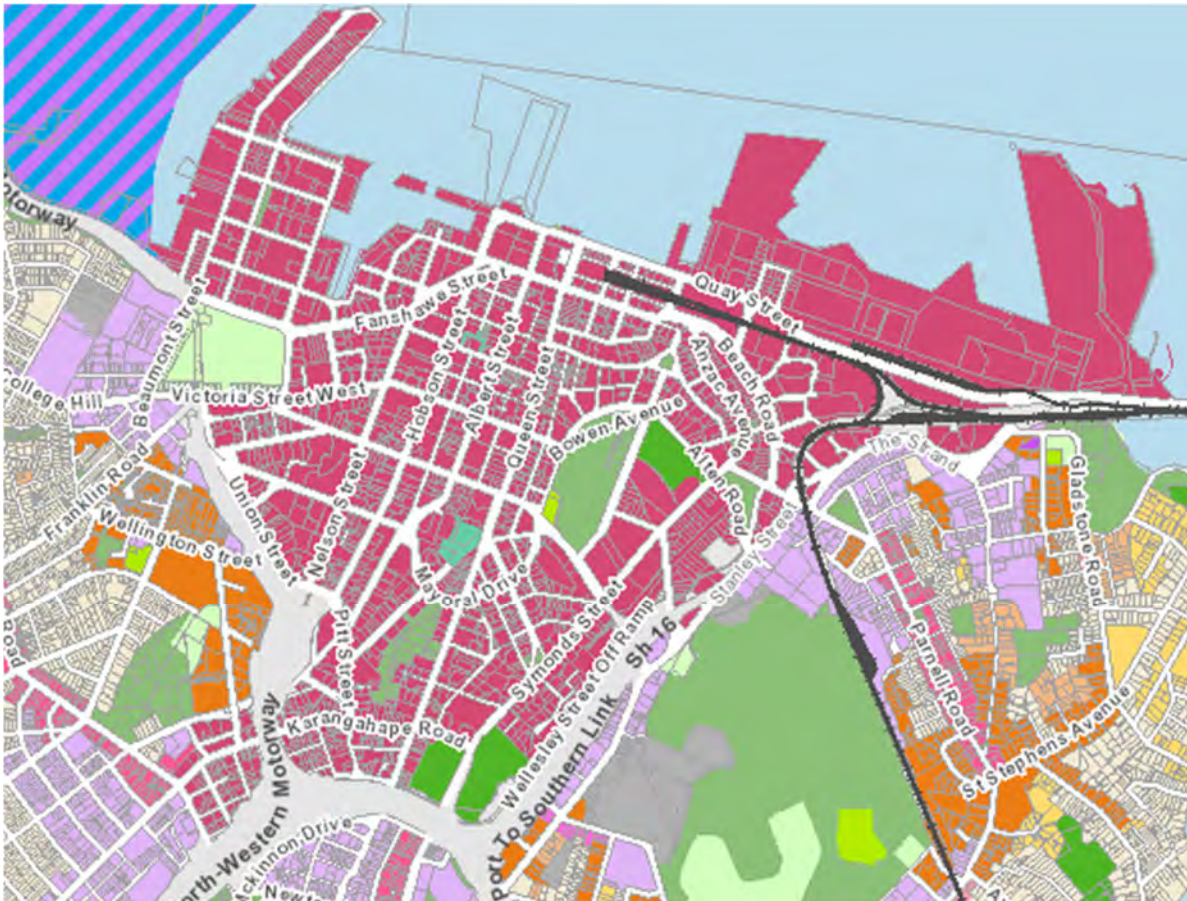
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:



- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the ‘three nearest intersections’ to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a ‘wall-mounted’ or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Whau

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** LEAVE AS IS IT IS THERE FOR LONG ENOUGH AS IT IS

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** CAN BE SEEN AS PROMOTING PARTICULAR PARTY OR THING . NO NEED TO HAVE IT SHOVED IN OUR FACES ALL THE TIME

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** MAIN PROBLEM IS SOME PROHIBIT ANYONE WITH PRAM OR WALKER PASSING ON THE FOOTPATH IN SAFETY tHE SIZE OF THESE SIGNS SHOULD BE REGULATED AND SAFETY SHOULD BE MAIN OBJECT

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

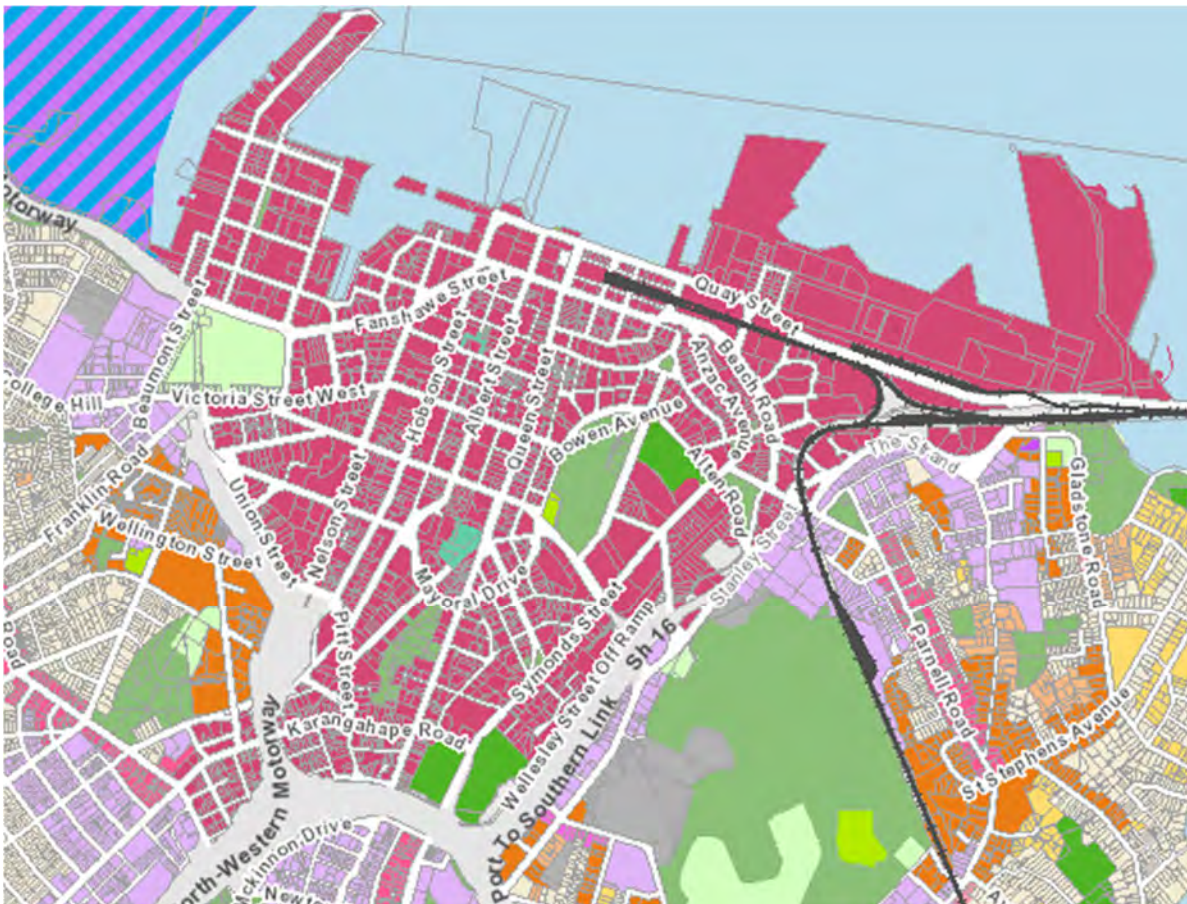
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be ‘portable’ one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).



**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Upper Harbour

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Why should Council election signs be given more allowances than other organisations?

Smaller signs & up for less than 9 weeks

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Sorry guys, no one really cares, or at the best, notices this sort of thing. If it ain't broke, don't fix it...

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** 10 metres is a ridiculous distance - why so big? What's wrong with 2 metres?

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

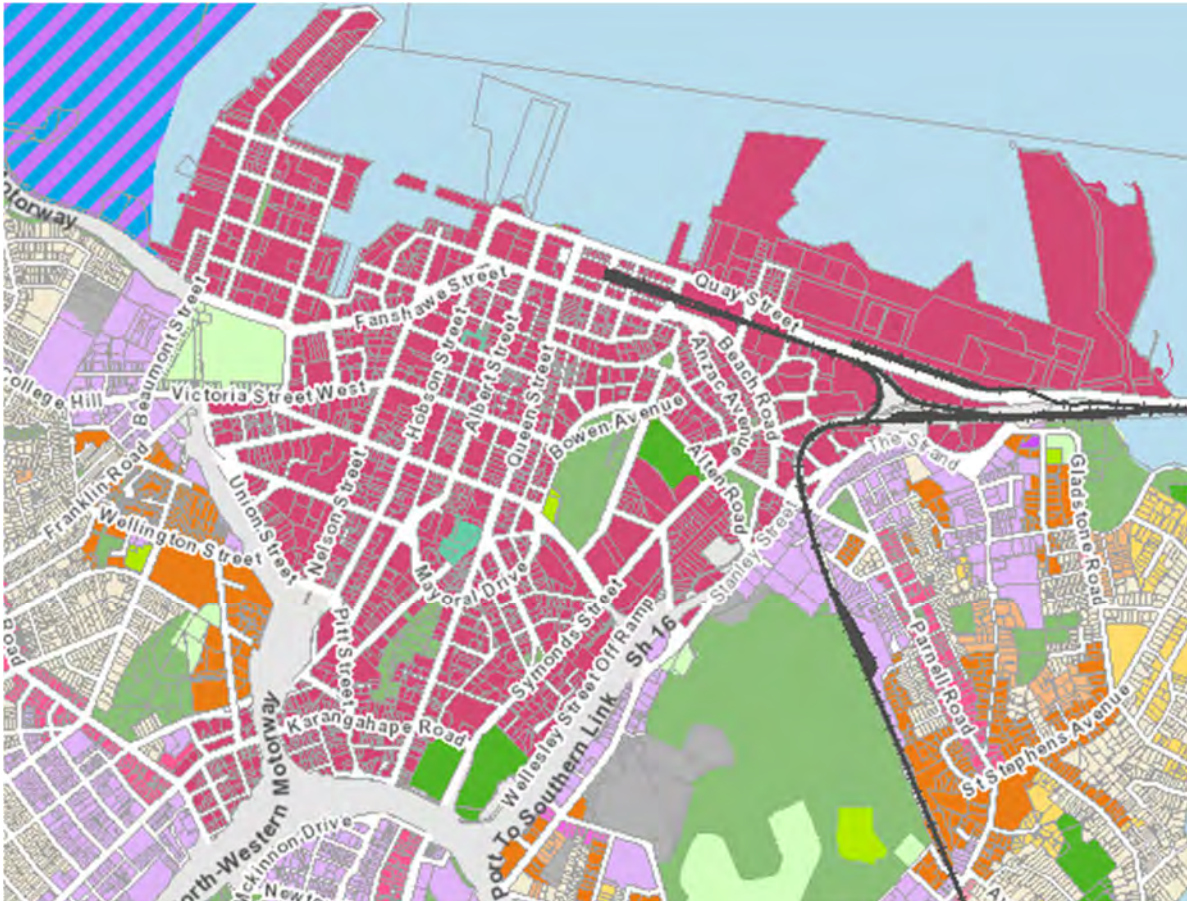
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I thought we were trying to encourage business? Prohibiting portable signs for some business means that people simply won't know that they are there. Yes, you need to regulate them e.g. size, weight, but don't ban them entirely!

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development



- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** As long as people are not being disadvantaged by signage, or the signage is creating a hazard, then why make the changes?

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?** If you want to make any signs easier to read, then think about bus destination signage. Some of the signage is so small that it creates a danger when people have to walk out onto the road to try and read them while the bus is approaching? Otherwise, as long as there is no hazard, don't change things.

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** You will effectively put a financial onus on a small business with a small verandah sign to spend on signage that, for their purposes, will have little/no business improvement.

As long as there is no hazard, then don't change

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.



**What is your opinion on the proposed rules for wall-mounted signs?****Response:** Disagree**Tell us why, and if there is anything you would change?** I repeat, unless there is a hazard created, don't change.**12. Window signs****Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?****Response:** Agree**Tell us why, and if there is anything you would change?** Great way to encourage businesses**13. Special rules for certain signs**[Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.](#)**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?****Response:** Disagree**Tell us why, and if there is anything you would change?** Who cares? WHY spend the money on something that is not required?**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Why? As long as there is no hazard, then why change?

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval

- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (cl 29)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Franklin

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** You guys have got too much time on your hands. Leave it as it is.

Do you think you are a pack of do gooders. There is nothing wrong with the way it is. You come up with something might happen. To justify doing it.

So if there is the Gypsy caravans comming to town you can't advertise it .

You don't think of different things do you.

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:



- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** It should be 1 week before. So anyone driving past past will know its on. EG garage sale I don't get out on weekends normally so would be during the week that I would need to see it.

Don't you guys think these things through.??

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Home shows , Circus, Gypsy fair. Events but not commercial .

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

### **What is your opinion on the proposal for rules for event signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Pretty confusing and vague.

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** 10 metres is a lot. And why 10 metres. How did you come up with that?

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

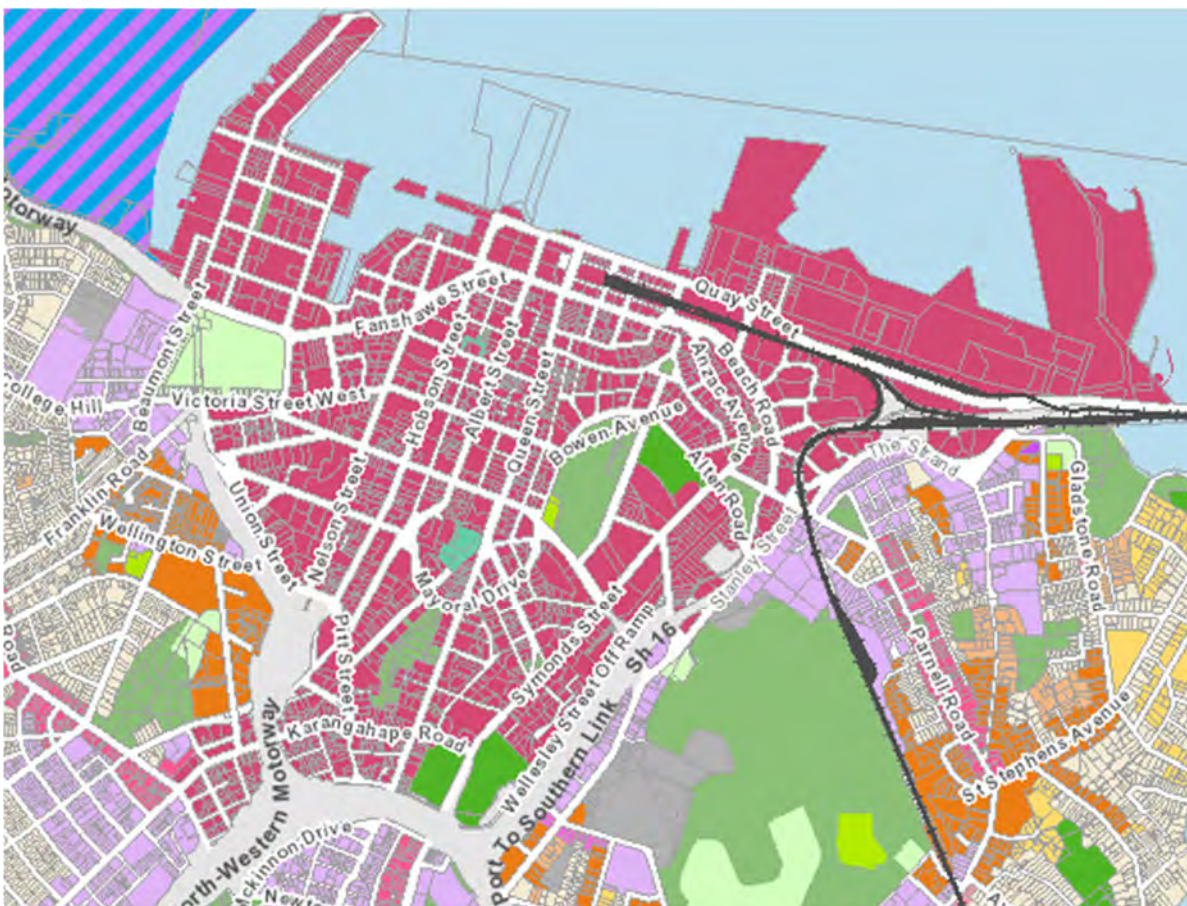
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick’s Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** 1 mobility or vision impaired person causes all this. Get sick of minorities having their needs imposed on all the rest.

How many mobility persons go up Albert St each day?

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** And how long does it take for you guys to approve anything? Probably could get it done quicker if you weren't dreaming up all this carry on.

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:



- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** This is pretty vague. But doubt you will get it right.

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Pretty vague. But pretty sure will be more prohibitive coming from you lot.

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences

- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Why a 5 metre separation. And when you justify with 'improved safety' that normally means imposing more restrictions.

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Wow. Makes sense.

## 13. Special rules for certain signs

[Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.](#)

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Pretty vague. And why does it need to happen.

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**



We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Boundary fences. Why ??

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Reasonable.

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)

- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (cl 25)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Could see some pretty dodgy stuff being done that could get blown off.

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays

- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Waitemata

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** People should have the right to display an election sign, no matter where their property is. This is an unnecessary and unreasonable change.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**



We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

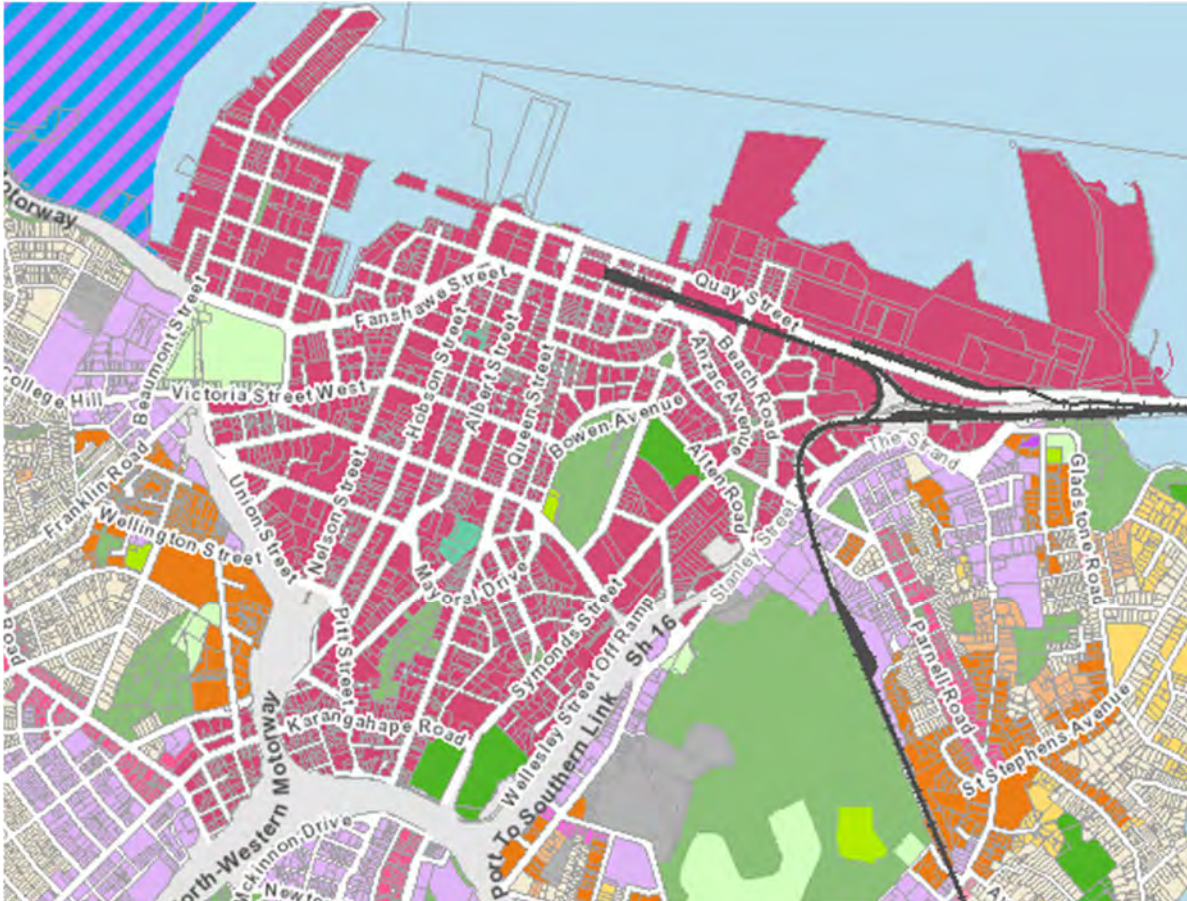
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Because all portable signs are a hazard. Footpaths are increasingly cluttered - especially now scooters are permitted, pavement dining is encouraged, and there are no penalties for cyclists on footpaths. Portable signs are unnecessary and dangerous, as they just add one more thing to avoid..

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development

- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**



**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Rodney

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

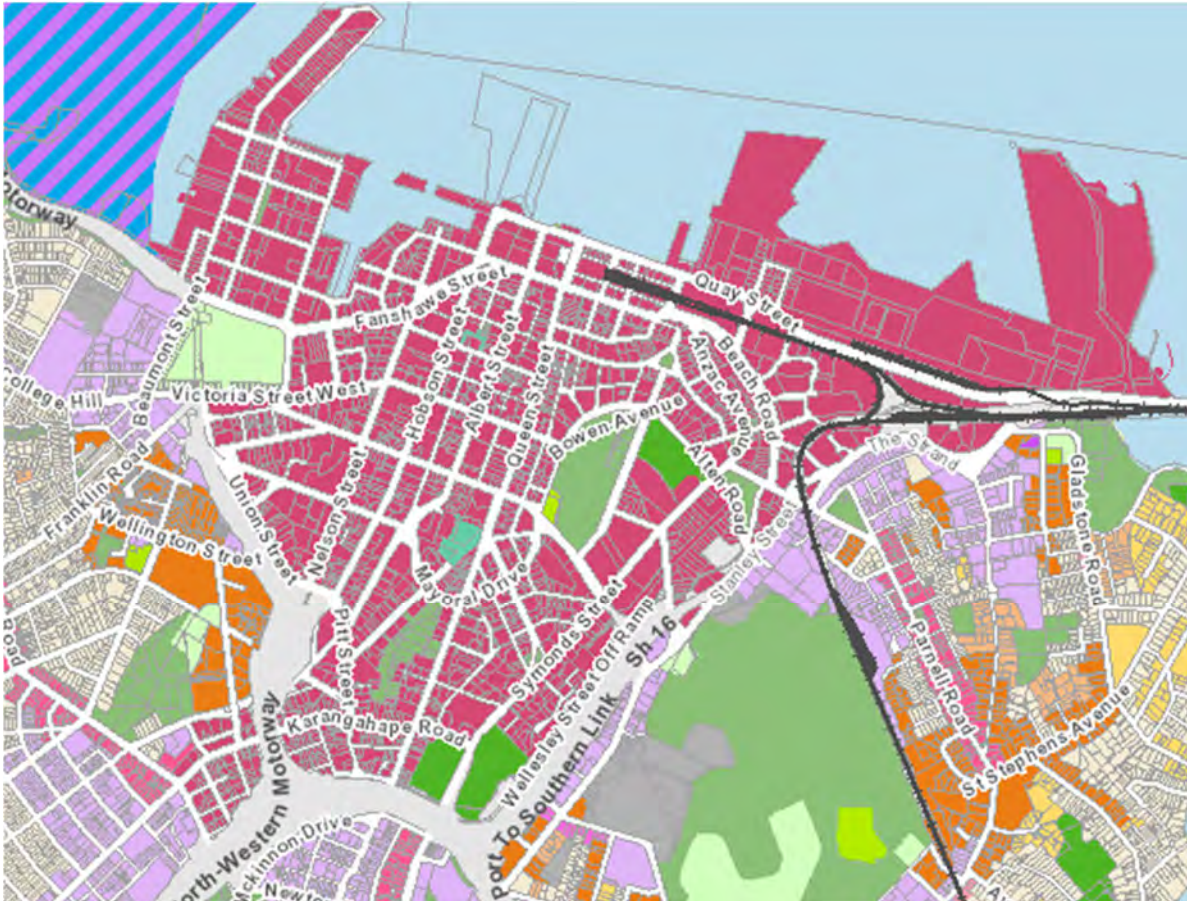
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal:** Clarify current rules, including that poster board sites require approval

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A:** Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B:** Clarify current rules, including the maximum number and placement of real estate signs

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs



- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

#### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

No - there is no need to change any of these rules.

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

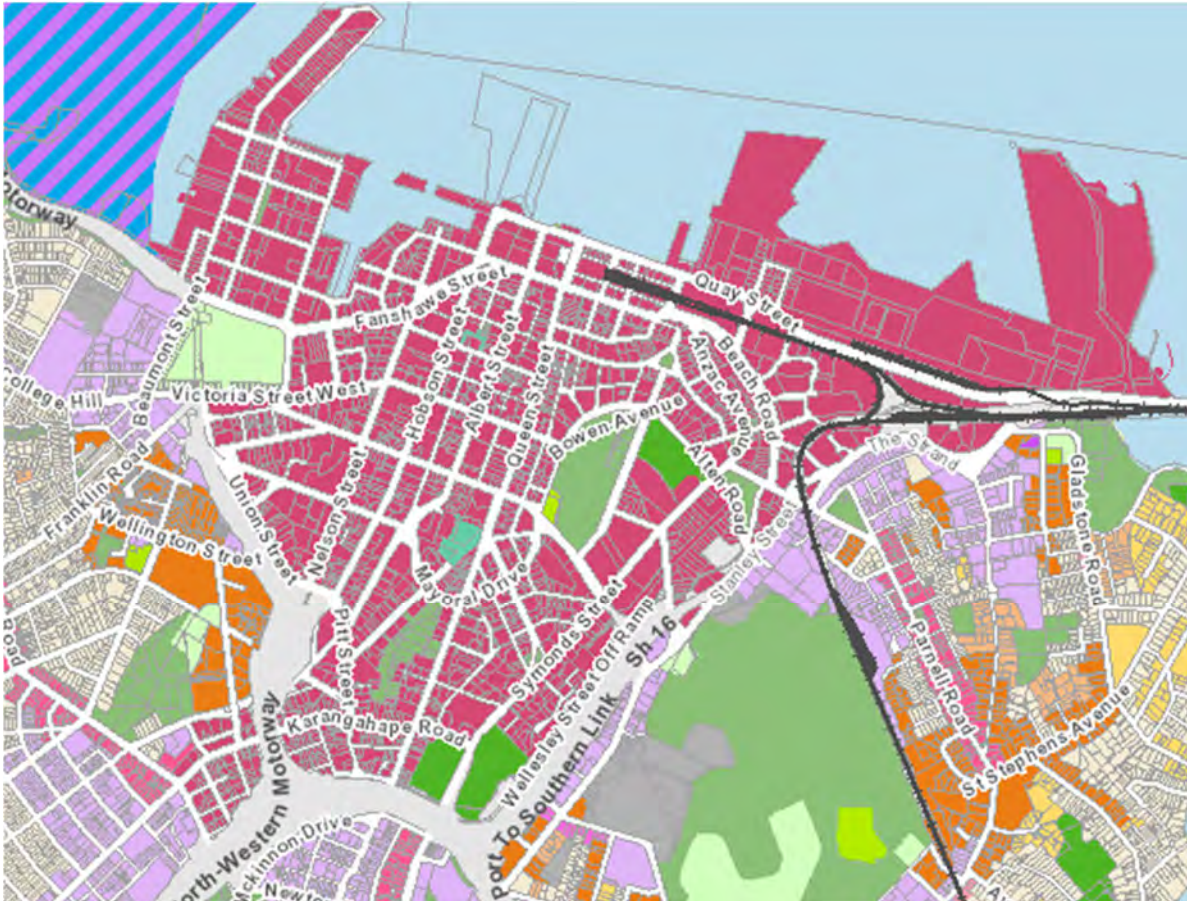
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree



**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Some of these industrial buildings are adjacent to the motorway. They may use this as a loophole to put more signs on these buildings. And people find real estate information online these days.

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.



**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Hibiscus and Bays

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** There are too many of these already and the numbers should be reduced

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** The period of 9 weeks is too long. 4 weeks would be my preferred period for such display

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Such a term "directed at" is somewhat subjective and vague. It also differentiates between different properties to exercise a uniform right of citizens.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Proposal seems sensible in removing an anomaly

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Too many such signs are a blot on the landscape....and would lose impact anyway if there were too many.

## **5. Portable signs**

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

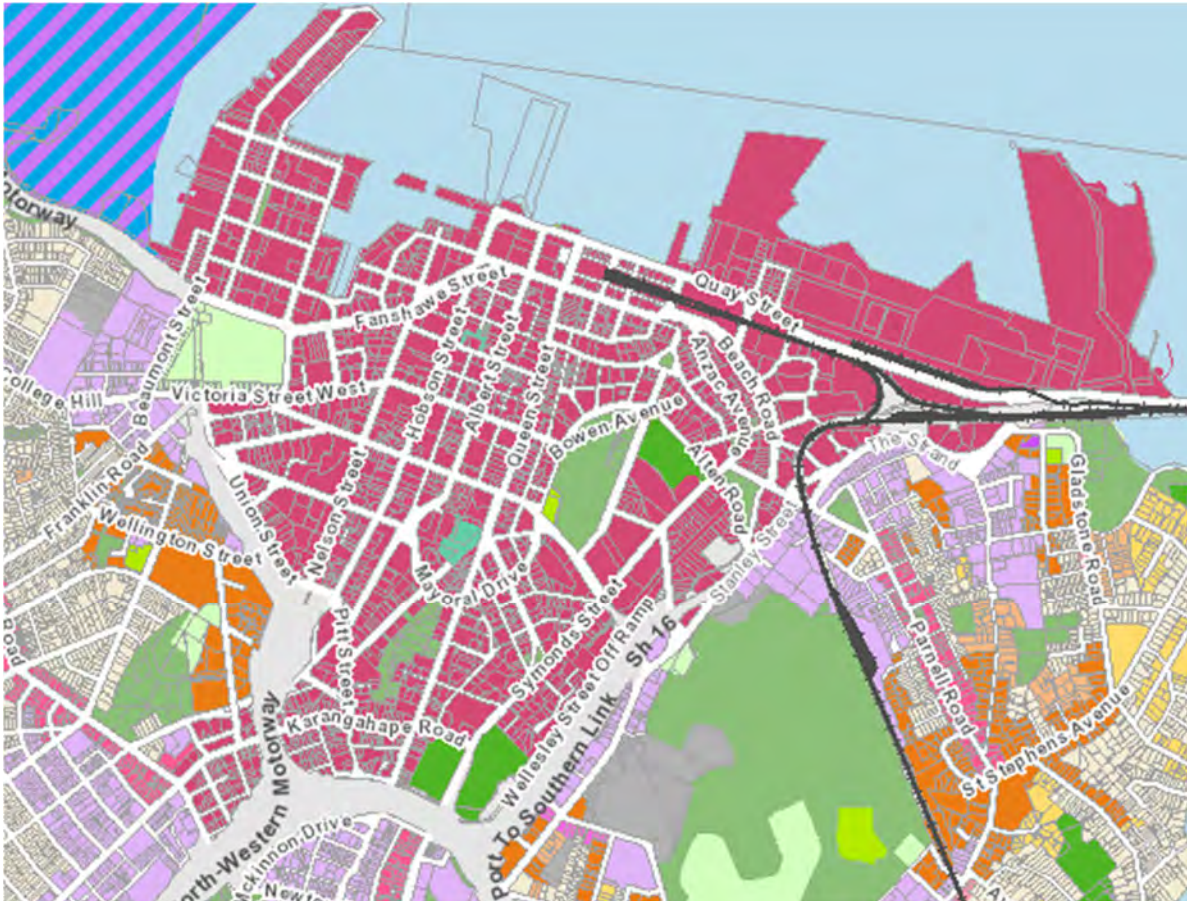
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** There are already too many signs in the City Centre

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley



- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Clarity of the rules is important

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development



- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Whau

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

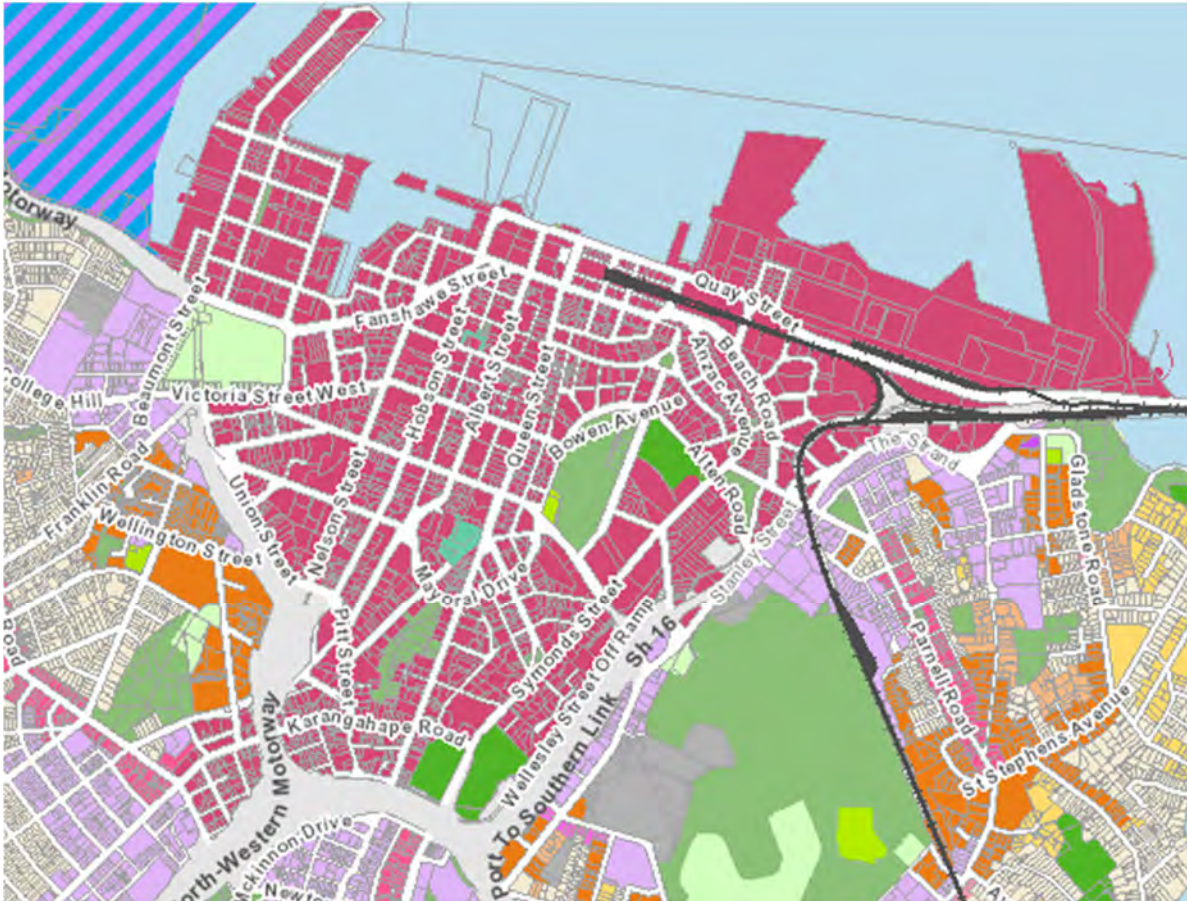
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Disagree



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Disagree

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Disagree

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Ōrākei

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

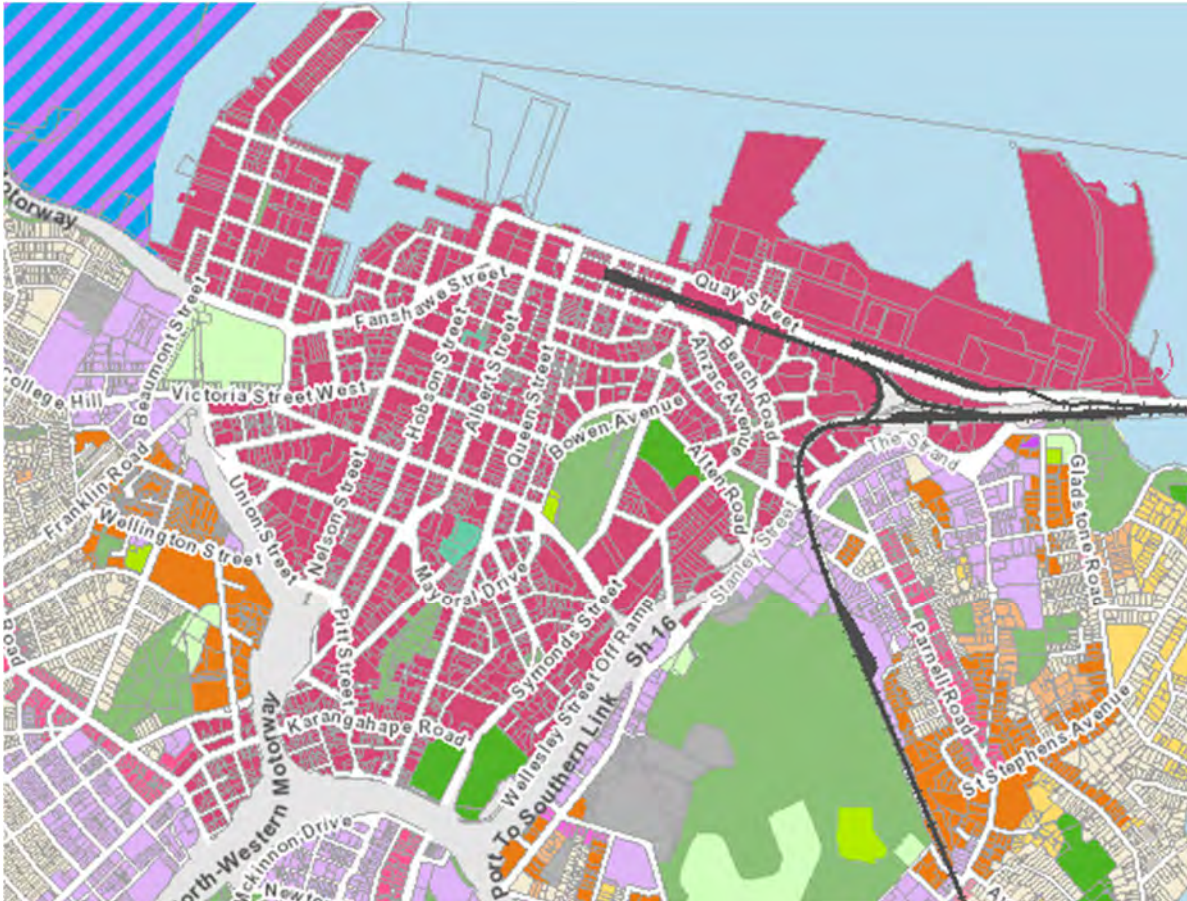
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**



We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** The city centre should be a vibrant place where appropriate businesses can promote themselves without excessive regulation.

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**14. General rules for all signs**

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw

- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Henderson-Massey

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Any signs that impede pedestrian traffic or distract a driver's attention should be banned. As a mobility scooter user, I often have to get past badly positioned free-standing signs advertising food sales that intrude onto the footpath and are too heavy for me to clear away easily.

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Any sign must not impede people using footpaths. I propose fines be imposed on persistent offenders

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

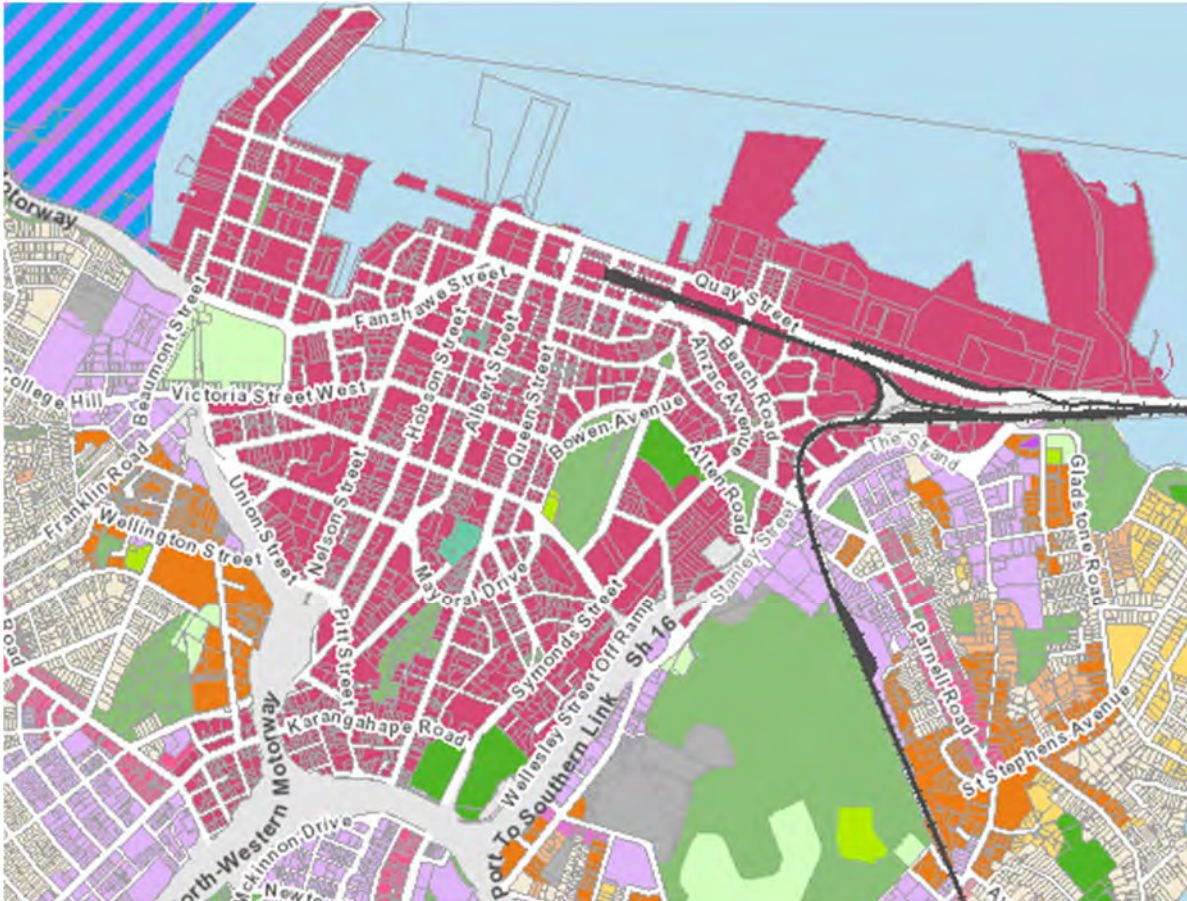
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Other

**Tell us why, and if there is anything you would change?** As I am in the West Auckland area and do not frequent the CBD or the areas shown on the map, I have no comment.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Portable signs if intruding on a public footpath must be easy to move. Scooters are not designed to jump kerbs higher than 3cms to get past, and travel on the road is strictly forbidden when a footpath is available.

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Must not be distracting to drivers of vehicles.

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** In the past I have encountered real estate signs intruding onto the footpath and these can be a real nuisance.

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Henderson-Massey

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** This type of advertising is outdated. These types of signs are often the target of graffiti and vandalism. They are also prone to being damaged by the weather. They often become a visual eyesore and/or a S&H risk. Often the graffiti is of a nature that it should not have to be viewed by the public.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** With the multiple other avenues to advertise election parties the use of large signage is no longer required.

Shared council spaces are about relaxation and time to forget about the daily grind, election advertising can be better found away from these spaces.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

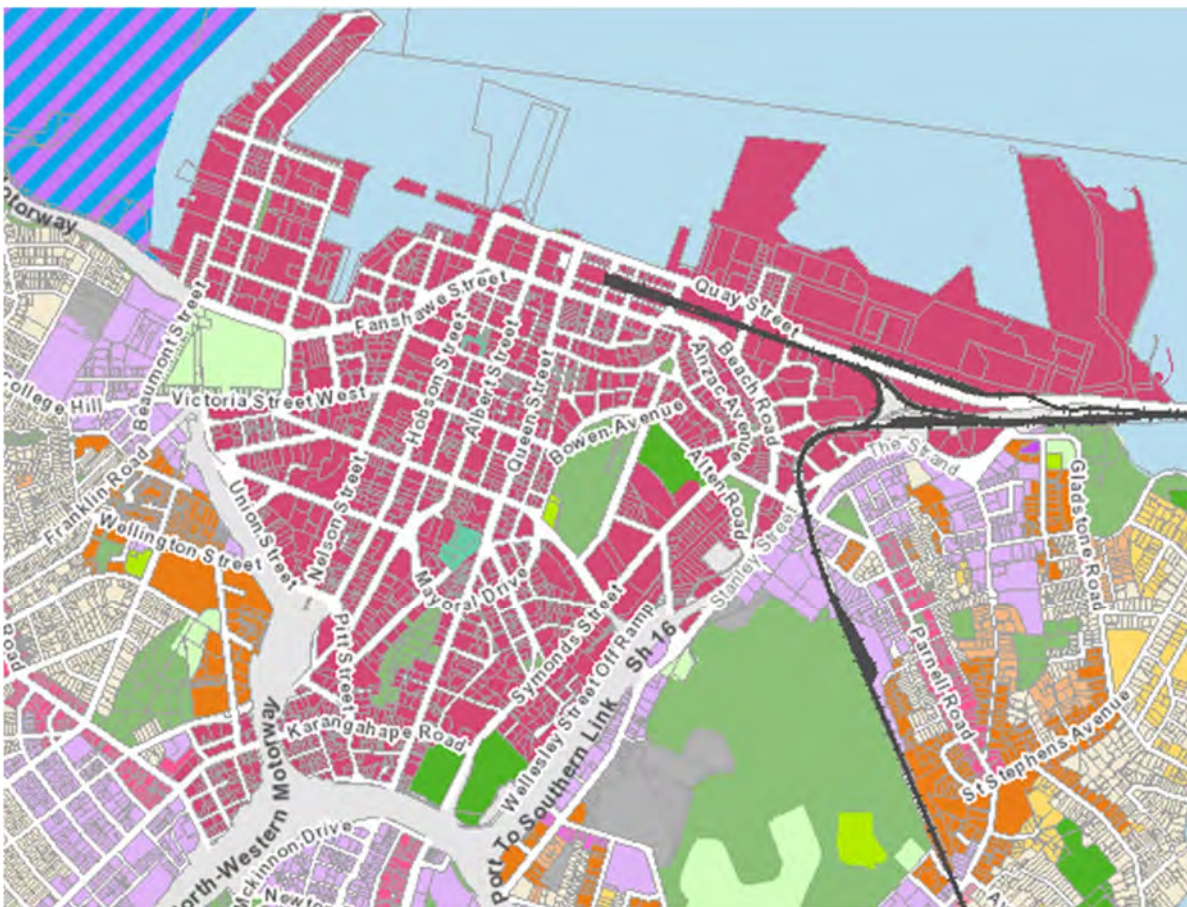
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development

- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**



**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

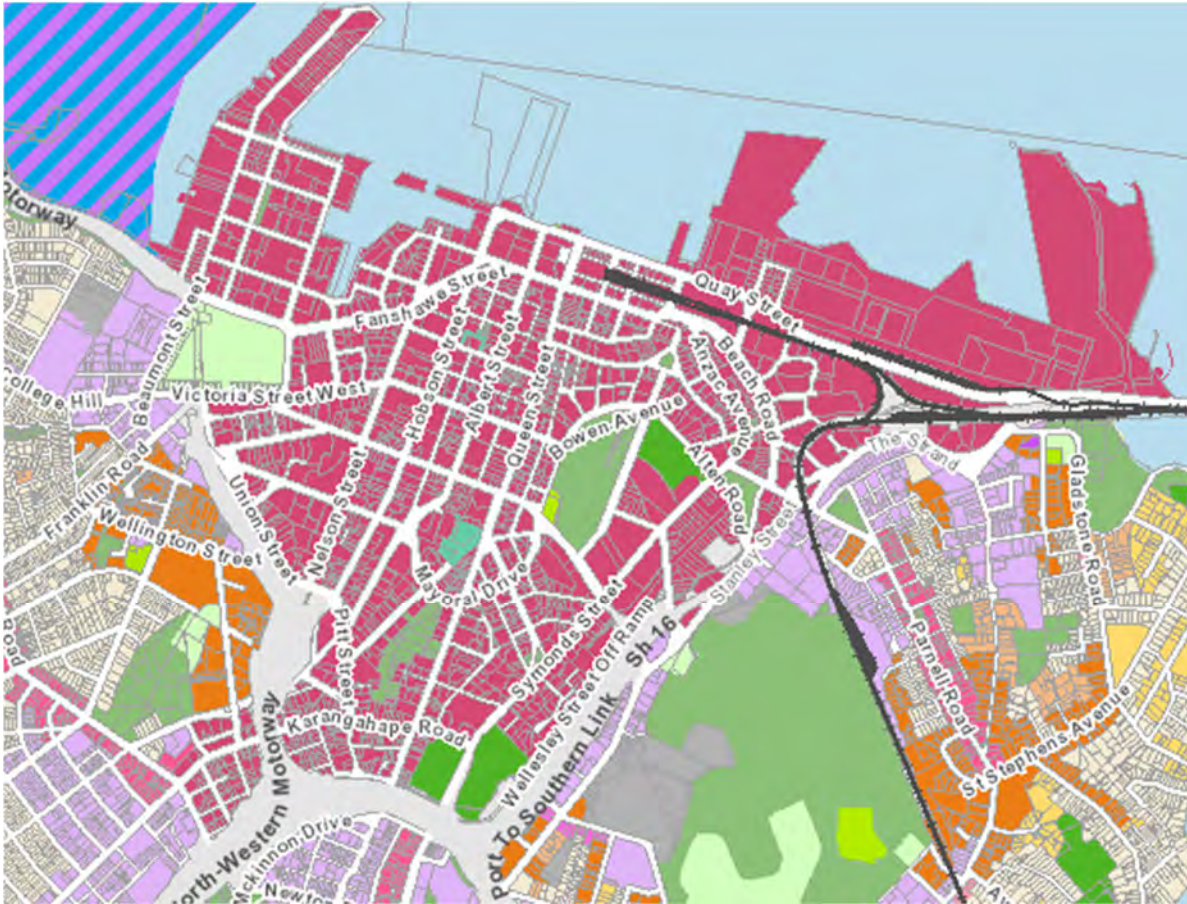
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** need to allow community clubs to advertise and promote themselves on public land



**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**14. General rules for all signs**

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:



- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw

- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business

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Your local board: Ōrākei

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I think election signs should only be displayed where all parties can have them. Not on exclusive locations.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** It is more fair

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

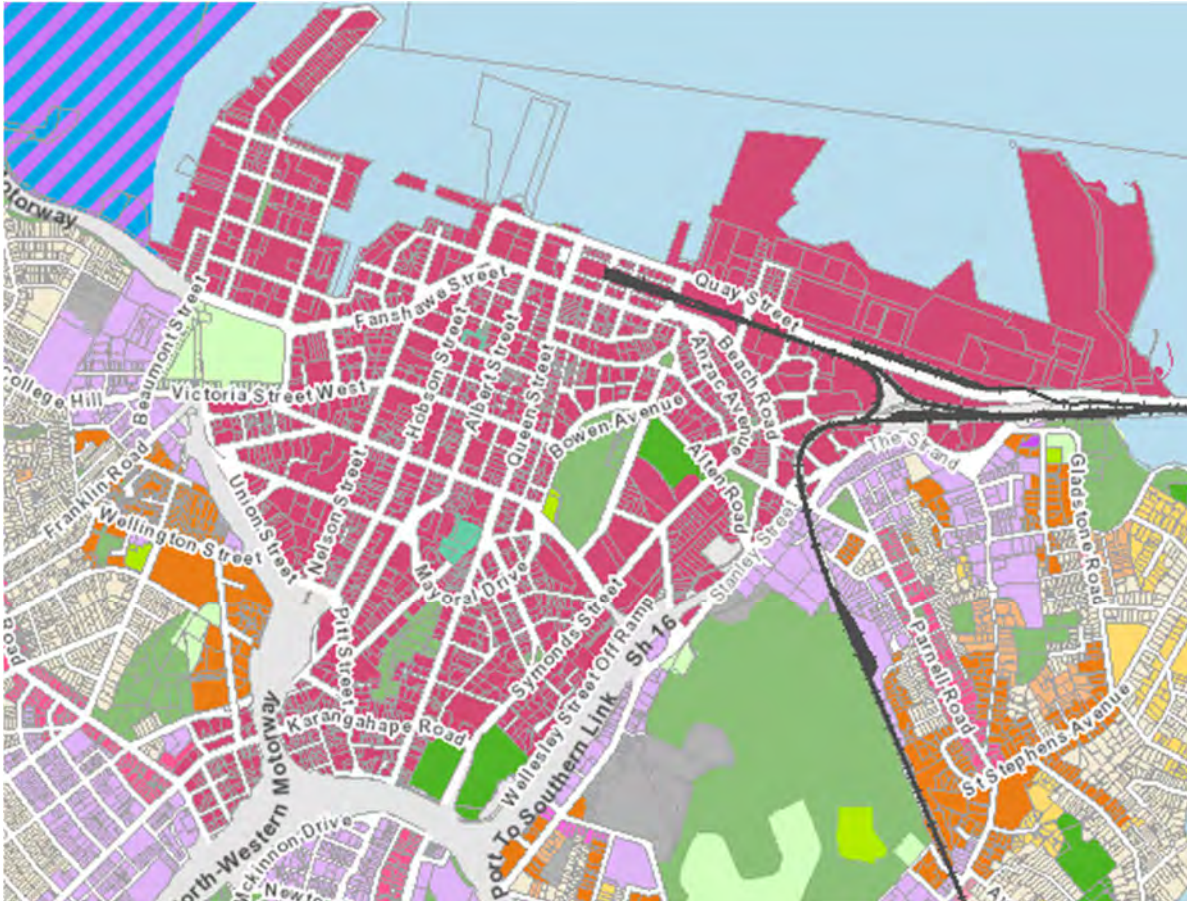
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:



- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** There are too many signs and they do blow around and clutter the pavements

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).



**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Real estate signs don't just advertise the property. They advertise the agent and the company. They don't need bigger signs. They are quite visible as they are. You look up more info online.

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development

- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** There are no changes to current rules. Directional signs are irrelevant now we have Google maps. The purpose of these signs is give the agent a 'presence' in the area. Some companies just have the agent on the sign and nothing else. No address and no times. We don't need these any more, other countries don't use them. They create a visual mess.

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Real estate signs don't just advertise the property. They advertise the agent and the company. They don't need bigger signs. They are quite visible as they are. You look up more info online.

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

[Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.](#)

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:



- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

There should be a bylaw about the age and condition of all signage. They can become old and tatty, unreadable but no one removes them.

Too much visual mess.

Reduce the maximum size of signage.

Introduce a maximum age for life-span.

Let's tone it down and tidy up.

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

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Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** 9 WEEKS IS TOO LONG

4 WEEKS IN ENOUGH, THE ARE DAMAGED, DEFACED, AND NOT LOOKED AFTER. IT DOES NOT TAKE 9 WEEKS FOR PEOPLE TO MAKE THEIR MIND UP.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** THE PARKS AND OPEN SPACES ARE PLAY AND REST AREAS, NOT FOR POLITICAL PURPOSES

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **5. Portable signs**

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

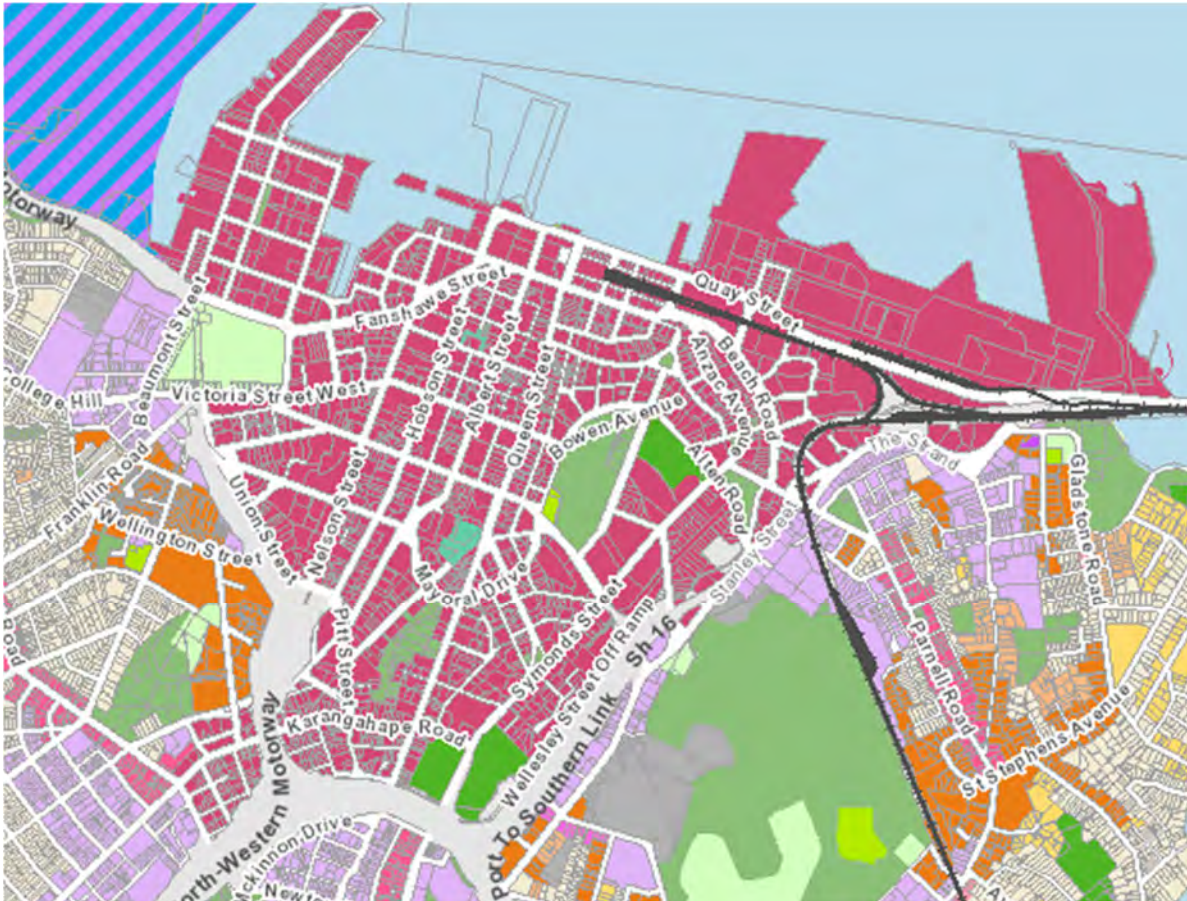


The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** TOTALLY AGREE ON HEALTH AND SAFETY GROUNDS

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development



- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business** Onehunga Cricket Association

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**Your local board:**Maungakiekie-Tāmaki

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

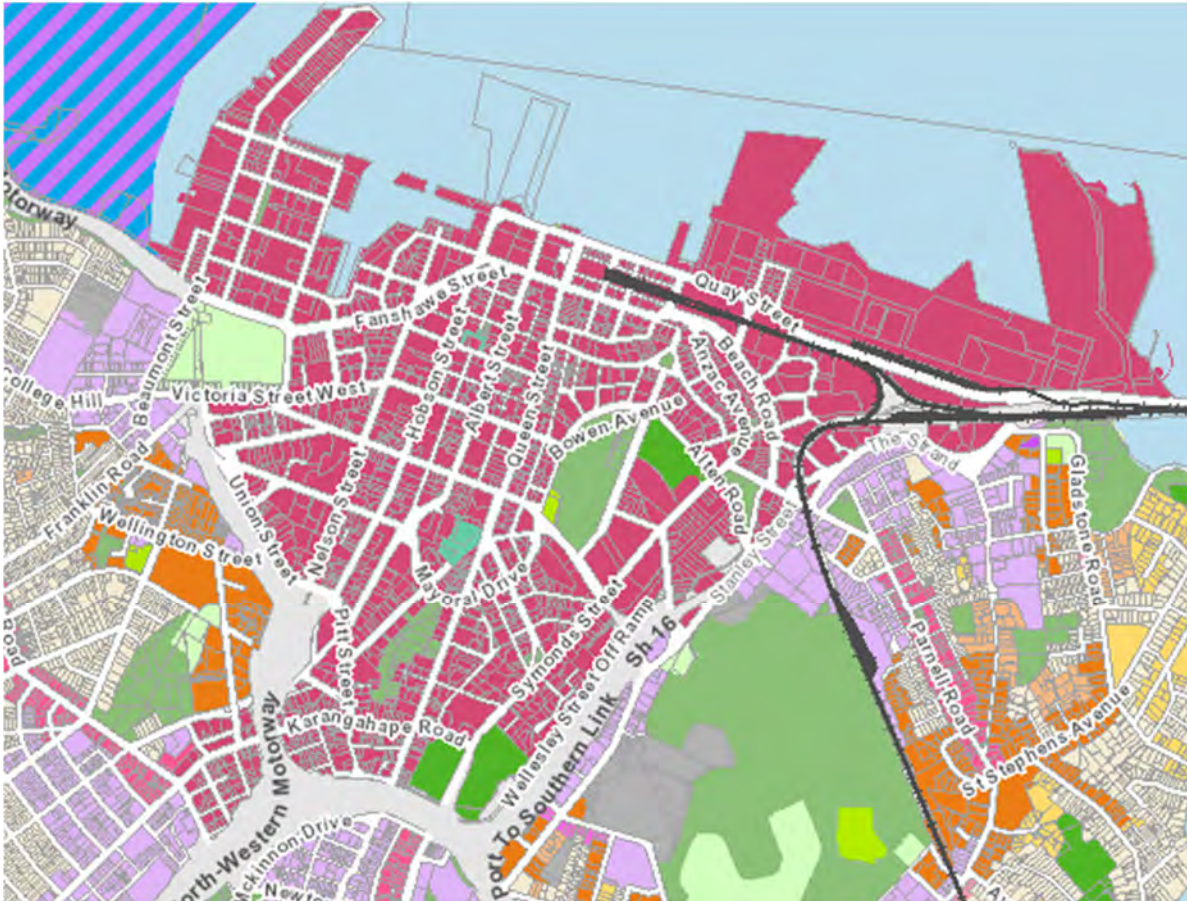
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree



**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

#### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Other

**Tell us why, and if there is anything you would change?** This is an area where there has been too much uncertainty for community orientated sports clubs and we need certainty.

The Onehunga Cricket Association does agree with the proposed conditions, however we feel they are too limited. We believe that clause 20.1.c of the proposed bylaw should be expanded to also include allowing signs on buildings that face the car parks that directly serve playing fields and the clubs that occupy that specific building

#### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?****Response:** No response**Tell us why, and if there is anything you would change?****Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?****Response:** No response**Tell us why, and if there is anything you would change?****Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?****Response:** No response**Tell us why, and if there is anything you would change?****15. Controls (additional rules) and Approvals (permissions)****Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

The Onehunga Cricket Association is disappointed that the proposed Bylaw does not fully deal with the complex issues facing sporting organisations that are on Council owned land.

Over the last few decades community orientated sports clubs have been dramatically affected by various pieces of legislation, especially relating to alcohol sales and drink driving. While these pieces of legislation have clear and commendable goals relating to public health and safety they have, inadvertently, had a seriously negative effect on traditional income streams for community based clubs.

We have had to pursue alternative income sources to make up for this shortfall, the most obvious being commercial sponsorship. Unfortunately the existing restrictive signage bylaws had had a negative effect on attracting potential sponsors.

While the Proposed new Bylaw will address some of these concerns, they do not go far enough. Especially for community sports groups in similar circumstances to the OCA.

We are based at Waikaraka Park , on the south side of the park. Because of our location we are well away from any major traffic arteries or public areas. This is exacerbated by the wall at Waikaraka Park obscuring our clubrooms from Nielson St. While the proposed Bylaw will allow us to promote our activities from our building, the fact that our building is invisible to the public means we will still be heavily restricted in our abilities to attract new members, attract sponsors or increase community participation at Waikaraka Park.

As the proposed bylaws stand we will still be unable to promote our activities and the opportunities we offer directly to the local community as we will not be able to place any permanent or temporary signs on Nielson St.

The Onehunga Cricket Association believes there needs to be a provision in the new Bylaw covering community sports clubs leasing Council controlled spaces which will allow clubs based in buildings that have no direct line of sight to passing traffic to place permanent signs (obviously within the size and construction requirements of the Bylaw) on the borders of Parks to advertise their presence and actively promote club related events, as well as membership drives. Additionally we believe this should allow for the inclusion of the ability to promote club sponsors in a reasonable manner.

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Waitemata

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

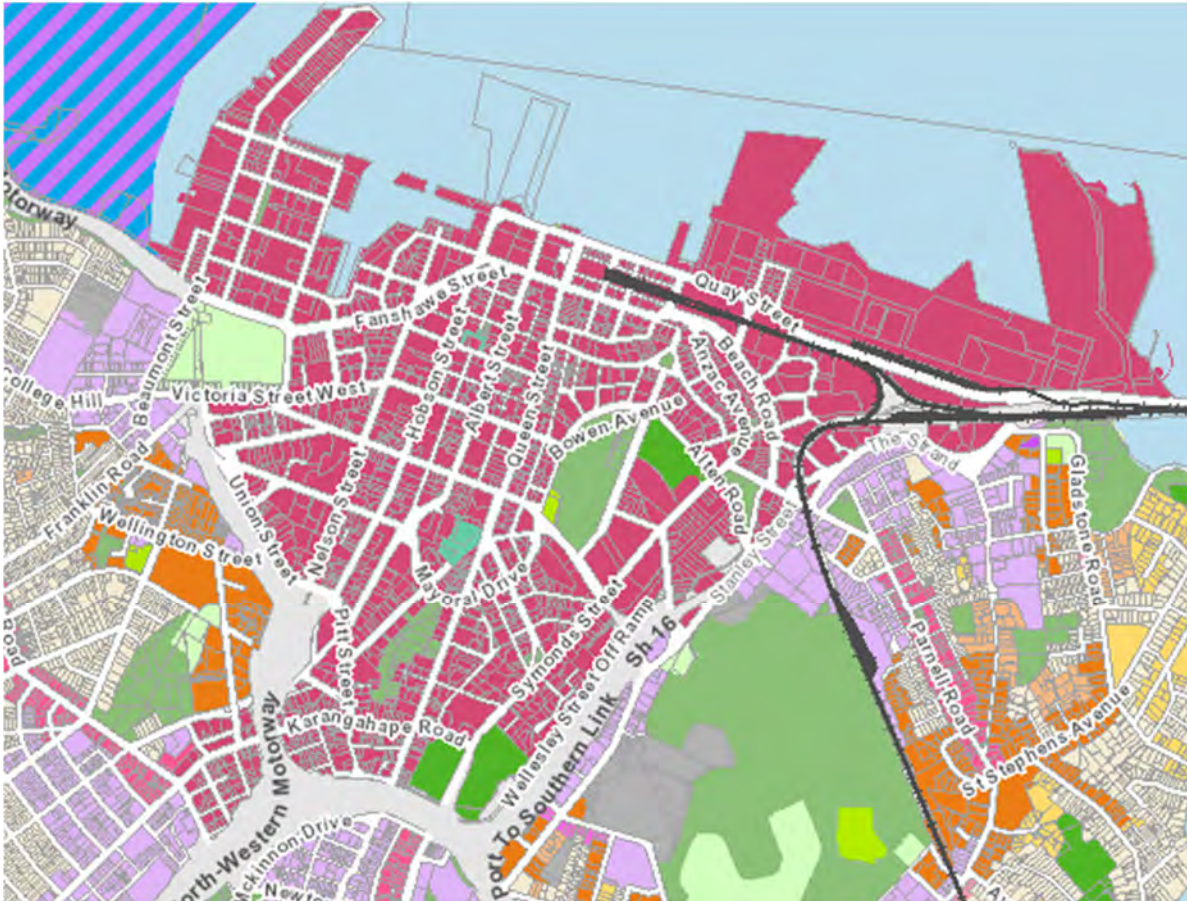
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Hibiscus and Bays

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Election signs are visual pollution that serves no purpose, no one determines who they will vote for off a sign, they are often vandalized and left as a mess on the ground

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** As above they are unnecessary visual pollution

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Ban all party election signage

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

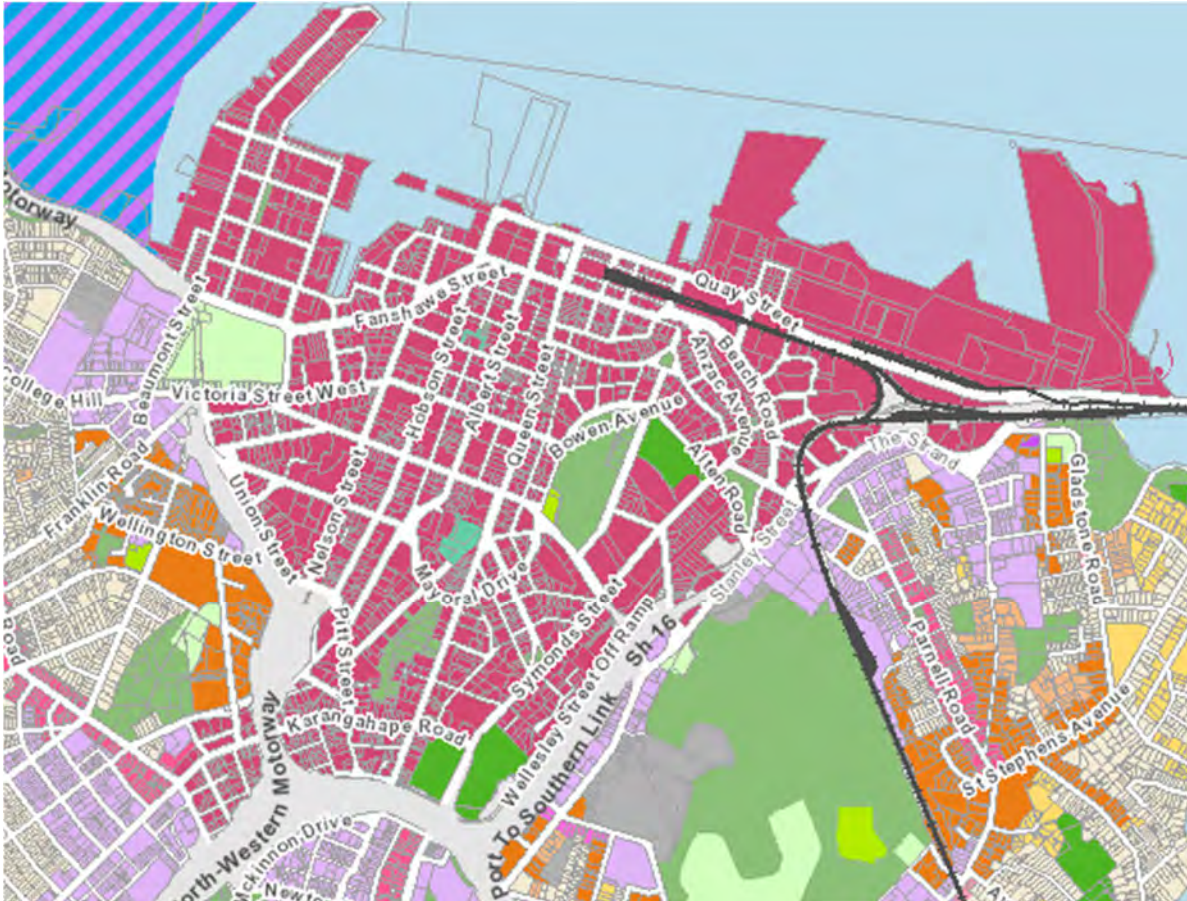
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**



We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Definitely do not want any signs impacting on roads and traffic sight lines.

We currently have an illuminated school sign that seems to be exempt from all rules that is bright and is distracting to motorists

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We have a nuisance electronic sign at the school opposite our house which is apparently exempt from all current sign rules. It is bright, it flickers and flashes. It causes migraines to at two residents. It shines in to our homes. It has a negative impact on the negative impact of the visual amenity of the area. Illuminated School signs should not be exempt from the current signage rules that are there to protect the natural environment and the residents surrounding it.

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Other

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

We need to ensure schools and other facilities are not exempt from the rules particularly when it comes to illuminated signs.

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Waitemata

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

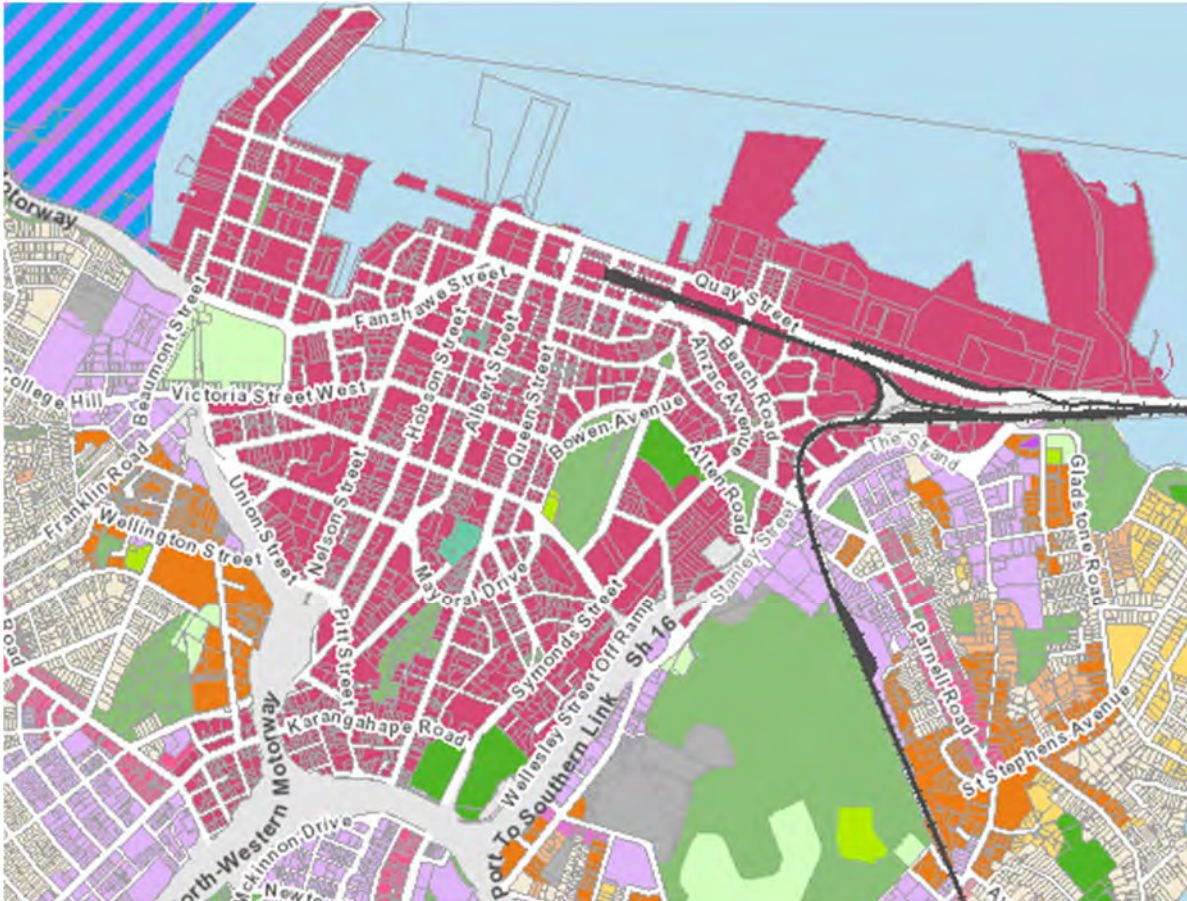
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** CBD Businesses will need all the help they get Post Covid & loosening this bylaw will be 1 important step to help this process

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Will provide better clarity of the bylaw

## 6. Posters

**Proposal:** Clarify current rules, including that poster board sites require approval

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A:** Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify current rules, including the maximum number and placement of real estate signs

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

#### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business NZ Sign Solutions

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Your local board: Rodney

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** How do BIDS or other Business Associations advertise their events, when they may have a profit making entity to advertise eg. Festival in order to pay their Business Co-ordinator and self fund their general advertising. I propose it is not limited to Not for Profits, but only for Community minded events.

**Proposal C: Clarify the current event sign rules, including their definition and placement**



We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** There are many instances where multiple signs are required for various businesses to have signs alongside each other - 10m would generally mean only 1 sign could fit on a driveway entrance. Even if they are either side of a driveway (@4m) that wouldn't fit your separation distance (same title property)

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

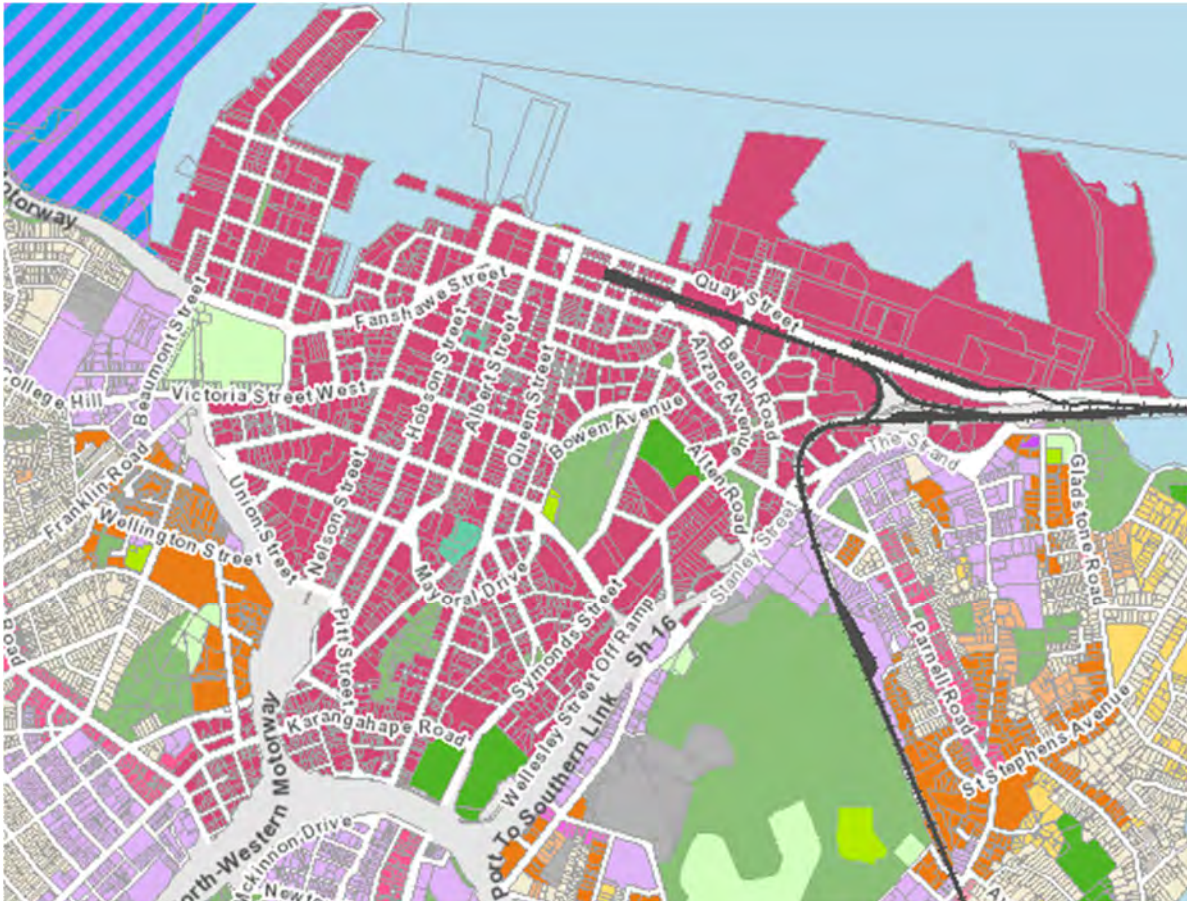
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** These businesses are already struggling to get foot traffic and you are just making it harder to get noticed or point to the direction of their business when it's tucked away in a corner or upstairs etc.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley

- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development

- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** I would need to ready what 'clarify the circumstanced' actually were.

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**



**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Devonport-Takapuna

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** support restrictions

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?** support restrictions

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I support all efforts to clarify rules

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

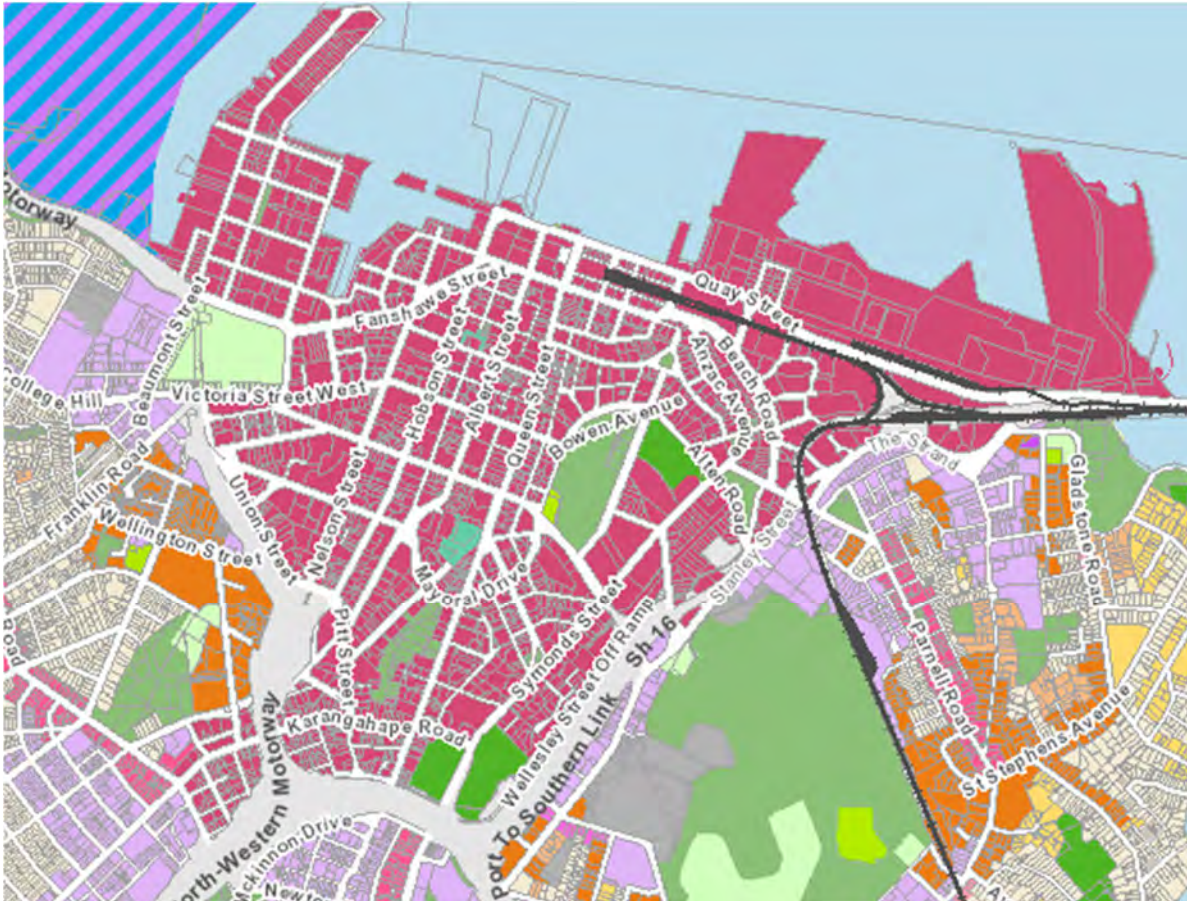
- footpaths on Queen Street and Karangahape Road



- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?** Not sure what effect this would have

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?** need for clarification

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs



- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Howick

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Perhaps also primary and secondary educational institutions?

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Utilities trusts should all be treated consistently

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Disagree with "allow the display of event signs on the same roadside sites as election signs".

Agree with clarification.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## **5. Portable signs**

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

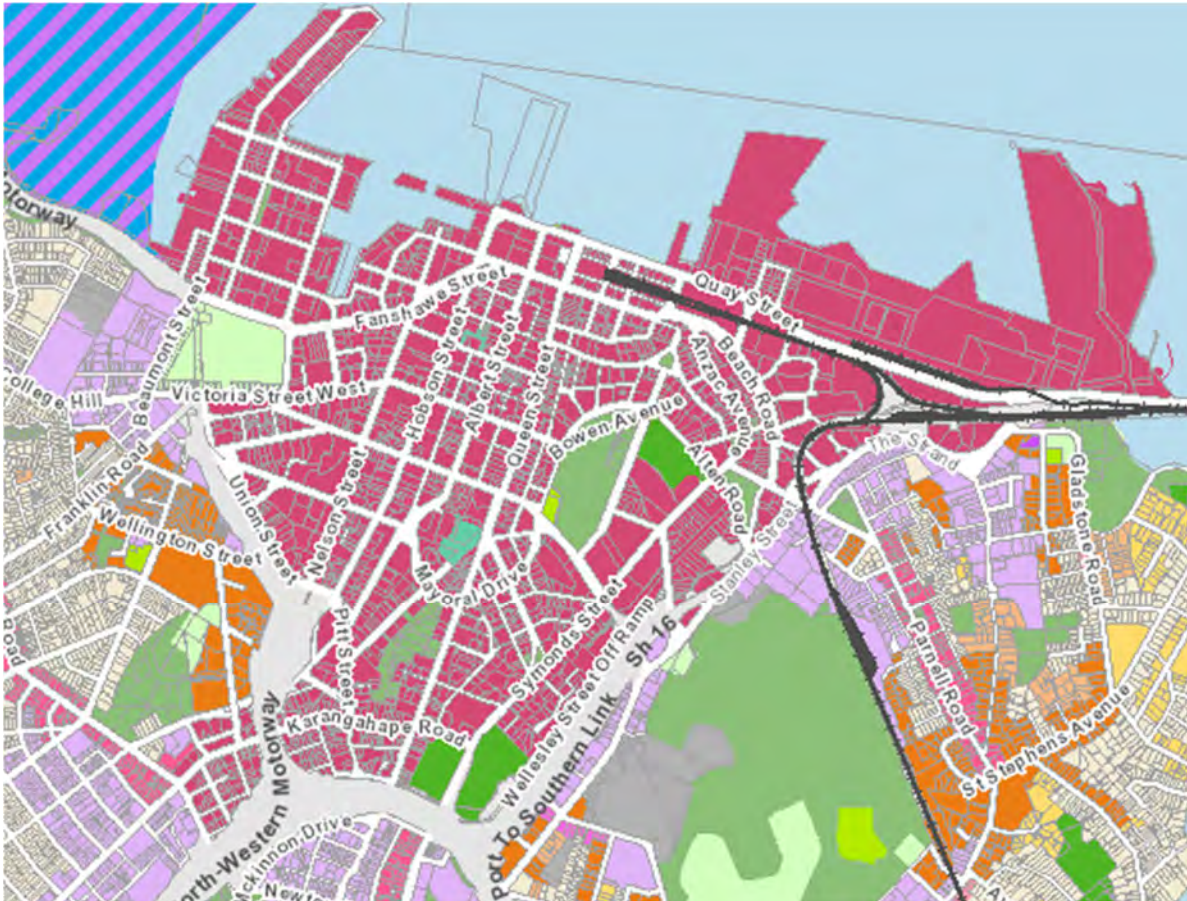


The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).



**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.



**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

Perhaps make a sign category for "Signs which point to signage sites", to better localise signs in general for people who want to see them (and away from those who don't).

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Puketāpapa

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Should be consistent with legislation. Surprised it's not already.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Can't see any reason for this.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

### **What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Entrust is the only energy trust that has an elected board, and a widespread electoral base. It should be treated differently. Also, its electoral cycle does not overlap with local or central government, so there's no real issue there.

## 3. Event signs

### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 4. Free-standing signs

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

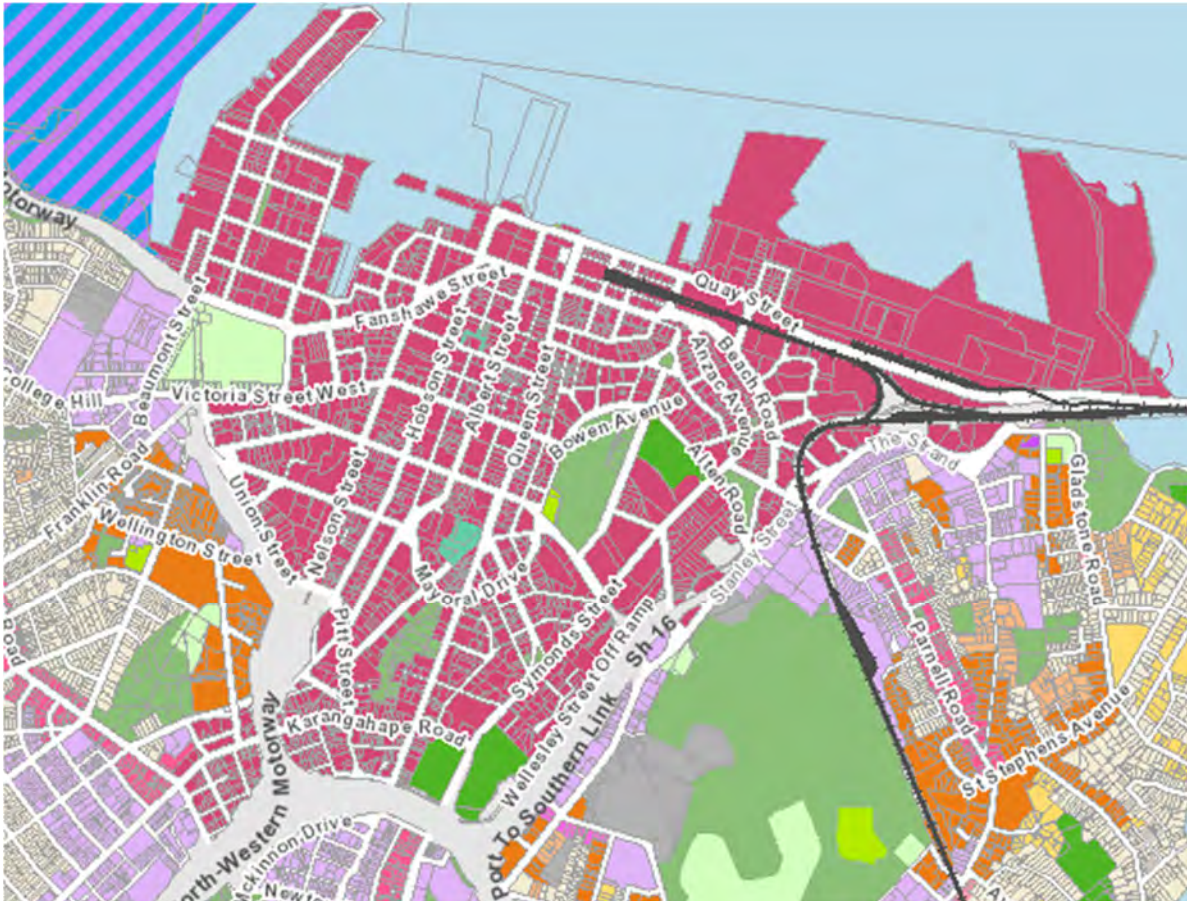
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Footpaths for pedestrians - portable signs are a nuisance, and a safety hazard.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley



- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

### **What is your opinion on the proposed rules for portable signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Commercial portable signs on footpaths are a nuisance, and a safety hazard. Ban the use of them on public throughout Auckland. Allow portable signs for events, temporary activities, public interest and community purposes (e.g. protests, sports, markets).

## 6. Posters

### **Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### **What is your opinion on the proposed rules for posters?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 7. Real estate signs

### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.



We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I disagree with allowing signage on fences, if you mean fences in residential areas. Fine in commercial and industrial zones.

## 12. Window signs

**Proposal:** Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** If central city businesses want this, they will drive me away.

More signage on windows will not improve the amenity or attractiveness of the CBD. Signage does not make a precinct "vibrant", that's just nonsense, and an abuse of language.

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A:** Clarify rules for signs in Major Recreational Facility zones and the conditions for their display

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the rules for signs in Open Space Zones, including which signs do not require an approval

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3

- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

### What is your opinion on the proposed rules for signs in Open Space Zones?

**Response:** No response

**Tell us why, and if there is anything you would change?**

### Proposal C: Clarify a limit of one sign per commercial sexual service premises

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### What is your opinion on the proposed rules for signs advertising commercial sexual services?

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### What is your opinion on the proposed rules about safety?

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?****Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?****Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)

- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

#### **What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change? A lot of election hoardings breach the existing bylaw, which is not adequately enforced. This has been going on for years. There should be clearer rules and process for handling these breaches, including that Council can remove a misplaced hoarding and charge the offending person (or party) for the cost of removal and storage.**

## 17. Other feedback

#### **Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Howick

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Banners and advertisements should only ever be placed on private property. Additionally, they should only advertise what is relevant to said property. Using council (read public) land to advertise personal gains is inherently wrong. This goes for car salesmen who park their vehicles on roadsides. Anyone breaking the rule should be instantly fined (like speeding tickets) - this will help with the revenue of the council.

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** There is no need for political slogans to be displayed whenever the parties and interest groups want. We have the internet for a reason. Letting the reigns go on how tight our elections are run will lead us to the path of political bribery and corruption in other countries (i.e. US).

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** There is no need for political slogans to be displayed whenever the parties and interest groups want. We have the internet for a reason. Letting the reigns go on how tight our elections are run will lead us to the path of political bribery and corruption in other countries (i.e. US).

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

### **What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** There is no need for political slogans to be displayed whenever the parties and interest groups want. We have the internet for a reason. Letting the reigns go on how tight our elections are run will lead us to the path of political bribery and corruption in other countries (i.e. US).

## 3. Event signs

### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I can see why people would be upset by garage sale signs that stay up for ages. This should make people stop and think twice about garage sales - plus, we have Facebook marketplace and TradeMe.

### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs

- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** 100% agree on this. It makes sense for organisers as well to display in an area that people are used to looking for signs.

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Precise, if somewhat too legalistic, rules.

## 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I think it makes sense to separate free-standing signs with a fair bit of distance, but why 10m?

## 5. Portable signs

### Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

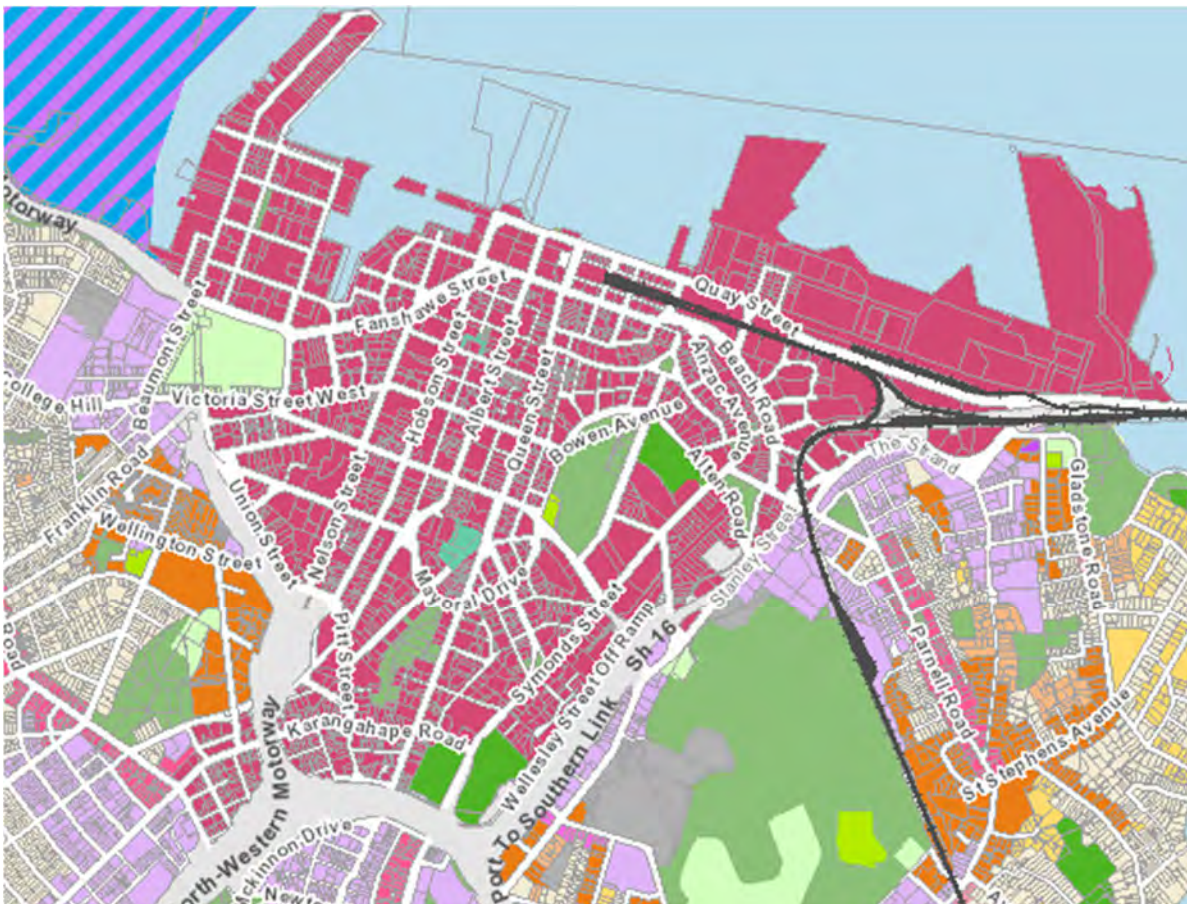
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree



**Tell us why, and if there is anything you would change?** It makes sense, as the city grows, so should its prohibited area.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Good to clarify.

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I'm surprised it never went through a process of approval for a poster board site. But this is my least concerning issue - yeah some idiots might post dumb things - but the same idiots might cry 'authoritarianism' if the council has to regulate where they can do 'free speech.' I say go for it, but if anything has to be dropped this is one of those things.

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** '+1m<sup>2</sup> is nothing major. Let the businesses have it.

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Yes, some of those signs are a road hazard.

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Yes, all signs should be classed together.



## 9. Vehicle signs

**Proposal:** Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Regulate the heck out of the people who try to sell cars out on the streets. Force them into using marketplace or trademe. I just don't want to see unsightly 'for sale' car signs where the vehicle clearly hasn't moved. Those vehicles should also be parked on the owner's property - not on the sideroad or on the mainroad where they'll get the most views. See my earlier comment about how individuals shouldn't use the public land for the benefit.

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Verandah signs are disgusting. They're like laundry being hung outside. Just ban them.

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** See above for same comment. Businesses can have this.

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Sounds sensible.

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** It's too specific to the City Centre Zone for me to have an opinion.

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** I think the facilities can regulate themselves on this one.

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Let's always aim for an easier to interpret set of rules. Vernacular for the win!

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** I think clarification is always important. And as far as I understand it, the sex industry has been regulated, and they are welcome to be part of the public trading sphere. Being more in the public limelight will also reduce the chance of individuals in the sex industry being taken advantage of.

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (cl 24)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (cl 24)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (cl 24)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (cl 25)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** You should also enforce a more environmentally friendly material bylaw. So that we do not promote the use of cheap and easy made plastic signage that can get 'misplaced' in nature.

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Those things are hideous and a danger. No. Get rid of them. Never allow them.

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Those lights can be a serious distraction and unsafe for drivers and cyclists alike.

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Sensible changes.

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Very comprehensive. I like.

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** See above.

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Henderson-Massey

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

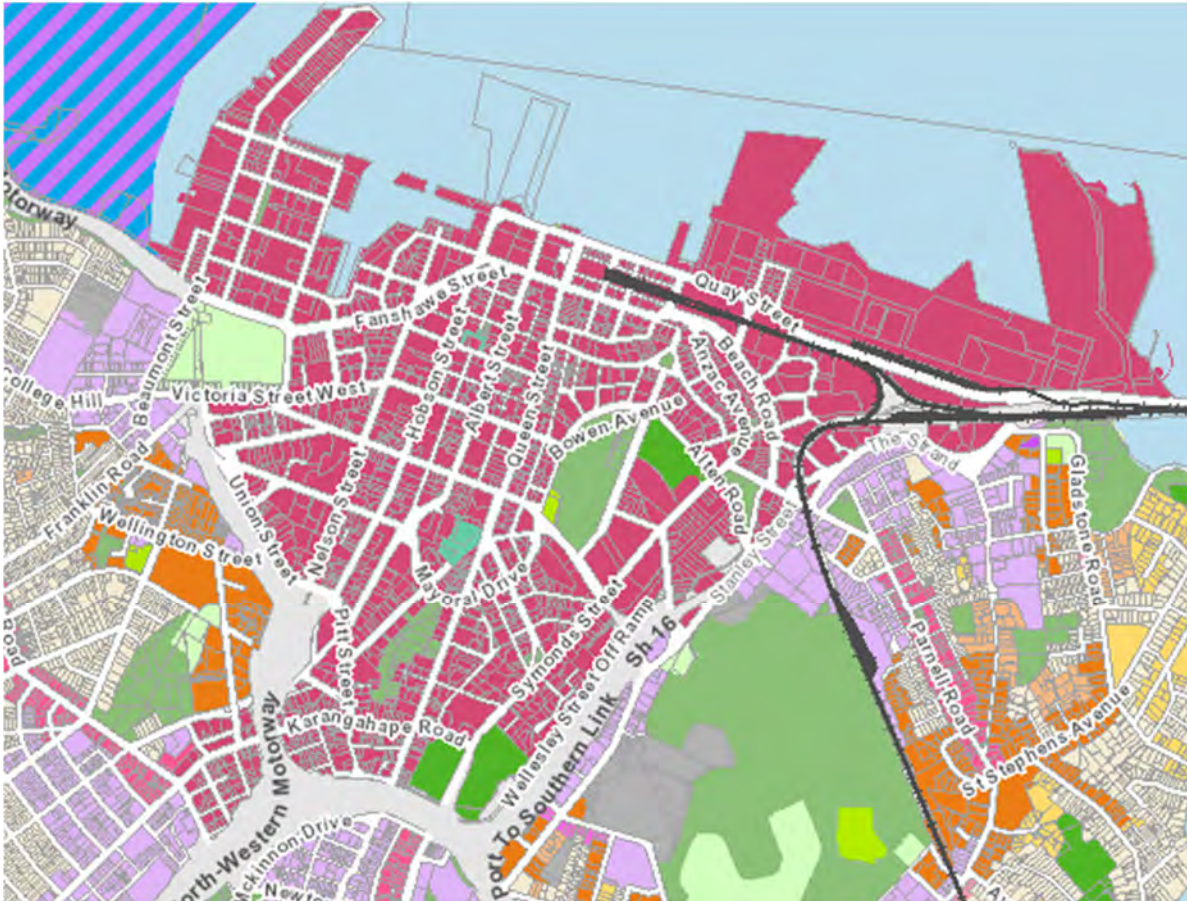
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.

15 October 2021

Project Team

Signage Bylaw

Auckland Council

[signsbylaw@aucklandcouncil.govt.nz](mailto:signsbylaw@aucklandcouncil.govt.nz)

## **SUBMISSION ON THE PROPOSED NEW SIGNS BYLAW 2022 AND ALCOHOL ADVERTISING**

The Newmarket Business Association ('NBA') welcomes the opportunity to make this submission to the New Signs Bylaw 2022 and Alcohol Advertising.

The NBA represents around 3,000 businesses within the Newmarket precinct. Through the BID programme, we work with the Auckland Council and Local Board to improve the local business environment and grow the local economy.

Auckland Council are proposing a new bylaw which makes several key changes to the current rules including:

- increasing the area where portable signs are prohibited to cover the entire city centre zone
- enable the display of election signs on places not otherwise allowed up to nine weeks prior to an election or referendum
- increasing the maximum area of flat wall-mounted signs in the heavy industry zone
- clarifying the rules so they are easier to understand, reflect current practice, remove confusion, and fill perceived gaps.

Our feedback covers the six areas of most importance to Newmarket: Portable Signs as well as Portable ladder board Signs; Verandah Signs; Window Signs; Event Signs; Election Signs; and Alcohol Signs.

### **1. PORTABLE SIGNS and PORTABLE LADDERBOARD SIGNS**

We welcome the definition and illustration of a portable sign or flag as being '*a sign that can be readily moved (for example a sandwich board, teardrop flag, flag banner, portable ladder board, inflatable-air-dancer or similar device able to be moved by a single person using their hands or a hand trolley not propelled by mechanical power)*'.



The proposal notes that:

- 1.1 A portable board or flag sign may be displayed if it relates to a premises with direct ground floor frontage and direct ground level access to a council-controlled public place.
- 1.2 A second option is a portable ladder board related to premises that do not have direct ground floor frontage and direct ground level access to a council-controlled public place.
- 1.3 The signs should maintain an unobstructed footpath width of at least 1.8m.
- 1.4 Portable signs must maintain a distance from the roadway at least 5m if there is no kerb; must maintain a distance of at least – 5 metres from the intersection of any roads; and 2 metres from any access way, service lane, or vehicle crossing. In the case of portable ladder board signs, must maintain a minimum distance of 5m between signs.
- 1.5 Signs may only be displayed during hours the business is open to the public; Must be removed at the close of business and whenever likely to be displaced by adverse weather conditions (for example blown over in high winds).

#### Feedback

- 1.1 We have numerous retail and hospitality businesses who are located down laneways, or alleyways, and although they are on ground floor premises, they do not have direct frontage, and in some situations some above ground level businesses need street signage. Any changes need to allow for some discretion to be applied in this area.
- 1.2 We welcome the definition of a portable ladder board (in terms of size and structure), which was missing in the previous Signage Bylaw, but the current proposal still does not address who is responsible for such a sign, as by its very definition it would advertise several businesses. Some landowners are helpful in this regard, while others are not, and the costs for updating and maintaining the sign as well as taking it in and out every day is seldom complied with.
- 1.3 We welcome the clarity that portable signs should be placed adjacent to the kerb and not against the building, as the previous rulings were confusing, but note that an unobstructed footpath of 1.8m is not always achievable. We note this does not apply if there is a moving vehicle lane or bus route against the kerb and believe this should be highlighted under that section.
- 1.4 We note that within a town centre, where there are small retailers and a few laneways into private property, these distances are impractical.
- 1.5 These regulations are sensible, and we agree.

## 2. VERANDA SIGNS

A veranda sign may be displayed in certain circumstances which in this Bylaw means a sign on a veranda, portico, balcony, awning, or similar structure.

The proposal notes that veranda signs:

- 2.1 Must only advertise products, services, goods or events available or taking place on the site, and only one per premises is allowed.
- 2.2 Are only to be placed on the fascia of the veranda, under the veranda and not for example on top of a veranda). And that it is not permitted to 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, except with the approval of the relevant authority. That it is not permissible for signage to obscure the architectural top of the building, but there is provision for wall mounted signage above a veranda.
- 2.3 Must be removed from a business that has ceased to trade. A person must remove the display of all signs on a site associated with a business that ceases to operate (for example closes) within 60 working days of the date that the business ceased to operate.

### Feedback

- 2.1 The definition of 'site' in your proposal indicates that several buildings and or businesses could be accommodated in one 'site'. We have examples of this in Newmarket, thus the suggestion that only one is allowed per premises appears contradictory.
- 2.2 We note that there are existing signs erected on top of verandas in our area, that in our view add to the vibrancy and colour of our business precinct. We also note that 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.
- 2.3 We welcome this inclusion as some landowners leave signs up several years after tenants have vacated.

## 3 WINDOW SIGNS

As noted in this bylaw the definition is a sign on or within 0.015 metres (15 millimetres) of the inside face of a window of a building, including any etching, branding, graphics, promotions, decals, self-adhesive vinyl stickers, posters, stencils, and changeable message signage.

The proposal notes that:

- 3.1 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. Window signage on the ground floor of a building in the specified areas in subclause

(3) must not account for more than 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 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.

3.2 The City Centre is exempt from these restrictions.

#### Feedback

3.1 We do not support this proposal. We have many examples of high-end window coverings in Newmarket that would exceed these arbitrary dimensions.

3.2 We do not agree that the City Centre should be exempt from these restrictions as this disadvantages Newmarket businesses. So we propose an exemption for metropolitan town centres.

3.2.1 In addition, the proposal does not take account of the use of decal/vinyl for vacant premises. This has been utilised all over the city to neaten the appearance of vacant premises and we totally support its usage.

## **4 EVENT SIGNS**

The proposal notes that event signs:

4.1 Can be displayed on the same roadside sites as election signs, and that community event signs on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### Feedback

4.1 We welcome this opportunity for additional signage for our events.

## **5 ELECTION SIGNS**

The Proposal combines and replaces the current Signage Bylaw 2015 and Election Signs Bylaw 2013 and notes that relation to election signs

5.1 It will enable the display of election signs on places not otherwise allowed up to nine weeks prior to an election or referendum.

5.2 Clarifies that election signs on private property must not be primarily directed at a park, reserve or Open Space Zone.

5.3 Will remove the display of election signs related to Entrust.

## Feedback

- 5.1 Election signs can compromise the amenity of a town centre. We do not support an increase in sites for election signs, unless they are digital and on existing, permanent, advertising media infrastructure.
- 5.2 We agree that election signs on private property should not be primarily directed at a park, reserve or open space.
- 5.3 No opinion.

## GENERAL COMMENTS

- In general, we think the new proposal, which aligns the bylaws to the Unitary Plan, is clearer and easier to understand.
- The addition of graphics makes it easier to communicate.
- We understand the provisions for Health & Safety and Traffic and have not made comment in this regard.
- Traffic Management signs. We understand these are outside scope and control of this by-law review, but please advocate with NZTA, and any other relevant agencies, for changes to TMP signage. Having huge speed limit signs, with sandbags and road cones placed on footpaths is hazardous and needs to be addressed - in town centres area especially. We are working hard to promote modal shift, including walking, but this practice of blocking footpaths is absurd.

## 6 ALCOHOL ADVERTISING USED BY OFF-LICENCE ALCOHOL OUTLETS

You have stated that you are committed to contributing to reducing alcohol-related harm across communities in Tāmaki Makaurau for the health and well-being of our communities and that you would like our views on alcohol advertising at off-licence alcohol outlets, such as liquor stores and bottle shops.

These views will not be used for making the proposed new Signs Bylaw as rules for alcohol advertising are out of scope. Your views will be considered separately from the bylaw.

Below are our responses to your questions.

1. Do you think alcohol advertising signs at off-licence alcohol outlets should be restricted or banned?
  - a. No, we do not alcohol advertising at off-licences should be restricted or banned.
2. Do you think the size and number of alcohol signs at off-license alcohol outlets should be restricted?

- a. No, restrictions should be in line with all other retail signage bylaws.
3. Do you think signs at off-licences should be restricted so they can only display objective product information (such as type of beverage)? This would mean signs would not be able to display alcohol marketing images
  - a. No, we do not believe they should be restricted.
4. Do you think alcohol advertising signs at off-licence alcohol outlets should be banned from public places? This would include sandwich board signs on a footpath.
  - a. No, we do not believe they should be banned from public places.
5. Do you think all alcohol marketing signs at off-licence alcohol outlets should be banned? This would include all wall-mounted signs, veranda signs and window signs, and would mean these stores could only display their own business branding (name, logo and brand colours).
  - a. No, we do not believe that all alcohol marketing sign should be banned.
6. Do you think off-licence alcohol outlets should only use neutral colours? This would mean no alcohol marketing signs, logos or branding on the outside of stores. Stores could only display their own business name and a neutral colour.
  - a. No, we do not believe that all off-licence alcohol outlets should only use neutral colours.

Yours sincerely,

Mark Knoff-Thomas  
Chief Executive  
mark@newmarket.co.nz



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Whau

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

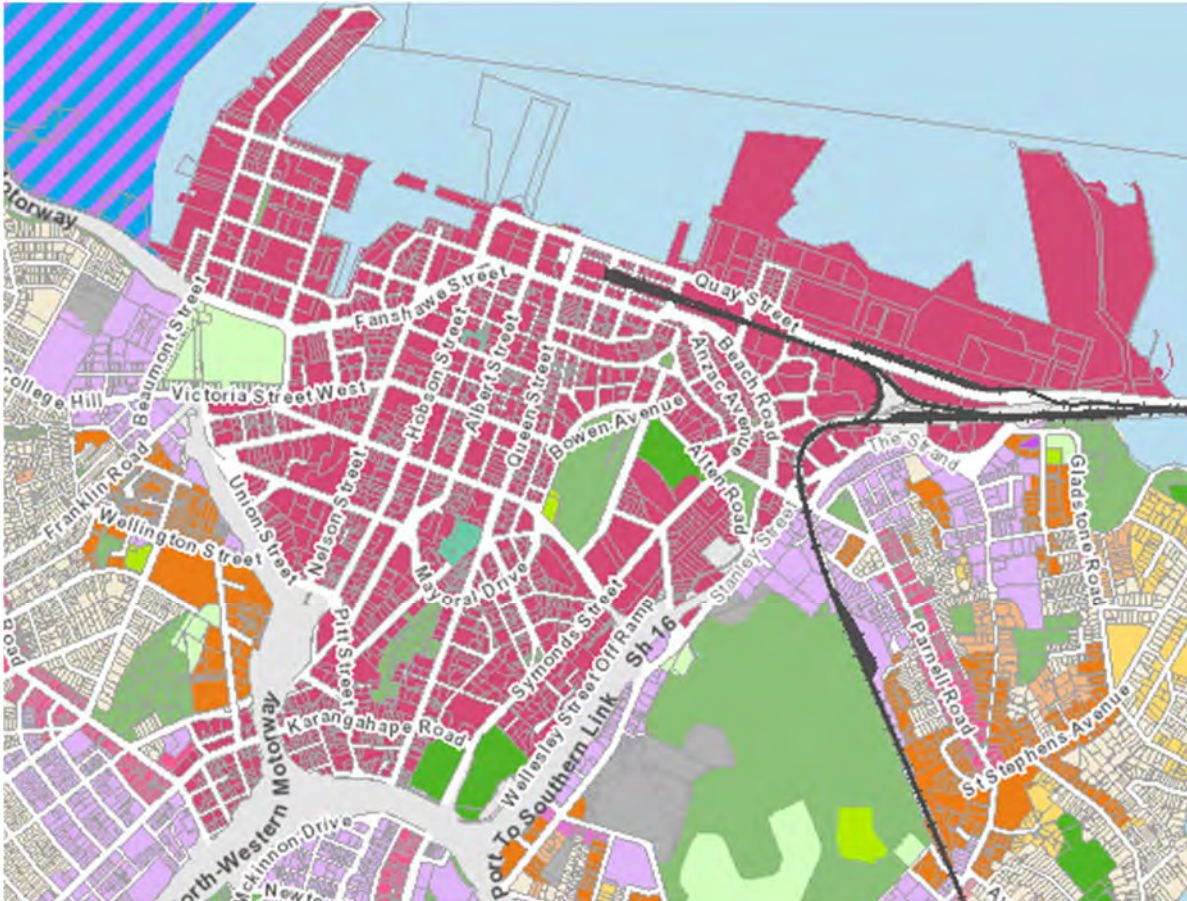
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Question is very confusing. No portable signs in public places please.

## 6. Posters

### **Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### **What is your opinion on the proposed rules for posters?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 7. Real estate signs

### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Disagree with any increase in size for real estate signs.

### **Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Keep real estate signs to a minimum. It's only self serving advertising, the signs are not what leads people to look at a property.

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Question too complicated.

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** No signs on vehicles please.



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?** Not enough information in question so can't answer

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Keep all signs to a minimum size and number please.

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Please have same rules for City Centre as town centres.

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Disagree



**Tell us why, and if there is anything you would change?** Don't agree with signs being able to be erected without approval - do you really want Anti-Vax signs in Open Space Zones?? Please, make approval mandatory for all signs.

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

#### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Disagree that Council may may approve signs that do not comply with the Bylaw (permissions).

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Disagree

**Tell us why, and if there is anything you would change? No exemptions please**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

No thanks,.

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

Name of organisation/business TourismHQ

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Your local board:Howick

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Source: Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.



We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

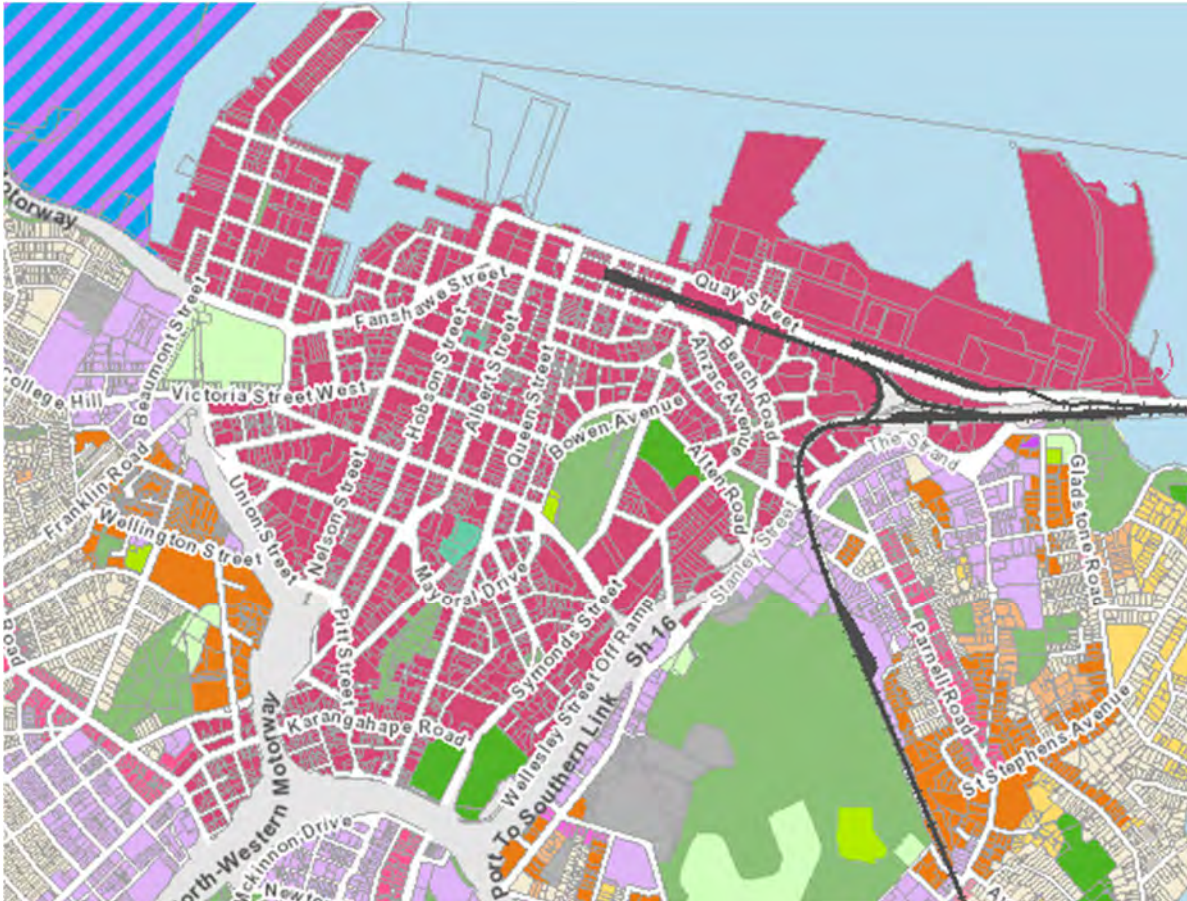
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 6. Posters

**Proposal:** Clarify current rules, including that poster board sites require approval

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

Tell us why, and if there is anything you would change?

## 7. Real estate signs

**Proposal A:** Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

Tell us why, and if there is anything you would change?

**Proposal B:** Clarify current rules, including the maximum number and placement of real estate signs

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**



We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

www.protectourfuture.org.nz is collecting submissions under the guise of Auckland council but is only submitting what is aligned with their goals.

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:**Waiheke

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Health and Safety does not encompass damage to wildlife or any protected trees, nor domestic pets. An excuse of a banner being allowed was used on a few occasions to hang animals in domestic and farm areas, the police had trouble prosecuting the persons responsible due in part in one instance because the act was not carried out by the owner despite the owner being present on the property/event and directly responsible for the banner, length of the ropes/strings and the persons on the property etc, and in turn because it was under animal welfare. Another instance followed with associates of the group where a domestic pet was deliberately strangled and another had it's leg

dislocated and half removed by the banner, and because they could say the information about the banners and the ropes being legal and it being the owners fault, the persons were not prosecuted adequately, instead bringing the charge down to a trivial type of trespass-The persons responsible later on went on to be jailed and convicted of numerous offences, one included murder. Had the charge been able to be prosecuted properly in the first place, the whole lot, including the owner as required by law anyway, would have been subject to investigation and mental health review/intervention, most likely avoiding the greater incidents of harm. This type of mentality unfortunately still exists, can be a result of trauma and abuse in a large proportion of NZ ethnicities and in some acquired cultural practice as well as peoples of Voodoo practicing countries where they may not even be aware they are participating in cruel/disproportionately-inappropriate activities, so it can not be eliminated as an issue or just left to be a commonsense issue. Additionally the programs in place in most areas for cruelty prevention and animal rights, and knowledge about domestic pets and their differences, is mainly done by volunteers and charities or private businesses. This reflects extremely poorly on the ability of the governments to protect common justice and the otherwise innocent; and omitting things like animal protection would be neglectful and dissuade or disrupt the integration of laws ( as is now required and has been for some time (the integration)). People do not have access to the necessary referrals needed for assistance with pre-cruelty events (to assume so because a doctor of a middle income person can make referrals or because it doesn't happen among your friends or neighbors would be erroneous, and far removed from reality), those that are most likely to offend are most removed due to both social and financial positions within society, and will continue to cycle and spread the issue amongst their peers, alot of which will be influencers and dictate that culture to other follower groups. The outcome if left unchecked is a return to previous habits and cycles, creating an issue of lack of understanding and acceptance of cruelty or a mass culture of ignorance towards cruelty, this will (and already has) effect most facets of society.

<https://www.wihumane.org/advocacy/laws/animal-abuse-violence>

<https://oxfordmedicine.com/view/10.1093/med/9780198806653.001.0001/med-9780198806653-chapter-27>

<https://www.oregonconservationstrategy.org/key-conservation-issue/barriers-to-animal-movement/>

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

## What is your opinion on the proposed nine-week period for election signs?

**Response:** Other

**Tell us why, and if there is anything you would change?** The piece about the poster and bulletin board etc needs changing because often the only community communication in some areas available to those with little funds are in fact these boards and advertising/bulletin spaces. This would effectively reduce the communication channels for those people often reducing the food and health networks they often use.

Again it is reducing the appropriation of community representatives to limits of previous financial gain or personal wealth and status, instead of actual ability and knowledge related to a positive position of healthy contribution within/for the community and all the individuals within it. Although there is some need for social interaction ability and general knowledge that may be in some ways related to financial status at one stage or another in a life time etc , it would be stereotyping, discrimination and erroneous thought that led to a belief that this was in fact true of all peoples or individuals, or even the norm'. I have seen evidence in the past where tactics like mass plastering of political advertising materials has resulted in negative results for elections, mainly leaving the community members who were oblivious to the fact that politicians did not always live up to their word, and blinded to the fact that posters and the written word were not always healthy, mainly due to the cultural belief that the government is run by doctors, all politicians and similar candidates are doctors, or that anyone not a doctor and in the same or similar role must be of equivalent education and experience in the matters, and that in turn, all doctors words and intentions were for the good of each individual and the community as a whole, additionally that all these persons were infallible and godlike in status... I do not agree that posters and banners and billboards and other political materials in general should be plastered anywhere nor everywhere. It is a stressful enough process to live in modern society without the added stress of being reminded of another job or appointment pending or a foreign face not related to family or work, especially not twenty of them in a row on every surface possible (which would be the equivalent of the illegal practice of continuously flashing the same images or repeating the same message to someone to deceptively implant thoughts, reactions or unconscious associations), and the ramifications of the memory association and recall by tired individuals who may often be working, or active in the same manner as work, for sixty or more hours a week, nutritionally starved or sleep deprived or those who are still developing, or resigned to lower functioning brain activities etc , leaving them vulnerable to a type of mind conditioning or brain-washing. We do not allow such tactics or similar behaviors in NZ for activities such as political events nor even normal advertising, as they (the tactics such as brainwashing-mass plastering of political or other materials targeting susceptible and vulnerable persons) are considered military activities for special purposes only and there-for an abuse of position of power or authority in other professions or hands. Supervision by an appropriately qualified and highly capable group of professionals would also be a requirement and NZ does not have the money for such an adventure so cannot guarantee the successful outcome of such an undertaking and therefor it would be rendered unconceivable and directly unprofitable in the future and the present. Additionally the practice of similar activities in foreign countries is frequently condemned, therefor it should not ever be practiced in our own country either.

<https://www.sleepandhealth.com/sleep-deprivation-and-mind-control/>

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0116906>

<https://www.medicalnewstoday.com/articles/319986>

'Sleep and food deprivation, coupled with rigid rules, help to break down a person's sense of self...'

<https://www.nzherald.co.nz/lifestyle/eight-steps-to-mind-control-how-cults-suck-ordinary-people-in/JVANMWX7XTTXBC2AS2C3GN3SX4/>

'A colloquial term, it is more generally applied to any technique designed to manipulate human thought or action against the desire, will, or knowledge of the individual. By controlling the physical and social environment, an attempt is made to destroy loyalties to any unfavourable groups or individuals, to demonstrate to the individual that his attitudes and patterns of thinking are incorrect and must be changed, and to develop loyalty and unquestioning obedience to the ruling party...'

<https://www.britannica.com/topic/brainwashing>

'..."Sometimes the manipulation is done in such a slow, covert fashion—a slow burn, if you will—that the victim doesn't even realize they've been brainwashed."

While brainwashing and manipulation are common tactics of cult leaders and dictators, gaslighting can occur in personal relationships and professional working relationships. "A gaslighter wants to gain power over their victims—to strip them away from their own thoughts and feelings," Dr. Fox said. "They know very well what they are doing and have no desire to change that."...' <https://www.bannerhealth.com/healthcareblog/teach-me/signs-you-might-be-a-victim-of-gaslighting>

Saul K. Padover PhD, Professor of History and Politics, 'The Art of Psychological Warfare' ; Psychological Warfare in an Age of Revolution, third paragraph, second sentence, : ' ...This use of the press, film, radio, and television as political and military instruments is unprecedented in the history of mankind. It presents both a challenge and a danger, primarily because the new media are geared to mass audiences and can be employed to reach hundreds of millions of people through their fears and other emotions, not infrequently the baser ones.

In the Twentieth Century the mass media have been systematically employed by revolutionaries for the capture of power and for the subordination of the mind and will of their followers. Stalin and Hitler are amongst the most successful practitioners in this field.'

<https://www.jstor.org/stable/24354536>

'According to some psychological studies, however, it's also fair to surmise that billboards are capable of engaging customers whether they're consciously looking at an advert or not.

While this may seem strange, it can be explained by the incredible processing abilities of the unconscious mind, which can comfortably process up to 11 million pieces of information per second'

<https://75media.co.uk/blog/psychological-billboard-advertising/>

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Maybe consider industrial/commercial based parks and playgrounds that are typically well contained within four walls like Lollipops, indoor McDonalds playgrounds etc for additional issues especially with VitD deficiency and subliminal effects etc...

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:



- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

#### **What is your opinion on the proposed rules for election signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** I agree except for the part about the Entrust elections. I think modifying it to show when the elections are and where to access the information on nominees for the board minus any photographic or other same information that may single out or identify one individual in particular. A lot of people don't even know what Entrust is or why and how it was started, and so much misinformation surrounding that has been given to others that it would be good to keep it real and simple, and restricted to two colours.

### 3. Event signs

#### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

#### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** The law needs to conform to the event restrictions placed on all residential zones, 'sales' can often be misconstrued in all sorts of ways by public and commercial vendors, and even used to hold paid commercial events. The rule/law whatever will need further definition and some more work to check other legislation around noise and what is being sold, how many people will attend, where they will park etc. It used to be that garage sales would attract only those in walking distance or those who came early in the morning and didn't cause traffic issues etc, but, now with social media advertising and any loose wording of published rules, all sorts of problems could ensue...

#### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

### **What is your opinion on the proposal for rules for event sign sites?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Needs more clarification, and grammar checking...How will this effect and coincide with current advertising and Communications Industry Standards and codes as well as legislation? How will this impact areas that political signs are displayed in and how will you prevent association of events with political-parties and dates etc they are not at all affiliated with, as this can cause major problems especially in popular mass events such as Big Day out, RaggaMuffin, one off large festivals etc -as if those political parties or persons ' gifted, got or achieved' those things for people, when often the opposite is true and changes in legislation twenty years before, instigated by a private group of individuals, is actually what got them an event on a farm along with alot of preparation by civil personnel/public persons. We do not want people associating the effects of, or consumption of goods whether illicit, illegal, or otherwise at a festival with a certain politician or political party either, as a disproportionate number of persons in the community have a type of memory recall that is often subconscious and may lead them to consume substances that were consumed at the event or to even act as if they were there because a politician or their party is seen somewhere etc, without our close knit communities that we enjoyed previously, there may be no way to decode this odd behavior and the risks to the individual and public health are important above an advertising sign tbh . On the same note, there is also the issue of the persons raised in the old school systems where physical and psychological punishments of a nature now banned, and the children who were effected by the teachers still left in the system after the laws came into effect, are all still alive, meaning that they may be unfairly effected and treated without understanding by medical and other authorities as well as general public. The government and masses of the current day are quick to forget in the name of keeping people happy, and this is causing problems in a society where the vast majority of people who were intended to form the most important parts of the wheels are continually left out, but still paying the biggest price for this change and forgetfulness- lives are expected to span approximately 120 years minus infractions for genetic difference/illness, self inflicted harm and other accidents, legislation should generally reflect this, why is legislation changing so quickly to satisfy the needs of a people not even in the majority of the workforce yet and not addressing those who most probably wont reach the NZ expected life expectancy due to all the failures of previous and some recent, governments and authorities. For the same reasons as the brainwashing and mind distortion addressed in the other comments I've made, already addressed in part by advertising standards, industry standards etc surrounding subliminal messaging and unconscious/conscious associations, rules and legislation against certain similar practices in political events and parties or by political individuals running for position etc, and the requirements for integrated practice and laws, I'm not sure this is the best idea for now.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs

- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

### **What is your opinion on the proposal for rules for event signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** In many areas Real Estate and other activities such as garage sales are considered events for legislation purposes. Many housing and development areas already have private stipulations separate from council that reinforce zoning or planning laws and rules, as well as codes of conduct for owners and their guests. This was applied to individual streets as small communities as well as many Maori owned properties and Maori majority communities, this was separate but in addition to American led developments and co-op type developments because of a lack of protection offered to regular residents by law enforcement and the laws of the time in the way they where enacted as the policy changed and went through various upheavals. I think for example, the need for real estate to be included due to activities that already cause issues known as 'viewings'. Often done enmasse they are disruptive and cause traffic issues and community problems as well as waste time for the vast majority of people attending as out of the 60 odd visitors present in one sitting, only one or two will get the tenancy. An allowance was given of an hour in some areas for this to take place, but, it was found that the real estate persons did not have the required knowledge of the area nor the house nor access to private stipulations and initiatives either, this was due to the fact that regulations had been changed without proper consultation, by the new centrally formed councils, and allowed some licensing authorities to grant preliminary licenses which were sufficient for a licensed real estate broker to supervise an apprentice who carried the preliminary license. Foreign real estate agents were banned at some point and rental agents were not required to be licensed either and the problems compounded from there, unfortunately not eliminating the lack of education or adherence to rules and covenants made by developers and landowners, but simply ignoring them and causing more damage, even going to the extent of casting out the owners of properties so that new neighbors could achieve the otherwise illegal development or action that they wanted but were otherwise banned from, and continuously opposed from carrying out by the actual owners and others who knew the private covenants or stipulations existed. Often in a lot of areas there is no other protection for people still other than to ban events, including real estate. For this reason I think the Real Estate sign and event policy needs a rethink, and for the similar reason of a person in a trusted position misusing that position, and additionally protection from those in a position of power who often aren't as qualified or experienced as they think they are, such as politicians, who may erect a sign then hold a gathering of people in a house or neighborhood and facilitate the spread of erroneous knowledge or facts. It has happened before so no doubt it will happen again.

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Additionally define between which constitutes that what is a 'permanent' sign; alongside or connecting to rules that explain the process for erecting/establishing permanent signs/signage, and all the relevant legislation that 'may or may not' apply - industry codes, best practice, advertising standards, design standards etc, and, give people who have knowledge of such rules and practice a way to record complaints, as they are integrated also with practice, and lead back to industry secrets and protections in order to address things like common theft of professional texts, misappropriation, ID theft, reputation management, copy-cattng, intellectual property etc etc

## 5. Portable signs

### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

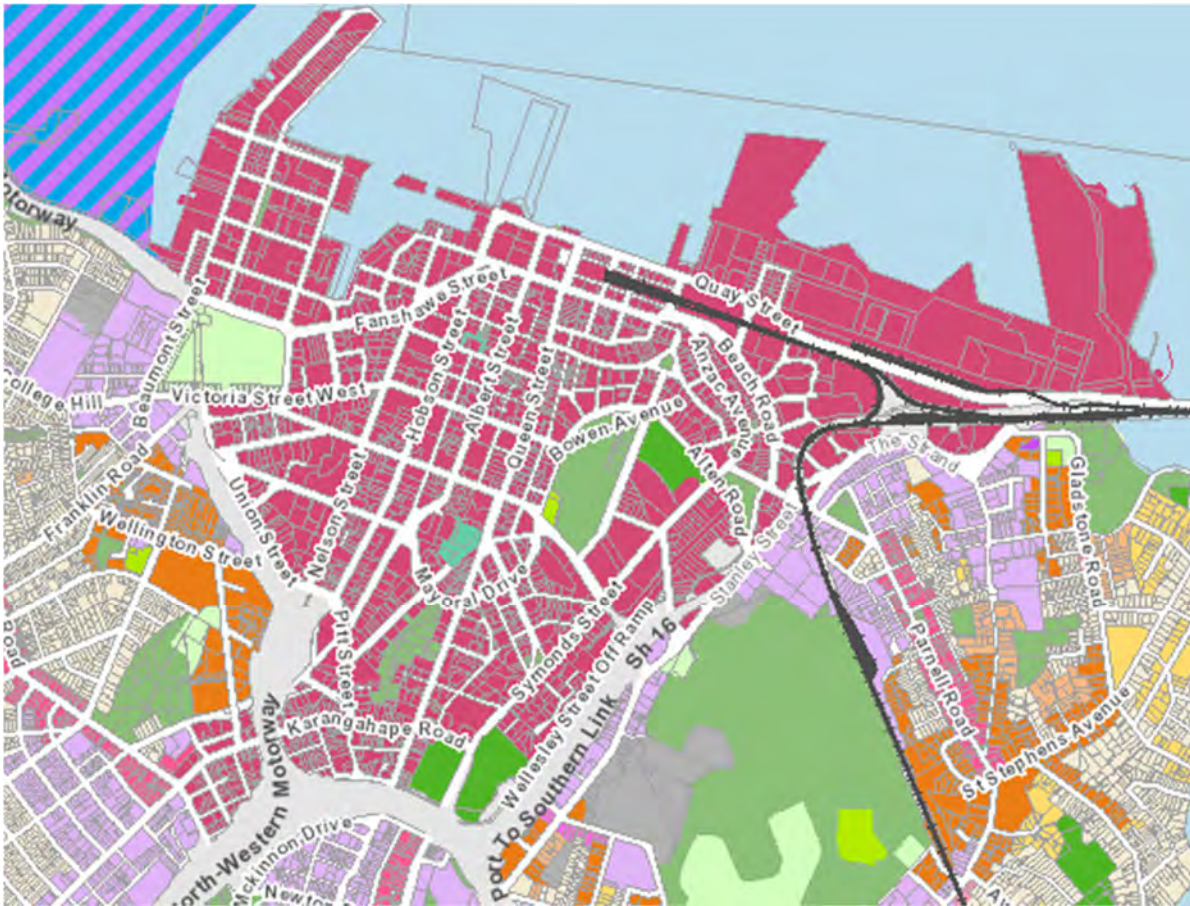
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:**  Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Some allowance needs to be made for emergencies, road works/construction and things like 'wetfloor' signs which may in fact cover a hazard themselves...Does the rule include swinging signage or signage displayed from a roof or boardwalk cover? a flag for example or a sign hung safely at a good height underneath a footpath covering attached to the shop it is intended for? This is important because many shop keepers still employ these types of signage which they bring in each evening, and put out again in the morning. They are not permanently affixed, so temporary, as are flags mounted in a similar fashion out of the way on a roof. Will you change the rules for Americas cup and favor foreign people ? or Christmas Events and the Sky City and impeded the shop keepers who want to hang such signs or flowers for example which are very important in alot of commercial and high traffic zones? Your reasoning for the application of such a law may be sound, but the effected personage and smaller communities that are the ones actually dealing with the ramifications of those changes may need cost effective or free alternatives and ideas for other options as well as a period of grace.

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).



## What is your opinion on the proposed rules for portable signs?

**Response:** Other

**Tell us why, and if there is anything you would change?** I would need alot more information on the businesses in the area and the scope of the area covered by council as opposed to businesses, for example, hotels that may in fact have a much larger frontage and pathway despite not being high traffic areas, or markets who might have a lawful size pull off to place signage, but in a council controlled area as opposed to private, who may use pallets for example in a tidy but 'farmers market' or other designer trend type manner to create impact, prevent dispersal by wind which can be quite strong on the waterfront at times even on a good day, or to keep costs down and one off events like seafood festivals affordable...How will the changes address those needs and what are going to be the alternatives when a flag cant be seen or read for the state of the wind and smaller signage is rendered unusable? The nature and culture of the port and waterfront in part of this area has always been around market type events and well dressed but what would be considered 'permenant' by the above standards, types of 'tables' or display units etc usually part of the showcase for the event, and often the business also, itself...

## 6. Posters

### **Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### **What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Assuming that poster board refers to the walls and areas available for pasting temporary posters for advertisement of concerts and other such events or local business specials such as 'double salad burger mondays at Fred's' etc ... Will this effect areas typically used by poster pasters and how will you alert them to the fact?

## 7. Real estate signs

### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Some of the policy/rule adjustments include socially irresponsible as well as what could be considered somewhat illegal practices ...

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Controls and approvals are subject to change and be interpreted differently at times (qualifications where relevant knowledge is taught may change for example which may effect interpretation or how exemption is applied, but with the issue in the main body instead of supplementary or additional tables the matter is firm regardless, which may protect incoming ships with timber or metal for example, or people with stenciled work items like wood framing for construction on a building etc from theft or other mishaps when designer stores may sell similar items stenciled in the area, or



even in the more commercial and industrial areas it may protect workers or pedestrians from being confused by misplaced signage or even in the opposite used for alerting workers or the public to danger and hazards when a physical sandwich board type sign is not appropriate or available ), allow for exemption, where as a legislation or body act or rule is not subject to change. The change would also unfairly limit businesses in the area that may need to change tact to avoid thefts or misappropriation, copycatting, etc . A stencil sign usually refers to a painted on advertisement using a type of 'stencil' as the template for that work, and is usually more than appropriate for a port area as well as industrial. Care may need to be taken around preventing loss of culture of the area and defining between industrial and port styled residential and commercial etc.

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Conflicts with other rules about fence advertising signs/advertising signs on fences

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I dont want to see the inside of someones vagina in a window, why no restrictions?. Signs in windows can be just as intrusive and alarming if not undertaken correctly. Some design and other knowledge may be needed for that rule...

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Other

**Tell us why, and if there is anything you would change?** How will this effect co-use with Maori and cultural needs where the recreational areas also form in part, a means to addressing a cultural need?

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Need more information...

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Other

**Tell us why, and if there is anything you would change?** I thought sexual services were banned in most residential areas, for the same reason they cant operate next to or in close proximity of a school.

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:**Other

### **Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Other

**Tell us why, and if there is anything you would change?** conflicting, need more information...

### **Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (**cl 27**)
- luminance rules apply between 'sunset and sunrise' (**cl 27**)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (**cl 27 and 28**)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (**cl 28**)

- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Not enough clarification nor information. There will be more complications with historic buildings and the wording of the reason for the rule/legislation change etc

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process

- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Other

**Tell us why, and if there is anything you would change?** Often there are already adequate rules and legislation present if integrated with other sectors of industry etc, these should be thoroughly investigated first...

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Other

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

### Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Henderson-Massey

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

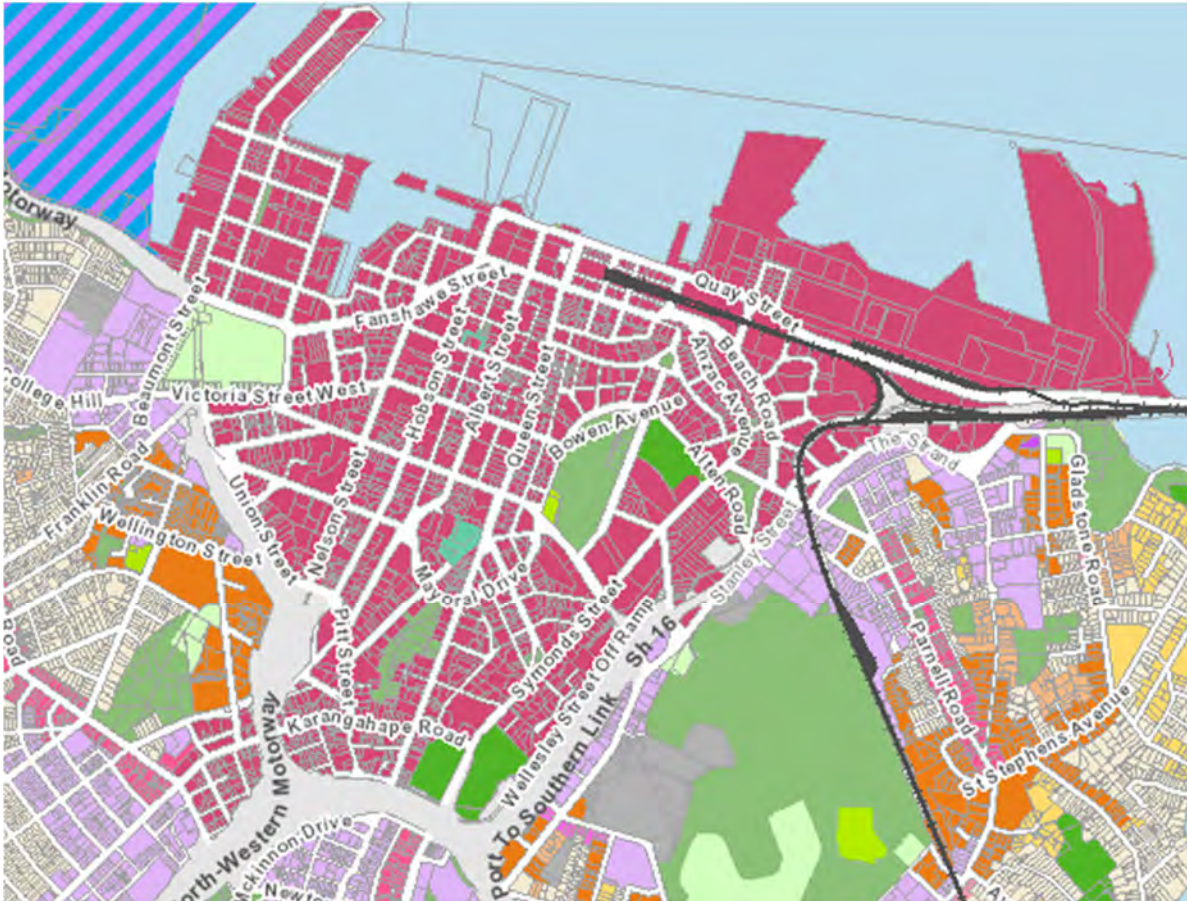
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response



**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle

- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**



## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**

**Response:**No response

**Tell us why, and if there is anything you would change?**

#### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

#### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



26 October 2021

Auckland Council Governing Body  
 Auckland Council  
 Private Bag 92300  
 Auckland 1142

[akhaveyoursay@aucklandcouncil.govt.nz](mailto:akhaveyoursay@aucklandcouncil.govt.nz)

## **SUBMISSION TO AUCKLAND COUNCIL ON THE PROPOSED SIGNS BYLAW 2022**

1. Alcohol Healthwatch welcomes the opportunity to make this submission to Auckland Council on the proposed Signs Bylaw 2022.
2. Alcohol Healthwatch is a national charity, funded by the Ministry of Health to reduce alcohol-related harm. We are committed to working in accordance with the principles of the Treaty of Waitangi and the cornerstones of the Ottawa Charter. Our activities include: providing evidence-based information and advice on policy and planning matters; coordinating networks and projects to address alcohol-related harms, such as alcohol-related injury and Fetal Alcohol Spectrum Disorder; and coordinating or otherwise supporting community action projects.
3. If you have any questions on the comments we have included in our submission, please contact:

Dr Nicki Jackson  
 Executive Director  
 Alcohol Healthwatch  
 P.O. Box 99407, Newmarket, Auckland 1149  
 P: (09) 520 7035  
 E: [director@ahw.org.nz](mailto:director@ahw.org.nz)

## **Background**

### **a) Role of amenity values in community wellbeing**

4. We affirm Auckland Council's goal "to be inclusive so that all can share in its benefits and reach their potential."
5. We suggest that the neighbourhood built environment is a key determinant of this goal being realised.
6. However, there are inequities within Tāmaki Makaurau Auckland with regards to perceptions of the neighbourhood built environment. It is of concern that, in 2020, only 63% of residents of Tāmaki Makaurau Auckland reported feeling proud of how their local area looks and feels.<sup>1</sup> By ethnicity, residents of Asian ethnicity were significantly more likely (than the total population) to report feeling a sense of pride in the way their area looks and feels (68%), followed by 66% of Māori, 63% of Europeans, and 60% among Pacific residents. Younger Aucklanders were significantly less likely to feel pride in how their local area looks and feels (55%).
7. Local Boards with the lowest proportion of residents feeling pride in the look and feel of their neighbourhood environment were Papakura (47%), Henderson-Massey (50%), Maungakiekie-Tāmaki (52%), Māngere-Ōtāhuhu (52%) and Manurewa (52%).<sup>1</sup>



8. It is without doubt that a person's sense of belonging and feelings about their neighbourhood will be strongly impacted by local amenity values.
9. Amenity values, the things that we really feel good about and cherish in our suburban environment, are defined in Section 2 (Interpretation) of the Resource Management Act 1991 as "means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."

**b) The importance of amenity values in Neighbourhood Centres**

10. We suggest that the amenity values of Neighbourhood Centres and Local Centres (as defined in the Auckland Unitary Plan) play a substantial role in the quality of life of Aucklanders. These are areas that Aucklanders (particularly children) spend considerable time in and travel (by foot, cycle or car) past.
11. In the development of the proposed Auckland Unitary Plan, local and neighbourhood centres were recognised for their anticipated limited scale and provision of well-being.<sup>2</sup> The following comments were made in relation to these areas:
  - "...a focus for a community and provide a range of convenience shops and small business services together with some community facilities. These centres are focused on walkable catchments supported by public transport services" (p.60)<sup>2</sup>
  - "...providing day-to-day convenience shopping within walkable neighbourhoods. Based on a small group of shops, they may also be aligned with a community facility, such as a school." (neighbourhood centres, p.61).<sup>2</sup>
  - "In neighbourhood centres, well-being is gained primarily from access to a range of convenience goods in nearby and familiar surroundings where the locality's amenity values remain predominantly residential in character. Access is relatively unconstrained by transport options for most immediate residents. This is reflected in the objective, which seeks an outcome which embeds a scale and character representative of the surrounding environment, with corresponding provisions to limit height, formation of larger format outlets, and the scale of supermarkets accordingly"(p. 64).<sup>2</sup>
12. Neighbourhood Centre development was expected to be in keeping with the surrounding residential environment and for activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.<sup>2</sup>
13. The objectives of the adopted Auckland Unitary Plan for Neighbourhood Centre Zones are for these zones to be attractive environments, create a sense of place and be managed to avoid adverse effects on residential amenity. Policies require business activities to be of a quality and design that positively contributes to the visual quality and interest of streets and avoid adverse effects on residential amenity (having specific regard to dominance).
14. The adopted Unitary Plan also notes that activities that have noxious, offensive or undesirable qualities should be discouraged from locating within Neighbourhood Centres and that these Centres are considered focal points for a community.<sup>3</sup>
15. For these reasons, we ask for the visual amenity of our Neighbourhood Centre Zones (especially those in vulnerable communities) be given special protection in the Signs Bylaw 2022, especially to ensure these zones are attractive environments, create a sense of place and where the adverse visual effects of advertising are minimised or avoided. We believe that these areas play a significant role in the quality of life of every Aucklanders and must be protected from prominent and garish advertising.

### c) The role of signs and advertising in local amenity values

16. The visibility and dominance of signs and advertising is likely to impact amenity values and therefore impact community wellbeing and a resident's sense of place and pride in the way the community looks and feels.
17. In particular, the amenity values of Neighbourhood Centres will be especially important for residents who live in the immediate proximity to the retail space. As these residents cannot switch off from their immediate environment, the design of signs as well as their prominence and quality are of paramount importance.
18. We know that children in Auckland also spend considerable time in their neighbourhood areas, going to and from school and buying goods from local dairies and grocery stores. This means they are also exposed to the advertising of products harmful to health, such as alcohol, fast food and sugar-sweetened beverages prominent on the outside of these stores. We are also concerned that the level of advertising outside local dairies and grocery stores appears to be more prominent in more vulnerable communities or where higher populations of Māori and Pasifika reside. In our view, this inequity suggests Auckland Council and Auckland Transport are failing to meet their obligations under the Treaty of Waitangi.

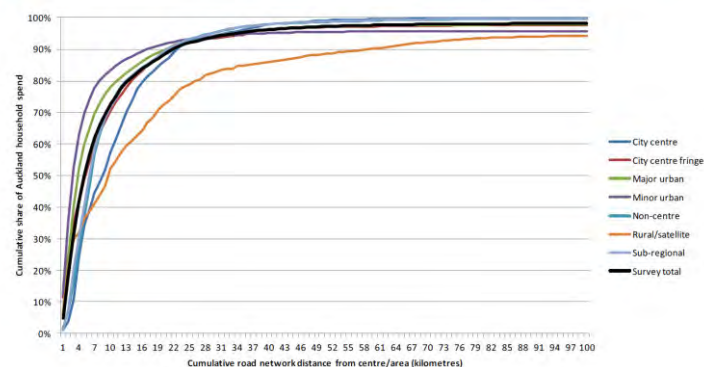
### d) The role of the Signage Bylaw in enhancing local amenity values

19. Auckland Council has a mandated role to promote the social, economic, environmental, and cultural well-being of communities. The Auckland Plan recognises that the quality of the public realm is critical to urban areas. We believe that addressing the proliferation and nuisance of signs and advertising can assist to achieve the quality required and ensure satisfaction with the built environment, especially at a neighbourhood level.
20. Specifically, we recognise the role of the proposed Signage Bylaw 2022 in enhancing amenity values and character in Neighbourhood Centres. Addressing signage has the potential to improve the proportion of Aucklanders reporting a sense of pride in the look and feel of their community. This has a direct impact on quality of life. The Signage Bylaw also offers significant potential to reduce children's and young people's exposure to advertising of harmful products.
21. For these reasons, our submission focuses on the importance of restricting signs and advertising in Neighbourhood Centres.

## The rationale for protection in local retail areas

22. Small retail areas in Auckland, such as Neighbourhood Centres and Local Centres (represented as minor urban areas in purple below), are shown to have the smallest catchments for household spend, with 80% of spend occurring from households within 8km road network distance of the centre. This is shown below – replicated from an Auckland Council report.<sup>4</sup>

Figure 8. Cumulative share of Auckland household spend by centre/area type with cumulative road network distance, 2011



23. As shown below, half of all household spend in minor urban areas is from households within 3km.<sup>4</sup>

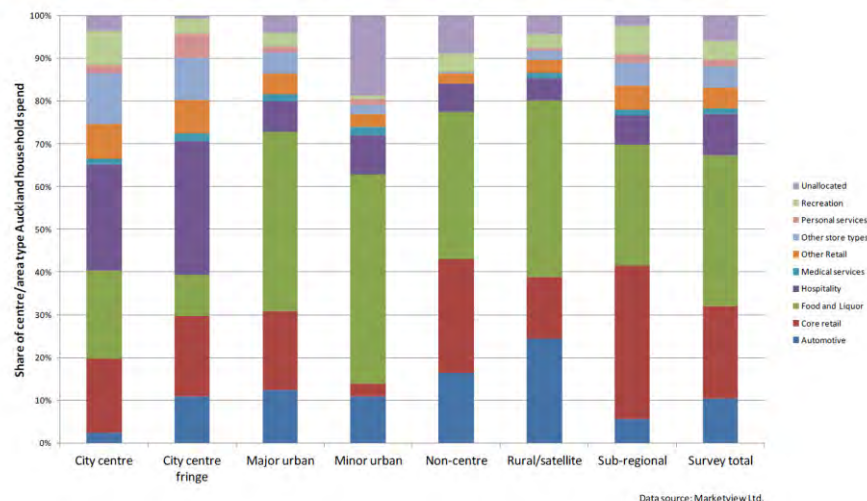
Table 4. Road network distance (kilometres) containing cumulative shares of Auckland household spend, 2011

Centre/area type	Cumulative share of Auckland household spend			
	50%	60%	80%	90%
City centre	9	11	16	23
City centre fringe	6	8	14	21
Major urban	4	5	11	20
Minor urban	3	4	8	17
Non-centre	7	8	13	22
Rural/satellite	10	14	26	56
Sub-regional	6	8	13	21
<b>Survey total</b>	<b>5</b>	<b>7</b>	<b>13</b>	<b>22</b>

Data source: Marketview Ltd and Auckland road network distance matrix.

24. Food and liquor retail makes up a much higher share of spend in minor urban (49%) centres than other centres (see below, replicated from the Auckland Council report<sup>4</sup>). This is suggested to reflect the role of supermarkets and grocery stores and other food retailing in these small retail centres.<sup>4</sup>

Figure 11. Distribution of Auckland household spend by category within each centre/area type, 2011



25. Of all food and liquor household spend, half occurs among households located within 4km of the retail space (shown overleaf, replicated from the Auckland Council report<sup>4</sup>).

Table 5. Road network distance (kilometres) containing cumulative shares of Auckland household spend, 2011

Spend category	Cumulative share of Auckland household spend			
	50%	60%	80%	90%
Automotive	5	7	14	23
Core retail	7	9	16	23
Food and liquor	4	5	9	15
Hospitality	6	9	15	22
Medical services	16	19	27	36
Other retail	7	9	17	24
Other store types	7	10	18	26
Personal services	7	10	19	27
Recreation	8	10	16	23
<b>Total</b>	<b>5</b>	<b>7</b>	<b>13</b>	<b>22</b>

Data source: Marketview Ltd and Auckland road network distance matrix.

26. A substantial proportion of local residents (who shop locally) will therefore be impacted by the visual amenity of food and liquor stores in their local retail areas.
27. There are also concerns relating to exposure to advertising, especially for products that are harmful to health e.g. fast food, sugar sweetened beverages, alcohol, etc. Restricting exposure to the advertising of these commercial products will protect children and young people. Especially as many Neighbourhood Centres are expected to be close to schools.
28. For these reasons, we recommend signage protections to improve the visual amenity of neighbourhood retail spaces and reduce harmful exposure to advertising among children and young people. Addressing signage may assist to increase the proportion of Aucklanders feeling a sense of pride in the way their local area looks and feels. The inequities across Local Boards in these perceptions must be addressed.

### **Recommendations to the proposed Signage Bylaw 2022**

29. Though one purpose of the proposed Signs Bylaw 2022 is to “protect the environment”, we are concerned the proposed Bylaw does not include a key purpose of the current Signage Bylaw 2015, which is “to assist in enhancing, maintaining, and promoting the visual amenity value of Auckland’s cultural character, and its built and natural environments.” This should remain a key purpose of the Signage Bylaw.

**Recommendation #1: We recommend that the proposed Signs Bylaw 2022 include the key purpose “to assist in enhancing, maintaining, and promoting the visual amenity value of Auckland’s cultural character, and its built and natural environments.”**

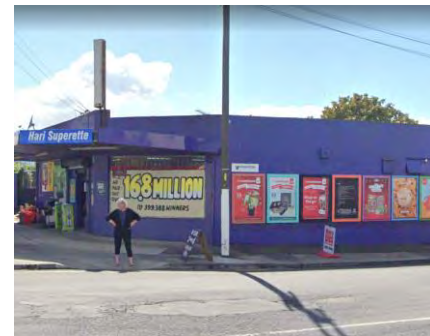
30. We believe that restrictions to three types of signage offer the greatest potential to improve the visual amenity of Neighbourhood Centres as well as reduce harm from advertising exposure. We recommend restrictions to the following types of signage as a priority:
- façade posters;
  - wall-mounted signs; and
  - bollard sleeves.
31. Each of these are described below, with recommendations to amend the proposed Bylaw. Our submission endorses the recommendations made by Communities Against Alcohol Harm. Please note that all images have been sourced from Google Street View simply to illustrate points made in the submission.

### a) Façade Posters – Neighbourhood Centre Zones

32. We are concerned that the proposed Signs Bylaw 2022 does not regulate façade posters.
33. What we mean by façade posters are temporary poster-style signs displayed on the façades of buildings or within frames attached to the façades of buildings or structures. We have often observed that the façades have been established by the premises ‘boarding over’ windows. This is especially common among dairies and small grocery stores in Neighbourhood Centre Zones. They appear to be most prominent in vulnerable communities or where higher populations of Māori and Pasifika reside. These façade posters have significant adverse effects on the visual amenity of these zones, as can be seen from the photos below.



Kingston Food Centre, Otara



Hari Superette, Papatoetoe

34. For the reasons set out below, we do not believe façade posters are ‘true’ posters, or window signs or wall-mounted signs. They appear to be unregulated under the current Signage Bylaw 2015 and nor does the proposed Signs Bylaw 2022 regulate these façade posters.
- a. Although ‘true’ posters are proposed to be regulated under clause 13 of the Signs Bylaw 2022 and are currently regulated under clause 17 of the Signage Bylaw 2015, these posters may only be displayed on a poster board approved by the Council. We understand that no poster board sites have been approved by the Council. As the prevalence of façade posters is widespread in Auckland, we believe they are not currently regulated as ‘true’ posters under the Signage Bylaw 2015 nor will they be under the Signs Bylaw 2022. Nonetheless, we agree that ‘true’ posters should be regulated under clause 13 of the Signs Bylaw 2022.
  - b. Further, although window signs are regulated under clause 10 of the proposed Signs Bylaw 2022, window signs must be on a window or on the inside of a window. What we call façade posters are neither signs on a window or on the inside of a window. They are displayed on the *exterior façades* of premises. Often the façades have been established by the premises ‘boarding over’ windows. They are not regulated under clause 10 of the proposed Signs Bylaw 2022.
  - c. Finally, although flat wall-mounted signs are regulated under clause 9 of the Signs Bylaw 2022, in almost all cases what we call façade posters cannot be wall-mounted signs because these signs must not cover any window and façade posters typically do this. Alternatively, if they are wall signs, the size and coverage of façade posters typically exceed the requirements for wall signs and must be in breach of the current Signage Bylaw 2015 and the proposed Signs Bylaw 2022.
35. As a consequence, we believe the proposed Signs Bylaw 2022 does not regulate façade posters at all, but must be amended to do so.
36. These façade poster signs are ubiquitous across Tāmaki Makaurau Auckland and significantly detract from the amenity values of neighbourhood centre zones (for example, by detracting from



the character of public places, including the characteristics of the streetscape, natural environment, landscaping and open space). They dominate views from residential homes, residential land and education facilities, and create adverse cumulative effects. They appear to be most prominent in vulnerable communities or where higher populations of Māori and Pasifika reside.

37. We ask that façade poster signs be prohibited in Neighbourhood Centre Zones. To achieve this, we ask that clause 13 of the proposed Signs Bylaw 2022 be amended as follows:

- (1) This clause applies to a poster sign, which in this Bylaw means a temporary sign fixed to a structure without the need for a supporting device and to a façade poster sign, which in this Bylaw means a temporary sign fixed to a structure or building (or within a frame fixed to a structure or building).
- (5) A person may not display a façade poster sign in a neighbourhood centre zone.

**Recommendation #2: We recommend that façade poster signs be prohibited in Neighbourhood Centre Zones.**

#### b) Exterior Wall Wraps and Vivid Building Colours – Neighbourhood Centre Zones

38. We are also concerned that the proposed Signs Bylaw 2022 does not clearly regulate exterior wall wraps or vivid building colours. What we mean by exterior wall wraps are graphic-film or vinyl advertisements affixed to a building or structure and vivid building colours are retail buildings painted in bright colours which advertise the premises and/or a product, business, franchise or service associated with the premises. These forms of signs also appear to be especially common among dairies and small grocery stores in Neighbourhood Centres Zones and in vulnerable communities or where higher populations of Maori and Pasifika reside, as can be seen in the photos below.



Sharland Superette, Mangere East  
(‘Fresh Milk’ exterior wall wrap and ‘Skinny’ orange building colour)



Gloucester Superette, Manurewa  
(Coca Cola red building colour)

39. We are concerned about the widespread use of exterior wall wraps and vivid building colours in Neighbourhood Centre Zones. In our view these are advertising signs. We believe they detract from neighbourhood amenity values, especially where the entire building (or building/hoarding) is painted in a single vivid colour. In our view, this significantly detracts from the character of public places, the characteristics of the streetscape, landscaping and open space in Neighbourhood Centre Zones. These signs dominate views from residential homes, residential land, education facilities and create adverse visual effects.



40. We ask that the use of exterior wall wraps and vivid building colours be prohibited in Neighbourhood Centre Zones. To achieve this, we ask that the definition of 'sign' in clause 5 be amended as follows:

"sign means an advertisement, message or notice conveyed using any visual medium, which advertises a product, business, service, [franchise](#), or event or acts to inform, influence or warn any person, and –

(a) includes –

- (i) the supporting device (for example frame, pole, stand or other 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, footpath, [bollard](#), road or building; and
- (iv) murals, exterior wall wraps, banners, flags, posters, balloons, blimps, sandwich board signs, projections of lights or electronic displays;

(b) to avoid doubt, does not include –

- (i) the display of goods for sale;
- (ii) displays consisting of props, mannequins, models or similar items; and
- (iii) the colour of a building, other structure or vehicle [\(except for the colour of buildings or other structures in neighbourhood centre zones\)](#).

**Recommendation #3: We recommend that exterior wall wraps and vivid building colours be prohibited in Neighbourhood Centre Zones.**

### c) Bollard Sleeves

41. We are further concerned about the widespread use of bollard sleeves with accompanying advertising, as can be seen in the photos below. Retail outlets often have many of these bollard sleeves placed on ram raid bollards outside their premises, decreasing the amenity of the local area.



Hari Superette, Papatoetoe



Central Dairy, Mangere

42. Bollards are typically placed into footpaths (or council-controlled public places) managed by Auckland Transport to reduce the risk of ram raids. Our understanding is that they are managed by Auckland Transport. These forms of signs appear to be especially common among dairies and small grocery stores in Neighbourhood Centres Zones and in vulnerable communities or where higher populations of Māori and Pasifika reside. In our view, they detract from the character of public places, the characteristics of the streetscape, landscaping and open space, especially in Neighbourhood Centre Zones.



43. We recommend that clause 11(1) of the proposed Signs Bylaw 2022 be amended so that bollard sleeves are included as a type of portable sign and prohibited.

This clause applies to portable signs, which in this Bylaw means a sign that can be readily moved (for example a sandwich board, bollard sleeve, teardrop flag, flag banner, portable ladder board, inflatable-air-dancer or similar device able to be moved by a single person using their hands or a hand trolley not propelled by mechanical power).

(4) A portable sign on a council-controlled public place in (2)(b) must comply at all times with conditions in this table – (e) Must not be displayed - [\(vii\) on a bollard](#).

**Recommendation #4: We recommend that bollard sleeves are included as a type of portable sign and are prohibited.**

## References

- 1 Allpress, J., Reid, A. Quality of Life survey 2020: results for Auckland. Auckland Council technical report, TR2021/16. Auckland, N.Z.: Auckland Council, 2021 <https://knowledgeauckland.org.nz/media/2129/tr2021-16-quality-of-life-survey-2020-results-for-auckland.pdf> (accessed Oct 20, 2021).
- 2 Auckland Council. Section 32 report on the Proposed Auckland Unitary Plan: Business. Auckland, N.Z., 2013 <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/history-unitary-plan/documentssection32reportproposedaup/2-4-business.pdf> (accessed Oct 20, 2021).
- 3 Auckland Council. Auckland Unitary Plan: H12 Business – Neighbourhood Centre Zone. Auckland, N.Z.: Auckland Council, 2021 <https://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20H%20Zones/H12%20Business%20-%20Neighbourhood%20Centre%20Zone.pdf> (accessed Oct 20, 2021).
- 4 Fairgray, S. Understanding the geographic relationships between households and retail/services centres across Auckland's urban structure: Methodology and regional structure analysis, Auckland Council Technical Report 2012/024. Auckland, N.Z., 2012.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Albert-Eden

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** the sign should be displayed five days earlier prior to the sale of goods

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

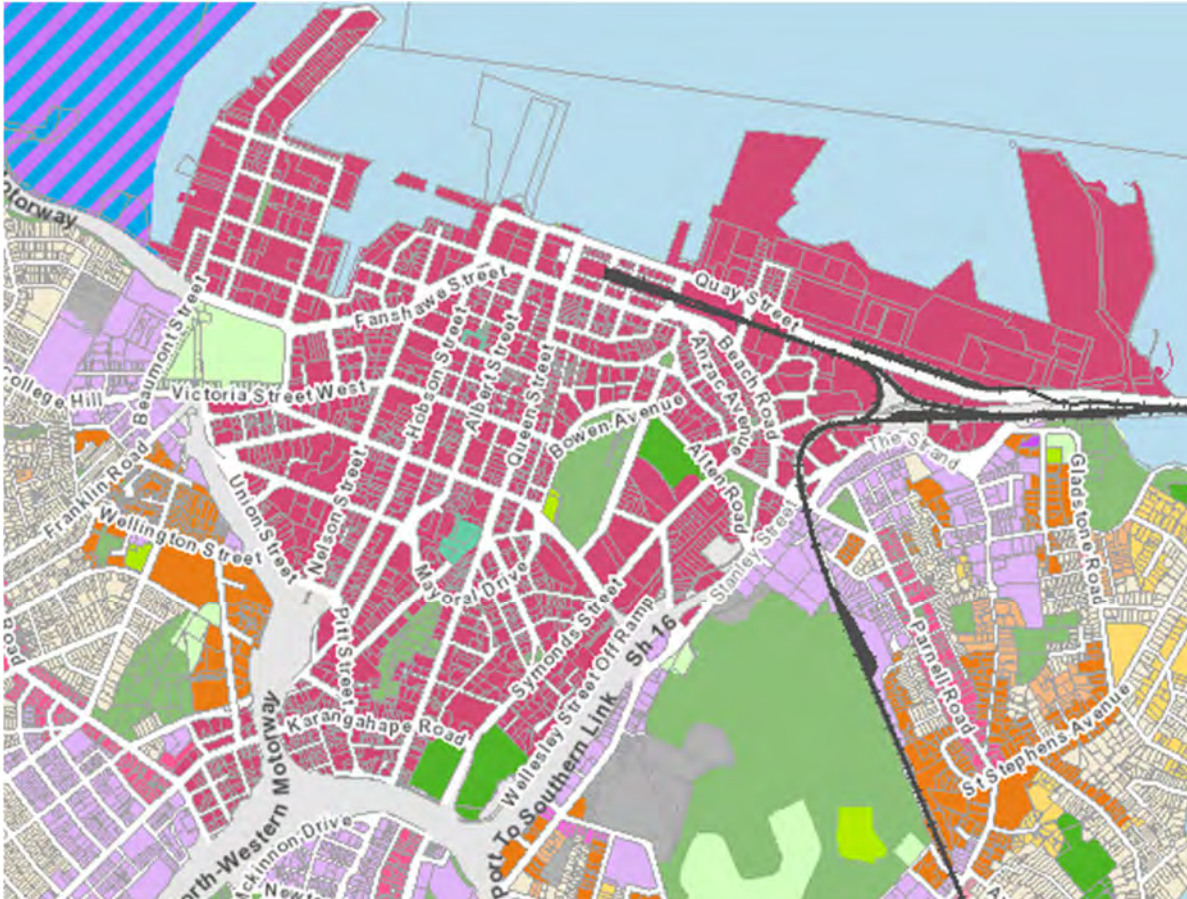
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:



- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle



- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

#### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

#### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Disagree

#### **Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

### **Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

### **What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs

- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Other

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.





27 October 2021

By email to: [alcoholsigns@aucklandcouncil.govt.nz](mailto:alcoholsigns@aucklandcouncil.govt.nz)

## Heart of the City (HOTC) Submission to Auckland Council's Proposed New Signs Bylaw

### INTRODUCTION

Heart of the City (HOTC) is the business association for Auckland's city centre and we represent the interests of businesses and property owners. We are committed to the growth and success of the city centre as a vibrant, accessible, safe and welcoming urban community.

#### Feedback:

Our feedback focuses on **Portable Signs (Clause 11.2 of the proposed new signs bylaw 2022) with the proposal to increase the current portable sign prohibited area to cover the entire City Centre Zone.**

HOTC supports the prioritisation of accessibility and amenity in the city centre and has supported previous bylaws' prohibition of portable signs in the core Central Area (most recently defined in Appendix 2 of the Auckland City Council Signs Bylaw 2007).

However, with a wide range of different street types and functions in the city centre, and as the city grows and evolves, we believe that a blanket prohibition across the wider City Centre Zone is a blunt tool that doesn't give consideration to the full context of each area within it.

We believe that a more granular and nuanced approach should be taken to the question of where portable signage is appropriate or not. This could contribute to the development of appropriate criteria for consideration, which could include footpath width, pedestrian numbers, street amenity, micro-mobility device usage, business use of the area and traffic counts.

We note that the 2020 Review Findings Report on the Signage Bylaw 2015 states that "if there is a decision to amend the current bylaw, the Karangahape Road Business Association and Heart of the City would be consulted about creating more consistent rules for portable signs across the central area." **This has not occurred.**

**Our request is that there is direct engagement with HOTC on the proposal and our proposed approach before the bylaw is finalised.**

We would also like to raise the issue of equity for businesses. With a blanket city centre prohibition there is the potential for city centre businesses to be disadvantaged compared to other business areas operating in comparable street environments in other parts of Auckland. Application of criteria as above could help to resolve this issue.

**Contact details for submission:** S7(2)(a) Privacy, Heart of the City, c/o [Tania@hotcity.co.nz](mailto:Tania@hotcity.co.nz)

### Clarification of feedback from Heart of the City

Notes by council staff from virtual meeting with Heart of the City (HoTC) representatives on 01 March 2022.

#### HoTC representatives noted:

- Appreciate need for accessible streets, need to avoid cumulative effects, that proposal attempts to clarify confusion about the extent of the ban area and that a blanket ban may be easier to enforce.
- Concerned about inequity and fairness of portable sign bans across Auckland
- Concerned about the extent of the expanded ban area, including whether it would be better to focus on core areas with high foot traffic – but appreciate the complexity of a more nuanced approach in terms of enforcement and inequity within the City Centre Zone.
- Concerned about enforcement, especially in current construction and COVID environment.
- **Would like Bylaw to clarify the fact that portable signs are allowed on publicly accessible private property within the ban area**
- **Would like to see communication of rules to business and a 12 month transition period.**
- **Would like the ban area to be easier to find on council's website**
- **HoTC happy to discuss possible communication initiatives** (including about what signs can be used to promote business)

#### Council staff noted:

- The proposal provides the framework for portable sign bans across Auckland as a Bylaw Control
- The proposal expands on the current ban in the central business district area to include areas formerly in a ban adopted by Auckland City Council.
- This ban applies to council controlled public places. There are publicly accessible spaces in the city centre zone that are private and portable signs can appear in those areas.

End



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business** Mangere-Otahuhu Local Board

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**Your local board:** Māngere-Ōtāhuhu

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Restrictions and more clearer rules for these signs.

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Election signs should be allowed on public display.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Elections signs should be allowed to be placed in certain open spaces or a park.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty

- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** There may need to be some consideration 24 hours before the event.

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Some flexibility for Youth groups or Rangitahi where the activity is a not for profit group, but they may be unregistered due to not having the capacity or capability - Vaccination Events that youth groups in South Auckland have tried to apply for funding but difficult as they are not a registered 'not for profit' group yet; sometimes a youth group or rangitahi have not

had the ability to have a formal registration as they build their capacity and need to go under an umbrella group. As part of their fundraising strategy they may do activation events, and need signage to advertise their event, so they would need to have flexibility as to where they could place their signs. It would be good for them to use election signs sites, but to help advertise their event they will need more consideration of sites.

### **Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

#### **What is your opinion on the proposal for rules for event signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Yes that provides opportunity whether local sub-regional or regional activities for local troupes.

## **4. Free-standing signs**

### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

#### **What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 5. Portable signs

### Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

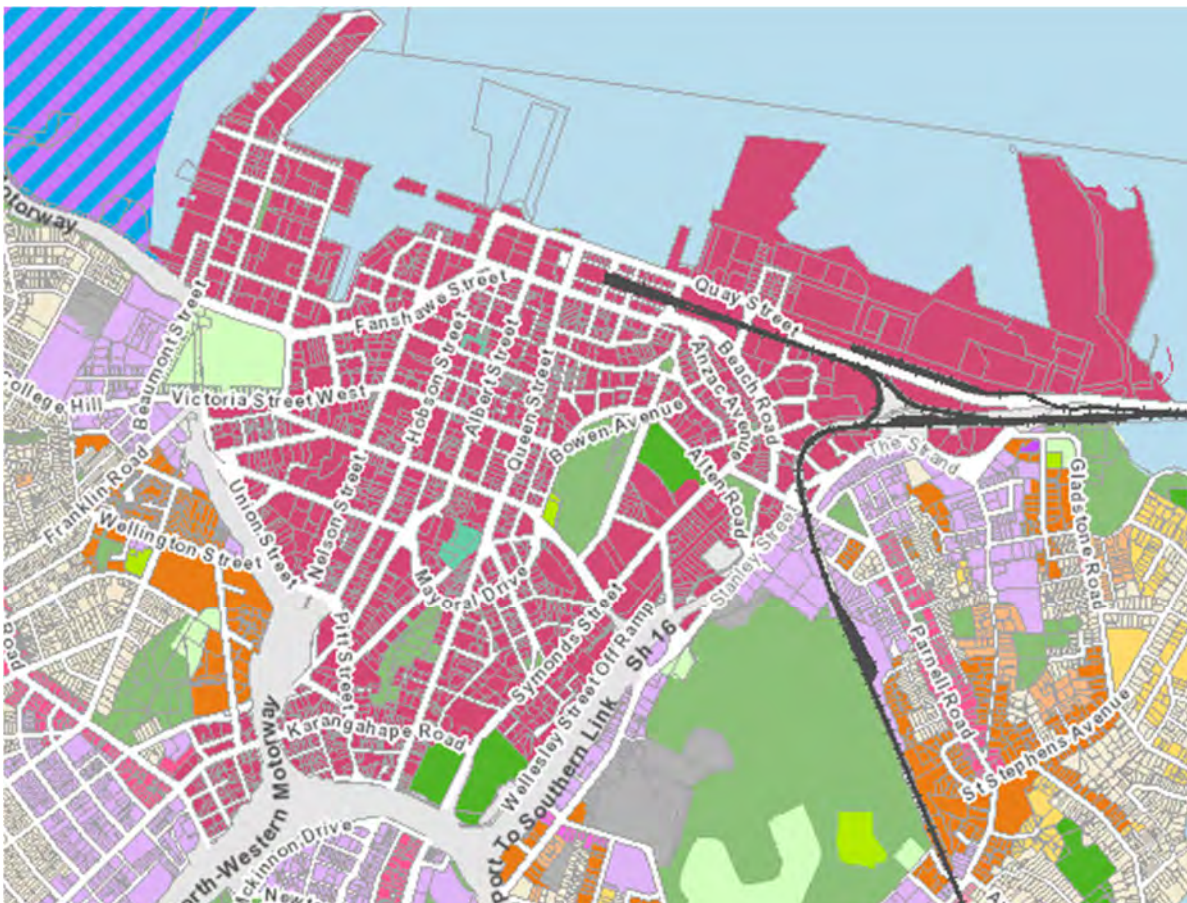
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** I don't know

**Tell us why, and if there is anything you would change?**



**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?****6. Posters****Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?****7. Real estate signs****Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Heavy Industry areas or belts need to have clear signage for businesses and residents. Large safety component needed to be placed in a good location and for those sight impaired residents or public at large.

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Not to have clutter signage, be careful of those members of public who may be distracted of this type of signage.

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences

- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Other

**Tell us why, and if there is anything you would change?** There needs to be some well thought out ideas of these areas - specific to signage near footpaths or berms where members or residents are on mobility scooters or mums with prams trying to walk safely use close by pedestrians.

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Safety at all times in the Bylaw, People need to be care ful the rules are clear and not adjust buildings to suit their signs if it is not in the Building code of that structure. If a query arises, advice from a Council official or a qualified person who understands what can be done and what cannot be done, or seek advice and not to just plonk a large sign on a large building site - safety impacts.

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Lighting pollution to the public is a factor to be taken into account. Bright lights to neighbour properties or passing public may be a distraction to a driver that could cause harm.

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** Language used must be clear, informative and easy to understand.

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**



We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

#### **What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** Other

**Tell us why, and if there is anything you would change? Ensure when these changes are made, the education is provided to the Public via Libraries and Radio messages and social media of the changes. Opportunities are also provided to Local Boards of the new changes to help push out Educational Libraries. An easy guide, if you are unclear check the rules and where to go for information either on our website, social media platforms, libraries and public gathering locations or Council venues to ensure the public understands what the Bylaw states and means. Provide contact numbers if there is a follow up query. Train Auckland Council public facing staff.**

## 17. Other feedback

#### **Do you have any other comments on the proposed Signs Bylaw?**

I have not raised but what about Maori Signage, Te Kete kete Ruku project? How is Maori signage on Public places impacted? or are there no impacts. What about Maori private places signage is there an impact? Im not sure.

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.

Name: Victoria Hearn

Email: S7(2)(a) Privacy s

Local Board: Ōtara-Papatoetoe

Organisation: Ōtara Gambling and Alcohol Action Group (OGAAG)

Date: 27 October, 2021

To: [akhaveyoursay@aucklandcouncil.govt.nz](mailto:akhaveyoursay@aucklandcouncil.govt.nz)

## **SUBMISSION TO AUCKLAND COUNCIL ON THE PROPOSED SIGNS BYLAW 2022**

1. We welcome the opportunity to make this submission to Auckland Council on the proposed Signs Bylaw 2022.
2. The visibility and dominance of signs and advertising impact community wellbeing and our sense of place. When there are too many signs and advertising or the signs are especially dominant, this adversely affects the amenity of our neighbourhoods. In turn, this impacts on our sense of pride in the way our community looks and feels.
3. Auckland Council has a mandated role to promote the social, economic, environmental, and cultural well-being of our community. The Auckland Plan recognises that the quality of our public realm is critical to our urban areas.<sup>1</sup> We believe that addressing the proliferation and nuisance of signs and advertising can assist to achieve this and ensure satisfaction with the built environment, especially at a neighbourhood level.
4. In particular, the amenity of the neighbourhood areas immediately surrounding our homes plays an important role in our sense of belonging and place. We spend considerable time in these areas, and frequently travel (by foot, cycle or car) through them. As we cannot switch off from our immediate environment (especially those of us that live directly next to retail that have signs and advertising), their design, prominence and quality are of paramount importance to us.
5. The objectives of the Auckland Unitary Plan for Neighbourhood Centre Zones are for these zones to be attractive environments, create a sense of place and be managed to avoid adverse effects on residential amenity. Policies require business activities to be of a quality and design that positively contributes to the visual quality and interest of streets and avoid adverse effects on residential amenity (having specific regard to dominance).
6. Though one purpose of the proposed Signs Bylaw 2022 is to protect the environment, we are concerned the proposed Bylaw does not include a key purpose of the current Signage Bylaw 2015, which is to assist in enhancing, maintaining, and promoting the visual amenity value of Auckland's built environments. We recommend that the proposed Signs Bylaw 2022 include this purpose.
7. We know that children in Auckland also spend considerable time in their neighbourhood areas, going to and from school and buying goods from local dairies and grocery stores. This means they are also exposed to the advertising of products harmful to health, such as alcohol, fast food and sugar-sweetened beverages prominent on the outside of these stores. We are also concerned that the level of advertising outside local dairies and grocery stores is more prominent in more vulnerable communities or where higher populations of Māori and Pasifika reside. In our view, this inequity suggests Auckland Council and Auckland Transport are failing to meet their obligations under the Treaty of Waitangi.

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<sup>1</sup> Auckland Plan, Homes and Places.

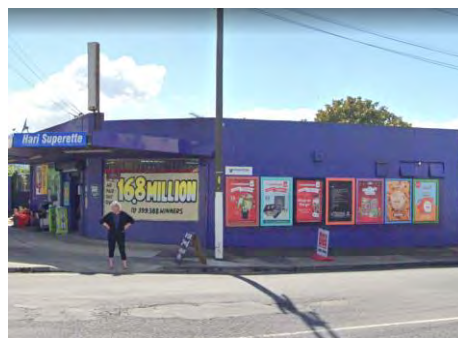
8. For these reasons, we ask for the visual amenity of our Neighbourhood Centre Zones (especially those in vulnerable communities) be given special protection in the Signs Bylaw 2022, especially to ensure these zones are attractive environments, create a sense of place and where the adverse visual effects of advertising are minimised or avoided. We believe that these areas play a significant role in the quality of life of every Auckland and must be protected from prominent and garish advertising.

#### a) Façade Posters – Neighbourhood Centre Zones

9. We are concerned that the proposed Signs Bylaw 2022 does not regulate façade posters.
10. What we mean by façade posters are temporary poster-style signs displayed on the façades of buildings or within frames attached to the façades of buildings or structures. We have often observed that the façades have been established by the premises 'boarding over' windows. This is especially common among dairies and small grocery stores in Neighbourhood Centre Zones. They are most prominent in vulnerable communities or where higher populations of Māori and Pasifika reside. These façade posters have significant adverse effects on the visual amenity of these zones, as can be seen from the photos below.



Kingston Food Centre, Otara



Hari Superette, Papatoetoe

11. For the reasons set out below, we do not believe façade posters are 'true' posters, or window signs or wall-mounted signs. They appear to be unregulated under the current Signage Bylaw 2015 and nor does the proposed Signs Bylaw 2022 regulate these façade posters.
- Although 'true' posters are proposed to be regulated under clause 13 of the Signs Bylaw 2022 and are currently regulated under clause 17 of the Signage Bylaw 2015, these posters may only be displayed on a poster board approved by the Council. We understand that no poster board sites have been approved by the Council. As the prevalence of façade posters is widespread in Auckland, we believe they are not currently regulated as 'true' posters under the Signage Bylaw 2015 nor will they be under the Signs Bylaw 2022. Nonetheless, we agree that 'true' posters should be regulated under clause 13 of the Signs Bylaw 2022.
  - Further, although window signs are regulated under clause 10 of the proposed Signs Bylaw 2022, window signs must be on a window or on the inside of a window. What we call façade posters are neither signs on a window or on the inside of a window. They are displayed on the *exterior façades* of premises. Often the façades have been established by the premises 'boarding over' windows. They are not regulated under clause 10 of the proposed Signs Bylaw 2022.
  - Finally, although flat wall-mounted signs are regulated under clause 9 of the Signs Bylaw 2022, in almost all cases what we call façade posters cannot be wall-mounted signs because these signs must not cover any window and façade posters typically do this. Alternatively, if they are wall signs, the size and coverage of façade posters typically exceed the requirements



for wall signs and must be in breach of the current Signage Bylaw 2015 and the proposed Signs Bylaw 2022.

12. As a consequence, we believe the proposed Signs Bylaw 2022 does not regulate façade posters at all, but must be amended to do so.
13. These façade poster signs are ubiquitous across Auckland and significantly detract from the amenity values of neighbourhood centre zones (for example, by detracting from the character of public places, including the characteristics of the streetscape, natural environment, landscaping and open space). They dominate views from our homes, residential land and education facilities, and create adverse cumulative effects. They are most prominent in vulnerable communities or where higher populations of Māori and Pasifika reside.
14. We ask that façade poster signs be prohibited in Neighbourhood Centre Zones. To achieve this, we ask that clause 13 of the proposed Signs Bylaw 2022 be amended as follows:

(1) This clause applies to a poster sign, which in this Bylaw means a temporary sign fixed to a structure without the need for a supporting device and to a façade poster sign, which in this Bylaw means a temporary sign fixed to a structure or building (or within a frame fixed to a structure or building).

(5) A person may not display a façade poster sign in a neighbourhood centre zone.

#### b) Exterior Wall Wraps and Vivid Building Colours – Neighbourhood Centre Zones

15. We are also concerned that the proposed Signs Bylaw 2022 does not clearly regulate exterior wall wraps or vivid building colours. What we mean by exterior wall wraps are graphic-film or vinyl advertisements affixed to a building or structure and vivid building colours are retail buildings painted in bright colours which advertise the premises and/or a product, business, franchise or service associated with the premises. These forms of signs are especially common among dairies and small grocery stores in Neighbourhood Centres Zones and in vulnerable communities or where higher populations of Māori and Pasifika reside, as can be seen in the photos below.



Sharland Superette, Mangere East  
(‘Fresh Milk’ exterior wall wrap and ‘Skinny’ orange building colour)



Gloucester Superette, Manurewa  
(Coca Cola red building colour)

16. We are concerned about the widespread use of exterior wall wraps and vivid building colours in Neighbourhood Centre Zones. In our view these are advertising signs. We believe they detract from neighbourhood amenity values, especially where the entire building (or building/hoarding) is painted in a single vivid colour. In our view, this significantly detracts from the character of public places, the characteristics of the streetscape, landscaping and open space in Neighbourhood



Centre Zones. These signs dominate views from our homes, residential land, education facilities and create adverse visual effects.

17. We ask that the use of exterior wall wraps and vivid building colours be prohibited in Neighbourhood Centre Zones. To achieve this, we ask that the definition of 'sign' in clause 5 be amended as follows:

"sign means an advertisement, message or notice conveyed using any visual medium, which advertises a product, business, service, [franchise](#), or event or acts to inform, influence or warn any person, and –

(a) includes –

- (i) the supporting device (for example frame, pole, stand or other 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, footpath, [bollard](#), road or building; and
- (iv) murals, exterior wall wraps, banners, flags, posters, balloons, blimps, sandwich board signs, projections of lights or electronic displays;

(b) to avoid doubt, does not include –

- (i) the display of goods for sale;
- (ii) displays consisting of props, mannequins, models or similar items; and
- (iii) the colour of a building, other structure or vehicle [\(except for the colour of buildings or other structures in neighbourhood centre zones\)](#).

### c) Bollard Sleeves

18. We are further concerned about the widespread use of bollard sleeves with accompanying advertising, as can be seen in the photos below. Retail outlets often have many of these bollard sleeves placed on ram raid bollards outside their premises, decreasing the amenity of the local area.



Hari Superette, Papatoetoe



Central Dairy, Mangere

19. Bollards are typically placed into footpaths (or council-controlled public places) managed by Auckland Transport to reduce the risk of ram raids. Our understanding is that they are managed by Auckland Transport. These forms of signs are especially common among dairies and small grocery stores in Neighbourhood Centres Zones and in vulnerable communities or where higher populations of Māori and Pasifika reside. In our view, they detract from the character of public

places, the characteristics of the streetscape, landscaping and open space, especially in Neighbourhood Centre Zones.

20. We recommend that clause 11(1) of the proposed Signs Bylaw 2022 be amended so that bollard sleeves are included as a type of portable sign and prohibited.

This clause applies to portable signs, which in this Bylaw means a sign that can be readily moved (for example a sandwich board, bollard sleeve, teardrop flag, flag banner, portable ladder board, inflatable-air-dancer or similar device able to be moved by a single person using their hands or a hand trolley not propelled by mechanical power).

(4) A portable sign on a council-controlled public place in (2)(b) must comply at all times with conditions in this table – (e) Must not be displayed - [\(vii\) on a bollard](#).

Kind regards,



Victoria Hearn

Ōtara Gambling and Alcohol Action Group

s7(2)(a) Privacy



Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland  
1142

To whom it may concern,

OOHMAA is a non-profit industry body uniting New Zealand's largest 'Out of Home' Media companies, and is focused on leadership, standardisation, and innovation. Our members include out-of-home media operators (JCDecaux, oOh!media, MediaWorks, Media 5, Ad-vantage Media, Vast and Bekon Media), and a range of organisations which are affiliated or support the industry overall. The members of OOHMAA collectively contribute up to 76% of the total industry revenue.

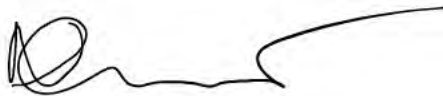
OOHMAA is the successor to the Outdoor Media Association of New Zealand (OMANZ), which was integrally involved in the promulgation of the provisions for signs and billboards in the Auckland Unitary Plan during the hearings process, and has been involved in previous Auckland Council bylaw reviews. OOHMAA and its members are regularly involved in plan-making processes, to ensure that any regulation is workable and will result in good outcomes for everyone.

OOHMAA has sought independent advice regarding the proposed Signs Bylaw, and is pleased to see that the proposed Signs Bylaw will specifically continue to exclude from its scope billboards (i.e., signs that contain third party advertising) and signs that are integrated with street furniture. This is consistent with the status quo (of the current Signs Bylaw 2015), which OOHMAA has advocated for a number of years. OOHMAA supports the principle of retaining the status quo, whereby billboards are regulated by the Auckland Unitary Plan, for these reasons:

- The Resource Management Act 1991 is New Zealand's principal environmental legislation; it carries with it sophisticated and democratic policy and plan making processes for the management of the effects of activities on the environment.
- RMA processes are more appropriate and inherently fairer than the processes associated with the development (and implementation) of bylaws and result in the development of better quality planning instruments.
- The principal effects associated with outdoor media relate to amenity considerations and traffic safety. The RMA provides a more transparent process both for establishing a robust policy framework for governing outdoor media and for dealing with individual proposals. For that reason, control of billboards (and signs generally) and their integration as a component of the urban environment by way of District Plans is a practice common to the majority of local authorities nationwide.
- While not without its' faults, the Auckland Unitary Plan provides certainty as to process and scope of assessments, avoids ambiguity as to jurisdictional issues, provides flexibility and enables an integrated consideration of the effects of signs.
- A separate process (such as a bylaw) dealing with outdoor media cannot operate without reference to the zoning framework in the district plan, which underpins the appropriateness of having all policy and controls in the same instrument (the Auckland Unitary Plan) to eliminate confusion and double handling (and related inefficiencies) in considering proposals for outdoor advertising.
- The RMA also provides a more appropriate means of dealing with individual proposals, including the potential for participation by third parties where appropriate and the ability to appeal to the Environment Court, the potential for which improves the quality of first instance decision making due to the knowledge that the decision can be tested.

For context to the reasons listed above, recently, a number of individual proposals for billboards have been subject to rigorous resource consent and (in some instances) notified hearings processes. While OOHMAA does not suggest that the rigour of these processes or the need for hearings have always been justified, they have enabled the applicants (and third parties) to present its case in front of independent decision-makers who have then arrived at a decision which can subsequently be challenged. This process is inherently fairer than a process under a bylaw, which accrues all decision making powers with Auckland Council (and Auckland Transport), and provides no ready recourse for a questionable or incorrect decision to be revisited.

OOHMAA would like to thank the Council officers and the Governing Body for considering this feedback.



Natasha O'Connor  
General Manager  
OOHMAA



27 October 2021

Anthony Blomfield  
E-mail: [ablomfield@bentley.co.nz](mailto:ablomfield@bentley.co.nz)  
Job No: 17092.1

**Auckland Council**  
**Private Bag 92300**  
**Wellesley Street**  
**Auckland 1142**

Attention: Auckland Council Bylaws Team

To whom it may concern

**RE: Feedback on Proposed Signs Bylaw by oOh!media New Zealand Limited**

Our client, oOh!media New Zealand Limited (“oOh!”) has engaged us to provide feedback to the Auckland Council on the proposed new Signs Bylaw, which will replace the current Signs Bylaw 2015.

oOh! is a provider of commercial outdoor advertising on bus and pedestrian shelters throughout New Zealand, and has existing contracts with several territorial authorities which enable oOh! to provide such services (typically) within the road reserve. oOh! is the successor to ‘Adshel’ which commenced operations in New Zealand in 1999, and cultivated a portfolio of over 3,300 advertising panels on the street nationally. oOh! acquired Adshel in 2018, and has continued to develop the portfolio of street furniture and advertising.

oOh! underpins its commercial activity through the provision of high quality street furniture supported by an operational function, inclusive of thorough maintenance and cleaning regimes. The model is self-funded by the revenue generated by the sale of advertising space on the national street furniture network, such that the furniture and cleaning and maintenance services, are provided at no charge to the Council or ratepayers.

oOh! is a contractual partner to Auckland Transport and provides bus shelter infrastructure and other assets, including advertising signs, throughout the Auckland Region.

**Feedback on Proposed Signs Bylaw**

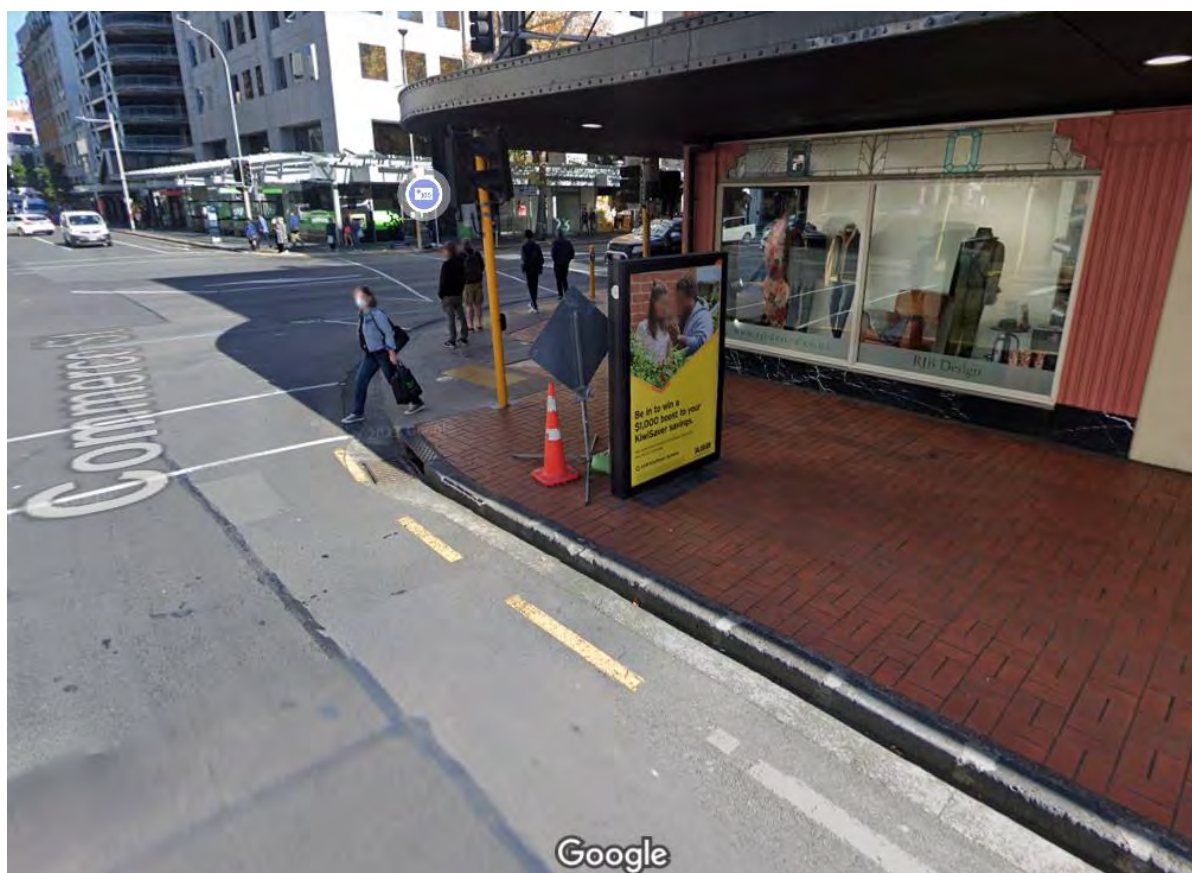
oOh! is a member of the Out Of Home Media Association Aotearoa (“OOHMAA”). oOh! supports the feedback made by OOHMAA on the Proposed Signs Bylaw, which is in support of the continued exclusion of ‘billboards’ from the Signs Bylaw (as per the current 2015 Bylaw).

**BENTLEY & Co**

For the same reasons that are provided in OOHMAA's feedback, oOh! also supports the continued exclusion of advertising (billboard) signs which are an integrated component of street furniture from the Proposed Signs Bylaw, as per Clause 6(2)(1). Such signs are currently regulated by the Auckland Unitary Plan, and it is appropriate and efficient to maintain this arrangement to avoid a 'doubling up' of regulatory processes and associated costs.

oOh!'s portfolio also includes free-standing billboard signage units within the road reserve in Auckland's CBD. These units are not integrated directly with street furniture, but provide general advertising to fund the entire bus shelter network in the territory. The units also provide general information for wayfinding and/or for public transport users. oOh! has recently obtained resource consent to replace one of these existing free-standing units with a digital screen, which will be utilised initially to provide a combination of advertising and displaying content from Urban Art (a not-for-profit organisation that brings artwork from the archives onto the street for the public's enjoyment) and as a pilot for digital interactive wayfinding and general information (pending Auckland Transport's agreement).

An example of one of oOh!'s free-standing billboard signage units is shown in the images below.





Images 1 and 2. Existing free-standing unit operated by oOh! on Commerce Street, Britomart, showing advertising on one side of the unit (Image 1) and public transport route information on the opposite side of the unit (Image 2)

A ‘gap’ has been identified in the Proposed Signs Bylaw in respect of how these types of billboard signs are referenced. Clause 6(2) of the Proposed Signs Bylaw provides exclusions for specified types of signs, including:

- (1) billboards (a sign not directly related to the primary use or activities occurring on the site of the sign) regulated in the Auckland Unitary Plan except for –
  - (a) signs about commercial sexual services in clause 22 of this Bylaw; and
  - (b) portable, stencil, poster, banner, flag, real estate, vehicle, event and election signs as defined in relevant clauses in Part 2 of this Bylaw;

Critically, the clause above describes a billboard as being a sign which is not directly related to the primary use or activities occurring on the site of the sign. ‘Site’ as defined under the Auckland Unitary Plan, is limited to land held within a Record of Title and does not include the road reserve.

As explained above, these free-standing billboard signs are currently regulated by the Auckland Unitary Plan, which requires a resource consent for such billboards. oOh! supports the current arrangement whereby free-standing advertising billboards in the road reserve are subject to a resource consent process, for the same reasons specified in OOHMAA’s feedback

BENTLEY &amp; Co

(which relates to billboards generally). In this respect, oOh! requests that the Proposed Signs Bylaw is amended to exclude these types of billboards, in order to maintain the 'status quo'. oOh! considers that these billboard types are distinct from other free-standing 'signs' in the road, which are typically related to adjacent premises (such as sandwich board signs) or public events.

### Specific Relief Sought

To address the issue described above, oOh! requests the following underlined amendment to Clause 6(2)(b) of the Proposed Signs Bylaw:

- (2) However, (1) does not apply to –
- (a) ...
  - (b) billboards (a sign not directly related to the primary use or activities occurring on the site of the sign, or a sign in the road reserve which displays 'third party' advertising which is not directly related to the function of the road reserve) regulated in the Auckland Unitary Plan except for –
    - (i) signs about commercial sexual services in clause 22 of this Bylaw; and
    - (ii) portable, stencil, poster, banner, flag, real estate, vehicle, event and election signs as defined in relevant clauses in Part 2 of this Bylaw;

oOh! would welcome the opportunity to discuss its feedback and the relief sought, and/or to present its feedback to the Council's Governing Body.

Yours faithfully,  
**BENTLEY & CO. LTD**



**Anthony Blomfield**  
**Resource Management Planner**

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# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business** DROWNING PREVENTION AUCKLAND

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**Your local board:** Waitemata

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** We recommend that the Australia New Zealand Water Safety standard AS/NZS 2416.3:2010 be used to develop free standing signs in and around water environments.

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

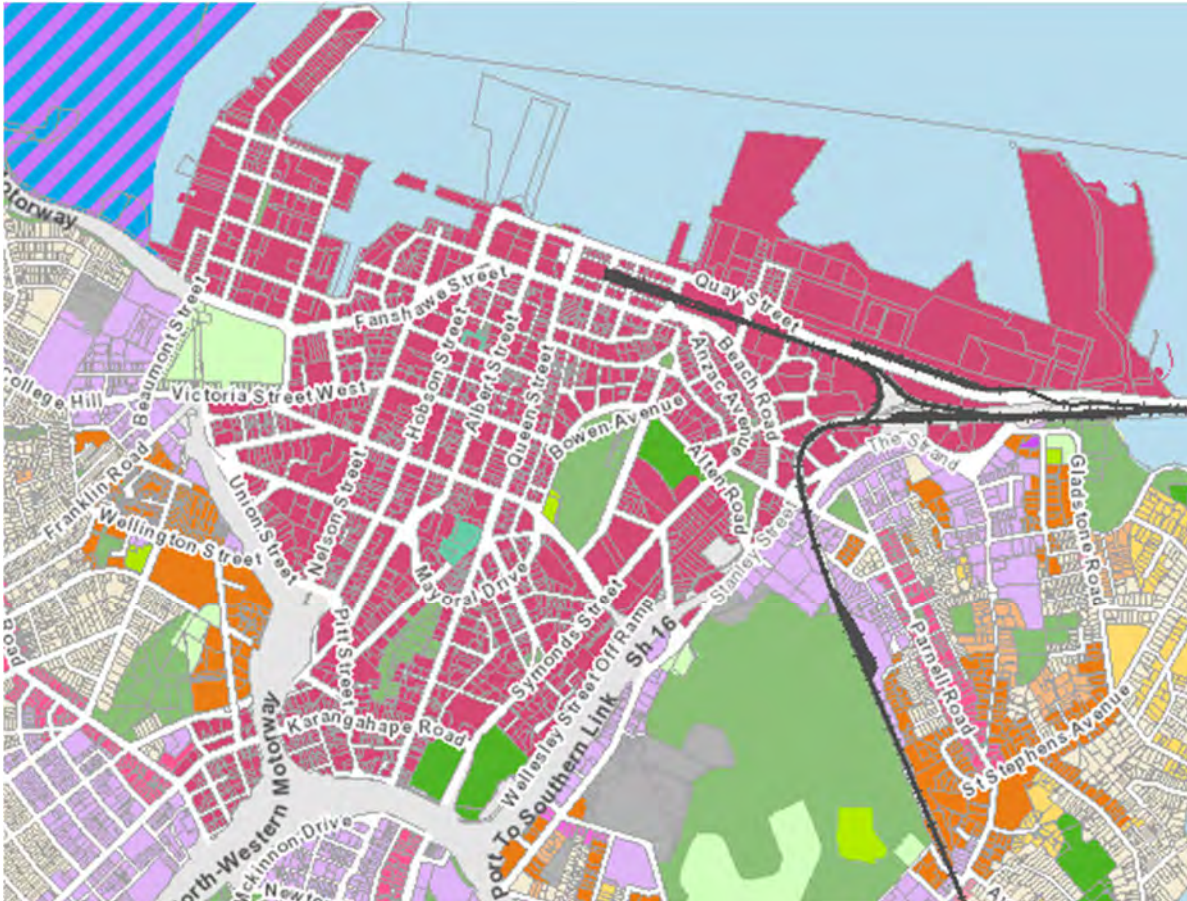
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** We recommend that the Australia New Zealand Water Safety standard AS/NZS 2416.3:2010 be used to develop free standing signage located in open spaces (21) in and water environments.

## 6. Posters

### **Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

### **What is your opinion on the proposed rules for posters?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 7. Real estate signs

### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24



- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** I don't know

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** We recommend that the Australia New Zealand Water Safety standard AS/NZS 2416.3:2010 be used to develop wall-mounted signage located in open spaces (21) in and water environments where applicable.



## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

**What is your opinion on the proposed rules about safety?**

**Response:**Other

**Tell us why, and if there is anything you would change?** We recommend that the Australia New Zealand Water Safety standard AS/NZS 2416.3:2010 be used to inform decisions pertaining to signage located in open spaces (21) in and water environments where applicable. In particular in 24- 2a. and b. and 25- 2a., b., and c.

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not ‘shimmer’ or ‘sparkle’ (cl 27)
- luminance rules apply between ‘sunset and sunrise’ (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from ‘three calendar months’ to ‘60 working days’, to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**15. Controls (additional rules) and Approvals (permissions)**

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

We recommend that the Australia New Zealand Water Safety standard AS/NZS 2416.3:2010 be used to inform decisions pertaining to signage located in open spaces (21) in and water environments where applicable. In particular in 24- 2a. and b. and 25- 2a., b., and c.

**Note:** *We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](http://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business** Auckland Arts Festival

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**Your local board:** Ōrākei

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal:** Clarify current rules, including the definition and separation distances for free-standing signs

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 5. Portable signs

**Proposal A:** Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

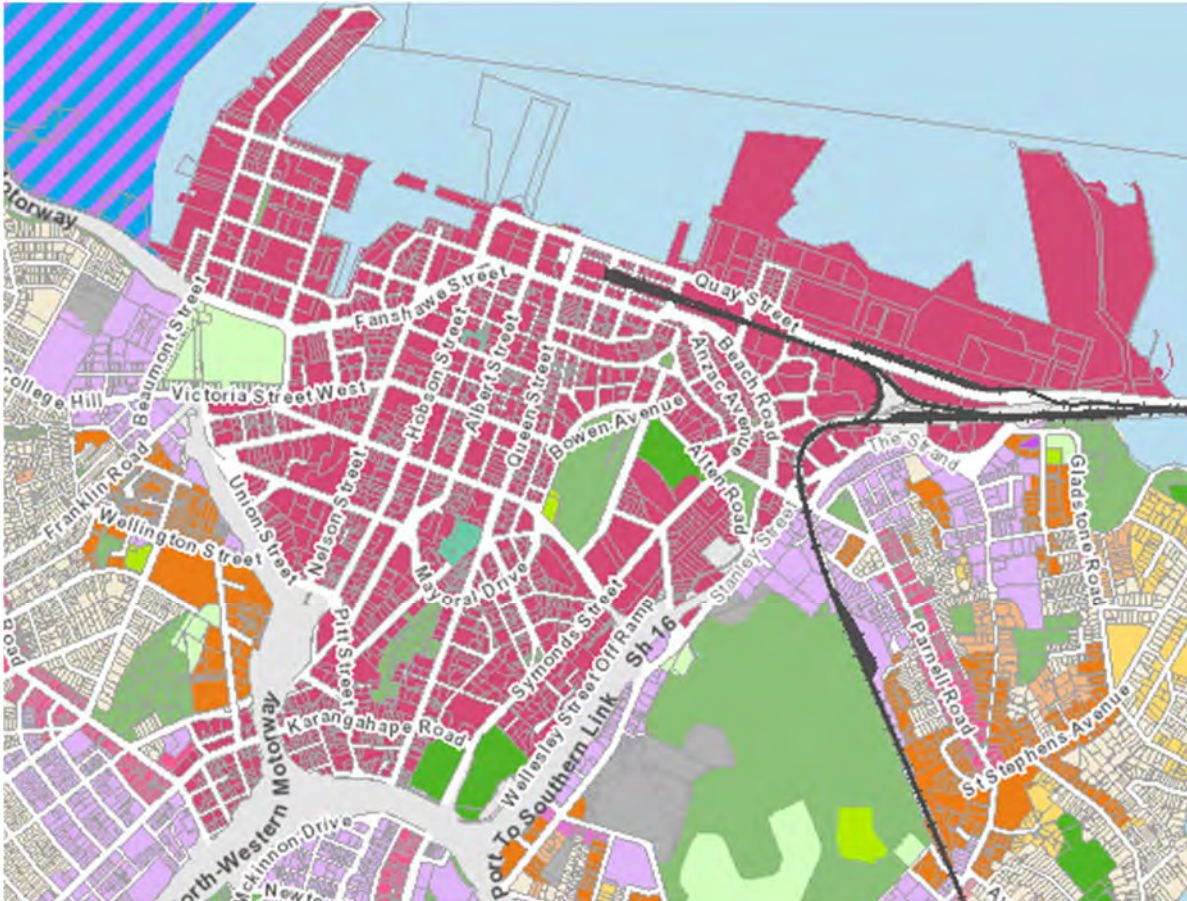
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 6. Posters

**Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** We have concerns that changes to the plan will reduce space available to arts organizations to promote their productions. This affects arts organizations of all sizes from the independent sector through to national organizations. Auckland Arts Festival uses the services of Phantom Bill stickers and posters have been (and continue to be) a key outdoor marketing format for multiple festival events every year.

While alternative outdoor methods are available these are often limited by cost ( eg Adshels dropped 4 years ago as priced out of the market). Phantom also targets areas that have high (and event relevant) foot traffic. Super posters have been a key part of all recent AAF campaigns - allowing multiple shows to be marketed adjacent to each other. In a rich and diverse events/arts market.

Street posters are often a story telling medium: By restricting the length of the story to 5 frames it will reduce the narrative and message we can take to the streets. This would effectively mean that we'd be unable to deliver displays like "Spoken Walls" for AAF 2022, a major project with South Auckland Poets Collective supported by Phantom, in the future.

Unlike cities such as Melbourne and Sydney ( and Wellington) there is already limited space for promotion of arts events through posters. Any reduction in space will have the potential to restrict the availability of this type of advertising to arts and entertainment customers.

We support the retention of the current signage plan in relation to poster boards.

## 7. Real estate signs

**Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



## 9. Vehicle signs

**Proposal:** Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal:** Clarify the current rules, including the definition of verandah

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A:** Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify the current rules, including locations, separation distances and dimensions

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

**What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

[Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.](#)

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**



**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

**What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

**What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

**Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)

- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (cl 24)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (cl 25)

**What is your opinion on the proposed rules about safety?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays

- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

**Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

**What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

**Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

**Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.

We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



## SUBMISSION ON PROPOSED NEW SIGNS BYLAW

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 Auckland 1021

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## SUBMISSION ON PROVISIONS OF THE PROPOSED SIGNS BYLAW 2022

Phantom Billstickers Limited (**Phantom**) is grateful for the opportunity to provide feedback on the review of the Signs Bylaw (**Proposed Bylaw**). Phantom supports the stated intention of the review of the Proposed Bylaw in relation to posters: to “clarify current rules” and “provide rules that reflect current practice”.<sup>1</sup>

However, Phantom is compelled to make this submission as there are aspects of the Proposed Bylaw that are unclear and depart from the current practice that has generally been working to date.

This submission seeks amendments to the Proposed Bylaw to improve its clarity and to ensure that it is the most appropriate form of regulation in relation to posters.

If a hearing is held, Phantom would like the opportunity to be heard in support of its submission.

### Background

Phantom is proudly a New Zealand owned company, headquartered in Auckland. Phantom was founded in 1982 by Jim Wilson who, four decades later, still owns Phantom. Phantom was started with a bundle of posters for upcoming live music gigs, a bucket of paste, and a brush, and has grown into an iconic sight on streets across New Zealand.

Phantom prides itself on having invented the modern street poster business in New Zealand and leading the way with best practice. With its council-approved sites, payments to property owners, and professional maintenance, Phantom is well regarded throughout the country. These days, our clients’ posters sit proud in Phantom’s iconic colourful, custom-made frames.

Phantom has worked closely with Auckland Council (and its predecessor councils) on regulation of posters throughout the city and has been involved with signs bylaws since the first Auckland City Council signage bylaw was made in 2007 (which was the first bylaw to regulate street posters). Phantom has a good working relationship with Auckland Council and has found that the Signage Bylaw 2015, while not perfect, has generally been applied in a fair and pragmatic way.

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<sup>1</sup> Signs Bylaw Feedback Form at page 10.

## Summary

1. Phantom has identified a number of issues with the Proposed Bylaw and seeks amendments in response:
  - a. **Purpose** – the purpose of the Proposed Bylaw has an unbalanced focus and responds only to the negative impacts of poorly located and managed signage. Phantom seeks amendments to provide balance and recognise the benefit that signage can have.
  - b. **Uncertainty** – the Proposed Bylaw introduces uncertainty through imprecise definition of key terms relating to posters. Phantom seeks that the definitions are clarified.
  - c. **Restrictions on poster size and location** – the Proposed Bylaw introduces restrictions on poster sign and poster board sizes, and restricts new poster boards being approved facing residential zones. The changes are a significant departure from the Signage Bylaw 2015, which are not justified and are unreasonable. Phantom seeks changes to these provisions.
  - d. **Consideration of applications** – the Proposed Bylaw details the matters that can be considered when approvals are sought (including for poster boards). Phantom seeks that the matters include the positive effects of the proposed signage, along with the other criteria.
  - e. **Savings provisions** – the Proposed Bylaw’s savings provisions appear to intend to protect all existing poster board approvals, however, the provisions could be clearer. Phantom seeks clarification or an assurance that its existing sites are protected.
  - f. **Restriction on transfer** – the Proposed Bylaw introduces a restriction on the transfer of approvals under the Bylaw. This is a significant change that is likely to have substantial impacts on businesses, particularly poster businesses who have invested significantly in obtaining approvals for poster boards. Phantom seeks that the restriction is removed or amended to exclude poster boards.
  - g. **Election and event signs** – the Proposed Bylaw relaxes the regulation of election and event signs, which Phantom considers will lead to poor amenity and environmental outcomes and will be difficult to enforce. Phantom seeks that the Council instead consider establishing dedicated sites for community event signage that is appropriately operated and curated.
  - h. **Arts and entertainment industry** – the Proposed Bylaw treats all types of signage and posters equally. Phantom considers that there is good justification for enabling poster signage for the arts and entertainment industry, in proximity to areas that service that industry. Phantom seeks that the Council consider providing an enabling regime for approving poster boards for that purpose.

## Power to make bylaws

2. When making bylaws under the Local Government Act 2002 (**LGA**), the Council must be satisfied that a bylaw is the most appropriate way of addressing a perceived problem. If a bylaw is the most appropriate solution, the Council must then consider whether the particular form of bylaw is most appropriate and also consider whether there are any implications arising under the New Zealand Bill of Rights Act 1990.

3. The issues addressed below stem from Phantom’s view that parts of the Proposed Bylaw are not in the most appropriate form or do not respond to any actual or perceived problem.

### **Specific issues**

4. Phantom’s specific issues with the provisions are set out below.

#### *Purpose*

5. The purpose of the Proposed Bylaw is expressed differently to its predecessors. The Signage Bylaw 2015 recognised the positive contributions that signage can make, including economic benefits and enhancing visual amenity value in Auckland, as well as addressing the negative impacts of poorly located or managed signage. The Proposed Bylaw’s focus is solely on the negative – it does not include reference to the benefit that signage can bring.
6. Phantom considers that this change is problematic as it does not provide balance and fails to recognise the positive contribution that signage (including poster signs) can make.
7. Phantom seeks that the purpose is amended to recognise the benefits of signage, including economic and visual amenity benefits, as well as a providing a medium that connects users to a wide segment of the community.

#### *Uncertainty relating to regulation of posters*

8. The Proposed Bylaw refers to “posters”, “poster signs” and “poster boards”.
9. Phantom seeks clarification of these terms:
  - a. The terms “poster” and “poster sign” appear to be used interchangeably, however, only “poster sign” is defined.<sup>2</sup> The Proposed Bylaw should be reviewed to avoid any suggestion that a “poster” is different from a “poster sign”.
  - b. The term “poster board” is not expressly defined, however, an indication of the coverage of the term is provided in clause 13(4) of the Proposed Bylaw. If that clause is the intended definition (being “a structure intended for the display of posters, including a board, poster bollard or pole wrap”) that should be clarified in clause 5 or clause 13(1)

#### *Limits on size, number and location of posters*

10. Poster signage and poster boards are regulated under clause 17 of the Signage Bylaw 2015. That clause provides that posters must not exceed:
  - a. A1 size, when displayed in a window;<sup>3</sup> and
  - b. 6m<sup>2</sup> (5A0), when displayed on a poster board or poster bollard.<sup>4</sup>
11. The industry standard poster size for display on a poster board is Max A0, being 1320mm x 920mm. The Signage Bylaw 2015 enables five Max A0 posters within its size limit.

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<sup>2</sup> In clause 5 of the Proposed Bylaw by reference to clause 13(1).

<sup>3</sup> Clause 17(2)(a).

<sup>4</sup> Clause 17(2)(b).



12. The Signage Bylaw 2015 further provides that the surface area available for posters must not exceed:
  - a. 6m<sup>2</sup> for poster boards;<sup>5</sup> and
  - b. 12m<sup>2</sup> for poster bollards.<sup>6</sup>
13. In Phantom's experience these historic size and surface areas have generally struck a good balance.
14. Under the Proposed Bylaw, the poster sign size restrictions have been retained. However, changes have been made to the surface area available for poster boards. Clause 34 of the Proposed Bylaw addresses the process for approving new poster board sites. It provides that applications may generally be granted or declined (subject to the considerations in clause 33), however, clause 34(2) provides that a new poster board site may only be granted if it:
  - a. complies with the size rules for wall-mounted signs in clause 9; and
  - b. does not directly face a Residential Zone.
15. This is a significant change.
16. The size rules for wall-mounted signs in clause 9 are complex and vary from as small as 0.33m<sup>2</sup> to as large as 40m<sup>2</sup> (as well as specifying maximum heights and in some cases maximum cumulative area controls). While the size rules may be appropriate for wall-mounted signs, the wall-mounted signs provisions address different issues:
  - a. Wall-mounted signs are generally permanent (whereas posters regularly change) and wall-mounted signs must only advertise products, services, goods and events taking place on the site.
  - b. Posters may only be displayed on an approved poster board (over which the Council maintains regulatory control), whereas wall-mounted signs can be displayed as of right.
  - c. There is an important difference in the market served by posters. Posters are relied on heavily by the arts and entertainment industry. Such posters provide a different aesthetic and visual amenity that is often a welcome respite from the utilitarian monotony of wall-mounted signs advertising the business based on that site.
  - d. Posters are intrinsic to the cultural heritage of cities (including Auckland) and posters provide the only affordable real-world platform for artists wishing to engage with the community.
17. Under the Proposed Bylaw, the restriction on facing Residential Zones applies only to poster boards and vertical banner signs.<sup>7</sup> The restriction on vertical banner signs has been carried over from the Signage Bylaw 2015. Phantom cannot understand the possible justification for preventing poster boards facing residential zones when almost all other forms of signage can face such zones without restriction.
18. In terms of justification, Phantom and its advisors have been unable to find any assessment in the Proposed Bylaw's Statement of Proposal, Detailed Options Report, High Level Options Report or Findings Report for this significant change to

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<sup>5</sup> Clause 17(3)(a).

<sup>6</sup> Clause 17(3)(b).

<sup>7</sup> Clauses 14(3) and 34(2).

poster board approvals. To the contrary, Phantom has been informed by the Council that it does not receive complaints about Phantom's poster signage.

19. The changes have the potential to have a significant impact on Phantom's business. To make these changes without clearly signalling them in the consultation material and without providing clear justification is unreasonable and inconsistent with the Council's consultation obligations under the LGA. Further, Phantom submits that the changes do not address any actual or perceived problem and are not the most appropriate form for the Proposed Bylaw to take.
20. Finally, the proposed restriction on poster signage facing residential zones is likely to become more restrictive over time. As the Council moves to implement the National Policy Statement for Urban Development 2020 (which requires the densification of urban centres), additional areas may come under restriction.
21. In terms of the most appropriate size for poster signage, if the reference to wall-mounted signs size rules is removed, the Proposed Bylaw infers that no more than five posters can be placed in a single area. This is because the industry standard poster size is Max A0 (approximately 1.2m<sup>2</sup>) and the size limit is 6m<sup>2</sup>. This can result in poor aesthetic and amenity outcomes as an uneven number of posters generally looks less harmonious than an even number. Phantom submits that enabling up to eight Max A0 posters would be a more appropriate approach, particularly given that any poster board site would still require Council approval (which may be granted subject to conditions).
22. Phantom seeks that:
  - a. clause 34(2) of the Proposed Bylaw is deleted and instead the approval process provided by clauses 33, 34 and 35 is used to determine the appropriate size and location for any particular poster board; and
  - b. clause 13(3) of the Proposed Bylaw is amended to enable eight Max A0 posters as a permitted activity (subject to display on an approved poster board).

#### *Consideration of applications*

23. Clause 33(2) of the Proposed Bylaw provides the matters that may be considered when the Council determines applications for approval (including applications for new poster boards).
24. The criteria are similar to those under the Signs Bylaw 2015 and Phantom generally takes no issues with those criteria. However, the criteria do not allow consideration of the benefits that the application may bring. Phantom considers that the positive effects of a proposal are relevant to the Council's decision and should be expressly provided for.
25. Phantom seeks that clause 33(2) of the Proposed Bylaw is amended to add a criterion (j) as follows (or words to similar effect):
  - (j) The positive effects of the activity.

#### *Savings provisions*

26. Part 5 of the Proposed Bylaw provides its savings and transitional provisions:
  - a. clause 43 clarifies that Part 5 applies to existing signs, displayed at the commencement of the Proposed Bylaw;

- b. clause 44 provides that existing signs may continue to be displayed (if certain requirements are met), however, clause 44 expressly does not apply to posters; and
  - c. clause 45 provides that existing approvals, exemptions and dispensations granted or saved under the Signage Bylaw 2015 continue.
27. Given the Council's stated intent to reflect current practice, Phantom understands that the intention of the savings provisions in relation to posters is to provide that existing poster boards approved or saved under previous bylaws remain lawful. Particular posters displayed in such poster boards are "saved" as that is not required.
28. However, Phantom is concerned that the savings and transitional provisions could be read as providing that existing poster (and poster board) approvals are not "saved". This is due to the use of the undefined term "poster" in clause 44(2)(g).
29. Phantom seeks that clauses 44 and 45 are amended to clarify that existing poster board approvals (whether granted under the Signage Bylaw 2015, previous bylaws or that were in place prior to 2007) are saved – this could be achieved by the following amendment:

**45 Existing approvals, exemptions and dispensations  
continue to apply**

For the purposes of Part 4 of this Bylaw, every approval, exemption or dispensation granted or saved under the 2015 Bylaw continues to apply as if it were an approval granted under this Bylaw.

For the avoidance of doubt, this clause applies to poster boards granted or saved under the 2015 Bylaw (and its predecessors).

30. Alternatively, Phantom seeks assurance from the Council that its existing poster boards are saved under the Proposed Bylaw.

*Transfer of approvals*

31. Clause 37 of the Proposed Bylaw provides that any approval under the Proposed Bylaw is personal, and cannot be transferred unless the approval expressly allows that. Under the existing 2015 Bylaw, there are no restrictions on the transfer or assignment of an approval granted or saved under that Bylaw.
32. Neither Phantom nor its advisors have been able to find justification for this new restriction in the consultation or background documents referred to at paragraph 18 above. Again, Phantom submits that imposing such a significant change raises questions about the adequacy of consultation, the reasonableness of the provision and whether it is the most appropriate form of bylaw.
33. Phantom does understand that there is a problem with the transfer of existing approvals that needs to be addressed:
- a. Provided that the Proposed Bylaw's provisions are complied with, the person who places posters on approved poster boards makes no difference in terms of amenity effects.
  - b. If there were a concern that approvals would be transferred to unsatisfactory operators, the Proposed Bylaw already provides a mechanism to address that. Clause 38 empowers the Council to review an approval and impose conditions or suspend or cancel the approval to deal with any "public safety, nuisance, misuse or environmental issues that arise from the exercise of the

approval". That power should be relied on, rather than imposing a blanket restriction on transfer.

- c. If the concern is that the Council wishes to keep track of approval holders, that would better be addressed by providing a process for transferring approvals.
34. The potential impact of the restriction is significant, particularly for poster businesses. Seeking and obtaining approval for a poster board requires substantial investment of both time and money (including in processing fees). Clause 37 of the Proposed Bylaw would prevent a poster business transferring an approved poster board, meaning the investment would be valueless if a business were to be sold in the future. Instead, if a business exited the market, a competitor could simply apply for a new poster board approval for the same site. This creates potential unfairness and inequity.
35. Phantom seeks that:
- a. clause 37 is deleted and replaced with a process for transferring approvals akin to the process for transferring resource consents under section 135 of the Resource Management Act 1991 (i.e. allowing transfer by written notice to the Council); or
  - b. that clause 37 is amended such that it does not apply to poster boards, so that their transfer is enabled.

#### *Election signs and events signs*

36. Although it is not Phantom's primary focus, it is concerned that other changes in the Proposed Bylaw will result in poor aesthetic and environmental outcomes for Auckland.
37. In particular, Phantom is concerned that the changes to provide additional locations for political election signs and to allow those areas to also be used for certain event signs will result in the proliferation of corflute signs. This would be a very poor outcome for Auckland, particularly where there are other opportunities for advertising events (including posters).
38. An illustrative example is the political election sign area used in Nixon Park / Bond Reserve near the Bond Street Bridge in Kingsland. During election times, around 15 signs can be placed there. That area is likely to become a target for event signs, if the Proposed Bylaw is confirmed as drafted. Assuming there are approximately 20 events per month, it would be a significant burden on the Council to monitor and enforce the Proposed Bylaw, including determining if any signs were advertising non-profit events, the dates they are placed and removed and whether they identify the responsible person.
39. Phantom is concerned that the Council does not have the resources or capacity to enforce compliance with the Proposed Bylaw's limits on event signs. If such signage cannot be adequately controlled, it seems inevitable that there will be an increase in such signs (both lawfully and unlawfully).
40. In Phantom's experience, the risk of event promoters placing unlawful corflute signs is real. Phantom noticed that the promoters of a large regional event in 2020 had placed a significant number of corflute signs, contrary to the Signage Bylaw 2015. The signs were in place for many days before Phantom drew them to the Council's attention and they were taken down.

41. The proliferation of corflute signs has the potential to have significant adverse environmental impacts. Such signs are often blown away or vandalised and those that survive are disposed of in general waste as recycling is difficult. Encouraging greater use of single-use signs for single events seems inconsistent with the values the Council espouses through Auckland's Carbon Plan and other environmental initiatives.
42. Phantom seeks that the Proposed Bylaw's provisions regarding event signs are reconsidered. In Phantom's experience in other cities, a better approach is to identify locations for event signs (including community events) and tender for operators. The operators can then be responsible for ensuring that the identified locations are properly managed and that signage is properly curated. In Phantom's experience such an approach can enable community event signage at very limited cost, while ensuring an appropriate amenity and environmental outcome for the city.

*Enabling the arts and entertainment industry*

43. The Proposed Bylaw treats all signs (including poster signs) equally, regardless of the industry they serve. Phantom considers that there is an opportunity to take a more nuanced approach and encourage signs (and poster signs) for particular industries in particular areas.
44. The arts and entertainment industry is one that has particular locations that it concentrates in, which could be targeted to be better served by poster signs. This could provide an opportunity to provide quality messaging for a deserving industry, without creating the clutter of usual business signage.
45. Phantom considers that there could be merit in the Proposed Bylaw providing a specific regime for arts and entertainment poster signs, in proximity to key arts and entertainment areas (for example, in the area near Aotea Square and the Civic Theatre). Such a regime could be more flexible and enabling of establishing poster boards, provided they are for the purpose of arts and entertainment poster signs.
46. Phantom seeks that the Council consider amending the Proposed Bylaw to specifically enable poster boards for arts and entertainment poster signs, within key arts and entertainment areas.

**Dated** this 27<sup>th</sup> day of October 2021



.....  
**Robin McDonnell**

for and on behalf of **Phantom Billstickers Limited**



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business** Super Liquor Holdings

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**Your local board:** Waitemata

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** No response

#### **Tell us why, and if there is anything you would change?**

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.



We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

**What is your opinion on the proposed rules for election signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

**What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.

We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the clarification of rules

#### 5. Portable signs

**Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

We are proposing to expand the area where portable signs cannot be displayed.

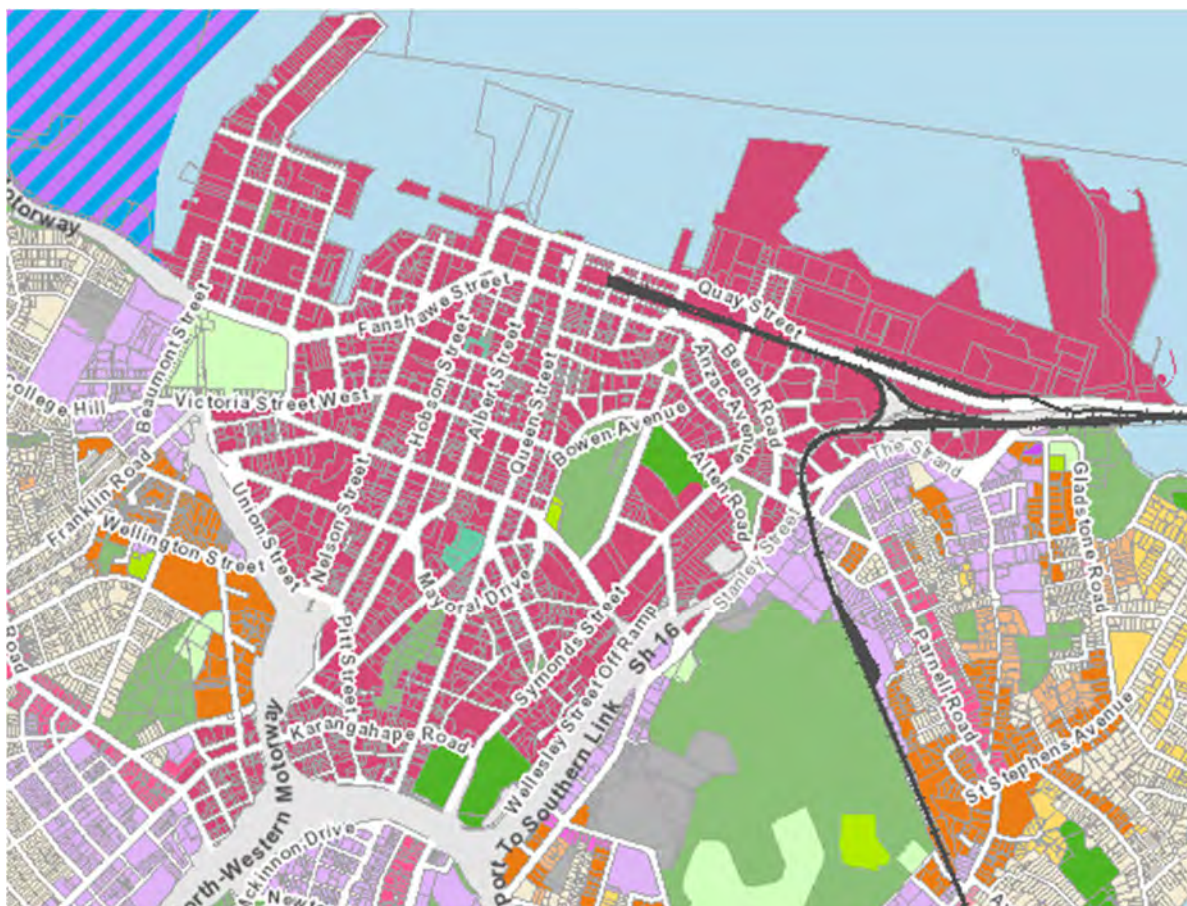
The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road

- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the defined area of the City Central Zone only for both Proposal A & B

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the defined area of the City Central Zone only for both Proposal A & B

## 6. Posters

**Proposal:** Clarify current rules, including that poster board sites require approval

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the clarification of rules

## 7. Real estate signs

**Proposal A:** Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B:** Clarify current rules, including the maximum number and placement of real estate signs

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24

- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

#### **What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

#### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

#### **What is your opinion on the proposed rules for stencil signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the clarification of rules

## 9. Vehicle signs

#### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

#### **What is your opinion on the proposed rules for signs on vehicles?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** We disagree with this as believe it could affect the branding of vehicles, delivery vehicles and chiller trailers. We also note that vehicles are not static like most signs and, therefore, any impact is not permanent in respect of a specific location. Rather, any impact



(if in fact there is an impact) is temporary and fleeting. Moreover, vehicle signage can assist people with identifying the use and function of a vehicle (the type of bus (City Link, Airport etc), a courier, a taxi, or a food delivery). This is useful. As such, we consider that limiting vehicle signage is totally unnecessary and excessive.

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

### **What is your opinion on the proposed rules for verandah signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the clarification of rules

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with Proposal A.

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** Other

**Tell us why, and if there is anything you would change?** We need to ensure that all businesses and industries are treated the same for Proposal B. 30mm needs further clarification.

## 12. Window signs

**Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

**What is your opinion on the proposed rules for window signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the clarification of rules

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

**Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

**What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)



- make rules easier to read and understand.

### What is your opinion on the proposed rules for signs in Open Space Zones?

**Response:** No response

**Tell us why, and if there is anything you would change?**

### Proposal C: Clarify a limit of one sign per commercial sexual service premises

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### What is your opinion on the proposed rules for signs advertising commercial sexual services?

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

### Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### What is your opinion on the proposed rules about safety?

**Response:** Agree

**Tell us why, and if there is anything you would change?**

### Proposal B: A person must not alter the top of a building to display a sign

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** Providing the signage is installed professionally and covers Health & Safety we do not want signage restrictions

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the clarification of rules

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** Agree

**Tell us why, and if there is anything you would change?** We agree with the clarification of rules

## 15. Controls (additional rules) and Approvals (permissions)

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)

- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.



# Proposed Signs Bylaw 2022

Aucklanders use signs every day to advertise goods and services and to communicate information.

Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

**Note:** *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

## Submitter details

Your name and feedback will be included in public documents. All other personal details will be kept private.

**Name of organisation/business**

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**Your local board:** Whau

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**Source:** Online

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## Your feedback

### 1. Banners

**Proposal:** Clarify current rules, including the placement and conditions for the display of banners

We want to provide rules that are more certain.

We are proposing to update the current rules for banners, for example to clarify that:

- banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site
- banners over private property must comply with health and safety legislation
- banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)
- banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.

**What is your opinion on the proposed rules for banners?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 2. Election signs

### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

We want to provide rules that:

- align with central government legislation
- treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.

The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.

We are proposing to:

- clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election
- add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.

Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.

#### **What is your opinion on the proposed nine-week period for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I'm not totally sure from your description whether the proposal will specifically limit election signs to the nine weeks before an election, but if so I do not support it - I don't believe there is any good reason to limit election advertising, especially when we could quite possibly have another election like the last one which had a long delayed campaign carried out largely under lockdown.

### **Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.

We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.

#### **What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I do not see any good reason for this. We need more democracy, not less, and restricting political advertising will not help.

### **Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.

We are also proposing for example to:

- clarify where signs can be installed to increase certainty
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.

We are also proposing to remove the rule allowing the display of election signs related to Entrust.

Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:

- treat all of Auckland's energy trusts consistently
- focus on enabling more significant types of elections that currently use election signs.

### **What is your opinion on the proposed rules for election signs?**

**Response:** Disagree

**Tell us why, and if there is anything you would change?** I do not see any good reason for more than the most basic of restrictions on election signage - we need more democracy, not less.

Rather than prohibiting signs for Entrust elections, if you want consistency you should allow signs for elections of the other trusts.

My main comment on the signs bylaw doesn't really specifically fit any of these questions. It is that the enforcement of the current election signs bylaw is a joke. My observation is that minor parties follow the rules because they have limited resources, but National and Labour put up large numbers of illegal signs, because they have the resources to do so (and take them down if necessary), and to pay if they are ever actually fined, but most importantly they believe they can actually get away with it. It seems that Council does not have the resources (or perhaps the will) to police the bylaw, because even when illegal signs are complained about they remain up for long periods of time. If Council isn't going to actually police the bylaw, it should just get rid of any restrictions

## **3. Event signs**

### **Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'.

We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or free-standing sign and three directional signs.
- The signs would only be able to be displayed on the day of the sale.

### **What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?**

**Response:** No response

### **Tell us why, and if there is anything you would change?**

### **Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups**

We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter.



We are proposing to update the current rules for event sign sites, for example to:

- allow the display of event signs on the same roadside sites as election signs
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

**What is your opinion on the proposal for rules for event sign sites?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the current event sign rules, including their definition and placement**

We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules.

We are proposing to update the current rules for signs promoting events, for example to:

- clarify that event signs do not include real estate or election signs
- clarify 'community events' as events that attract participants from, or have significance to, a local area
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.
- add a related information note with a list of council-controlled locations where people can display event signs
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)
- clarify that free-standing community event signs are allowed.

**What is your opinion on the proposal for rules for event signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 4. Free-standing signs

**Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current free-standing sign rules, for example to clarify that these signs:

- include large portable signs that can't be easily moved by hand
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

**What is your opinion on the proposed rules for free-standing signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 5. Portable signs

### Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone

Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.

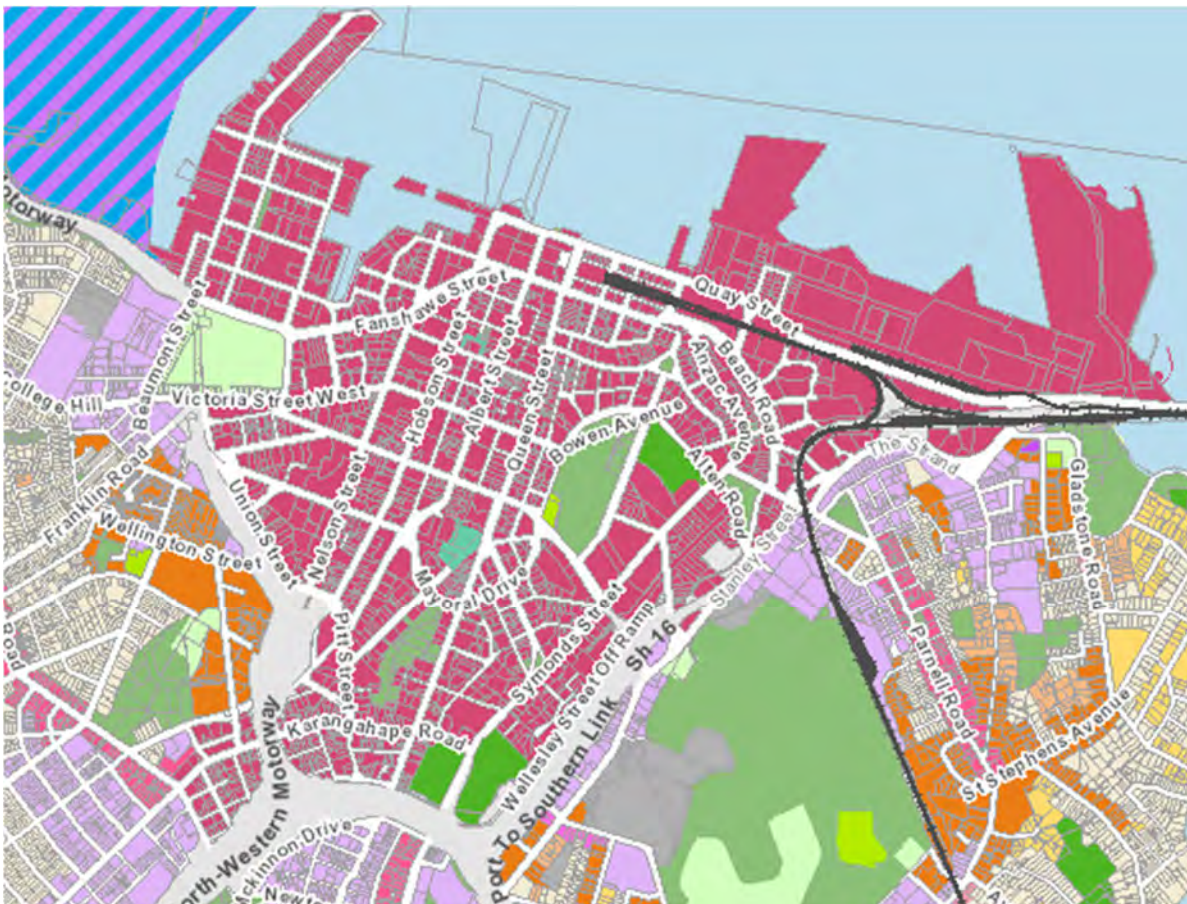
We are proposing to expand the area where portable signs cannot be displayed.

The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:

- footpaths on Queen Street and Karangahape Road
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.

The following map shows the City Centre Zone where we propose that portable signs cannot be displayed.

**Key:** ■ Business – City Centre Zone (shaded red)



**What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the definition and placement of portable signs**

We want to provide rules that are more certain and less repetitive.

We are proposing to update the current rules for portable signs, for example to clarify:

- the definition by including examples of portable signs
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).

**What is your opinion on the proposed rules for portable signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?****6. Posters****Proposal: Clarify current rules, including that poster board sites require approval**

We want to provide rules that reflect current practice.

We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

**What is your opinion on the proposed rules for posters?**

**Response:** No response

**Tell us why, and if there is anything you would change?****7. Real estate signs****Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.

Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

We want to provide rules that reflect current practice and reduce risk of nuisance.

We are proposing to update the current rules for real estate signs, for example to:

- clarify that real estate signs are allowed for each property in a sub-division or housing development
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.

Please note that **the Bylaw currently permits illuminated real estate signs, including in Residential Zones**. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.

**What is your opinion on the proposed rules for real estate signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 8. Stencil signs

**Proposal: Clarify current rules, including the definition and placement of stencil signs**

We want to provide rules that are more certain and reflect current practice.

We are proposing to update the current rules for stencil signs, for example to:

- clarify that a stencil sign can also be a 'wall-mounted' or window sign
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.

**What is your opinion on the proposed rules for stencil signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 9. Vehicle signs

**Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

We want to provide rules that are easier to read and understand.

We are proposing to update the current rules for signs on vehicles to:

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.

**What is your opinion on the proposed rules for signs on vehicles?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 10. Verandah signs

**Proposal: Clarify the current rules, including the definition of verandah**

We want to provide rules that people can interpret with more certainty.

We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.

**What is your opinion on the proposed rules for verandah signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 11. Wall-mounted signs

**Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.

We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.

These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.

**What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

We want to provide rules that reflect current practice, are more certain and improve safety.

We are proposing to update the current wall-mounted signs rules, for example to clarify that:

- these signs can be displayed on fences
- there is a five-metre separation distance between horizontal wall-mounted signs



- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.

#### **What is your opinion on the proposed rules for wall-mounted signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

We want to provide rules that are more certain.

We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.

This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.

#### **What is your opinion on the proposed rules for window signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

#### **What is your opinion on the proposed rules for signs in Major Recreational Facility zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.

We are proposing to update the current rules for signs in Open Space Zones, for example to:

- clarify the conditions signs must meet to be displayed without an approval
- move references to signs that do require an approval to Part 3
- clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)
- make rules easier to read and understand.

#### **What is your opinion on the proposed rules for signs in Open Space Zones?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

We want to provide rules that people can interpret with more certainty.

We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.

The current rules remain unchanged. Signs:

- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

#### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 14. General rules for all signs

[Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.](#)

#### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

We want to provide rules that reduce repetition and group similar rules together.

We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

#### **What is your opinion on the proposed rules about safety?**



**Response:**No response

**Tell us why, and if there is anything you would change?**

**Proposal B: A person must not alter the top of a building to display a sign**

To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.

**What is your opinion on the proposed rules for the tops of buildings?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

We want to provide rules that people can interpret with more certainty and that reflect current practice.

We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:

- changeable messages relate to transitions between static images and must not 'shimmer' or 'sparkle' (cl 27)
- luminance rules apply between 'sunset and sunrise' (cl 27)
- the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)
- a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)
- LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)

**What is your opinion on the proposed rules for illuminated signs?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

**Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.

We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:

- clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays
- clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

**What is your opinion on the proposed rules for businesses that have ceased to trade?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 15. Controls (additional rules) and Approvals (permissions)

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.

We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).

We are proposing to update the current rules for controls, for example to:

- specify locations and conditions of use of council-controlled public places to display event signs and election signs
- specify areas of council-controlled public places where portable signs and stencil signs are prohibited
- add a related information note about current controls and delegations, and the process for creating a control.

We are proposing to update the current rules for approvals, for example to:

- clarify that this Subpart applies to people who must obtain an approval
- clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception
- add a related information note about Auckland Council's fee-setting process
- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### **What is your opinion on the proposal to update the current rules for controls and approvals?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

### **Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules**

We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules.

We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules.

We are proposing to update the current enforcement rules in the Bylaw, for example to:

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)

- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

We are proposing to update the transition rules, for example to:

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

**What is your opinion on the proposal to update the current rules for enforcement and transition?**

**Response:** No response

**Tell us why, and if there is anything you would change?**

## 17. Other feedback

**Do you have any other comments on the proposed Signs Bylaw?**

***Note:** We are not seeking any public feedback on rules for sign types managed by other regulatory methods, for example billboards which are managed in the Auckland Unitary Plan.*

*We are also not seeking any feedback at this time on whether this Bylaw should include rules relating to the regulation of alcohol advertising*

## Important privacy information

The personal information that you provide in this form will be held and protected by Auckland Council in accordance with our privacy policy (available at [aucklandcouncil.govt.nz/privacy](https://aucklandcouncil.govt.nz/privacy) and at our libraries and service centres) and with the Privacy Act 1993. The privacy policy explains how we can use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. You should familiarise yourself with this policy before submitting this form.

SUBMISSION: Proposed New Signs  
Bylaw 2022  
22ND OCTOBER 2021

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Submission to the Proposed New Signs Bylaw 2022.

### Introduction

Business North Harbour (BNH) representing the North Harbour Business Improvement District welcomes the opportunity to make this Submission on the Proposed New Signs Bylaw 2022.

BNH is a significant commercial and industrial Business Improvement District (BID), representing over 4,500 commercial property owners and businesses within the North Harbour area. Collectively they employ over 35,000 Auckland residents and ratepayers.

The organisation is located within the Upper Harbour Local Board area, which remains one of the fastest growing areas in the country, in both absolute and percentage population terms, which brings both challenges and opportunities to the North Harbour business district.

BNH represents and works with a wide range of businesses comprising of a mix of sole traders, Small Medium Enterprises (SME), through to multi-national organisations representing sectors such as ICT, business services, specialist manufacturing, light – medium warehousing, logistics, retail and hospitality. In addition, we have key educational institutions within or on our boundary, including Massey University, Albany and AUT Millennium, along with a variety of primary and secondary schools including Rangitoto College, the largest secondary school in New Zealand.

### Background

Aucklanders use signs every day to advertise goods and services and to communicate information. Signs can however also cause problems in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment. For example, the number, size and location of signs can affect traffic safety, obstruct pedestrians and cause visual clutter.

Auckland Council and Auckland Transport use two Bylaws (Signage Bylaw 2015 and Election Signs Bylaw 2013) to enable them to make rules about signs, including the type, number, size, placement and duration of display.

Auckland Council and Auckland Transport recently checked how the rules are working and discovered they can manage the issues caused by signs more effectively and efficiently by combining the two current bylaws into a new Signs Bylaw 2022. The new Bylaw proposes to make several key changes to the current rules including:

- increasing the area where portable signs are prohibited to cover the entire city centre zone
- enable the display of election signs on places not otherwise allowed up to nine weeks prior to an election or referendum
- increasing the maximum area of flat wall-mounted signs in the heavy industry zone

- clarifying the rules so they are easier to understand, reflect current practice, remove confusion and fill perceived gaps

Auckland Council and Auckland Transport are seeking feedback on the Proposed New Signs Bylaw 2022 and associated controls which may include feedback about the size, number and location of signs contained in the proposed Bylaw and controls.

## Business North Harbour Feedback

### 1. Banners

#### **Proposal: Clarify current rules, including the placement and conditions for the display of banners**

*We want to provide rules that are more certain.*

*We are proposing to update the current rules for banners, for example to clarify that:*

- *banners that are displayed on a site (such as over a private road on a commercial property) and that are visible from a council-controlled public place or the Auckland transport system must only advertise products, services, goods or events available from or taking place on the site*
- *banners over private property must comply with health and safety legislation*
- *banners on council-controlled public places require an approval (for example, by Auckland Council or Auckland Transport)*
- *banners may need to comply with rules for other sign types and may be displayed at any location if they comply with those rules.*

#### **What is your opinion on the proposed rules for banners?**

BNH agrees with this proposal as certainty and clarification should support compliance and ensure that all health and safety risks are mitigated. Additionally, it provides businesses with an opportunity to advertise their products, goods and services safe in the knowledge that other businesses cannot compete with them for the same space. BNH would ask that any fees charged noted in Appendix C (New and Existing Bylaw and Controls Comparisons) are fair and reasonable for businesses.

### 2. Election signs

#### **Proposal A: Clarify that election signs may be displayed on some sites for nine weeks and are permitted on billboards and poster board sites**

*We want to provide rules that:*

- *align with central government legislation*
- *treat election signs consistently with how the Bylaw enables other temporary sign types for specific time periods.*

*The Electoral Act 1993 sets a nine-week period before an election where a bylaw cannot prohibit or restrict the period of display of an election sign under three square metres (3m<sup>2</sup>) in area.*

*We are proposing to:*

- *clarify that election signs may be displayed in places they would not otherwise be allowed, for nine weeks before an election*
- *add related information notes about the council-controlled public places approved for the display of election signs and about central government regulations rules for election signs.*

*Please note that **election signs would be permitted at all times in the nine-week period (except on polling day) in places that allow advertising about activities unrelated to the site.** This includes poster board sites and billboards.*

#### **What is your opinion on the proposed nine-week period for election signs?**

BNH agrees with this proposal. Aligning with Government legislation regarding the 9-week display period brings Auckland in line with national guidelines and introduces consistency with specific timeframes for temporary signage. This reduces any

complexity, increasing clarity, thus making the requirements easier to understand and comply with.

**Proposal B: Prohibit election signs directed at a council-controlled park, reserve or Open Space Zone**

*We want to provide rules that protect the amenity of council-controlled parks, reserves and Open Space Zones.*

*We are proposing to add a new rule that does not allow election signs on private property to be primarily directed at a council-controlled park, reserve or Open Space Zone. For example, under this rule an election sign on a residential fence directly opposite one of these spaces would be prohibited.*

**What is your opinion on the proposed rule for election signs directed at a council-controlled park, reserve or Open Space Zone?**

BNH agrees with this proposal. The proposed Bylaw allows sufficient time and provides for the display of election signs on places not otherwise allowed. BNH believes this offers adequate opportunities for election signs to be displayed, thus removing the need for signs to be directed opposite council-controlled parks, reserves or open zones, thereby preserving the amenity of these places.

**Proposal C: Clarify the current rules, including to remove Entrust from the types of permitted election signs**

*We want to provide rules that reduce repetition, remove contradictions and treat similar types of signs consistently.*

*We are also proposing for example to:*

- clarify where signs can be installed to increase certainty*
- clarify that all election signs must comply with the special and general rules in Subparts 2 and 3 of Part 2 of the new bylaw.*

*We are also proposing to remove the rule allowing the display of election signs related to Entrust. Entrust is the only Auckland energy trust that the Election Signs Bylaw 2013 allows to display election signs. This proposed rule change aims to:*

- treat all of Auckland's energy trusts consistently*
- focus on enabling more significant types of elections that currently use election signs.*

**What is your opinion on the proposed rules for election signs?**

BNH agrees with this proposal. BNH believes that by combining both Bylaws and aligning with Government legislation regarding the 9-week display period brings Auckland in line with national guidelines, reduces any complexity and increases clarity thus making the requirements more consistent and easier to understand and comply with.

We also believe that all Auckland energy trusts should be treated consistently thus the Bylaw should provide that all or none of them are permitted to display election signs not only Entrust.

### 3. Event signs

**Proposal A: Allow people to advertise temporary sales (like garage sales) on the day of the event**

*We want to address a gap in the Bylaw by adding rules about signs that advertise temporary sales of goods on residential properties, for example 'garage sales'. We are proposing to introduce new rules that treat these 'temporary sale of goods' signs in a similar way to real estate signs.*

- People advertising a temporary sale of goods would be allowed to use one wall-mounted or freestanding sign and three directional signs.*
- The signs would only be able to be displayed on the day of the sale.*



### What is your opinion on the proposal for rules for signs advertising a temporary sale of goods?

BNH agrees in part with this proposal. We would ask that the signs are able to be displayed for two days prior to the sale to enable more people to be made aware of the sale thus helping anyone having the sale to dispose of more goods, potentially reducing the amount which may otherwise end up in landfill.

### Proposal B: Allow event signs to use election sign sites and clarify that community events must be provided by not-for-profit groups

*We want rules that provide opportunities to advertise major, regional, sub-regional and community events while reducing potential nuisance and clutter. We are proposing to update the current rules for event sign sites, for example to:*

- allow the display of event signs on the same roadside sites as election signs*
- clarify that community event signs (for events that attract participants from, or have significance to, a local area) that are on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.*

### What is your opinion on the proposal for rules for event sign sites?

BNH agrees in part with this proposal. We agree with allowing the display of event signs on the same roadside sites as election signs.

BNH disagrees that only community events provided by not-for-profit groups may display a community event sign. BNH would suggest that if a community event which is **defined in the Bylaw as 'an event that is not a major or regional event and which attracts participants from or has significance to a local area' is being provided by a private business or commercial group**, then these providers should also be allowed to display a community event sign, especially when there is a proven benefit for the local community.

### Proposal C: Clarify the current event sign rules, including their definition and placement

*We want to provide rules for event signs that increase public safety and that address gaps and contradictions in the current rules. We are proposing to update the current rules for signs promoting events, for example to:*

- clarify that event signs do not include real estate or election signs*
- clarify 'community events' as events that attract participants from, or have significance to, a local area*
- clarify that 'regional events' include sub-regional events attracting participants from multiple local areas.*
- add a related information note with a list of council-controlled locations where people can display event signs*
- clarify that there is a maximum projection of 0.03m metres (3 centimetres) from the wall for flat-wall mounted event signs on a ground floor*
- move rules unrelated to event signs to separate clauses (for example rules about approving a dedicated site for event signs to a new clause 34 and references to signs on major recreational facilities to a new clause 20)*
- clarify that free-standing community event signs are allowed.*

### What is your opinion on the proposal for rules for event signs?

BNH agrees with this proposal as it aims to keep public safety at the forefront of the decisions being made. Providing clear definitions and locations, separating unrelated clauses and introducing new clauses for different signs, makes the event signs section of the Bylaw more relevant and easier to understand and comply with.

#### 4. Free-standing signs

##### **Proposal: Clarify current rules, including the definition and separation distances for free-standing signs**

*We want to provide rules that are more certain and reflect current practice.*

*We are proposing to update the current free-standing sign rules, for example to clarify that these signs:*

- include large portable signs that can't be easily moved by hand*
- need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.*

##### **What is your opinion on the proposed rules for free-standing signs?**

BNH agrees with this proposal provided that the distances referred to accurately reflect best practice.

#### 5. Portable signs

##### **Proposal A: Increase the area where portable signs are prohibited to cover the entire City Centre Zone**

*Portable signs are currently prohibited in a number of streets in the City Centre Zone. This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities.*

*We are proposing to expand the area where portable signs cannot be displayed. The proposed area covers any council-controlled public places within or immediately adjacent to the City Centre Zone of the Auckland Unitary Plan. This would include:*

- footpaths on Queen Street and Karangahape Road*
- civic spaces such as Aotea Square, Freyberg Place, Khartoum Place, Queen Elizabeth Square and St Patrick's Square.*

##### **What is your opinion on the proposal to increase the prohibited area for portable signs to include the entire City Centre Zone?**

BNH disagrees with this proposal. Businesses are facing huge challenges as a result of the pandemic. Displaying signs which would attract customers is an integral part of most marketing strategies therefore BNH believes that the prohibited area should not be increased and would indeed argue for its removal. BNH believes that public safety and accessibility can be catered for with restrictions that do not require a total ban.

##### **Proposal B: Clarify current rules, including the definition and placement of portable signs**

*We want to provide rules that are more certain and less repetitive.*

*We are proposing to update the current rules for portable signs, for example to clarify:*

- the definition by including examples of portable signs*
- the definition by specifying that in order to be 'portable' one person must be able to move the sign with their hands or a non-mechanical trolley*
- that portable signs can be displayed on sites that are not council-controlled public places (such as a footpath within a private commercial property).*

##### **What is your opinion on the proposed rules for portable signs?**

BNH agrees with the proposal. Clear definitions, particularly in relation to what is classed as 'portable' and where and how portable signs can be displayed along with the reduction of repetition will make the requirements easier to understand and comply with.

## 6. Posters

### **Proposal: Clarify current rules, including that poster board sites require approval**

*We want to provide rules that reflect current practice.*

*We are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.*

### **What is your opinion on the proposed rules for posters?**

BNH agrees with this proposal given the clear definition of a poster sign which in this Bylaw means 'a temporary sign fixed to a structure without the need for a supporting device'. Additionally, BNH agrees that any poster displayed in a window must be on the inside of the window reducing the risk to the displayer of removal or defacing, thus maintaining the amenity of the area.

## 7. Real estate signs

### **Proposal A: Increase the maximum area of certain flat wall-mounted real estate signs in Heavy Industry Zones to 6m<sup>2</sup>**

*We have heard a range of views about the size of real estate signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>, if they are attached to the wall of a building. We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs on buildings in Heavy Industry Zones to 6m<sup>2</sup>.*

*These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow people involved with real estate to display more information to their customers.*

*Real estate signs that are attached to fences or walls that are not part of a building would continue to have a maximum area of 2.88m<sup>2</sup>.*

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs on the walls of buildings in Heavy Industry zones?**

BNH agrees with this proposal. Property owners whether domestic or commercial / industrial should be able to maximise the information that real estate agents acting on their behalf can provide to potential purchasers. Increasing the size of the flat wall-mounted signs in heavy industrial zones means that the property owners will be able to make the availability of their premises more visible to passers-by, due to the reduced amenity in these areas, thus hopefully securing a sale in a shorter time which will be of benefit to the vendor, purchaser and the area.

### **Proposal B: Clarify current rules, including the maximum number and placement of real estate signs**

*We want to provide rules that reflect current practice and reduce risk of nuisance.*

*We are proposing to update the current rules for real estate signs, for example to:*

- clarify that real estate signs are allowed for each property in a sub-division or housing development*
- update rules about separation distances, including specifying when signs on grass verges and kerbs must comply with rules for the distance signs must be set back from a kerb face in clause 24*
- clarify that real estate signs attached to or secured by a vehicle directly outside the property must not protrude from the side of the vehicle*
- clarify that directional real estate signs (signs directing people to a property) can be placed on the 'three nearest intersections' to the property being sold.*

*Please note that the Bylaw currently permits illuminated real estate signs, including in Residential Zones. These signs must comply with the illumination rules for all illuminated signs. Maximum light levels depend on the size of the illuminated area of the sign and whether there is street lighting.*

### What is your opinion on the proposed rules for real estate signs?

BNH agrees with this proposal. Once more, updating the rules to promote best practice and clarify the requirements which need to be met to display real estate signs means that incidents of non-compliance should be minimised. This means that the amenity of the local area will generally be maintained as a result of this proposal and public safety has been taken into consideration with the introduction of clarity and restrictions regarding real estate signs attached to vehicles.

## 8. Stencil signs

### **Proposal: Clarify current rules, including the definition and placement of stencil signs**

*We want to provide rules that are more certain and reflect current practice.*

*We are proposing to update the current rules for stencil signs, for example to:*

- clarify that a stencil sign can also be a 'wall-mounted' or window sign*
- clarify that a stencil sign on a council-controlled public place requires an approval (for example, from Auckland Council or Auckland Transport)*
- move references to approval matters (including prohibited areas) to Part 3 (Controls and Approvals) of the proposed new bylaw.*

### What is your opinion on the proposed rules for stencil signs?

BNH agrees with this proposal. The clarification of what constitutes a stencil sign and where and how they can be displayed should remove any confusion for people wishing to display them. The need for approval from Auckland Council or Auckland Transport to display a stencil sign in a council-controlled public place maintains consistency with other signs but BNH would request that any associated charges for approval are fair and reasonable for businesses.

## 9. Vehicle signs

### **Proposal: Clarify the current rules, including when a person may display a sign on a vehicle and what rules regulate signs advertising a vehicle for sale**

*We want to provide rules that are easier to read and understand.*

*We are proposing to update the current rules for signs on vehicles to:*

- add a related information note about rules for the sale of a vehicle set out in the Auckland Transport Traffic Bylaw 2012*
- clarify the circumstances in which a sign may be displayed on a vehicle, including a real estate sign and an election sign.*

### What is your opinion on the proposed rules for signs on vehicles?

BNH agrees with this proposal as clarifying the rules and making them easier to understand should reduce the risk of non-compliance and the inclusion of sub-clause 2(c) in Clause 18, identifies the need to consider public safety when displaying signs on a vehicle.

## 10. Verandah signs

### **Proposal: Clarify the current rules, including the definition of verandah**

*We want to provide rules that people can interpret with more certainty.*

*We are proposing to update the current verandah signs rules, for example to make them easier to read and understand.*

### What is your opinion on the proposed rules for verandah signs?

BNH agrees with this proposal. The definition of a verandah in sub-clause 1 of Clause 18 along with the illustrations in sub-clauses 3 and 4 will enable people to easily understand what the requirements of the Bylaw are, reducing any confusion and the risk

of involuntary non-compliance, as illustrated in Section 4 of the Statement of Proposal Signs Bylaw 2022.

## 11. Wall-mounted signs

### **Proposal A: Increase the maximum area of flat wall-mounted signs in Heavy Industry Zones to 6m<sup>2</sup>**

*We have heard a range of views about the size of signs in Heavy Industry Zones of the Auckland Unitary Plan (areas that allow industrial activities that may produce odour, dust and noise). Currently, these signs can have a maximum area of 5m<sup>2</sup>.*

*We are seeking feedback on whether to increase the maximum area of flat wall-mounted signs to 6m<sup>2</sup> in Heavy Industry Zones.*

*These zones have a lower priority on amenity and contain larger buildings that are often set back further from the road. Having larger signs would allow businesses to display more information to their customers.*

### **What is your opinion on the proposal to increase the area of flat wall-mounted signs in Heavy Industry Zones?**

BNH agrees with this proposal. Business owners located in these zones should be able to maximise the information that they can provide to potential customers. Increasing the size of the flat wall-mounted signs in heavy industrial zones, which often sees premises set back further from the road, means that the business owners will be able to make this information more visible to customers thus hopefully securing more customers for the business owner. BNH also believes that the reduced amenity in these areas will allow for this increase in the size of signage without any detriment to the amenity of the area.

### **Proposal B: Clarify the current rules, including locations, separation distances and dimensions**

*We want to provide rules that reflect current practice, are more certain and improve safety.*

*We are proposing to update the current wall-mounted signs rules, for example to clarify that:*

- these signs can be displayed on fences*
- there is a five-metre separation distance between horizontal wall-mounted signs*
- flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 metres (3 centimetres) from the wall.*

### **What is your opinion on the proposed rules for wall-mounted signs?**

BNH agrees with this proposal. Clarification of the fact that these signs can be displayed on a wall, fence or building and the illustrations provided in the sub-clauses to Clause 9, showing how these signs can be displayed, makes the Bylaw easier to understand and therefore comply with. The clarification that, for public safety, there is a maximum projection of 3cm for ground floor flat-wall mounted signs, if within 3m of the ground BNH believes identifies the need to consider public safety when displaying any such signs.

## 12. Window signs

### **Proposal: Clarify current rules, including that there are no restrictions on window signs in the City Centre Zone**

*We want to provide rules that are more certain.*

*We are proposing to update the current rules for signs in windows, for example to clarify that there are no restrictions on window signs in the City Centre Zone of the Auckland Unitary Plan.*

*This recognises the unique vibrant urban environment of the city centre. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.*

### What is your opinion on the proposed rules for window signs?

BNH agrees with this proposal. By including a definition of what constitutes a window sign to reduce cross-referencing and converting and combining similar rules into a table, the clarity of requirements relating to window signs has been improved. Additional clarification regarding there being no restrictions in the City Centre Zone of the Auckland Unitary Plan will also help to clear up any confusion for those business owners who can take advantage of this opportunity to promote their goods and services.

### 13. Special rules for certain signs

Subpart 2 of Part 2 of the proposed new Bylaw contains rules that signs must comply with.

#### **Proposal A: Clarify rules for signs in Major Recreational Facility zones and the conditions for their display**

We want to provide rules that are easier to read and understand.

We are proposing for example to:

- separate rules for signs in Major Recreational Facility Zones from rules for major and regional event signs.
- clarify the conditions that need to be met in order to display a sign on a site in a Major Recreational Facility Zone.

### What is your opinion on the proposed rules for signs in Major Recreational Facility zones?

BNH agrees with this proposal. Many major recreational facilities may wish to display self-promotion signs so providing clear guidelines for this is important, especially given the large number of such facilities in Auckland.

BNH also believes that separating events to be held at these facilities which do not come under the current criteria for a major event or a regional event, also supports the event organisers to display the appropriate signage, by removing any confusion that was previously generated due to the lack of clarity.

#### **Proposal B: Clarify the rules for signs in Open Space Zones, including which signs do not require an approval**

*We want to provide rules that people can interpret with more certainty, that group similar rules together, and that make the bylaw easier to comply with.*

*We are proposing to update the current rules for signs in Open Space Zones, for example to:*

- *clarify the conditions signs must meet to be displayed without an approval*
- *move references to signs that do require an approval to Part 3*
- *clarify that signs on boundary fences with an Open Space Zone require council approval (for example, from Auckland Council or Auckland Transport)*
- *make rules easier to read and understand.*

### What is your opinion on the proposed rules for signs in Open Space Zones?

BNH agrees with this proposal. BNH believes that it is important to provide accurate and relevant information including clear guidelines regarding what signs can be displayed, where and how without an approval.

Similarly, if having read the information, people know that their sign needs an approval, the information explaining the criteria regarding an approval should be readily available, which is the case with the proposed new Bylaw.

#### **Proposal C: Clarify a limit of one sign per commercial sexual service premises**

*We want to provide rules that people can interpret with more certainty.*

*We are proposing to clarify that commercial sexual service premises are limited to one sign per premises advertising their services.*

*The current rules remain unchanged. Signs:*



- have a maximum area of 0.33 square metres in a residential zone and 1 square metre in all other zones
- must be a wall-mounted sign attached to either a fence or a wall of the premises
- may only contain the name of the operator or registered business, the street number, and the telephone number of the service
- must not contain flashing lights, changeable message signage, or sexualised shapes or images.

### **What is your opinion on the proposed rules for signs advertising commercial sexual services?**

BNH agrees in principle with this proposal. We would suggest however that the area for signage be reduced in both residential zones and all other areas to 0.25m<sup>2</sup> and 0.75m<sup>2</sup> respectively. BNH believes that most people making use of these premises already know where they are, so for amenity and for the greater community good, smaller signs would suffice.

## **14. General rules for all signs**

Subpart 3 of Part 2 of the proposed new Bylaw contains rules that all signs must comply with.

### **Proposal A: Clarify the rules that ensure signs do not endanger public safety, cause a nuisance or affect the safe, efficient movement of traffic or vessels**

*We want to provide rules that reduce repetition and group similar rules together.*

*We are proposing to update the rules about safety in clauses 23, 24 and 25, for example to:*

- combine similar traffic-related rules from the current Signage Bylaw 2015 and the current Election Signs Bylaw 2013 into one clause to reduce repetition (**cl 24**)
- clarify that signs should not block kerb ramps or similar areas, to improve accessibility (**cl 24**)
- add a related information note about relevant sign standards made by Auckland Transport and Waka Kotahi / New Zealand Transport Agency that must also be complied with (**cl 24**)
- clarify that a sign must not use illumination, movement or materials that may cause a distraction to a person on navigable waters (**cl 25**)

### **What is your opinion on the proposed rules about safety?**

BNH agrees with this proposal. Public safety must be a major consideration in the display of signage and the rules in Clauses 23, 24 and 25 serve to safeguard the public and minimise nuisance caused by signage. In addition to covering pedestrians, drivers and people operating vessels moving on navigable waters are safeguarded from distraction, again keeping themselves and anyone in their vicinity as safe as practically possible.

### **Proposal B: A person must not alter the top of a building to display a sign**

*To make the Bylaw easier to read and understand, we are proposing to create a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign.*

### **What is your opinion on the proposed rules for the tops of buildings?**

BNH agrees with this proposal in the interests of public safety.

### **Proposal C: Clarify the rules for illuminated signs, including that signs must use static images and lighting, and that the person displaying the sign must demonstrate it is compliant**

*We want to provide rules that people can interpret with more certainty and that reflect current practice.*

*We are proposing to update the rules about illuminated signs in clauses 27 and 28, for example to clarify that:*

- changeable messages relate to transitions between static images and must not 'shimmer' or



*'sparkle' (cl 27)*

- *luminance rules apply between 'sunset and sunrise' (cl 27)*
- *the person who displays the sign must provide satisfactory evidence that the sign complies with the rules, if required by Auckland Council or Auckland Transport (cl 27 and 28)*
- *a static illuminated sign must not be illuminated in a way that makes it appear to shimmer, sparkle or revolve (cl 28)*
- *LED signs must comply with the maximum luminance standards for static illuminated signs (cl 28)*

### **What is your opinion on the proposed rules for illuminated signs?**

BNH agrees with this proposal in the interests of public safety. The conditions specified in the table in sub-clause (1) of Clauses 27 and 28 will avoid both pedestrians and drivers from being unduly distracted by any illuminated sign. Additionally, ensuring that the sign luminance remains within the guidelines stated in both Clauses will also limit distraction and will maintain the general amenity of the sign's location.

### **Proposal D: Clarifying rules for businesses that have ceased to trade, including when and where signs must be removed**

*We want to provide rules that are easier to read and understand, that people can interpret with more certainty and that reflect current practice.*

*We are proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to:*

- *clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays*
- *clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.*

### **What is your opinion on the proposed rules for businesses that have ceased to trade?**

BNH agrees with this proposal as the new Clause 29 clarifies exactly what needs to be done depending upon the different circumstances noted in sub-clauses (1) and (2), thus removing any confusion.

## **15. Controls (additional rules) and Approvals (permissions)**

### **Proposal: Clarify ability for council to make additional rules and to approve signs that do not comply with the Bylaw**

*We want to provide rules that group similar rules together, that reflect current practice and that people can interpret with more certainty.*

*We are proposing to create a new Part of the Bylaw that consolidates all of the matters that Auckland Council and Auckland Transport can make a control (additional rule) for and how we may approve signs that do not comply with the Bylaw (permissions).*

*We are proposing to update the current rules for controls, for example to:*

- *specify locations and conditions of use of council-controlled public places to display event signs and election signs*
- *specify areas of council-controlled public places where portable signs and stencil signs are prohibited*
- *add a related information note about current controls and delegations, and the process for creating a control.*

*We are proposing to update the current rules for approvals, for example to:*

- *clarify that this Subpart applies to people who must obtain an approval*
- *clarify those applications for approval which are intended to be provided for in appropriate circumstances (poster boards, cross street banners, event signs and signs in Open Space Zones) and clarify that all other applications will only be granted by exception*
- *add a related information note about Auckland Council's fee-setting process*

- add new criteria about conditions that the council or Auckland Transport may impose, from other bylaws that manage impacts similar to signs
- make a separate clause about the review of approvals.

### What is your opinion on the proposal to update the current rules for controls and approvals?

BNH agrees in principle with the proposal. Making the rules regarding controls and approvals easier to understand should help to make the process more efficient and easier to complete. BNH would ask that any additional controls are fair and reasonable and wherever possible are in line with the general requirements of the Bylaw.

BNH also asks that Auckland Council and Auckland Transport look to grant approvals rather than refuse them when circumstances allow, thus granting exemptions when appropriate and safe to do so.

We would also ask that any fees set for approvals are fair and reasonable and aren't prohibitive to people wishing to seek approvals.

### 16. Enforcement powers, penalties and transitional rules (how the new rules apply to existing signs)

#### Proposal: To clarify the current enforcement powers and penalties and how we transition to the new rules

*We want to provide rules that make the bylaw easier to understand and comply with, and provide for how the new bylaw will regulate signs that are already displayed or approved under the current rules. We are proposing to create two new Parts of the Bylaw. Part 4 would consolidate all of the Bylaw's enforcement powers and penalties. Part 5 would clarify how we would transition to the new rules. We are proposing to update the current enforcement rules in the Bylaw, for example to:*

- clarify that enforcement action may be taken against people who fail to comply with an approval or who provide inaccurate information for an approval
- add related information notes referencing the powers and penalties to enforce the Bylaw
- move rules about removing signs from a business that has ceased to trade to a new clause (**cl 29**)
- clarify that a person does not commit an offence if the reason they did not comply with the Bylaw was because they followed directions from Auckland Council or Auckland Transport.

*We are proposing to update the transition rules, for example to:*

- clarify that signs that currently comply with the Signage Bylaw 2015 or the Election Signs Bylaw 2013 can continue to be displayed, if they also comply with the general rules for all signs in Subpart 3 of the proposed new Bylaw
- clarify the time period by which an existing sign and temporary sign must comply with the proposed new Bylaw
- clarify that approvals and exemptions applied for or granted under the Signage Bylaw 2015 will continue to be processed or apply as if they were made under the proposed new Bylaw
- clarify that we will use the Signage Bylaw 2015 to address any compliance and enforcement actions that started before the proposed new Bylaw comes into effect.

### What is your opinion on the proposal to update the current rules for enforcement and transition?

BNH supports this proposal. To enable compliance people must fully understand what is required of them in relation to the Bylaw. Making the information easier to understand and having Council staff available to answer questions that anyone may have regarding the Bylaw, should increase the number of people willing to do the right thing as illustrated in Section 4 of the Statement of Proposal Signs Bylaw 2022. It should also reduce the occurrence of unintentional non-compliance illustrated in the same diagram, if Council has sufficient resource to provide the interventions to assist with compliance noted in the same diagram.

BNH believes that regardless of how easy the Bylaw is to understand, compliance and enforcement can only be successful if the mechanisms required for their implementation are adequately resourced.

### Conclusions

BNH supports most of the proposed changes with the exceptions duly noted above, as we believe that in general, the proposed changes support the main purposes of the Bylaw which are to make the rules easier to understand and comply with and to reduce the problems caused by signs in relation to public safety, nuisance, misuse of council-controlled public places, the Auckland transport system and environment.

BNH would also ask that Auckland Council and Auckland Transport give due consideration to the needs of businesses in their approach to the New Signs Bylaw 2022, as many face another uncertain year ahead.

Should there be any questions or other matters arising from this Submission, we would be pleased to respond to those.

Yours sincerely,

A solid black rectangular box redacting the signature of the General Manager.

General Manager

# *Submission on Proposed Signs Bylaw and Alcohol Advertising Consultation.*

## Introduction

1. Community Action on Youth and Drugs (CAYAD) is a Ministry of Health community-based initiative operating in 21 locations across Aotearoa. CAYAD works with communities to help them increase wellbeing and positive social protective factors, understand, and identify alcohol and other drug issues that cause harm to rangatahi / young people and support communities to respond to these issues by creating change through community action. CAYAD seeks to represent the voice of the communities we work with.
2. In Tāmaki Makaurau, the CAYAD sits within the Youth Empowerment Team in the Community and Social Innovation department of Te Kaunihera o Tāmaki Makaurau / Auckland Council. CAYAD collaborates closely with Council staff across departments to provide quality advice and insights on alcohol and drug harm reduction.
3. We are committed to working in accordance with the principles of Te Tiriti o Waitangi.
4. Overall, our submission will reflect our focus of alcohol harm reduction, but we also see opportunities for harm reduction within the broader Signs Bylaw and the proposed changes. Our feedback is backed by national and international research on alcohol harm and impacts of advertising, and echoes recommendations by the [World Health Organisation](#)<sup>1</sup>, as well as the [2010 Law Commission Report](#)<sup>2</sup>, the [2014 Ministerial Forum on Alcohol Advertising and Sports Sponsorship](#)<sup>3</sup> and [He Ara Oranga the 2018 Mental Health and Addiction Inquiry Report](#)<sup>4</sup>.

## Signs Bylaw

5. Signs and advertising have a significant impact on the wellbeing of our communities and our sense of place. Signs can affect our sense of comfort, pride and safety within our neighbourhoods.
6. Te Kaunihera o Tāmaki Makaurau / Auckland Council has a role to promote the social, economic, environmental, and cultural well-being of our community. The objectives and policies of the Auckland Unitary Plan for Neighbourhood Centre Zones<sup>5</sup> are for these areas to be attractive environments, create a sense of place and be managed to avoid adverse effects on residential comfort and convenience.
7. One of the purposes of the proposed Signs Bylaw 2022 should be to enhance, maintain and promote the visual amenity value of Auckland's built environments.

8. We know our tamariki spend a considerable amount of time in their neighbourhood areas, going to and from school and shopping in local outlets including dairies and grocery stores. This means they are also exposed to the advertising of products harmful to health, such as alcohol, fast food, and sugar-sweetened beverages prominent on the outside of these stores.
9. We are concerned that the level of advertising outside local dairies and grocery stores is more prominent vulnerable communities or where higher populations of Māori and Pasifika reside<sup>6</sup>. In our view, this inequity suggests Auckland Council are failing to meet their obligations under Te Tiriti o Waitangi.
10. For these reasons, we ask for the visual amenity of our Neighbourhood Centre Zones (especially those in vulnerable communities) be given special protection in the Signs Bylaw 2022, especially to ensure these zones are attractive environments, create a sense of place and where the adverse visual effects of advertising are minimised or avoided.
11. In response to specific proposed changes to the Signs Bylaw, we have specific feedback on the use of signs on footpaths and public spaces, the use of bollard advertising, as well as the clarity regarding signs restrictions and regulations.
12. Signs on footpaths and public spaces can pose safety risks in terms of an obstruction on the pavement that could result in a fall or by obscuring visibility in the immediate road environment with the potential to lead to a pedestrian being injured or killed by a motor vehicle. Waka Kotahi's guidance on the placement of advertising signs or boards states *"There should be no interference, obstruction or hazard for pedestrians. Any items should only be placed in the frontage or street furniture zone and no part should be sited on, or extend into, the through route. Placement of hazardous items should be banned, and rules on these items enforced"*.<sup>7</sup>
- 13. We recommend that the Signs Bylaw 2022 prohibit the use of the any signs on footpaths and surrounding areas.**
14. We recommend that this extends to the use of bollard advertising. While bollards are commonplace near the entrance of many stores – there is no need to allow bollards to be covered in advertising, often at eye height of children.
- 15. We recommend that bollards be considered a safety feature and not allowed to be used as advertising space.**
- 16. We also recommend that rules around signage are easier for both business and the public at large to understand and recognise.** Many breaches of the signage bylaw go unnoticed and unenforced<sup>8</sup> – this is partly due to the lack of clarity regarding the regulations. Gaps in the regulation also allow businesses to stretch the rules to fit their interests and display advertising that may not be amenable to the community or neighbourhood.

## Alcohol Advertising

17. We are pleased that Auckland Council is seeking feedback on alcohol advertising and acknowledge the importance of this opportunity. Alcohol Advertising is a significant public health issue that leads to increased alcohol harm due to an increased exposure to alcohol brands and the normalization of drinking. Reducing and restricting alcohol advertising is cited as one of the top three most impactful ways to reduce alcohol-related harms by the World Health Organisation.<sup>1</sup>
18. Alcohol is a restricted substance that requires an age limit to purchase and a license to sell. Alcohol causes significantly more harm to the user and community combined than any other substances.<sup>9</sup> Yet, while there are significant and comprehensive restrictions on the advertising of other restricted substances such as tobacco and vape products<sup>10</sup>, restrictions on alcohol advertising are vague, lenient, and often voluntary. The proposed Cannabis Legalisation and Control Bill in 2020 included significant restrictions on the advertising of any cannabis product.<sup>11</sup> This signifies a clear double standard allowing the alcohol industry to advertise and market their products without much restriction, despite the significant harm to our population.
19. Alcohol advertising is causally linked to increased rates of youth consumption and therefore increased rates of alcohol-related harm amongst young people.<sup>12</sup>
20. Young people are heavily exposed to alcohol advertising in their everyday lives, including in the neighbourhoods in which they live, learn and play. This was showcased in the 2018 Kids' Cam study which found that over 15% of alcohol advertising exposure was due to alcohol advertising on alcohol outlets.<sup>6</sup>
21. The impact of alcohol advertising is not distributed equally as the harm falls disproportionately on Māori communities, as well as Pasifika and other ethnic communities and lower socio-economic populations. The Kids' Cam study found that tamariki Māori were five times more likely to be exposed to alcohol advertising than pākeha /non-māori children, while Pasifika children were three times more likely. Children living in more deprived areas were also more likely to be exposed to alcohol advertising than those in less deprived areas.<sup>6</sup>
22. Young people who drink in higher levels during adolescence have greater levels of alcohol-related harm in both adolescence and adulthood.<sup>13</sup> The earlier that young people start drinking, the more likely they are to continue drinking through adolescence and experience alcohol-related harms.<sup>13</sup>
23. Due to what we know about the impacts of alcohol advertising, **it is our recommendation that alcohol advertising signs at off-license outlets should be heavily restricted in number and size, and ideally banned outright.** This should include **any and all** external signage including signs displayed on the footpath, windows, walls and verandas of an outlet.
24. **Off-license alcohol outlets should not be permitted to display any kind of marketing material or images outside of the outlet.** This includes images of alcohol or drinking.

25. Signage on footpaths and public spaces such as sandwich boards and flags are doubly harmful. They are eye-catching to all members of the public and create a hazard for pedestrians, especially those with disabilities. In reference to the Kids' Cam study, footpath signage is also at eye line sight of our tamariki walking to and from school or kindergarten.<sup>6</sup>
26. We must begin to treat alcohol the same way we treat tobacco – as an age restricted substance that is known to cause extensive harm to both the user, the community and surrounding environment. As such we should look to tobacco advertising restrictions to guide similar changes to alcohol advertising.<sup>10</sup> At a minimum alcohol advertising should be banned from public spaces and from public view – this means that any external advertising on the outside of an alcohol outlet and liquor store should be banned and only be able to display their own business brand.
27. It should be noted that Auckland Transport, an Auckland Council Controlled Organisation (CCO) removed alcohol advertising off public transport for good in 2018. As quoted by the Auckland Transport Metro Director Stacey Van Der Putten *"This is a no-brainer – we are proud to take leadership and set an example for the community"*. We would like to see Auckland Council put children and young people at the heart of the discussion (as instructed by the I Am Auckland strategic document) on alcohol signage and advertising and take leadership to implement restrictions to protect their future<sup>14,15</sup>.
28. Brand colours however can also be a way to advertise. Prominent brand colours have long been used to create connections between customers and brands or products. Loud colours are extensively used in alcohol advertising, but also in the branding of alcohol outlets. It is unnecessary to be able to associate common colours green (Bottle-O and Liquorland), orange (Thirsty Liquor), turquoise (Liquor Centre) or blue (Liquor King and Super Liquor) with a restricted substance.
- 29. We recommend that alcohol outlets should be required to limit their use of branding colours and not be permitted to paint or cover their whole outlet in a single colour.**

## Conclusion

30. We commend Auckland Council for offering an opportunity to the public to feedback on the issue of alcohol advertising however the exclusion of any alcohol outlet specific restrictions in the proposed changes highlights a gap in the bylaw that allows alcohol outlets to push harmful advertising to our communities, rangatahi and tamariki.
31. We recommend that Auckland Council use the feedback on alcohol advertising to explore future changes to the Signage Bylaw and push for change at a central government level. The Minister of Justice has indicated an intent to review the Sale and Supply of Alcohol Act 2012 in the coming year. **Auckland Council should emphasise the need to have clear and comprehensive legislative restrictions on alcohol advertising in order to protect our communities.**

Ngā mihi nui,  
CAYAD Tāmaki Makaurau



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October 2021

To Auckland Council

Please find attached DPA's submission on New Signs By-Law 2022

## **Disabled Persons Assembly NZ**

Contact:

**Chief Executive**

**Auckland Kaititui**

## Introducing Disabled Persons Assembly NZ

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The Disabled Persons Assembly NZ (DPA) is a pan-impairment disabled person's organisation that works to realise an equitable society, where all disabled people (of all impairment types and including women, Māori, Pasifika, young people) are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people be recognised as valued members of society. DPA and its members work with the wider disability community, other DPOs, government agencies, service providers, international disability organisations, and the public by:



telling our stories and identifying systemic barriers



developing and advocating for solutions



celebrating innovation and good practice

## The submission

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DPA is pleased to see that Auckland Council is updating its Signage By-Law to make it much easier to interpret for all stakeholders. From a disability perspective, it provides a timely reminder of the need for signage to be placed in such a way that it does not create accessibility issues for disabled people, especially for people with mobility impairments as well as blind and low vision communities.

We have some general and specific points to make around the Signage By-Law, mainly around the principles that should be adhered to when approving signage for placement.

The United Nations Convention on the Rights of Persons with disabilities (UNCRPD) Articles most relevant to our submission are:

- Article 4.3 Involving disabled people and our organisations in decisions that affect us
- Article 5: Equality and non-discrimination
- Article 9: Accessibility
- Article 19: Living independently and being included in the community
- Article 20: Personal mobility

The New Zealand Government policies and strategies which are relevant to this submission are as follows:

New Zealand Disability Strategy 2016-2026:

- Outcome 5 - Accessibility

## DPA's recommendations

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**Recommendation 1:** DPA strongly recommends that free standing signage (and this includes any permanent, fixed signage such as signage on monuments, poles and pylons) be placed in a way that does not impede pedestrian access corridors and ensures the safety of all members of the public, especially people with mobility impairments who may use mobility devices such as wheelchairs, mobility scooters, walkers, etc, and blind and vision impaired people.

**Recommendation 2:** DPA strongly supports the stipulation contained in Section 11 (4) of the by-law around the need for the safe separation of portable, free-standing signage, so that it can maintain an unobstructed footpath width of 1.8 metres and that it be detectable by blind or vision-impaired people using a cane.

**Recommendation 3:** DPA strongly recommends that in the longer-term, Auckland Council investigate the option of banning free-standing signage (especially sandwich boards) on pedestrian access ways such as footpaths as these are an un-necessary obstacle that creates disabling barriers for disabled people and especially blind and vision impaired people. If such a policy were to be introduced, then we would favour a transition period to enable the development of alternative marketing and signage strategies which don't include footpath level signage.

**Recommendation 4:** DPA strongly supports the banning of free-standing signage in much of the Auckland CBD as provided for in Schedule 4 given the high volumes of pedestrian traffic in the area. We would also recommend that other areas be considered for signage bans as well, particularly those which experience high pedestrian traffic volumes as well.

## Conclusion

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DPA views the new signage by-law as one which creates greater clarity for all stakeholders including businesses, council, motorists and pedestrians. However, in the longer term, we would like Council to consider banning sandwich boards and other potentially hazardous free-standing signage, given the accessibility and safety hazards that they represent.



26 October 2021

Auckland Council  
Private Bag 92300  
Auckland 1142

[akhaveyoursay@aucklandcouncil.govt.nz](mailto:akhaveyoursay@aucklandcouncil.govt.nz)

## **SUBMISSION TO THE AUCKLAND COUNCIL ON THE PROPOSED NEW SIGNS BYLAW**

Communities Against Alcohol Harm Inc ('the Association') welcomes the opportunity to make this submission to the Auckland Council on the proposed new Signs Bylaw.

### **Summary**

The Associations asks that:

- large 'A' Frame signs (Area: 4m<sup>2</sup> Width: 2m Height: 6m) be prohibited, especially in Local Centre and Neighbourhood Centre zones;
- portable signs (such as sandwich boards and tear drop flags) be prohibited in neighbourhood centre zones;
- poster signs displayed on the facades of premises (especially dairies and small grocery stores) be prohibited in neighbourhood centre zones;
- the proposal that signs may not be displayed on top of a verandah be adopted and that the maximum height limit of verandah fascia be 0.6m be adopted;
- the proposals for wall-mounted signs be adopted, with the exception that we also ask that the practice of painting premises in neighbourhood centre zones with bright vivid colours (especially associated with goods and services sold from the business or franchise colours) be considered advertising or signage and be prohibited and that buildings or structures in neighbourhood centre zones be painted in muted colours not associated with a business, franchise or advertiser;
- the proposals regarding window signage be adopted;
- the proposal that the top of a building may not be altered to display a sign be adopted;
- the proposal that when businesses cease to trade, that the signage of a business be removed within '60 working days' be adopted;
- bollard sleeve signage be prohibited; and
- façade poster signs be prohibited in Neighbourhood Centre Zones.

## Background

Auckland businesses use signs every day to advertise goods and services and to communicate information. Signs can, however, also cause problems relating to: public safety; nuisance; misuse of council-controlled public places; the Auckland transport system; and the environment. For example, the number, size and location of signs can cause visual clutter, affect traffic safety, obstruct pedestrians and detract from the amenity of predominantly residential areas (such as in neighbourhood centre zones).

Auckland Council manages these problems alongside Auckland Transport using the Signage Bylaw 2015 and the Elections Signs Bylaw 2013. These bylaws apply to most signs in Auckland, including: freestanding; verandah; wall; window; portable; stencil; poster; banner; real estate; event; election; and vehicle signs.

Auckland Council has recently worked with Auckland Transport to review the Signage Bylaw 2015. Both agencies wish to manage the issues caused by signs more effectively and efficiently by combining the two current bylaws into a new Signs Bylaw 2022.

Auckland Council and Auckland Transport propose to make several key changes to the current rules including:

- increasing the area where portable signs are prohibited to cover the entire city centre zone;
- enable the display of election signs on places not otherwise allowed up to nine weeks prior to an election or referendum;
- increasing the maximum area of flat wall-mounted signs in the heavy industry zone; and
- clarifying the rules so they are easier to understand, reflect current practice, remove confusion and fill perceived gaps.

## Our Feedback

Our feedback addresses the following issues identified in the Feedback Form:

- (4) Free-standing signs
- (5) Portable signs
- (6) Posters
- (7) Verandah signs
- (7) Wall mounted signs
- (12) Window signs
- (14) Special rules for certain signs
- (17) Other Feedback
  - Bollard Sleeves
  - Façade Posters

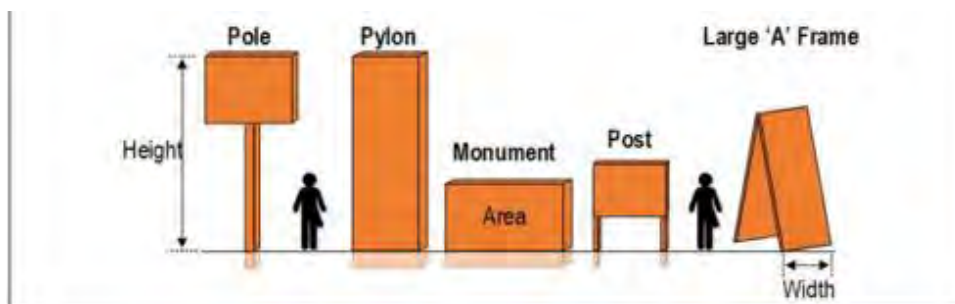
For the Council's information, we make recommendations for amendments to the proposed Signs Bylaw in our feedback below. The recommendations of amendments with

- ✓ "**Red Strikethrough**" should be **deleted**, and
- ✓ "**Blue Underscore**" **inserted**.



## Issue (4) - Free-standing signs

Free standing signs are signs that stand on their own, independent of any building or structure for their support and are fixed on or into the ground, or placed on the ground, but do not include portable signs or a flag displayed on a flagpole.



Auckland Council is proposing to clarify the current rules, including the definition and separation distances for free-standing signs. For example, the proposal is to clarify that these signs: • include large portable signs that can't be easily moved by hand; and that these signs need to be separated by 10 metres if they are on the same site and by two metres if they are on different sites.

The Association opposes the proposal regarding Large 'A' Frame signs, especially in Local Centre and Neighbourhood Centre zones. Though these signs are intended to be placed on a site (for example, on a property and not on a road or footpath), our concern is that portable signs are generally not used in this way. Instead, they tend to be placed on footpaths or grass verges.



Small A-frame sign on verge/footpath



[Large A-frame sign in use: 99 Bikes, Barry Point Rd, Takapuna \(Business - mixed use zone\)](#)

In particular, we understand that the proposals for Local Centre and Neighbourhood Centre zones are for Large 'A' Frame signs of Area: 4m<sup>2</sup> Width: 2m Height: 6m to be permitted. In our view, these are very large portable signs for Local Centre and Neighbourhood Centre zones. We have concerns that Large A Frame signs will add to clutter and create obstacles for pedestrians. We ask that Large 'A' Frame signs (Area: 4m<sup>2</sup> Width: 2m Height: 6m) be prohibited, especially in Local Centre and Neighbourhood Centre zones.

### **The Association recommends that clause 7(1) be amended to state:**

- (1) This clause applies to free-standing signs, which in this Bylaw means signs –
- (a) that stand on their own, independent of any building or structure for their primary support; and
  - (b) are fixed on or into the ground, ~~or placed on the ground~~; but
  - (c) excludes portable signs in clause 11 and a flag displayed on a flagpole.

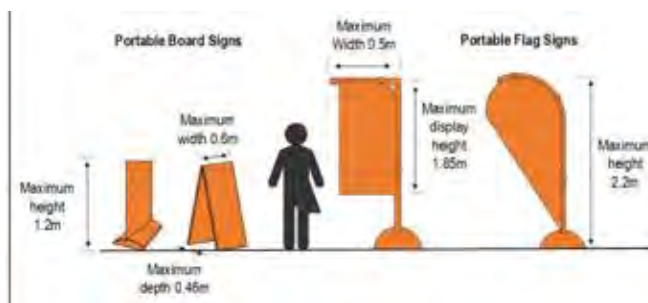
## Issue (5) - Portable signs

Portable signs are signs that can be readily moved (for example a sandwich board, teardrop flag, flag banner, portable ladder board, inflatable-air-dancer or similar device able to be moved by a single person using their hands or a hand trolley not propelled by mechanical power).

Auckland Council is planning to introduce two main changes.

**Proposal A** will increase the area where portable signs are prohibited to cover the entire City Centre Zone.

**Proposal B** will clarify current rules, including the definition and placement of portable signs.



### The Association opposes portable signs in neighbourhood centre zones.

We are concerned that portable signs create safety risks (especially for pedestrians who are mobility or vision impaired), nuisance and clutter in neighbourhood centre zones. In particular, we have concerns with observations we have made of multiple portable signs outside premises (especially dairies and small grocery stores) in neighbourhood centre zones. Footpaths outside premises in neighbourhood centre zones are often narrow and used frequently. Under the current Signage Bylaw 2015, premises in these zones are only permitted to have 1 portable sign, but there appears to be widespread non-compliance and no enforcement. To rectify this, we ask that portable signs also be prohibited in neighbourhood centre zones.

Currently clause 4(e) provides for portable sign ban areas, which may be specified in a control in Subpart 1 of Part 3.



[Wymondley Road Superette, Otara](#)



[Richmond Road Superette, Ponsonby](#)



[Martin Ave Superette, Mt Albert](#)



[Whites Dairy, Devonport](#)

**The Association recommends that a control be made in accordance with clause 4(e) and Subpart 1 of Part 3 to prohibit portable signs from neighbourhood centre zones.**

The Association also has concerns regarding the emerging trend of the use of bollard sleeve signs. We discuss this at '(17) Other Feedback' below with a recommendation they be identified as portable signs and prohibited.



## Issue (6) - Posters

Posters are a temporary sign fixed to a structure without the need for a supporting device. Auckland Council is proposing to clarify current rules, including that poster board sites require approval. Auckland Council wants to provide rules that reflect current practice. Auckland Council are proposing to update the current rules for posters, for example to clarify that a poster board site must be approved before it can be installed.

The Association agrees generally with these proposals.

We note that a person must obtain prior approval for any poster board (a structure intended for the display of posters, including a board, poster bollard or pole wrap). We also understand that Auckland Council has not yet approved any poster boards. Further, posters displayed on windows must be on the inside of the window. These provisions are similar to those in the current Signage Bylaw 2015.

However, we have concerns with observations we have made of multiple poster signs being displayed on the facades of premises (especially dairies and small grocery stores) in neighbourhood centre zones.

Often these dairies and small grocery stores have boarded over pre-existing windows to create facades. We expect this has been done to both protect the premises from having their windows damaged and goods stolen, but also to create more space within the premises from which to display goods. We doubt this practice complies with planning or building requirements. We also expect an arrangement has been agreed between the business and poster signage companies for the display of the poster signs. This may include removal of any graffiti by the poster signage companies.

We believe these facades and poster signs significantly detract from neighbourhood amenity values (for example, by detracting from the character of public places, including the characteristics of the streetscape, natural environment, landscaping and open space. They dominate views from residential zones, residential land and education facilities; and create adverse cumulative effects).



**We ask this kind of poster signage be prohibited in neighbourhood centre zones.**

It also appears from the drafting of the Bylaw that some posters are permitted without an approval. These appear to be signs that relate to an event. However, it is unclear and we recommend an amendment to clauses 13(2) and 13(3) to make this clear.

We discuss this further under Other Feedback.

**The Association recommends that clause 13(2) be amended as follows:**

- (2) A person may only display a poster sign if the sign is on –
- (a) a poster board approved in Subpart 2 of Part 3; or
  - (b) on the inside of a window.
- (3) A poster sign must comply at all times with the conditions in this table –
- Conditions for the display of all poster signs in (2) ~~(1) without an approval~~

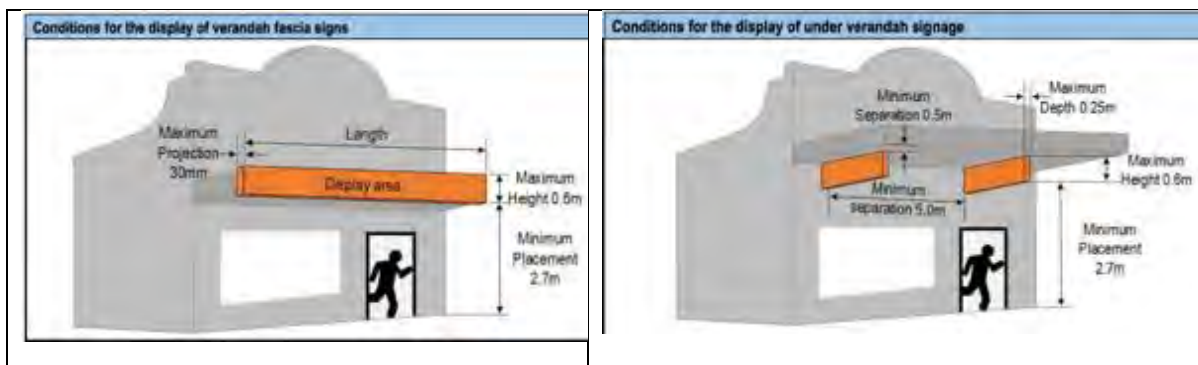
**NOTE:** For the Council's information, we make recommendations for amendments to the proposed Signs Bylaw in our feedback below. The recommendations of amendments with

- ✓ “**Red Strikethrough**” should be **deleted**, and
- ✓ “**Blue Underscore**” **inserted**.

## Issue (7) - Verandah signs

Verandah signs are signs on a verandah, portico, balcony, awning or similar structure. Auckland Council is proposing to clarify the current rules, including the definition of verandah. A verandah sign may only be displayed if it is attached to a building and the sign is on the fascia of the verandah or an under the verandah.

Signs may not be displayed on top of a verandah.



The Association generally agrees with these proposals, especially that signs may not be displayed on top of a verandah.

Our observations are that there is widespread non-compliance with this requirement.



[Baroness Barber, Blockhouse Bay](#)



[Barfoot & Thompson, Blockhouse Bay](#)



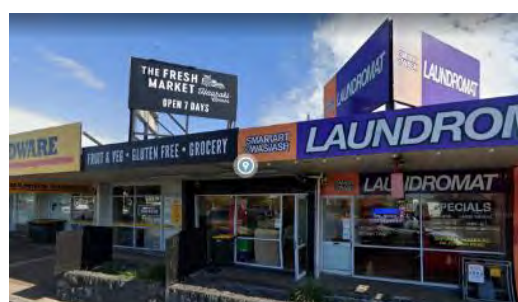
[Bakery / Don's Foodmarket, Birkdale](#)



[Kepa Road Superette, Mission Bay](#)



[Sandra Dairy \(etc\), 73 Marua Rd, Ellerslie](#)



[Smart Wash Landromat \(etc\), Hauraki Corner](#)



We also support the maximum height limit on verandah fascia, but our observations are that there is also widespread non-compliance with this requirement.



[Blockhouse Bay Pharmacy, Blockhouse Bay](#)



[Tyler Bakery, Pakuranga](#)



[Domino's, Chartwell Ave, Glenfield](#)



[Hot Hot Asian Eatery, Mt Eden](#)

We note that the conditions for signs on the fascia of the verandah are that: "No more than 50% of sign to display advertising (the other 50% can display the business name for example)." Although this requirement remains the same as the requirement in the Signage Bylaw 2015, we have concerns from observations made of verandah fascia signs that an allowance for 50% of sign to display advertising is too generous. We suggest this be limited to 10%. In neighbourhood centre zones, we believe this advertising detracts from neighbourhood amenity values (for example, by detracting from the character of public places, including the characteristics of the streetscape). We suggest that advertising on verandah fascia signs be prohibited in neighbourhood centre zones.

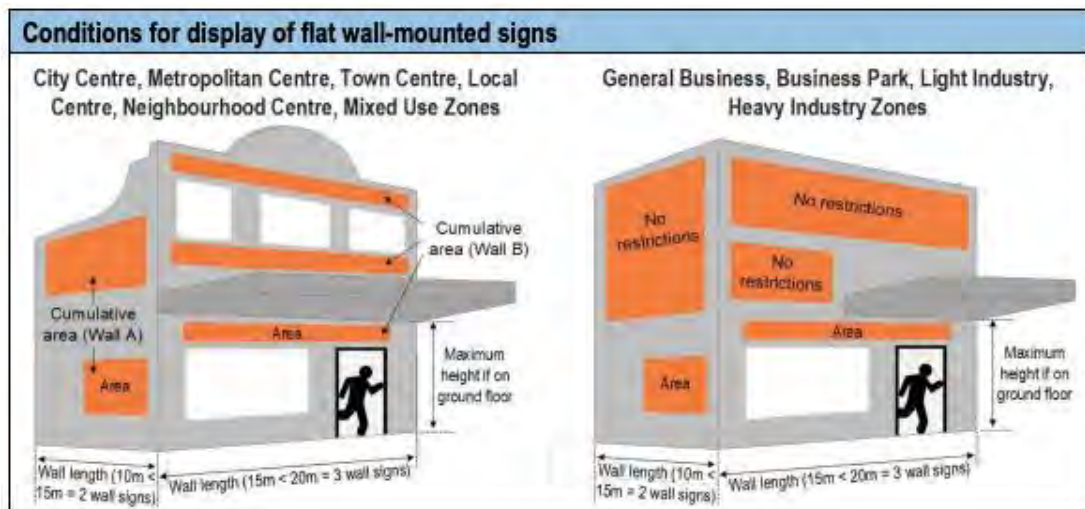
**The Association recommends that clause 8(3) be amended as follows:**

Conditions for the display of verandah fascia signs

Other: No more than **10%** ~~50%~~ of sign to display advertising (the other **90%** ~~50%~~ can display the business name for example). **Advertising on verandah fascia signs is prohibited in neighbourhood centre zones.**

## Issue (7) - Wall mounted signs

Wall mounted signs are signs attached to or painted on a wall, fence or building. Auckland Council is planning to introduce two main changes. Proposal B is to clarify the current rules, including locations, separation distances and dimensions. Council wants to provide rules that reflect current practice, are more certain and improve safety. Council are proposing to update the current wall-mounted signs rules, for example to clarify that: • these signs can be displayed on fences; • there is a five-metre separation distance between horizontal wall-mounted signs; • flat-wall mounted signs on the ground floor of a building can project a maximum of 0.03 m (3 cm) from the wall.



With regard to flat wall mounted signs, our observations are that there is widespread non-compliance with these requirements.



[Belmont Superette, Belmont](#)



[Fenchurch Superette, Glen Innes](#)



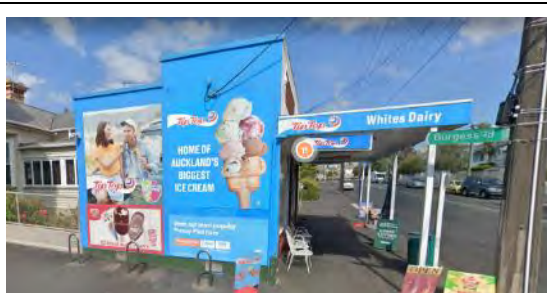
[Garnet Dairy, Westmere](#)



[Shore Road Superette, Remuera](#)



[Peninsula Food Market, Te Atatū Peninsula](#)



[Whites Dairy, Devonport](#)



**Secondly, we ask for clarification of the following matters.**

- We note that a flat wall-mounted sign includes a sign that is painted. Then, we note that the definition of a sign in clause 5 of the new Bylaw includes advertisements, messages or notices painted onto a window, a hoarding, or building. However, that definition also says that to avoid doubt, a sign does not include the colour of a building or other structure.<sup>1</sup>

**We have a concern that the definition of sign remains open to misinterpretation.**

- Our further concern from observations we have made of various retail premises in neighbourhood centre zones is that they detract from neighbourhood amenity values because they paint the entire building (or building/hoarding) in a single colour. Typically, this colour is associated with a particular brand or franchise of the premises. In our view, this significantly detracts from the character of public places, the characteristics of the streetscape, landscaping and open space in neighbourhood centre zones. It dominates views from residential zones and residential land, education facilities and creates adverse cumulative effects.



[Mokoia General Store, Birkenhead](#)



[Starwood Superette, Mangere East](#)



[Princes St Foodmarket & Laundry Mart, Pukekohe Hill](#)



[Eastern Beach Dairy, Eastern Beach](#)



[Tower Superette, St Heliers](#)



[Unichem Mt Smart Pharmacy, Penrose](#)

**We ask that this practice be prohibited in neighbourhood centre zones, with requirements that buildings be painted in muted colours not associated with a business, franchise or advertiser.**

<sup>1</sup> Clause 2 provides that "sign means an advertisement, message or notice conveyed using any visual medium, which advertises a product, business, service, or event or acts to inform, influence or warn any person, and – (a) includes – (i) the supporting device (for example frame, pole, stand or other 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, footpath, road or building; and (iv) murals, banners, flags, posters, balloons, blimps, sandwich board signs, projections of lights or electronic displays; (b) to avoid doubt, does not include – (i) the display of goods for sale; (ii) displays consisting of props, mannequins, models or similar items; and (iii) the colour of a building, other structure or vehicle."

**To achieve the above, the Association recommends that the definition of sign in clause 2 be amended as follows:**

“sign means an advertisement, message or notice conveyed using any visual medium, which advertises a product, business, service, [franchise](#), or event or acts to inform, influence or warn any person, and –

**(a)** includes –

- (i) the supporting device (for example frame, pole, stand or other 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, footpath, [bollard](#), road or building; and
- (iv) murals, banners, flags, posters, balloons, blimps, sandwich board signs, projections of lights or electronic displays;

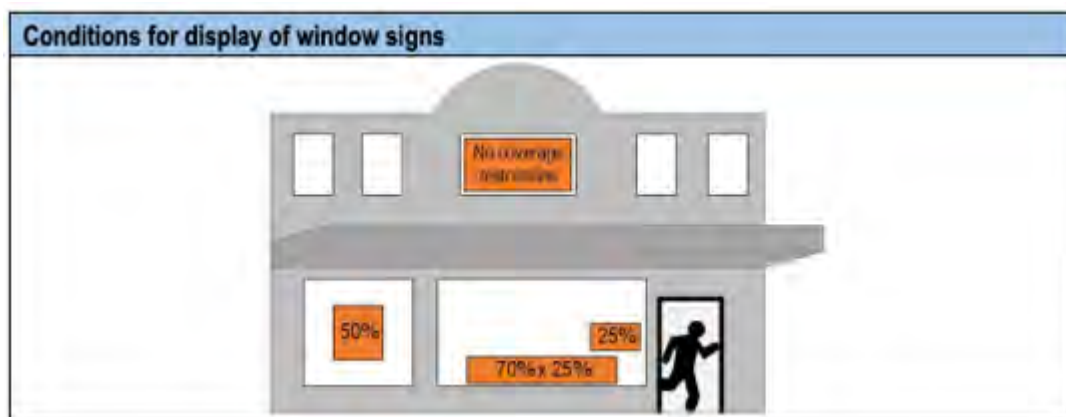
**(b)** to avoid doubt, does not include –

- (i) the display of goods for sale;
- (ii) displays consisting of props, mannequins, models or similar items; and
- (iii)** the colour of a building, other structure or vehicle [\(except for the colour of buildings or other structures in neighbourhood centre zones\)](#).

## Issue (12) - Window signs

Window signs are signs on or within 0.015 metres (15 millimetres) of the inside face of a window of a building, including any etching, branding, graphics, promotions, decals, self-adhesive vinyl stickers, posters, stencils, and changeable message signage.

Auckland Council is proposing to clarify current rules, including that there are no restrictions on window signs in the City Centre Zone. Other areas such as town centres have restrictions on the percentage of window area that a window sign can cover.



The Association agrees with these proposals, but our observations are that there is also widespread non-compliance with these requirements.



[Campbell's Bay Dairy, Campbell Bay](#)



[Sunnybrae Dairy and Lotto, Manurewa](#)



[Grand Foodmart, Orewa](#)



[Eden Park Superette, Sandringham](#)



[Sri Ganesh Indian Food & Spices, Mt Roskill](#)



[Te Atatu Fruit & Vegge, Te Atatu South](#)



## Issue - (14) Special rules for certain signs

These include rules that all signs must comply with.

**Proposal B** is to confirm that a person must not alter the top of a building to display a sign (through a separate clause 26 to prohibit a person from adding or extending a structure to the roof, architectural top, or above the outline of a building for the sole purpose of displaying a sign).

**Proposal D** is to clarify rules for businesses that have ceased to trade, including when and where signs must be removed. Council is proposing to make a separate clause 29 for businesses that cease to trade and to update the rules in this clause, for example to: • clarify the time period for the removal of signs of a business that has ceased to trade from 'three calendar months' to '60 working days', to better account for public holidays; • clarify that if the sign has historic heritage value or is an integral part of the structure of a building then the display area of a sign can be removed or covered.

The Association agrees with these proposals, but our observations are that there is also widespread non-compliance with Proposal B and difficulty enforcing Proposal D.

## Issue (17) - Other Feedback

### 1. **Bollard Sleeves**

An emerging issue we have observed is the widespread use of bollard sleeves with accompanying advertising.

Our observations are that bollards are generally placed into footpath managed by Auckland Transport to reduce the risk of ram raids. Our understanding is that most are on council-controlled public space.



[Juliet Superette, Howick](#)



[Gloucester Superette, Manurewa](#)



[Harlston Superette, Mt Albert](#)



[Manuroa Superette, Takanini](#)



[Point Superette, Pt Chevalier](#)



[Smart Superette, Onehunga](#)

We ask that bollard sleeve signage be prohibited.

**We ask that bollard sleeve signage be prohibited.**

**The Association recommends that clause 11(1) be amended as follows:**

**(1)** This clause applies to portable signs, which in this Bylaw means a sign that can be readily moved (for example a sandwich board, teardrop flag, flag banner, [bollard sleeve](#), portable ladder board, inflatable-air-dancer or similar device able to be moved by a single person using their hands or a hand trolley not propelled by mechanical power).

## **2. Façade Posters**

We are concerned that the proposed Signs Bylaw 2022 does not regulate façade posters.

What we mean by façade posters are temporary poster-style signs displayed on the facades of buildings or within frames attached to the facades of buildings or structures. We have often observed that the facades have been established by the premises 'boarding over' windows. This is especially common among dairies and small grocery stores in Neighbourhood Centre Zones. They are most prominent in vulnerable communities or where there higher populations of Māori and Pasifika reside. These façade posters have significant adverse effects on the visual amenity of these zones as can be seen from the photos included under Issue (6) Posters above.

For the reasons set out below, we do not believe façade posters are 'true' posters, or window signs or wall-mounted signs. They appear to be unregulated under the current Signage Bylaw 2015 and nor does the proposed Signs Bylaw 2022 regulate these façade posters.

- Although 'true' posters are proposed to be regulated under clause 13 of the Signs Bylaw 2022 and are currently regulated under clause 17 of the Signage Bylaw 2015, these posters may only be displayed on a poster board approved by the Council. We understand that no poster board sites have been approved by the Council. As the prevalence of façade posters is widespread in Auckland, we believe they are not currently regulated as 'true' posters under the Signage Bylaw 2015 nor will they be under the Signs Bylaw 2022. Nonetheless, we agree that 'true' posters should be regulated under clause 13 of the Signs Bylaw 2022.
- Further, although window signs are regulated under clause 10 of the proposed Signs Bylaw 2022, window signs must be on a window or on the inside of a window. What we call façade posters are neither signs on a window or on the inside of a window. They are displayed on the *exterior facades* of premises. Often the facades have been established by the premises 'boarding over' windows. They are not regulated under clause 10 of the proposed Signs Bylaw 2022.
- Finally, although flat wall-mounted signs are regulated under clause 9 of the Signs Bylaw 2022, in almost all cases what we call façade posters cannot be wall-mounted signs because these signs must not cover any window and façade posters typically do this. Alternatively, if they are wall signs, the size and coverage of façade posters typically exceed the requirements for wall signs and must be in breach of the current Signage Bylaw 2015 and the proposed Signs Bylaw 2022.

As a consequence, we believe the proposed Signs Bylaw 2022 does not regulate façade posters at all, but must be amended to do so.

These facade poster signs are ubiquitous across Auckland and significantly detract from the amenity values of neighbourhood centre zones (for example, by detracting from the character of public places, including the characteristics of the streetscape, natural environment, landscaping and open space). They dominate views from our homes, residential land and education facilities, and create adverse cumulative effects. They are most prominent in vulnerable communities or where there higher populations of Māori and Pasifika reside.

**We ask that façade poster signs be prohibited in Neighbourhood Centre Zones.**

**To achieve this, we ask that clause 13 of the proposed Signs Bylaw 2022 be amended as follows:**

(1) This clause applies to a poster sign, which in this Bylaw means a temporary sign fixed to a structure without the need for a supporting device and to a façade poster sign, which in this Bylaw means a temporary sign fixed to a structure or building (or within a frame fixed to a structure or building).

(5) A person may not display a façade poster sign in a neighbourhood centre zone.



Chairperson, **Communities Against Alcohol Harm Inc.**

**IN THE MATTER OF** *Te Ture ā-Rohe mo nga Tohu*/Signage Bylaw 2015  
Review

**AND IN THE MATTER OF** a submission

**BETWEEN**

**AUCKLAND COUNCIL**

**AND**

**NEW ZEALAND SIGN AND DISPLAY  
ASSOCIATION (Inc)**

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**SUBMISSION SIGNAGE BYLAW 2015 REVIEW**

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27 October 2021

**Legal Associates**

31 East Tamaki Road, Papatoetoe 2025

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P O Box 200-170, Papatoetoe 2156, AUCKLAND

Counsel acting:



## SUBMISSION SIGNAGE BYLAW 2015 REVIEW

To the members of the Bylaw Panel:

### *The Parties*

1. New Zealand Sign and Display Association (Inc) (“NZSDA”) is an independent Association comprised of sign writers and associated entities involved in the sign and display industry operating within New Zealand.
2. NZSDA maintains a Code of Practise to uphold the high standards of craftsmanship and business ethics within the industry.
3. NZSDA was incorporated as a Society on 17 August 1970 and has been the representative body of the industry for over 50 years.

### *Declaration of Interest*

4. I have been engaged by NZSDA to represent them as their lawyer in the making of these submissions.
5. I also have a shareholding and directorship in Digital Holdings Limited that in turn has wholly owned subsidiaries of Digital Signs Limited (“DS”) and Digital Advertising Limited (“DA”).
6. DS is an importing manufacturer of LED signs (own-use advertising) and billboards (third party advertising). DA is in the process of building a national network of digital billboards throughout New Zealand.

### *Regulating Signs via Bylaw*

7. Auckland Council is a territorial authority listed in Part 2 of Schedule 2 Local Government Act 2002 (“LGA”).
8. Section 145 LGA provides the general bylaw-making powers for territorial authorities.
9. The powers for Auckland Council to make bylaws are restricted to:

- a) protecting the public from nuisance:
  - b) protecting, promoting, and maintaining public health and safety:
  - c) minimising the potential for offensive behaviour in public places.
10. Large parts of the proposed Bylaw relate to the visual amenity of an area.
  11. Very limited parts of the Bylaw relate to nuisance (light spill) or safety (visual obstruction).
  12. There are not likely to be any public health or offensive behaviour issues arising from signage.
  13. NZSDA is concerned to note the author of the "*Auckland Council and Auckland Transport Signage Bylaw 2015 2020 Review Findings Report*" advised the Regulatory Committee that, "The Bylaw would not be able to regulate for visual amenity on private land" (3.6 at p38) and sought to work around the 'visual amenity' purpose by changing the wording.
  14. In this same Report the author notes, "Most councils in New Zealand use district and regional plans to control signs" (p27).
  15. All NZSDA members that have engaged with our survey (100%) prefer that all matters relating to signs be controlled under the AUP (Auckland Unitary Plan).
  16. It is noted with interest that section 12 Bylaws Act 1910 is still current law (challenging invalid bylaws upon the payment of 5 pounds security for costs) so a judicial review is not going to be required.
  17. An application seeking dispensation under the current Bylaw is restricted to a judicial review application in the High Court upon being declined. The focus of the High Court will tend to be administrative compliance.
  18. If signage rules were under the AUP an appeal would be to the Environment Court where the Court are experienced at assessing the substance of the matter.

19. Applicants in person are encouraged in the Environment Court (with mediation being the common first step) and excluded in the High Court.
20. The High Court is a disproportionate path for reviewing a sign application.
21. NZSDA recommend:
  - a) All matters that relate to visual amenity of signs (size and placement on private land) be dealt with by way of a plan change under the AUP; and
  - b) The Signage Bylaw continue to regulate wayfinding and temporary signs in public places (election, event, community and real estate); and
  - c) The proposed Bylaw be restricted to governing matters of safety (driver distraction, blocking of footpaths) and nuisance (light spill), which will give the necessary enforcement ability for dangerous situations.

#### *Low Consultation*

22. NZSDA are extremely concerned with the low level of consultation and the appearance of a rushed timeline for a Report that was prepared in August 2020 not being tabled for public consultation until late September 2021, with submissions closing 27 October 2021.
23. Most members felt they did not have sufficient time to consider the large volume of information (Options Report – 24 pages, Final Report – 154 pages, Statement of Proposal Report – 146 pages, Comparison Between Bylaws – 8 pages, Committee minutes and the Proposed New Bylaw – 64 pages) to make a meaningful submission.
24. Of particular concern was NZSDA being invited to a stakeholder consultation on 10 December 2018, where it was indicated a further meeting would be held in 2019 to review the findings of the first meeting in draft form, yet no further consultation was ever held, even until 2021 (coming up 3 years later).

*Input Not Considered*

25. At the December 2018 meeting Council indicated a desire to create a framework that better reflected emerging technology, the objectives of the AUP (greater vibrancy and economic activity) and to make the application process easier and more predictable to achieve greater voluntary compliance.
26. There is very little difference (word for word) between the 2015 Bylaw and the proposed Bylaw.
27. In particular Council has not taken any of the points raised (brightness, animation and above-roof as an example) and investigated these matters in detail to properly establish whether they should appear in any new rules.

*- Lighting*

28. At the Stakeholder Meeting Council was advised the environment has 1.6 billion cd/m<sup>2</sup> of luminescence (brightness) on a sunny day so requiring signage to be at 5,000 cd/m<sup>2</sup> is pointless (as it cannot be measured when there is a greater ambient lighting level in the area), and in fact sun strike causes illuminated signs to be difficult to read making them a safety hazard (as people focus on them longer to make out what they contain).
29. Hamilton District Council has been permitting 8,000 cd/m<sup>2</sup> for signs in sunlight for many years (without incident) and the balance of the country has a 6,000 cd/m<sup>2</sup> standard.
30. The real issue around lighting levels is how bright an illuminated sign is during overcast or evening conditions. The Council has not paid attention to the express urging of the Hearing Commissioners in LUC60347826 (para 79).
31. There should not be any daytime brightness limit (other than “not to dazzle or distract”) and at all other times illuminated signs should be relative to the current ambient lighting levels so as not to distract (say 75% of surrounding light levels).

32. This would address the many nighttime complaints that signs are too bright and effecting sleep. The current 250 cd/m<sup>2</sup> limit is inadequate in this regard.

33. Auckland Council does not appear to have paid any attention to this submission as we cannot see any *prima facie* consideration of this point.

- *Animation*

34. Each of Whakatane, Rotorua, Hamilton and Taupo councils have been permitting full motion video (the entire screen may contain moving images) for many years without any adverse safety effects (and arguably creating a more modern and vibrant visual environment).

35. Multiple Auckland cinemas have been scrolling movie names and times (animation) for many years without incident.

36. Auckland Council does not appear to have paid any attention to this submission as we cannot see any *prima facie* consideration of this point.

- *Above-roof Signage*

37. The rules around signage should be consistent with the planning objectives of the AUP.

38. Without getting into an overly in-depth analysis of the AUP, or the function of district plans generally, it is submitted it is the objective of the AUP to provide for a sustainable use of the environment, protecting the character of areas (in particular heritage, open spaces and residential) while allowing for greater vibrancy, economic activity and intensification.

39. My submissions in this regard are to be read solely in conjunction with the issue of above-roof signage and not (for example) other issues (such as signs visible from public spaces).

40. At the December 2018 Stakeholder Meeting it was agreed by the majority of industry representatives in the room at the time that there was no urban planning support for a blanket rule that prohibited above-roof signage.

41. Many zones have increased the permitted building height to 16 metres to encourage greater use of the land. This will change the future look of suburbs like Ponsonby and Papateotote from the current uniform 2 level flat roof line to a variation of 2 – 7 level buildings and the subsequent change to the visible skyline as a result.
42. When a signage rule contains a blatant statement of prohibition many hours of work is required on every application lodged thereafter seeking to depart from that. Only the most well supported contentions should be blanket rules (which is not the case here).
43. Auckland Council does not appear to have paid any attention to this submission as we cannot see any *prima facie* consideration of this point.

#### *Technical Aspects of the Bylaw Wrong*

44. Since 2007 NZSDA has been making submissions that permitted signage should correspond to the common sizes of base materials to cause less waste going to the landfill.
45. On each occasion the NZSDA has advised common sheet sizes are 2240mm x 1220mm (2.4m x 1.2m) and 3030mm x 1500mm (3m x 1.5m). Therefore specified signs should be 1.2m x .6m (not 1m x .5m) as one example.
46. This will not have any significant impact on visual appearance but will reduce waste by up to 25%. Attached and marked Appendix “A” are some drawings of typical sheet sizes and efficient sign sizes that fit effectively within those sheets (work of Master Signwriter Mr Nick Baty recently retired).
47. The proposed Bylaw permits veranda signage to have a depth of 300mm (incorrectly cited as 30mm - cl 8(3)(c)-(f)) but first level wall signage to only have a depth of 30mm (cl. 9(4)(d)).
48. Illuminated signs (LED and light boxes) require a minimum depth of 100mm (not counting fixings or rear ventilation if required) so the

proposed Bylaw in effect is disproportionately restricting signage to ACM (aluminium composite material) or paint in these places.

*Summary*

49. Controlling signage by the use of a bylaw will not survive a challenge as the majority of the focus of the control is on visual amenity and how this will impact on urban planning and design.
50. The AUP is the appropriate place to take into account all matters when seeking to regulate an environment.
51. It is clear the Council have not assessed the input of experienced stakeholders so the proposed Bylaw will also fail from a lack of comprehensive consultation.
52. The rushed nature of the process, combined with the lack of consultation, has resulted in multiple minor technical matters that need addressing before becoming a rule.
53. For the above reasons the NZSDA respectfully submit Auckland Council should enact temporary regulations to maintain the *status quo* until a proper plan change process can be completed.



Lawyer  
New Zealand Sign and Display Association (Inc)



## Economical and Environmentally Sound Rigid Sign Sizes

Almost all commonly used rigid sign substrates come in a standard sheet size of 1200mm x 2400mm (or its imperial equivalent, 4 feet by 8 feet, which converts to 1220mm x 2440mm).

It is therefore considered good practice for both economic and environmental reasons to standardise sign sizes to suit these sheets, and therefore minimise or even eliminate wastage.

Some commonly used sizes which are often used are illustrated below.

<p>1220 x 2440mm</p> <p>2.97m<sup>2</sup></p> <p>(nominal 3m<sup>2</sup>)</p>	<p>1220 x 1220mm</p> <p>1.49m<sup>2</sup></p> <p>(nominal 1.5m<sup>2</sup>)</p>
<p>1220 x 1813mm</p> <p>2.21m<sup>2</sup></p> <p>(nominal 2.2m<sup>2</sup>)</p>	<p>610 x 2440mm</p> <p>1.49m<sup>2</sup></p> <p>(nominal 1.5m<sup>2</sup>)</p>
<p>1220 x 813mm</p> <p>0.99m<sup>2</sup></p> <p>(nominal 1m<sup>2</sup>)</p>	<p>610 x 1220mm</p> <p>0.74m<sup>2</sup></p> <p>(nominal 0.75m<sup>2</sup>)</p>
<p>610 x 813mm</p> <p>0.5m<sup>2</sup></p> <p>(nominal 0.5m<sup>2</sup>)</p>	<p>610 x 490mm</p> <p>0.3m<sup>2</sup></p> <p>(nominal 0.3m<sup>2</sup>)</p>

**From:**  
**To:**  
**Subject:** Sign Bylaw  
**Date:** Wednesday, 27 October 2021 9:08:32 am  
**Attachments:** [image002.jpg](#)  
[2022 Graphics.pdf](#)

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Dear

As provided at the request of Glenn Wilcox of the Independent Māori Statutory Board, please find attached a reworking of the graphics, and in some instances the wording, to represent a sympathetic use of substrates to minimise signage waste to landfill. Please note that not all pages of the draft have required alteration.

I should be noted that New Zealand gets its substrate materials from various sources and that some is intended for the American market and some is intended for the European market, it is a ratio of approximately 50:50. This sees a slight anomaly in sizing between metric and imperial measurements and a difference of 0.08m<sup>2</sup> per sheet.

Accordingly we have created the graphics on a 'no waste' basis which means some signs will be nominally smaller if the European standard is utilised. We have also provided at the end of the document a sample sheet to show the logical divisions of a sheet to permit no waste.

There are some typographical errors in the Council's original draft as someone has mixed up millimetres and metres in both numbers and words in determining where the decimal point belongs so some of the rule is unworkable. I believe all measurements should be in metres i.e. 1.22m or 0.3m, all reference to mm should be changed for the sake of uniformity and clarity.

Our submission will be in the council's hands before the end of tomorrow. Thank you for allowing us to create this table to help minimise waste-to-landfill.

Nga mihi mahana,

Brian Fairchild

e-mail signature




Conditions for display of principal free-standing signs		
Location	Maximum number	Maximum size
(e) Coastal	One per structure (for example wharf or building) immediately adjoining the structure.	Area: 3m <sup>2</sup> Height: 4m
(f) Local Centre (g) Neighbourhood Centre	Cumulatively – (i) 1 per frontage of 60m or less in length; (ii) 2 per frontage between 60m and 100m in length; and (iii) 3 per frontage of 100m or more in length. The above limits apply regardless of the number of premises on the site and includes any free-standing billboards on the site	Area: 4m <sup>2</sup> Width: 2m Height: 6m
(h) All other Business Zones*		Area: 4m <sup>2</sup> Width: 2m Height: 8m
(i) Special Purpose - Major Recreational Facility		Area: 4m <sup>2</sup> Width: 2m Height: 8m
(j) Other Zones**	Must obtain prior approval in Subpart 2 of Part 3.	
Compliance with other rules		
(k) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.		

\* City Centre, Metropolitan Centre, Town Centre, Mixed use, General Business, Business Park, Heavy Industry, Light Industry.

\*\* Residential, Open Space, Future Urban, Rural, Strategic Transport Corridor and Special Purpose (excluding Major Recreational Facility).

- (4) A [free-standing menu board sign](#) must comply at all times with the conditions in this table –

Conditions for display of free-standing menu board signs			
Content			
(a) Must only advertise the premises, products, services, goods or events available or taking place on the <a href="#">site</a> of the sign.			
Location	Maximum number	Maximum area	Placement
(b) Business	One per drive-through lane.	4.5m <sup>2</sup>	Directly adjacent to drive-through lane or on the boundary of the <a href="#">site</a> .
(c) Other Zones	Must obtain prior approval in Subpart 2 of Part 3		
Compliance with other rules			
(d) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.			

\* Coastal, Residential, Open Space, Future Urban, Rural, Strategic Transport Corridor, Special Purpose

- (5) A [free-standing wayfinding sign](#) must comply at all times with the conditions in this table –

Conditions for display of free-standing wayfinding signs			
Content			
(a) Must only advertise the premises, products, services, goods or events available or taking place on the <a href="#">site</a> of the sign.			
Location	Maximum number	Maximum size	Placement
(b) City Centre (c) Metropolitan Centre (d) Town Centre (e) Local Centre (f) Neighbourhood Centre (g) Mixed use (h) Special Purpose - Major recreational facility	2 per vehicle and pedestrian entrance	Area: 2.2m <sup>2</sup> Height: 2m Width: 1m	Directly adjacent to vehicle or pedestrian entrance
(i) General Business (j) Business Park (k) Heavy Industry (l) Light Industry	2 per vehicle entrance		Directly adjacent to vehicle entrance
(m) Other Zones*	Must obtain prior approval in Subpart 2 of Part 3.		
Compliance with other rules			
(n) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.			

\* Coastal, Residential, Open Space, Future Urban, Rural, Strategic Transport Corridor, Special Purpose (excluding Major Recreational Facility).

## 8 A verandah sign may be displayed in certain circumstances

- (1) This clause applies to **verandah** signs, which in this Bylaw means a sign on a verandah, portico, balcony, awning or similar structure.
- (2) A person may display a [verandah](#) sign if –
- the verandah is attached to a building on a [site](#) (for example the building to which the verandah is attached is on private property); and
  - the sign is on the fascia of the verandah in (3) or an under the verandah in (4) (and not for example on top of a verandah).

- (3) A sign displayed on the fascia of a [verandah](#) must comply at all times with the conditions in this table –

Conditions for the display of verandah fascia signs				
<p>The diagram illustrates a verandah fascia sign on a building. The sign is a horizontal orange bar labeled 'Display Area'. A vertical dashed line indicates the 'Maximum Projection' of 0.3m from the building's facade. A horizontal arrow indicates the 'Length' of the sign. A vertical arrow on the right indicates the 'Maximum Height' of 0.6m. Another vertical arrow below it indicates the 'Minimum Placement' of 2.7m above ground level. A silhouette of a person is shown walking through a doorway on the verandah below the sign.</p>				
Content				
(a) Must only advertise products, services, goods or events available or taking place on the <a href="#">site</a> .				
Location	Maximum number	Maximum size	Placement	Other
(b) Coastal	One per building <a href="#">frontage</a> .	Height: 0.6m Length: 5m Projection: 0.3m	Minimum 2.7m above ground level	No more than 50% of sign to display advertising (the other 50% can display the business name for example).
(c) Residential	One per historic heritage or retail premises lawful established before 01 Oct 2015.	Height: 0.6m Projection: 0.3m		
(d) Open Space	One per building <a href="#">frontage</a> .			
(e) Special Purpose - Major Recreational Facility	One per pedestrian entrance			
(f) Other Zones*	One per premises			
Compliance with other rules				
(g) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.				

\* Business, Future Urban, Rural, Strategic Transport Corridor and Special Purpose (excluding Major Recreational Facility).

- (4) A sign displayed under the [verandah](#) must comply at all times with the conditions in this table –

Conditions for the display of under verandah signage			
Content			
(a) Must only advertise products, services, goods or events available or taking place on the <a href="#">site</a> .			
Location	Number	Maximum size	Placement
(b) Coastal (c) City Centre (d) Metropolitan Centre (e) Town Centre (f) Local Centre (g) Neighbourhood Centre (h) Mixed Use (i) Special Purpose - Major Recreational Facility	1 every 5 meters of building <a href="#">frontage</a>  Maximum 4 signs per business	Height: 0.6m Depth: 0.25m	<ul style="list-style-type: none"> <li>• 90 degrees to the wall to which the verandah is attached</li> <li>• Minimum 2.7m above ground level.</li> <li>• At least 0.5m from the fascia</li> <li>• At least 5m from any other under verandah sign of the same business</li> </ul>
(j) Other Zones*	Must obtain prior approval in Subpart 2 of Part 3.		
Compliance with other rules			
(k) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.			

\* Residential, Open Space, Business (General Business, Business Park, Heavy Industry, Light Industry), Future Urban, Rural, Strategic Transport Corridor Zone and Special Purpose (excluding Major Recreational Facility).

## 9 A wall-mounted sign may be displayed in certain circumstances

- (1) This clause applies to **wall-mounted** signs, which in this Bylaw means a sign attached to or painted on a wall, fence or building.
- (2) A person may display a [wall-mounted](#) sign if –
- the wall, fence or building is on a [site](#) (for example the building to which the sign is attached is on private property); and
  - the sign is a horizontal wall-mounted sign in (3) or a flat wall-mounted sign in (4).

- (3) A horizontal [wall-mounted sign](#) (a sign displayed at 90 degrees) must comply at all times with the conditions in this table –

Conditions for display of horizontal wall-mounted signs			
<b>Content</b>			
(a) Must only advertises products, services, goods or events available or taking place on the <a href="#">site</a> ;			
<b>Coverage</b>			
(b) Must not cover any window.			
Location	Maximum number	Maximum size	Placement
(c) Business	1 per every 5m	Area: 2.2m <sup>2</sup> on each side Projection: 1m	Between 3m and 8m above ground level. Minimum 5m separation distance between any two signs at a similar height.
(d) Other zones*	Must obtain prior approval in Subpart 2 of Part 3;		
<b>Compliance with other rules</b>			
(e) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.			

\* Coastal, Residential, Open Space, Future Urban, Rural, Strategic Transport Corridor, Special Purpose.

- (4) A flat [wall-mounted sign](#) (a sign displayed flat or painted) must comply at all times with the conditions in this table –

City Centre, Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use Zones	General Business, Business Park, Light Industry, Heavy Industry Zones

This is confusing



Conditions for display of flat wall-mounted signs				
Content				
(a) Must only advertise products, services, goods or events available or taking place on the <a href="#">site</a> ;				
Coverage				
(b) Must not cover any window;				
(c) Must not extend beyond the perimeter of the wall, fence or wall of the building to which it is attached;				
Maximum depth / projection from wall				
(d) Must not exceed a depth of 0.03m (30mm), if within 3m of the ground.				
Conditions for display of flat wall-mounted signs				
Location	Maximum number	Maximum size	Other	
(e) Coastal	1 sign per business for every 5m of wall length	<ul style="list-style-type: none"> <li>Height: 4m above ground level if on the ground floor of a building</li> <li>Area: 2.2m<sup>2</sup></li> </ul>	No projection beyond eaves if on a building.	
(f) Residential		<ul style="list-style-type: none"> <li>Height: Top of the ground floor level if on a building</li> <li>Area: 0.3m<sup>2</sup></li> </ul>	-	
(g) Open space		<ul style="list-style-type: none"> <li>Height: 3m above ground level if on a building</li> <li>Area: 1m<sup>2</sup></li> </ul>	-	
(h) City Centre		<ul style="list-style-type: none"> <li>Height: 3m above ground level if on the ground floor of a building</li> <li>Area: 6m<sup>2</sup></li> </ul>	Maximum cumulative area: 25% facing or on a <a href="#">front boundary</a> and 50% facing or on any other boundary.	
(i) Metropolitan Centre				
(j) Town Centre		<ul style="list-style-type: none"> <li>Height: 3m above ground level if on the ground floor of a building</li> <li>Area: 3m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>Height: 5m above ground level if on the ground floor of a building</li> <li>Area: 6m<sup>2</sup></li> </ul>	-
(k) Local Centre				-
(l) Neighbourhood Centre				-
(m) Mixed Use				-
(n) General Business				-
(o) Business Park				-
(p) Light Industry		<ul style="list-style-type: none"> <li>Height: 5m above ground level if on the ground floor of a building</li> <li>Area: 6m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>Height: 5m above ground level if on the ground floor of a building</li> <li>Area: 6m<sup>2</sup></li> </ul>	-
(q) Heavy Industry				-
(r) Future Urban				<ul style="list-style-type: none"> <li>Height: 4m above ground level if on a building</li> <li>Area: 2.2m<sup>2</sup></li> </ul>
(s) Rural	-			
(t) Other Special Purpose	-			
(u) Special Purpose - Major Recreational Facility	8 attached to main building	<ul style="list-style-type: none"> <li>Area: 40m<sup>2</sup></li> </ul>	-	
(v) Strategic Transport Corridor		Refer to conditions for adjoining zone nearest the premises.		
Compliance with other rules				
(w) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.				

Should this be 0.3m (300mm)?

- (5) A [portable board](#) or [flag sign](#) on a council-controlled public place in (2)(b) must comply at all times with conditions in this table –

Conditions for portable board or flag signs on a council-controlled public place			
Location	Maximum number	Maximum size of board sign	Maximum size of flag sign
(a) Coastal (b) Open Space (c) Business (d) Future Urban (e) Rural (f) Special Purpose	One board or flag sign per premises	Width: 0.6m Height: 1.2m Depth: 0.46m deep (including frame and supporting device)	Width: 0.5m  Display area height: 1.85m Total height: 2.2m
(g) Residential	One board or flag sign per historic heritage or retail premises lawful established before 01 Oct 2015		
(h) Strategic Transport Corridor	Refer to conditions for adjoining zone nearest the premises.		
Compliance with other rules			
(i) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.			

**Related information about mobile vendors**

Signs for mobile vendors on land for which Auckland Council is the relevant authority are approved using the Auckland Council Public Trading, Events and Filming Bylaw 2022.

- (6) A [portable ladder board sign](#) on a council-controlled public place in (2)(b) must comply at all times with conditions in this table –

Conditions for portable ladder board signs on a council-controlled public place			
<p>Maximum Width 0.8m</p> <p>Maximum Depth 0.46m</p> <p>Maximum Height 1.5m</p> <p>Minimum Separation 5.0m</p>			
Location	Maximum number	Maximum size	Separation distance
(a) Coastal (b) Open Space (c) Business (d) Future Urban (e) Rural (f) Special Purpose	One sign per building for use by all premises in (6)	Width: 0.8m Height: 1.5m Depth: 0.46m (All dimensions include supporting device)	Must be a minimum of 5m away from any other portable ladder board sign
(g) Residential	One sign per building for use by all historic heritage or retail premises lawful established before 01 Oct 2015 in (6)		
(h) Strategic Transport Corridor	Refer to conditions for adjoining zone nearest the premises		
Compliance with other rules			
(i) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.			

## 12 A stencil sign may be displayed in certain circumstances

- (1) This clause applies to a **stencil sign**, which in this Bylaw means –
- a sign printed on a surface through an impervious material with a perforated design; or
  - a sign projected on a surface using lights, lasers, or any other method of projection.
- (2) A person may display a [stencil sign](#) on a [site](#) that is not a council-controlled public place (for example on a footpath or building within a private commercial property) if the sign –
- only advertises products, services, goods or events available or taking place on the [site](#); and
  - complies at all times with –
    - the specific rules for where the sign is placed in clause 6 (for example a wall-mounted or window sign); and
    - all special and general rules in Subparts 2 and 3 of Part 2.
- (3) For the avoidance of doubt, any [stencil](#) on a council-controlled public place (for example footpath, road or park) requires prior approval in Subpart 2 of Part 3.

(d) is a [vertical banner sign](#) on or over a council-controlled public place attached to an existing supporting device (for example a multi-functional street light pole).

(3) A [banner sign](#) must comply at all times with the conditions in this table –

Conditions for display of all cross-street banner signs	
<b>Maximum size</b>	
(a) Display area must not exceed 21m <sup>2</sup> ;	
<b>Clearance</b>	
(b) Display area must be at least 6.5m above ground level;	
<b>Compliance with other rules</b>	
(c) Must comply with all special and general rules in Subparts 2 and 3 of Part 2;	
Conditions for display of cross-street banner signs on a <a href="#">site</a> in 2(b)	
<b>Content</b>	
(d) Must only advertise products, services, goods or events available or taking place on the <a href="#">site</a> ;	
<b>Conditions for display of vertical banner signs on unzoned land in (2)(d)</b>	
<b>Location</b>	
(e) Must not be displayed adjoining a Residential Zone;	
<b>Maximum size</b>	
(f) Display area must be no more than 0.9m wide and 2m high;	
<b>Clearance</b>	
(g) Display area must be at least 6.5m above ground level;	
<b>Supporting device</b>	
(h) The load bearing capacity of the supporting device must not be exceeded by the addition of the display area of the sign.	

**Related information note about banners**

- Separate ‘landowner’ approval from the relevant authority may be required to display banner signs on council-controlled public places. Charges may apply under [section 341](#) of the Local Government Act 1974.
- Banners on private property displayed under (2)(a) or (b) must comply with all relevant health and safety legislation.
- More information about cross-street and vertical banners on roads can be viewed on Auckland Transport’s [website](#).

**15 A real estate sign may be displayed in certain circumstances**

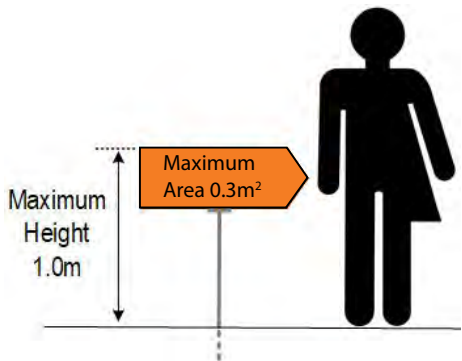
- (1) This clause applies to **real estate signs**, which in this Bylaw means a sign advertising the sale, lease, rent or auction of all or part of any premises.
- (2) A person may display a [real estate sign](#) if the sign is a principal 'for sale' sign in (3), directional sign in (4) or open home or auction sign in (5).
- (3) A principal 'for sale' [real estate sign](#) may be displayed if the sign is –
- on the [site](#) of the premises; or
  - flat wall-mounted to a wall or fence on a [front boundary](#) of the [site](#) of the premises; or
  - on the grass verge (or if no verge the unsealed part) of a road on a council-controlled public place directly adjacent to the [site](#) of the premises if the [site](#) does not have a [front boundary](#); and
- (d) the sign complies at all times with conditions in this table –

Conditions for the display of a principal 'for sale' real estate signs					
Location	Maximum Number	Maximum height	Maximum area	Placement	Duration and removal
(a) Future Urban	2	2m above ground level	3m <sup>2</sup>	Must comply with the distance from kerb face rules in clause 24 if on a road.	Must be removed within 5 working days of a sold notification being placed on the sign or 10 working days of the date the premises is sold.
(b) Rural					
(c) Residential	Sole agency*: 1		Sole agency*: 2.2m <sup>2</sup> Multiple agency*: 0.75m <sup>2</sup> per agency		
(d) Heavy Industry	Multiple agency*: 1 per agency up to 3 total		6.00m <sup>2</sup> if flat wall-mounted to a wall of a building, otherwise 3m <sup>2</sup>		
(e) Other zones**			3m <sup>2</sup>		
Compliance with other rules					
(f) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.					

\* Agency includes private seller or real estate company. Agencies may share a sign.

\*\* Coastal, Open Space, other Business (City Centre, Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use, General Business, Business Park, Light Industry), Strategic Transport Corridor, Special Purpose.

- (4) A directional [real estate sign](#) may be displayed if –
- the sign is on the [site](#) of the premises; or
  - the sign is on the grass verge (or if no verge the unsealed part) of a road on a council-controlled public place; and
  - complies at all times with the conditions in the table below –

Conditions for display of directional real estate signs			
Location	Maximum Number	Maximum size	
(i) Residential	Sole agency: 3 Multiple agency: 2 per agency*	Height: 1m Area: 0.3m <sup>2</sup>	
(ii) Future Urban	2		
(iii) Rural			
(iv) Other zones**			
Placement			
(v) Maximum of 1 sign adjacent to the premises.			
(vi) Maximum of three nearest intersections leading towards the premises.			
(vii) Must comply with the distance from kerb face rules in clause 24 if on the grass verge.			
Duration and removal			
(viii) May only be displayed on the day of an open home or auction.			
Compliance with other rules			
(ix) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.			

\* Agency includes private seller or real estate company.

\*\* Coastal, Open Space, Business, Strategic Transport Corridor, Special Purpose.

- (5) An open home or auction [real estate sign](#) may be displayed if –
- the sign is on the [site](#) of the premises; or
  - the sign is on the grass verge (or if no verge the unsealed part) of a road on a council-controlled public place; or
  - the sign is attached to or secured by a lawfully parked vehicle directly outside the [site](#) of the premises; and

## Economical and Environmentally Sound Rigid Sign Sizes

Almost all commonly used rigid sign substrates come in a standard sheet size of 1200mm x 2400mm (or its imperial equivalent, 4 feet by 8 feet, which converts to 1220mm x 2440mm).

It is therefore considered good practice for both economic and environmental reasons to standardise sign sizes to suit these sheets, and therefore minimise or even eliminate wastage.

Some commonly used sizes which are often used are illustrated below.

<p>1220 x 2440mm 2.97m<sup>2</sup> (nominal 3m<sup>2</sup>)</p>	<p>1220 x 1220mm 1.49m<sup>2</sup> (nominal 1.5m<sup>2</sup>)</p>	
<p>1220 x 1813mm 2.21m<sup>2</sup> (nominal 2.2m<sup>2</sup>)</p>	<p>610 x 2440mm 1.49m<sup>2</sup> (nominal 1.5m<sup>2</sup>)</p>	
<p>1220 x 813mm 0.99m<sup>2</sup> (nominal 1m<sup>2</sup>)</p>	<p>610 x 1220mm 0.74m<sup>2</sup> (nominal 0.75m<sup>2</sup>)</p>	
<p>610 x 813mm 0.5m<sup>2</sup> (nominal 0.5m<sup>2</sup>)</p>	<p>610 x 490mm 0.3m<sup>2</sup> (nominal 0.3m<sup>2</sup>)</p>	



## Waka Kotahi New Zealand Transport Agency (Waka Kotahi) Submission on the Auckland Council / Auckland Transport Signage Bylaw.

### A. Introduction

#### Full name of submitter:

, Senior Planner, Environmental Planning, Poutiaki Taiao / System Design Waka Kotahi

#### Organisation name:

Waka Kotahi New Zealand Transport Agency (Waka Kotahi)

#### Email address:

#### Contact phone number:

#### Postal address:

Level 5, AON Building, 29 Custom St West, Private Bag 106602, Auckland 1143, New Zealand

### Statutory Functions, Powers and Responsibilities of Waka Kotahi

1. Waka Kotahi is a Crown entity responsible for, among other things, the management, construction, operation and maintenance of New Zealand's State highway network. The Transport Agency's statutory objective under the Land Transport Management Act 2003 (LTMA) is to:
  - a) Undertake its functions in a way that contributes to an effective, efficient and safe, land transport system in the public interest and
  - b) Manage the state highway system, including planning, funding, design, supervision, construction, and maintenance and operations, in accordance with this Act and the Government Roadings the Powers Act 1989
2. Accordingly, Waka Kotahi has responsibility for the Regional Transport Network of State Highways and Motorways within the Auckland Region. LTMA's focus on the 'Land Transport System' means that the Transport Agency does not focus solely on the state highway network. It must contribute to the wider land transport system, including local roads which are administered by other bodies such as Auckland Transport.
3. The Government Policy Statement on Land Transport (the GPS) outlines the Government's strategy to guide land transport investment over the next 10 years. An updated version of the GPS was released in 2021 and sets out four strategic priorities, being:
  - a) Safety: The objective for this priority is for a land transport system where no one is killed or injured.
  - b) Better Transport Options: The objective for this priority is providing people with better transport options to access social and economic activities.
  - c) Climate Change: The objective for this priority is developing a low carbon land transport system that supports emission reductions, while improving safety and inclusive access.
  - d) Improving freight connections: The objective for this priority is improving freight connections for economic development.

### B. General Comment

1. Waka Kotahi is grateful for the opportunity to input on the signage issue given the scale and strategic importance of its Transport Network in the region.
2. Furthermore, given the high-volume high-speed nature of traffic on this network, distractive signage has the potential to compromise the safety and efficiency of these key corridors right across the Region.
3. While the main elements of this submission focus on traffic safety and efficiency Waka Kotahi also have a mandate to protect and enhance the visual amenity of its network corridors.
4. The Bylaw authors are to be congratulated for the comprehensive coverage of the visual amenity issues and Waka Kotahi welcomes the opportunity to work with Auckland Council and Auckland Transport in the protection and enhancement of visual amenity within Auckland's transport corridors.

## C. Bylaw Submissions

(Yellow highlights focus of submission, Alterations in Red. Commentary in Blue (not for inclusion in the Bylaw) Summary (Page 2.)

### Summary

This summary is not part of the Bylaw but explains the general effects.

Signs play an important role in identifying places and providing information including for direction or safety purposes, business advertising and a source of revenue for building owners.

The location, type, number and size of signs can however cause public safety risks, nuisance, misuse of council-controlled public places, and negative impacts on the environment and effectiveness, efficiency and safety of Auckland's transport system.

This Bylaw seeks to manage the problems signs can cause while providing for their benefits by –

- making rules for signs visible from a council-controlled public place (for example parks), roads, motorways and state highways
- providing for signs about activities at the same location, for example a free-standing sign advertising a business or products for sale on the same private property as the sign (Part 2)
- limiting signs unrelated to the day-to-day activities at the same location, for example by only allowing certain sign types, such as for sandwich boards on a footpath or sale of a property (Part 2)
- providing more opportunities to display signs about elections, polls and referendums during an election period that would not otherwise be allowed (Part 2)
- further limiting signs related to more sensitive places or activities (for example signs in parks, coastal areas or about commercial sexual services) (Part 2)
- providing a process to allow signs that do not comply with sign rules where appropriate (Part 3).

Other parts of this Bylaw assist with its administration by –

- stating its name, when it comes into force and where it applies (clauses 1, 2 and 3)
- stating the purpose of this Bylaw and defining key terms (clauses 4 and 5)
- providing transparency about how the relevant authority makes controls and decides approvals (Part 3)
- referencing the relevant authority's powers to enforce this Bylaw, including powers to cancel an approval, seize property, recover costs and seek monetary penalties up to \$20,000 (Part 4).

The Bylaw is part of a wider framework of rules about signs. The Bylaw does not seek to duplicate or be inconsistent with this framework which includes –

- the Auckland Unitary Plan for billboards (signs advertising things unrelated to its location) and comprehensive development signage ([Chapter E23](#)), and historic heritage places ([Chapter D17](#))
- landowner approval (if required). For example, Local Boards may have an approval role for signs in their local parks and Auckland Transport has given generic authorisation to display a sign (other than event or free-standing signs) on its roads in relation to [section 357](#) of the Local Government Act 1974.
- Waka Kotahi New Zealand Transport Agency [bylaws for signs on motorways and state highways](#)
- the [Electoral Act 1993](#), [Local Electoral Act 2001](#) and [Referendums Framework Act 2019](#)
- codes of ethics and practice issued by the [New Zealand Advertising Standards Authority](#), including general Advertising Standards Code and the Alcohol Advertising and Promotion Code.
- the [Human Rights Act 1993](#), [Films, Videos and Publications Classification Act 1993](#), [Crimes Act 1961](#), and [Defamation Act 1992](#) in relation to content.
- the [Waitakere Ranges Heritage Area Act 2008](#) in relation to protection of the Waitākere Ranges.

This Bylaw is made by collaboration between Auckland Council and Auckland Transport. This is to avoid public confusion caused by having separate bylaws in Auckland that regulate the same signs but for different reasons. Auckland Transport is responsible for sign rules that affect the [Auckland transport system](#) for a purpose that is [transport-related](#) (for example driver safety). Auckland Council is responsible for sign rules for [all other purposes](#) (for example misuse of a park).



The location, type, number and size of signs can however cause public safety risks, nuisance, misuse of council-controlled public places, and negative impacts on the environment and effectiveness, efficiency and safety of Auckland’s transport system. **Including the sections of the national state highway and motorway network located within the Auckland Region.** (“Auckland Transport System” has a specific meaning in the bylaw that excludes State Highways / motorways)

**The Bylaw aims for better signage outcomes for the region by encouraging early consultation with the relevant authority and with all stakeholders with interests within the visual field of potential signage.** (early consultation avoids unnecessary time / cost penalties in the signage development / design / approval phase)

This Bylaw is made by collaboration between Auckland Council and Auckland Transport. This is to avoid public confusion caused by having separate bylaws in Auckland that regulate the same signs but for different reasons. Auckland Transport is responsible for sign rules that affect the Auckland transport system for a purpose that is transport-related (for example driver safety). Auckland Council is responsible for sign rules for all other purposes (for example misuse of a park). **Signs adversely affecting State Highways and motorways are an exception to this principle as they are not within the jurisdiction of Auckland Transport and fall to Auckland Council to administer.** (See above explanation)

Quick Reference Guide (Page 3)

Quick reference guide to sign rules and when an approval is required												
Location by Zone in the Auckland Unitary Plan	Sign type and Bylaw clause to be complied with											
	More permanent sign type						More temporary sign type					
	Free-standing	Verandah	Wall-mounted	Window	Portable	Stencil	Posters	Banners	Real Estate	Event	Election	Vehicle
Coastal	7	8	9	OA	11	12	13	14	15	16	17	18
Residential	OA	8	9	OA	11	12	13	14	15	16	17	18
Open Space	OA	8	9	OA	11	12	13	14	15	16	17	18
Business	7	8	9	10	11	12	13	14	15	16	17	18
Future Urban	OA	OA	9	OA	11	12	13	14	15	16	17	18
Rural	OA	OA	9	OA	11	12	13	14	15	16	17	18
Strategic Transport Corridor	OA	OA	9	OA	11	12	13	14	15	16	17	18
Major Recreational Facility	7	8	9	OA	11	12	13	14	15	16	17	18
Special Purpose*	OA	OA	9	OA	11	12	13	14	15	16	17	18
Unzoned land**	OA	OA	9	OA	11	OA	13	14	15	16	17	18

Note: \* excludes Major Recreational Facility | \*\* for example a footpath or road | OA means need Bylaw approval.  
 Note: Permanent sign types relate more to goods, services or events at the same location of the sign while temporary sign types are not or not typically related to their location.  
 Note: Wall-mounted include fence signs; stencils include light projections; events include garage sales.

(After first note insert as below)

**Note. All sign types directed towards and or visible from the State Highway and Motorway Network require the prior approval of Waka Kotahi NZ Transport Agency**

## 1. Purpose Part 1. (page 4)

## 4 Purpose

(1) The purpose of this Bylaw is to –

- (a) protect the public from nuisance, protect public safety, protect council-controlled public places from misuse;
- (b) manage impacts on the effectiveness, efficiency and safety of the Auckland transport system; and
- (c) protect the environment.

- (b) manage impacts on the effectiveness, efficiency and safety of the ~~Auckland transport system~~ **Regional Transport Network across all relevant traffic modes**; and **(Important to embrace the full scope of potentially affected networks and affected parties)**

## 2. Interpretation (Page 5) (Additional terms for inclusion)

**Regional Transport Network means** the combined transport networks under the jurisdiction of Waka Kotahi The NZ Transport Agency and the Auckland Transport System under the jurisdiction of Auckland Transport **(Encompasses the full scope of land-based transport networks within the Region)**

**State Highway, or Motorway** has the same meaning as in the Government Roading Powers Act 1989 and refers to transportation networks under the jurisdiction of Waka Kotahi New Zealand Transport Agency. **(Clarity on jurisdiction of Waka Kotahi)**

**Traffic Modes;** examination of network efficiency and traffic safety implications of signage from a multi modal perspective covering all modes of travel on or intersecting with the Regional Transport Network and preserving universal mobility access where relevant. Including but not limited to Truck, Car, Motorcycle, Rail, Light Rail, Pedestrians, Cyclists, E scooters / bikes / wheelchairs / skateboards and other assisted mobility devices. **(Important to embrace the full scope of potentially affected parties. For example, safety at level rail / road crossings and intersections between roads and shared use path, bike paths and national / regional cycle and walking trails)**

## Part 2

### Signs that are allowed subject to conditions or approval

#### 6 A person may only display a sign in certain circumstances

- (1) A person may only display a sign regulated in this Bylaw if –
- (a) the sign is of a type provided for in clauses 7 to 18 and complies at all times with –
    - (i) the requirements for that sign type; and
    - (ii) any special rules in clauses 19 to 22; and
    - (iii) the general rules in clauses 23 to 29; or
  - (b) they have obtained prior approval from the relevant authority in Subpart 2 of Part 3 and the sign complies at all times with the approval.

#### Related information about requirements for sign types

Refer to summary for a quick reference guide to sign types and applicable rules.

#### Related information about obtaining an approval

There are two 'types of approvals' in this Bylaw:

- the first relates to applications to display signs that the relevant authority anticipate as being appropriate provided certain criteria are met (a permit), for example poster boards, dedicated location for event signs and signs in Open Space Zones
- all other applications will only be granted in exceptional circumstances (an exemption).

Applications for an approval may be made on Auckland Council's [website](#).

- (2) However, (1) does not apply to –
- (a) signs not visible from a council-controlled public place, motorway and state highway (for example this Bylaw would not apply to signs on a shop only visible within a privately owned shopping centre);
  - (b) [billboards](#) (a sign not directly related to the primary use or activities occurring on the site of the sign) regulated in the Auckland Unitary Plan except for –
    - (i) signs about commercial sexual services in clause 22 of this Bylaw; and
    - (ii) [portable](#), [stencil](#), [poster](#), [banner](#), flag, [real estate](#), [vehicle](#), [event](#) and [election signs](#) as defined in relevant clauses in Part 2 of this Bylaw;
  - (c) comprehensive development signage, meaning –
    - (i) signs related to a new or altered building; if
    - (ii) the building work requires a resource consent or is valued at \$100,000 or more, assessed at the time the building consent application is lodged with Auckland Council; and
    - (iii) for the avoidance of doubt, includes any signs associated with construction, intended use (for example 'Coming Soon' signs) and initial sale (for example the initial sale of apartments within the development); and
    - (iv) for the avoidance of doubt, excludes signs associated with the occupation of premises or related to commercial sexual services, which must comply with (1);

"(2) However, a sign application under section (1) above ~~does not apply to~~ would not be required for–

- (a) signs not visible from a council-controlled public place and signs not visible from a motorway and / or a state highway (~~for example this Bylaw would not apply to signs on a shop only visible within a privately owned shopping centre~~); (The wording is difficult to follow and the example is too narrow in scope and potentially confusing)

- (3) For the avoidance of doubt, the requirement to obtain prior approval in (1)(b) applies to –
- (a) a person (other than the relevant authority) who wants to display a sign on any street furniture, bridge, underpass, overpass, tree or other infrastructure on a council-controlled public place (for example seating, flora containers, utilities, poles, refuse receptacles, phone kiosks, art, parking meters, bus shelters and playgrounds);
  - (b) any sign on the roof of any building (except as provided for in clause 20 about painted signs on major recreational facilities);
  - (c) any sign that obscures the architectural top of a building;
  - (d) any aerial sign type, including any sign on or attached to a balloon, blimp or similar device that is tethered to the ground but otherwise free to move, any sign towed by an aircraft (as defined in the [Civil Aviation Act 1990](#)), and any aerial searchlights or laser light displays; and
  - (e) any sign type that is not specified in this Bylaw.

Additional Item for inclusion before existing point (e)

- (e) All sign types directed towards and or visible from the State Highway and Motorway Network require the prior approval of Waka Kotahi NZ Transport Agency
- (f) ...



## 24 A sign must not affect the safe or efficient movement of traffic

- (1) A person must not display a sign that affects the safe and efficient movement of traffic on a council-controlled public place.
- (2) Without limiting (1), a sign must –
- (a) not obstruct the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or private entrance according to Auckland Transport standards;
  - (b) not obstruct or create a hazard to a person on foot or in a vehicle (for example blocking a road, driveway, doorway or footpath);
  - (c) not obstruct, obscure or impair the view of any [traffic control device](#) when viewed by the driver of an approaching vehicle, including by appearing in the background, foreground or alongside a device of a similar colour;
  - (d) not resemble or be likely to be mistaken for a [traffic control device](#) (for example in colour, shape or appearance)
  - (e) not use illumination, movement or materials that may cause a distraction (for example flashing or revolving lights, lasers, or reflective or luminescent material);
  - (f) be able to be read by a driver of a vehicle on a road moving at the legal speed limit if the sign is directed at drivers;
  - (g) not be displayed on any –
    - (i) traffic separation structure on any road (for example traffic island, road median, roundabout or kerb projection);
    - (ii) [traffic control device](#) or its supporting poles, posts or structure;
    - (iii) guidance strip for blind or visually impaired people; or
    - (iv) kerb ramp or part of the footpath that is lowered to facilitate convenient entry to the roadway; and
  - (h) not be displayed any closer to a kerb face than –
    - (i) 0.8 metres if the part of the roadway is directly adjacent to or becomes an Auckland Transport bus route or has a lane for moving motor vehicles directly beside the kerb; or
    - (ii) 0.6 metres in all other situations (for example when the directly adjacent roadway is for car parking).

“24 A sign must not affect the safe or efficient movement of traffic

- (1) A person must not display a sign that affects the safe and efficient movement of traffic on a council-controlled public place **or on a state highway or motorway**. ([State Highways / Motorways are critical elements of the regional road network and their high speed, high volume, environment makes them sensitive to adverse effects from signage](#))
- (2)
- (e) not use illumination, **luminescence**, movement, or materials that may cause a distraction (for example flashing or revolving lights, lasers or reflective or luminescent material)... ([luminescence measures light output from any source, reflected light from external or internal light sources including reflectorized light from passing night time traffic](#))



- (f) be able to be read by a driver of a vehicle on a road moving at the legal speed limit if the sign is directed at drivers; (key determinants of rapid sign comprehension for the road user include but are not limited to text size and message length, at a glance recognition of stand-alone common commercial logos vs more extended comprehension times for messaging)

(new section)

- (i) If it is visible from State Highways, Motorways, and similar high-speed limited access environments must not be displayed
- (i) Near complex road user decision making environments (for example motorway interchanges, merging or dividing traffic lanes, exit or on ramps, traffic control / warning variable message displays, traffic lights, transitions in speed limits, closely spaced interchanges).
- (ii) In locations where the degree of existing sign density is at the limit in terms of levels of acceptable clutter / luminance / distraction potential.

(State Highways / Motorways and similar high-speed limited access corridors are critical elements of the regional road network and their high-speed, high traffic volume environment makes them particularly sensitive to adverse effects from signage)

Clause 27 (Page 35)

## 27 A sign may use changeable messages in certain circumstances

- (1) A person may display a sign that uses changeable messages (a sign with mechanical or electronic images or displays, including LED, neon, and electronically projected images) if it complies at all times with the conditions in this table –

Conditions for display of all changeable message signs
<b>No movement</b>
(a) The sign and its contents must not scroll, continuously move or appear to be moving, be animated, or appear to shimmer or sparkle;
(b) For the avoidance of doubt, a changeable message is limited to transitions between static images;
<b>Dwell time</b>
(c) Must have a dwell time of 8 seconds or more for each image or display;
<b>Transition time</b>
(d) Must have a transition time of no more than 1 second between each image or display;
<b>Number of images</b>
(e) Must not use more than 3 sequential images or displays to communicate an entire message;
<b>Adjust to ambient light</b>
(f) Must not use an artificial light source unless it is controlled by an appropriate system that automatically adjusts brightness in response to ambient light conditions;
<b>Maximum luminance</b>
(g) Must not use an artificial light source that exceeds a luminance of –
(i) 5,000 cd/m <sup>2</sup> (candelas per square metre) at any time; and
(ii) 250 cd/m <sup>2</sup> between sunset and sunrise.

- (1) (c) Must have a dwell time calibrated to ensure that the road user travelling at the legal speed limit for the road will have the potential to be distracted by no more than one change of 8 seconds or more for each image or display. (while road user reaction times to signage are reasonably constant, vehicle speed defines the length of time a road user is exposed to the sign and the number of images viewed within a given time)

**28 A sign may be illuminated by a static source in certain circumstances**

- (1) A person may illuminate a sign using a static source of artificial light that complies at all times with the conditions in this table –

Conditions for the display of a static illuminated sign without an approval		
<b>Maximum luminance</b>		
(a) Must not exceed a luminance of –		
Illuminated area of sign (m <sup>2</sup> )	Areas with street lighting (cd/m <sup>2</sup> )	Areas without street lighting (cd/m <sup>2</sup> )
Up to and including 0.5m <sup>2</sup>	2000	1000
Over 0.5m <sup>2</sup> up to and including 2m <sup>2</sup>	1600	800
Over 2m <sup>2</sup> up to and including 5m <sup>2</sup>	1200	600
Over 5m <sup>2</sup> up to and including 10m <sup>2</sup>	1000	600
Over 10m <sup>2</sup>	800	400
<b>New Zealand Transport Agency requirements</b>		
(b) Must comply with any current requirements for illumination and glare set by an authorised central government agency;		
<b>Upward-facing lighting</b>		
(c) May only emit upwardly facing lighting if adequately shielded so that any glare does not extend beyond the sign and its immediate surroundings;		
<b>No illusion of movement</b>		
(d) Must not be illuminated in a way that makes the sign appear to shimmer, sparkle or revolve.		

- (2) The person must provide evidence that the sign complies with all applicable conditions in (1) if required by, and to the satisfaction of, the relevant authority.

**Related information note about illumination and glare requirements**

The [New Zealand Transport Agency's Traffic Control Devices Manual Part 3 Advertising Signs](#) sets requirements for illumination and glare.

- (1) (e) Must comply with the sign illumination standard AS/NZS 4282 2019. (National sign illumination standard)
- (2) The New Zealand Transport Agency's Traffic Control Devices Manual Part 3 Advertising Signs sets requirements for illumination and glare. Note also "Digital Billboard Guidance-Addendum to Traffic Control Devices Manual Part 3" (Recent addition on digital billboards especially in high speed environments)

- (2) Without limiting (1), the relevant authority may consider an application for an approval against one or more of the following matters in this table –

Matters that may be considered on all applications for approvals
(a) The location (including multiple sites) and intended duration of display of the sign;
(b) The design, material, colour, size, structure and specifications of the sign, including its lighting and luminance;
(c) The likely impact of the sign on traffic safety and public safety, for example – <ul style="list-style-type: none"> <li>(i) obstructions or hazards to pedestrian or vehicular visibility, access or flow;</li> <li>(ii) whether the sign resembles or is likely to be mistaken for a traffic control device;</li> <li>(iii) whether the sign is made of materials that are slippery, reflective, or that shimmer or move;</li> <li>(iv) whether the sign is made of materials that can be washed off with water without leaving any residue and that will not have an adverse effect on the stormwater network;</li> <li>(v) whether the sign contains changeable messages;</li> </ul>
(d) The impact of the proposed sign on amenity values, for example the extent to which the proposed sign – <ul style="list-style-type: none"> <li>(i) detracts from the character of any public place, including the characteristics of the streetscape, natural environment, landscaping and open space;</li> <li>(ii) dominates views from any residential zone, residential precinct or residential land unit;</li> <li>(iii) creates adverse cumulative effects;</li> <li>(iv) 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;</li> </ul>
(e) Whether the proposed sign, if it will be placed on a building, will – <ul style="list-style-type: none"> <li>(i) integrate into the building's appearance;</li> <li>(ii) respect and positively relate to structural bays, structural elements, architectural features, building proportions and the overall design of the building;</li> </ul>
(f) Actual or potential impact of the activity on the public, public place and surrounding environment, for example – <ul style="list-style-type: none"> <li>(i) the impact on nearby business premises; and</li> <li>(ii) cumulative impacts of this approval in addition to other existing approvals;</li> </ul>
(g) Whether the activity complies with relevant requirements in any Act, regulation or Bylaw;
(h) Whether the activity is consistent with the relevant authority's policies and plans;
(i) Whether landowner approval (if required) has been obtained.

Addition to the following section

“(c) The likely impact of the sign on traffic safety and public safety, for example –

- (i) obstructions or hazards to pedestrian or vehicular visibility, access or flow **across all relevant Traffic Modes**”



**35 Conditions may be imposed if an application is granted**

- (1) The relevant authority may impose any conditions it considers appropriate on an approval to achieve the purpose of this Bylaw.
- (2) Without limiting (1), the relevant authority may impose conditions about any one or more matters in this table –

All approvals may include conditions about the following matters
(a) Any matters considered in Part 2 and in clause 33 of this Bylaw;
(b) The location, placement, duration of display and removal of the sign;
(c) The design, material, colour, size, structure and specifications of the sign;
(d) The use of lighting and moving images, including (but not limited to) luminance and times of operation (days and hours);
(e) The content of the sign, including (but not limited to) to only advertise products, services, goods or events available or taking place on the site of the premises to which the sign relates;
(f) The construction and maintenance requirements for the sign;
(g) The frequency of inspection and maintenance;
(h) Public safety, traffic safety and access to premises and places, including (but not limited to) compliance with general safety, nuisance and traffic rules in clauses 23, 24 and 25;
(i) Protecting the environment, including (but not limited to) physical and visual amenity (especially in relation to streetscape, residential areas and heritage) and damage;
(j) Compliance with requirements in any other relevant Act, regulation, <a href="#">Bylaw</a> , Auckland Council <a href="#">policy or plan</a> , and any shared space guidelines or policies;
(k) Obtaining landowner approval (if required) before displaying the sign;
(l) Holding and maintaining appropriate public liability insurance;
(m) The provision of a bond or insurance to cover any costs to the relevant authority resulting from a failure to comply with the conditions of the approval or otherwise comply with this Bylaw;
(n) Payment of one or more bonds, fees and / or charges;
(o) Display of approval details (for example approval reference number);
Approvals for Poster Boards may include conditions about the following matters
(p) The proportion of the display area that must only be used for signs about events;
(q) Displaying the name and contact details (including phone number) of the person responsible for installing, maintaining and removing the poster board;
Approvals for Stencil signs may include conditions about the following matters
(r) Location, including (but not limited to) being directly adjacent the main ground level entrance of the premises to which the sign relates;
(s) Ensuring materials used for the sign are able to be washed off with water, leave no residue, are non-slippery and will not have an adverse effect on the stormwater network.

- (2) (f) The construction and maintenance requirements for the sign (including but not limited to)

- (i) The structural integrity and durability of the sign, it's supports and fixtures.  
(ii) Access and maintenance arrangements for the sign...

(In high speed limited access road corridors the above considerations can generate as many safety / network efficiency issues as the sign itself)

- (i) Protecting the environment, (including but not limited to) physical and visual amenity (especially in relation to streetscape, **existing and subsequent landscape planting and maturation**, residential areas and heritage) and damage. (Removes any assumptions on the part of the sign owner that growth and maturation of streetscape / landscape planting within public spaces will be limited by previous signage consents)

### C. Conclusion

1. Waka Kotahi would like to thank Auckland Council for the opportunity to submit on the Proposed Bylaw.
2. If the Bylaw is adopted with the suggested amendments as outlined in the above submission (or similar relief), Waka Kotahi are in support of the proposed signage bylaw.
3. The reason for our views are set out within the submission.

We seek the following recommendation or decision from Auckland Council:

#### **Approval of the Bylaw with the suggested amendments, or similar relief**

Submission date: 29 October 2021 (late submission)

#### **Attend a hearing:**

- i. If Waka Kotahi interests are preserved by the adoption of the abovementioned submission points then there will be no need for attendance at the hearing,
- ii. If these conditions are not adopted (or similar relief), then Waka Kotahi would like to attend the hearing.

#### **Declaration**

I accept and agree that by taking part in this public submission process that my submission (including personal details, names and addresses) may be made public,



29/09/2021

, Senior Planner, Environmental Planning / Poutiaki Taiao

System Design Waka Kotahi

**Waka Kotahi New Zealand Transport Agency (Waka Kotahi) Submission on the Auckland Council / Auckland Transport Signage Bylaw.**

**A. Introduction**

**Full name of submitter:**

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**Organisation name:**

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**Statutory Functions, Powers and Responsibilities of Waka Kotahi**

1. Waka Kotahi is a Crown entity responsible for, among other things, the management, construction, operation and maintenance of New Zealand's State highway network. The Transport Agency's statutory objective under the Land Transport Management Act 2003 (LTMA) is to:
  - a) Undertake its functions in a way that contributes to an effective, efficient and safe, land transport system in the public interest and
  - b) Manage the state highway system, including planning, funding, design, supervision, construction, and maintenance and operations, in accordance with this Act and the Government Roading the Powers Act 1989
2. Accordingly, Waka Kotahi has responsibility for the Regional Transport Network of State Highways and Motorways within the Auckland Region. LTMA's focus on the 'Land Transport System' means that the Transport Agency does not focus solely on the state highway network. It must contribute to the wider land transport system, including local roads which are administered by other bodies such as Auckland Transport.
3. The Government Policy Statement on Land Transport (the GPS) outlines the Government's strategy to guide land transport investment over the next 10 years. An updated version of the GPS was released in 2021 and sets out four strategic priorities, being:
  - a) Safety: The objective for this priority is for a land transport system where no one is killed or injured.
  - b) Better Transport Options: The objective for this priority is providing people with better transport options to access social and economic activities.
  - c) Climate Change: The objective for this priority is developing a low carbon land transport system that supports emission reductions, while improving safety and inclusive access.
  - d) Improving freight connections: The objective for this priority is improving freight connections for economic development.

**B. General Comment**

1. Waka Kotahi is grateful for the opportunity to input on the signage issue given the scale and strategic importance of its Transport Network in the region.
2. Furthermore, given the high-volume high-speed nature of traffic on this network, distractive signage has the potential to compromise the safety and efficiency of these key corridors right across the Region.
3. While the main elements of this submission focus on traffic safety and efficiency Waka Kotahi also have a mandate to protect and enhance the visual amenity of its network corridors.
4. The Bylaw authors are to be congratulated for the comprehensive coverage of the visual amenity issues and Waka Kotahi welcomes the opportunity to work with Auckland Council and Auckland Transport in the protection and enhancement of visual amenity within Auckland's transport corridors.

### C. Bylaw Submissions

(Yellow highlights focus of submission, Alterations in Red. Commentary in Blue (not for inclusion in the Bylaw)  
Summary (Page 2.)

#### Summary

This summary is not part of the Bylaw but explains the general effects.

Signs play an important role in identifying places and providing information including for direction or safety purposes, business advertising and a source of revenue for building owners.

The location, type, number and size of signs can however cause public safety risks, nuisance, misuse of council-controlled public places, and negative impacts on the environment and effectiveness, efficiency and safety of Auckland's transport system.

This Bylaw seeks to manage the problems signs can cause while providing for their benefits by –

- making rules for signs visible from a council-controlled public place (for example parks), roads, motorways and state highways
- providing for signs about activities at the same location, for example a free-standing sign advertising a business or products for sale on the same private property as the sign (Part 2)
- limiting signs unrelated to the day-to-day activities at the same location, for example by only allowing certain sign types, such as for sandwich boards on a footpath or sale of a property (Part 2)
- providing more opportunities to display signs about elections, polls and referendums during an election period that would not otherwise be allowed (Part 2)
- further limiting signs related to more sensitive places or activities (for example signs in parks, coastal areas or about commercial sexual services) (Part 2)
- providing a process to allow signs that do not comply with sign rules where appropriate (Part 3).

Other parts of this Bylaw assist with its administration by –

- stating its name, when it comes into force and where it applies (clauses 1, 2 and 3)
- stating the purpose of this Bylaw and defining key terms (clauses 4 and 5)
- providing transparency about how the relevant authority makes controls and decides approvals (Part 3)
- referencing the relevant authority's powers to enforce this Bylaw, including powers to cancel an approval, seize property, recover costs and seek monetary penalties up to \$20,000 (Part 4).

The Bylaw is part of a wider framework of rules about signs. The Bylaw does not seek to duplicate or be inconsistent with this framework which includes –

- the Auckland Unitary Plan for billboards (signs advertising things unrelated to its location) and comprehensive development signage ([Chapter E23](#)), and historic heritage places ([Chapter D17](#))
- landowner approval (if required). For example, Local Boards may have an approval role for signs in their local parks and Auckland Transport has given generic authorisation to display a sign (other than event or free-standing signs) on its roads in relation to [section 357](#) of the Local Government Act 1974.
- Waka Kotahi New Zealand Transport Agency [bylaws for signs on motorways and state highways](#)
- the [Electoral Act 1993](#), [Local Electoral Act 2001](#) and [Referendums Framework Act 2019](#)
- codes of ethics and practice issued by the [New Zealand Advertising Standards Authority](#), including general Advertising Standards Code and the Alcohol Advertising and Promotion Code.
- the [Human Rights Act 1993](#), [Films, Videos and Publications Classification Act 1993](#), [Crimes Act 1961](#), and [Defamation Act 1992](#) in relation to content.
- the [Waitakere Ranges Heritage Area Act 2008](#) in relation to protection of the Waitākere Ranges.

This Bylaw is made by collaboration between Auckland Council and Auckland Transport. This is to avoid public confusion caused by having separate bylaws in Auckland that regulate the same signs but for different reasons. Auckland Transport is responsible for sign rules that affect the [Auckland transport system](#) for a purpose that is [transport-related](#) (for example driver safety). Auckland Council is responsible for sign rules for [all other purposes](#) (for example misuse of a park).



The location, type, number and size of signs can however cause public safety risks, nuisance, misuse of council-controlled public places, and negative impacts on the environment and effectiveness, efficiency and safety of Auckland's transport system. Including the sections of the national state highway and motorway network located within the Auckland Region. ("Auckland Transport System" has a specific meaning in the bylaw that excludes State Highways / motorways)

The Bylaw aims for better signage outcomes for the region by encouraging early consultation with the relevant authority and with all stakeholders with interests within the visual field of potential signage. (early consultation avoids unnecessary time / cost penalties in the signage development / design / approval phase)

This Bylaw is made by collaboration between Auckland Council and Auckland Transport. This is to avoid public confusion caused by having separate bylaws in Auckland that regulate the same signs but for different reasons. Auckland Transport is responsible for sign rules that affect the Auckland transport system for a purpose that is transport-related (for example driver safety). Auckland Council is responsible for sign rules for all other purposes (for example misuse of a park). Signs adversely affecting State Highways and motorways are an exception to this principle as they are not within the jurisdiction of Auckland Transport and fall to Auckland Council to administer. (See above explanation)

#### Part 2 Signs that are allowed subject to conditions or approval

6 A person may display a sign in certain circumstances

##### Subpart 2 Requirements for specific types of signs

7 A free-standing sign may be displayed in certain circumstances

13 A poster may be displayed in certain circumstances

8 A verandah sign may be displayed in certain circumstances

14 A banner may be displayed in certain circumstances

9 A wall-mounted sign may be displayed in certain circumstances

15 A real estate sign may be displayed in certain circumstances

10 A window sign may be displayed in certain circumstances

16 A sign about a community, regional or major event may be displayed in certain circumstances

11 A portable sign may be displayed in certain circumstances

17 Election signs may be displayed in certain circumstances

12 A stencil sign may be displayed in certain circumstances

18 A sign may be displayed on a vehicle in certain circumstances

##### Subpart 2 Special rules for certain signs

19 Rules in this subpart take precedence over rules in Subpart 1 of Part 2

21 Signs in Open Space Zones are subject to specific restrictions

20 Signs in the Major Recreational Facility Zone are subject to specific restrictions

22 Signs about commercial sexual services are subject to specific restrictions

##### Subpart 3 General rules for all signs

23 A sign must not endanger public safety or cause a nuisance

26 A sign may use changeable messages in certain circumstances

24 A sign must not affect the safe or efficient movement of traffic or vessels

27 A sign may be illuminated by a static source in certain circumstances

25 A person must not alter the top of a building to display a sign

28 Signs must be removed from a business that has ceased to trade

Not subpart 2, 2, but subpart 1, 2?

**Quick reference guide to sign rules and when an approval is required**

Location by Zone in the Auckland Unitary Plan	Sign type and Bylaw clause to be complied with											
	More permanent sign type						More temporary sign type					
	Free-standing	Verandah	Wall-mounted	Window	Portable	Stencil	Posters	Banners	Real Estate	Event	Election	Vehicle
Coastal	7	8	9	OA	11	12	13	14	15	16	17	18
Residential	OA	8	9	OA	11	12	13	14	15	16	17	18
Open Space	OA	8	9	OA	11	12	13	14	15	16	17	18
Business	7	8	9	10	11	12	13	14	15	16	17	18
Future Urban	OA	OA	9	OA	11	12	13	14	15	16	17	18
Rural	OA	OA	9	OA	11	12	13	14	15	16	17	18
Strategic Transport Corridor	OA	OA	9	OA	11	12	13	14	15	16	17	18
Major Recreational Facility	7	8	9	OA	11	12	13	14	15	16	17	18
Special Purpose*	OA	OA	9	OA	11	12	13	14	15	16	17	18
Unzoned land**	OA	OA	9	OA	11	OA	13	14	15	16	17	18

Note: \* excludes Major Recreational Facility | \*\* for example a footpath or road | OA means need Bylaw approval.  
 Note: Permanent sign types relate more to goods, services or events at the same location of the sign while temporary sign types are not or not typically related to their location.  
 Note: Wall-mounted include fence signs; stencils include light projections; events include garage sales.

(After first note insert as below)

**Note.** Free-standing, Wall mounted, Event, Election and Real Estate sign types of an area not more than 4m<sup>2</sup> directed towards and or visible from the State Highway and Motorway Network are permitted subject to require compliance with all relevant sections of this bylaw-the prior approval of Waka Kotahi NZ Transport Agency

1. Purpose Part 1. (page 4)

<p><b>4 Purpose</b></p> <p>(1) The purpose of this Bylaw is to –</p> <ul style="list-style-type: none"> <li>(a) protect the public from nuisance, protect public safety, protect council-controlled public places from misuse;</li> <li>(b) manage impacts on the effectiveness, efficiency and safety of the <b>Auckland transport system</b>; and</li> <li>(c) protect the environment.</li> </ul>
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- (b) manage impacts on the effectiveness, efficiency and safety of the Auckland transport system **Regional Transport Network across all relevant traffic modes**; and (Important to embrace the full scope of potentially affected networks and affected parties)

2. Interpretation (Page 5) (Additional terms for inclusion)

**Regional Transport Network means** the combined transport networks under the jurisdiction of Waka Kotahi The NZ Transport Agency and the Auckland Transport System under the jurisdiction of Auckland Transport (Encompasses the full scope of land-based transport networks within the Region)

**State Highway, or Motorway** has the same meaning as in the Government Roading Powers Act 1989 and refers to transportation networks under the jurisdiction of Waka Kotahi New Zealand Transport Agency. (Clarity on jurisdiction of Waka Kotahi)

**multi modal** includes but is not limited to Truck, Car, Motorcycle, Rail, Light Rail, Pedestrians, Cyclists, E scooters / bikes / wheelchairs /skateboards and other assisted mobility devices.

**Traffic Modes;** examination of network efficiency and traffic safety implications of signage from a multi-modal perspective covering all modes of travel on or intersecting with the Regional Transport Network and preserving universal mobility access where relevant. Including but not limited to Truck, Car, Motorcycle, Rail, Light Rail, Pedestrians, Cyclists, E scooters / bikes / wheelchairs /skateboards and other assisted mobility devices. (Important to embrace the full scope of potentially affected parties. For example, safety at level rail / road crossings and intersections between roads and shared use path, bike paths and national / regional cycle and walking trails)

## Part 2

## Signs that are allowed subject to conditions or approval

## 6 A person may only display a sign in certain circumstances

- (1) A person may only display a sign regulated in this Bylaw if –
- (a) the sign is of a type provided for in clauses 7 to 18 and complies at all times with –
    - (i) the requirements for that sign type; and
    - (ii) any special rules in clauses 19 to 22; and
    - (iii) the general rules in clauses 23 to 29; or
  - (b) they have obtained prior approval from the relevant authority in Subpart 2 of Part 3 and the sign complies at all times with the approval.

**Related information about requirements for sign types**

Refer to summary for a quick reference guide to sign types and applicable rules.

**Related information about obtaining an approval**

There are two 'types of approvals' in this Bylaw:

- the first relates to applications to display signs that the relevant authority anticipate as being appropriate provided certain criteria are met (a permit), for example poster boards, dedicated location for event signs and signs in Open Space Zones
- all other applications will only be granted in exceptional circumstances (an exemption).

Applications for an approval may be made on Auckland Council's [website](#).

- (2) However, (1) does not apply to –
- (a) signs not visible from a council-controlled public place, motorway and state highway (for example this Bylaw would not apply to signs on a shop only visible within a privately owned shopping centre);
  - (b) **billboards** (a sign not directly related to the primary use or activities occurring on the site of the sign) regulated in the Auckland Unitary Plan except for –
    - (i) signs about commercial sexual services in clause 22 of this Bylaw; and
    - (ii) [portable, stencil, poster, banner](#), flag, [real estate, vehicle, event](#) and [election signs](#) as defined in relevant clauses in Part 2 of this Bylaw;
  - (c) comprehensive development signage, meaning –
    - (i) signs related to a new or altered building; if
    - (ii) the building work requires a resource consent or is valued at \$100,000 or more, assessed at the time the building consent application is lodged with Auckland Council; and
    - (iii) for the avoidance of doubt, includes any signs associated with construction, intended use (for example 'Coming Soon' signs) and initial sale (for example the initial sale of apartments within the development); and
    - (iv) for the avoidance of doubt, excludes signs associated with the occupation of premises or related to commercial sexual services, which must comply with (1);

"(2) However, a sign application under section (1) above ~~does not apply to~~ would not be required for–

- (a) signs not visible from a council-controlled public place and signs not visible from a motorway and / or a state highway (~~for example this Bylaw would not apply to signs on a shop only visible within a privately owned shopping centre~~); (The wording is difficult to follow and the example is too narrow in scope and potentially confusing)

Part 2 Clause 6 continued (Page 8)

- (3) For the avoidance of doubt, the requirement to obtain prior approval in (1)(b) applies to –
- (a) a person (other than the relevant authority) who wants to display a sign on any street furniture, bridge, underpass, overpass, tree or other infrastructure on a council-controlled public place (for example seating, flora containers, utilities, poles, refuse receptacles, phone kiosks, art, parking meters, bus shelters and playgrounds);
  - (b) any sign on the roof of any building (except as provided for in clause 20 about painted signs on major recreational facilities);
  - (c) any sign that obscures the architectural top of a building;
  - (d) any aerial sign type, including any sign on or attached to a balloon, blimp or similar device that is tethered to the ground but otherwise free to move, any sign towed by an aircraft (as defined in the [Civil Aviation Act 1990](#)), and any aerial searchlights or laser light displays; and
  - (e) any sign type that is not specified in this Bylaw.

Additional Item for inclusion before existing point (e)

- (e) ~~Free-standing, Wall mounted, Event, Election and Real Estate sign types of more than 4m<sup>2</sup> directed towards and or visible from the State Highway and Motorway Network All sign types directed towards and or visible from the State Highway and Motorway Network require the prior approval of Waka Kotahi NZ Transport Agency~~
- (f) ...

Subpart 2. Special rules for Certain Signs

**23. Signs visible from and directed towards the high-speed limited access road corridors of State Highways and Motorways**

(1) A person may display a sign directed towards the above elements of the road network without formal permission if it complies with the following parameters and all other relevant clauses from applicable subsections of this bylaw.

- (a) The intent of this subsection is to manage the adverse effects of signs located on private or public property not part of the State Highway and Motorway network.
- (b) Potential adverse effects targeted comprise visual amenity, the effectiveness, efficiency and safety of the State Highways and Motorways within the Region across all relevant traffic modes.
- (c) Signs not meeting the following requirements will require a formal application for permission from Auckland Council under Part 3 subpart 2.

(2) Scale and Content

- (a) Maximum permitted size without formal consent 4m<sup>2</sup>.
- (b) Content is restricted to the identity of the enterprise and or the products, services, goods and events available or taking place on the site.
- (c) Key considerations are text size, illustrations, message transitions, dwell times and illumination and luminescence which must be designed for ease of interpretation by the oncoming motorist and compliant with this signage bylaw and Waka Kotahi Traffic Control Devices Manual and addenda.

(3) Types of permitted signage as defined in the wider bylaw allowed under this section

- (a) Free Standing
- (b) Wall Mounted
- (c) Real Estate
- (d) Event
- (e) Election

(4) Approvals for signs potentially affecting the State Highway / Motorway network under Part 3 Subpart 2 of the by-law

(a) While the applicant must consider the full scope of matters addressed within the approvals section there are certain key parameters within the bylaw that must be addressed.

(b) Key General Parameters within the Bylaw

(i) Part 2 subpart 3

- 23. Public safety, nuisance,
- 24. Traffic safety, and or efficient traffic movement,
- 26. Changeable message boards (including digital),
- 27. Illumination

(ii) Part 3 Subpart 2 Approvals

- 31(2). Information requirements

- 32. Relevant matters (a) – (f)

- 34. Conditions that may be imposed

(5) Criteria specific to the State Highway / Motorway context

(a) Placement, clutter, distraction, amenity values

- (i) Located on the site to which the advertising relates
- (ii) Provision for maintenance access from within the site
- (iii) Separation of 250m between signs whether on the same or adjoining sites (250m = 8-10 seconds viewing time @100km/hr)
- (iv) Section (iii) above does not preclude the possibility of at least one sign per site.
- (v) Separation of 250m from Traffic Control Devices; traffic lights, warning signs, speed change indicators, variable message displays, direction control signs and the like, and other key complex decision points formally identified by the road controlling authority
- (vi) Must reconcile the sign location with any crash record within a 500m radius of the proposed site for the sign.



Clause 24 (Page 34)

**24 A sign must not affect the safe or efficient movement of traffic**

- (1) A person must not display a sign that affects the safe and efficient movement of traffic on a council-controlled public place.
- (2) Without limiting (1), a sign must –
- (a) not obstruct the line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or private entrance according to Auckland Transport standards;
  - (b) not obstruct or create a hazard to a person on foot or in a vehicle (for example blocking a road, driveway, doorway or footpath);
  - (c) not obstruct, obscure or impair the view of any [traffic control device](#) when viewed by the driver of an approaching vehicle, including by appearing in the background, foreground or alongside a device of a similar colour;
  - (d) not resemble or be likely to be mistaken for a [traffic control device](#) (for example in colour, shape or appearance)
  - (e) not use illumination, movement or materials that may cause a distraction (for example flashing or revolving lights, lasers, or reflective or luminescent material);
  - (f) be able to be read by a driver of a vehicle on a road moving at the legal speed limit if the sign is directed at drivers;
  - (g) not be displayed on any –
    - (i) traffic separation structure on any road (for example traffic island, road median, roundabout or kerb projection);
    - (ii) [traffic control device](#) or its supporting poles, posts or structure;
    - (iii) guidance strip for blind or visually impaired people; or
    - (iv) kerb ramp or part of the footpath that is lowered to facilitate convenient entry to the roadway; and
  - (h) not be displayed any closer to a kerb face than –
    - (i) 0.8 metres if the part of the roadway is directly adjacent to or becomes an Auckland Transport bus route or has a lane for moving motor vehicles directly beside the kerb; or
    - (ii) 0.6 metres in all other situations (for example when the directly adjacent roadway is for car parking).

“24 A sign must not affect the safe or efficient movement of traffic

- (1) A person must not display a sign that affects the safe and efficient movement of traffic on a council-controlled public place **or on a state highway or motorway**. (State Highways / Motorways are critical elements of the regional road network and their high speed, high volume, environment makes them sensitive to adverse effects from signage)
- (2)
- (e) not use illumination, **luminescence**, movement, or materials that may cause a distraction (for example flashing or revolving lights, lasers or reflective or luminescent material)... (luminescence measures light output from any source, reflected light from external or internal light sources including reflectorized light from passing night time traffic)

- (f) be able to be read by a driver of a vehicle on a road moving at the legal speed limit if the sign is directed at drivers; (key determinants of rapid sign comprehension for the road user include but are not limited to text size and message length, (e.g. at a glance recognition of stand-alone common commercial logos vs more extended comprehension times for more extended messaging)

(new section)

- (i) If it is visible from State Highways, Motorways, and similar high-speed limited access environments must not be displayed
- (i) Near complex road user decision making environments (for example motorway interchanges, merging or dividing traffic lanes, exit or on ramps, traffic control / warning variable message displays, traffic lights, transitions in speed limits, closely spaced interchanges).
- (ii) In locations where the degree of existing sign density is at the limit in terms of levels of acceptable clutter / luminance / distraction potential.

(State Highways / Motorways and similar high-speed limited access corridors are critical elements of the regional road network and their high-speed, high traffic volume environment makes them particularly sensitive to adverse effects from signage)

Clause 27 (Page 35)

<b>27 A sign may use changeable messages in certain circumstances</b>	
(1)	A person may display a sign that uses changeable messages (a sign with mechanical or electronic images or displays, including LED, neon, and electronically projected images) if it complies at all times with the conditions in this table –
	<b>Conditions for display of all changeable message signs</b>
	<b>No movement</b>
	(a) The sign and its contents must not scroll, continuously move or appear to be moving, be animated, or appear to shimmer or sparkle;
	(b) For the avoidance of doubt, a changeable message is limited to transitions between static images;
	<b>Dwell time</b>
	(c) Must have a dwell time of 8 seconds or more for each image or display;
	<b>Transition time</b>
	(d) Must have a transition time of no more than 1 second between each image or display;
	<b>Number of images</b>
	(e) Must not use more than 3 sequential images or displays to communicate an entire message;
	<b>Adjust to ambient light</b>
	(f) Must not use an artificial light source unless it is controlled by an appropriate system that automatically adjusts brightness in response to ambient light conditions;
	<b>Maximum luminance</b>
	(g) Must not use an artificial light source that exceeds a luminance of –
	(i) 5,000 cd/m <sup>2</sup> (candelas per square metre) at any time; and
	(ii) 250 cd/m <sup>2</sup> between sunset and sunrise.

- (1) (c) Must have a dwell time calibrated to ensure that the road user travelling at the legal speed limit for the road will have the potential to be distracted by no more than one change of ~~8 seconds or more~~ for each image or display. (while road user reaction times to signage are reasonably constant, vehicle speed defines the length of time a road user is exposed to the sign and the number of images viewed within a given time)

Clause 28 (page 36)

**28 A sign may be illuminated by a static source in certain circumstances**

(1) A person may illuminate a sign using a static source of artificial light that complies at all times with the conditions in this table –

Conditions for the display of a static illuminated sign without an approval		
Maximum luminance		
(a) Must not exceed a luminance of –		
Illuminated area of sign (m <sup>2</sup> )	Areas with street lighting (cd/m <sup>2</sup> )	Areas without street lighting (cd/m <sup>2</sup> )
Up to and including 0.5m <sup>2</sup>	2000	1000
Over 0.5m <sup>2</sup> up to and including 2m <sup>2</sup>	1600	800
Over 2m <sup>2</sup> up to and including 5m <sup>2</sup>	1200	600
Over 5m <sup>2</sup> up to and including 10m <sup>2</sup>	1000	600
Over 10m <sup>2</sup>	800	400
New Zealand Transport Agency requirements		
(b) Must comply with any current requirements for illumination and glare set by an authorised central government agency;		
Upward-facing lighting		
(c) May only emit upwardly facing lighting if adequately shielded so that any glare does not extend beyond the sign and its immediate surroundings;		
No illusion of movement		
(d) Must not be illuminated in a way that makes the sign appear to shimmer, sparkle or revolve.		

(2) The person must provide evidence that the sign complies with all applicable conditions in (1) if required by, and to the satisfaction of, the relevant authority.

Related information note about illumination and glare requirements
The <a href="#">New Zealand Transport Agency's Traffic Control Devices Manual Part 3 Advertising Signs</a> sets requirements for illumination and glare.

- (1) (e) Must comply with the sign illumination standard AS/NZS 4282 2019. (National sign illumination standard)
- (2) The New Zealand Transport Agency's Traffic Control Devices Manual Part 3 Advertising Signs sets requirements for illumination and glare. Note also "Digital Billboard Guidance-Addendum to Traffic Control Devices Manual Part 3" (Recent addition on digital billboards especially in high speed environments)

Clause 33 (2) (Page 39)

(2) Without limiting (1), the relevant authority may consider an application for an approval against one or more of the following matters in this table –

Matters that may be considered on all applications for approvals
(a) The location (including multiple sites) and intended duration of display of the sign;
(b) The design, material, colour, size, structure and specifications of the sign, including its lighting and luminance;
(c) The likely impact of the sign on traffic safety and public safety, for example – <ul style="list-style-type: none"> <li>(i) obstructions or hazards to pedestrian or vehicular visibility, access or flow;</li> <li>(ii) whether the sign resembles or is likely to be mistaken for a traffic control device;</li> <li>(iii) whether the sign is made of materials that are slippery, reflective, or that shimmer or move;</li> <li>(iv) whether the sign is made of materials that can be washed off with water without leaving any residue and that will not have an adverse effect on the stormwater network;</li> <li>(v) whether the sign contains changeable messages;</li> </ul>
(d) The impact of the proposed sign on amenity values, for example the extent to which the proposed sign – <ul style="list-style-type: none"> <li>(i) detracts from the character of any public place, including the characteristics of the streetscape, natural environment, landscaping and open space;</li> <li>(ii) dominates views from any residential zone, residential precinct or residential land unit;</li> <li>(iii) creates adverse cumulative effects;</li> <li>(iv) 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;</li> </ul>
(e) Whether the proposed sign, if it will be placed on a building, will – <ul style="list-style-type: none"> <li>(i) integrate into the building's appearance;</li> <li>(ii) respect and positively relate to structural bays, structural elements, architectural features, building proportions and the overall design of the building;</li> </ul>
(f) Actual or potential impact of the activity on the public, public place and surrounding environment, for example – <ul style="list-style-type: none"> <li>(i) the impact on nearby business premises; and</li> <li>(ii) cumulative impacts of this approval in addition to other existing approvals;</li> </ul>
(g) Whether the activity complies with relevant requirements in any Act, regulation or Bylaw;
(h) Whether the activity is consistent with the relevant authority's policies and plans;
(i) Whether landowner approval (if required) has been obtained.

Addition to the following section

“(c) The likely impact of the sign on traffic safety and public safety, for example –

(i) obstructions or hazards to pedestrian or vehicular visibility, access or flow **across all relevant Traffic Modes”**

Clause 35 (page 41)

<b>35 Conditions may be imposed if an application is granted</b>
(1) The relevant authority may impose any conditions it considers appropriate on an approval to achieve the purpose of this Bylaw.
(2) Without limiting (1), the relevant authority may impose conditions about any one or more matters in this table –
<b>All approvals may include conditions about the following matters</b>
(a) Any matters considered in Part 2 and in clause 33 of this Bylaw;
(b) The location, placement, duration of display and removal of the sign;
(c) The design, material, colour, size, structure and specifications of the sign;
(d) The use of lighting and moving images, including (but not limited to) luminance and times of operation (days and hours);
(e) The content of the sign, including (but not limited to) to only advertise products, services, goods or events available or taking place on the site of the premises to which the sign relates;
(f) The construction and maintenance requirements for the sign;
(g) The frequency of inspection and maintenance;
(h) Public safety, traffic safety and access to premises and places, including (but not limited to) compliance with general safety, nuisance and traffic rules in clauses 23, 24 and 25;
(i) Protecting the environment, including (but not limited to) physical and visual amenity (especially in relation to streetscape, residential areas and heritage) and damage;
(j) Compliance with requirements in any other relevant Act, regulation, <a href="#">Bylaw</a> , Auckland Council <a href="#">policy or plan</a> , and any shared space guidelines or policies;
(k) Obtaining landowner approval (if required) before displaying the sign;
(l) Holding and maintaining appropriate public liability insurance;
(m) The provision of a bond or insurance to cover any costs to the relevant authority resulting from a failure to comply with the conditions of the approval or otherwise comply with this Bylaw;
(n) Payment of one or more bonds, fees and / or charges;
(o) Display of approval details (for example approval reference number);
<b>Approvals for Poster Boards may include conditions about the following matters</b>
(p) The proportion of the display area that must only be used for signs about events;
(q) Displaying the name and contact details (including phone number) of the person responsible for installing, maintaining and removing the poster board;
<b>Approvals for Stencil signs may include conditions about the following matters</b>
(r) Location, including (but not limited to) being directly adjacent the main ground level entrance of the premises to which the sign relates;
(s) Ensuring materials used for the sign are able to be washed off with water, leave no residue, are non-slippery and will not have an adverse effect on the stormwater network.

(2) (f) The construction and maintenance requirements for the sign (including but not limited to)

- (i) The structural integrity and durability of the sign, it's supports and fixtures.
- (ii) Access and maintenance arrangements for the sign...

(In high speed limited access road corridors the above considerations can generate as many safety / network efficiency issues as the sign itself)

- (i) Protecting the environment, (including but not limited to) physical and visual amenity (especially in relation to streetscape, existing and subsequent landscape planting and maturation, residential areas and heritage) and damage. (Removes any assumptions on the part of the sign owner that growth and maturation of streetscape / landscape planting within public spaces will be limited by previous signage consents)

**C. Conclusion**

1. Waka Kotahi would like to thank Auckland Council for the opportunity to submit on the Proposed Bylaw.
2. If the Bylaw is adopted with the suggested amendments as outlined in the above submission (or similar relief), Waka Kotahi are in support of the proposed signage bylaw.
3. The reason for our views are set out within the submission.

We seek the following recommendation or decision from Auckland Council:

**Approval of the Bylaw with the suggested amendments, or similar relief**

Submission date: 29 October 2021 (late submission)

**Attend a hearing:**

- i. If Waka Kotahi interests are preserved by the adoption of the abovementioned submission points then there will be no need for attendance at the hearing,
- ii. If these conditions are not adopted (or similar relief), then Waka Kotahi would like to attend the hearing.

**Declaration**

I accept and agree that by taking part in this public submission process that my submission (including personal details, names and addresses) may be made public,



~~29/09/2021~~

Bruce William Hawkins, Senior Planner, Environmental Planning / Poutiaki Taiao

System Design Waka Kotahi

Part 2, Subpart 2. Special rules for Certain Signs

### **23. Signs visible from and directed towards the high-speed limited access road corridors of State Highways and Motorways**

- (1) A person may display a sign directed towards the above elements of the road network without formal permission if it complies with the following parameters and all other relevant clauses from applicable subsections of this bylaw.
  - (a) The intent of this subsection is to manage the adverse effects of signs located on private or public property not part of the State Highway and Motorway network.
  - (b) Potential adverse effects targeted comprise visual amenity, the effectiveness, efficiency and safety of the State Highways and Motorways within the Region across all relevant traffic modes.
  - (c) Signs not meeting the following requirements will require a formal application for permission from Auckland Council under Part 3 subpart 2.
- (2) Scale and Content
  - (a) Maximum permitted size without formal consent 4m<sup>2</sup>.
  - (b) Content is restricted to the identity of the enterprise and or the products, services, goods and events available or taking place on the site.
  - (c) Key considerations are text size, illustrations, message transitions, dwell times and illumination and luminescence which must be designed for ease of interpretation by the oncoming motorist and compliant with this signage bylaw and Waka Kotahi Traffic Control Devices Manual and addenda.
- (3) Types of permitted signage as defined in the wider bylaw allowed under this section
  - (a) Free Standing
  - (b) Wall Mounted
  - (c) Real Estate
  - (d) Event
  - (e) Election
- (4) Approvals for signs potentially affecting the State Highway / Motorway network under Part 3 Subpart 2 of the by-law
  - (a) While the applicant must consider the full scope of matters addressed within the approvals section there are certain key parameters within the bylaw that must be addressed.
  - (b) Key General Parameters within the Bylaw
    - (i) Part 2 subpart 3
      - 23. Public safety, nuisance,
      - 24. Traffic safety, and or efficient traffic movement,
      - 26. Changeable message boards (including digital),
      - 27. Illumination
    - (ii) Part 3 Subpart 2 Approvals
      - 31(2). Information requirements
      - 32. Relevant matters (a) – (f)
      - 34. Conditions that may be imposed
- (5) Criteria specific to the State Highway / Motorway context



(a) Placement, clutter, distraction, amenity values

- (i) Located on the site to which the advertising relates
- (ii) Provision for maintenance access from within the site
- (iii) Separation of 250m between signs whether on the same or adjoining sites (250m = 8-10 seconds viewing time @100km/hr)
- (iv) Section (iii) above does not preclude the possibility of at least one sign per site.
- (v) Separation of 250m from Traffic Control Devices; traffic lights, warning signs, speed change indicators, variable message displays, direction control signs and the like, and other key complex decision points formally identified by the road controlling authority
- (vi) Must reconcile the sign location with any crash record within a 500m radius of the proposed site for the sign.

## Key Parameters – Permitted activity signage

Sign Type - subsets in italics	Size (m <sup>2</sup> ) (zones in brackets)	Density (lineal metres)	Separation	Duration – (days grace for removal x=sale date, y = date notice of sale appears on the sign) (In all cases must be removed when business ceases)	Must not affect the safe or efficient movement of traffic or vessels (Amend to include SH Network) Obstruction of Lines of sight, views of TCD, physical obstruction, mimic TCD, driver distracting movement materials or illumination, legibility at speed limit (e.g. flashing or revolving lights, lasers, reflective or luminescent material	Static Illumination (Yes, but subject to illumination level control depending on size; no upper size limit)	Flashing No moveable part or light intended to attract attention	Digital (Yes, subject to movement, dwell and transition times, no more than 3 sequential images, illumination calibrated to ambient light levels, Maximum luminance)
<b>Free Standing</b> <i>Principal Wayfinding</i> (next to vehicle entrance)	4 <b>Prior approval of Council</b> (Residential, Open Space, Future Urban, Rural, Strategic Transport Corridor, Un-zoned Land)	1 for 60m frontage or less 2 for 60-100m 3 for 100+m	1/10m same site 2m diff site					
<b>Wall Mounted</b> <i>Horizontal</i> (cantet at a right angle to a wall)  <i>Flat against wall or fence</i>	2 (Business)  <b>40</b> (Special Purpose, Major Recreational Facility Zone) **  <b>6</b> (City Centre / Metro Centre, Heavy Ind) *  <b>5</b> (General Business, Business Park, Light Ind, Neighbourhood centre)  Up to <b>4</b> (Mixed Use, Local Centre, Town Centre and All other zones)	1/5m No limit on total numbers  8 on main building  1 sign per business 1/5m No limit on total numbers  <b>But for underlined zones in previous column a cumulative total 25 - 50% coverage of building facade (25% front)</b>	5m					

<p><b>Real Estate</b> <i>Principal sign</i></p>	<p><b>2.88</b> (Future Urban / Rural) <b>2.88, 6</b> if wall mounted (Heavy Industry)</p> <p><b>1.8 total</b> (Residential)</p> <p><b>2.88 total</b> (All other zones)</p> <p><b>0.28</b> (Residential)</p> <p><b>0.28</b> (All other zones)</p> <p>No dimensions given except max height of 2.8m</p>	<p><u>boundary, 50% all other boundaries)</u></p> <p>2 per site</p> <p>Sole agency 1, Multi agency 3 1</p> <p>Sole agency 2 signs, Multiple agency 2 per agency</p> <p>2 Signs 1 Sign</p>	<p>X=5, Y=10</p> <p>X=5, Y=10, with a sign exposure of 6 out of every 12month period</p> <p>X=5, Y=10</p> <p>X=5, Y=10, with a sign exposure of 6 out of every 12month period</p>			<p><b>Event</b> <i>Community</i></p> <p><b>Major or Regional or Sub Regional Events</b></p>	<p>1 sign per frontage Only flat wall mounted</p>	<p>On sites remote from the event, only allowed 4 times a year Max display period 21 days prior to event, removed 3 days after</p>		
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	standing signs (Other zones)	1 sign per site						
<b>Election</b>	1.5 Free Standing Signs (Other Zones) <b>3m</b>	Signs on fences can only be flat wall mounted		Display for up to the 9 wks prior to polling day Remove by midnight on the day prior to polling				

\*Strategic Transport Corridor takes on requirements of the adjacent zone \*\* At 40 Subpart 2 Special rules limit to sign painted on the roof / signs directed to the audience, not Motorists other signage needs to meet freestanding / wall mounted sign requirements



18 October 2021

### Digital Signs – ‘Have Your Say’ outline

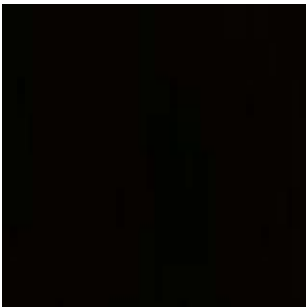
1. A bylaw is not the most appropriate way to manage signage other than:
  - a. Wayfinding (technical and necessary in nature)
  - b. Temporary (Election, Event, Community and Real Estate)
  - c. Having a ‘catch-all’ provision (traffic safety, brightness, full motion video) to allow immediate enforcement.
2. Most councils in New Zealand use the district plan (p27 2020 Review Findings Report) to regulate signage and this is likely because the majority of signage regulation affects visual amenity (how controlling signage improves the appearance of an area). It is also illegal for a bylaw to regulate private land (s149 LGA 2002).
3. There was a very low level of consultation with operators in the industry (1 in-person consultation 10 December 2018) p78. The first communication after December 2018 was on Thursday 14 October, 2 working days before the ‘Have Your Say’ event (with no consultation in between).
4. Industry operators have a substantial level of knowledge in the operation, impact and effectiveness of signage (as they are equally involved with Council in making applications) yet the matters that had wide industry support (lighting levels, over roof and animation) have not been adopted.
5. For example:
  - a. Brightness – Auckland has a 5,000 cd/m<sup>2</sup> daytime brightness limit when Hamilton has 8,000 and the rest of the country has 6,000. Technology presently allows LEDs to go up to 9,000 cd/m<sup>2</sup> whereas sunlight is 1.6 billion cd/m<sup>2</sup>. It is a waste of time and money to require monitoring of brightness levels on a sunny day when measuring equipment cannot isolate sign brightness from the sunlight. The real issue is brightness relative to surrounding light conditions (night and overcast)

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1C Highbrook Drive, East Tamaki, 2013, Auckland | 0508 4 VIDEO (0508 484 336)

making the sensible measurement as one relative to the surrounding environment and not an arbitrary level. The Council has not paid attention to the express urging of the Hearing Commissioners in LUC60347826, para 79.

- b. Animation – Whakatane, Rotorua, Hamilton and Taupo councils have been permitting full motion video for many years without any adverse safety effects (and arguably a more modern and vibrant visual effect). Multiple cinema have been scrolling movie times (animation) for many years without incident. Council has completely failed to seek to address emerging technology in this bylaw review. It is an objective of the AUP that we become more modern and vibrant with greater economic activity (paraphrased).
  - c. At the industry feedback session in December 2018 an in-depth discussion was held that there is no expert support to restrict above roof signage. This appears to be an archaic rule from when suburbs like Ponsonby and Papatoetoe were kept to a uniform roof line height. Today the AUP promotes greater intensification and building up to 18m in many areas. Even the draft bylaw restriction of above veranda is against the urban design expert approach of signage being acceptable if within a building envelope (which an above veranda sign would be).
6. There is no support in the draft bylaw for the .03m (30mm) depth measurement in cl.9(4)(d). This would only allow ACM (a thin signage substrate) and is inconsistent with the .3m (300mm incorrectly cited as 30mm) at cl. 8(3)(c).



27 October 2021

To: Auckland Council

**Te Ture ā-Rohe mo nga Tohu / Proposed New Signage Bylaw 2022 - Submission from SAFETY COLLECTIVE TĀMAKI MAKĀURAU**

**Executive Summary**

**We contend the placement and type of signs on footpaths and surrounding areas can pose safety risks in terms of an obstruction on the pavement that could result in a fall or by obscuring visibility in the immediate road environment with the potential to lead to a pedestrian being injured or killed by a motor vehicle.**

**We recommend and support enhanced investment in strategies, policies and initiatives from Auckland Council, Auckland Transport and Waka Kotahi to support safe walking in Auckland.**

**We believe the provision of clear and consistent expectations in the use of signs is crucial to enhance the safety of pedestrians navigating footpaths and crossing roads. We contend robust efforts to support and enforce bylaw changes are imperative, to ensure the intent of the change in bylaws is upheld.**

**The Safety Collective contend that those who experience an injury or live with long term disabilities from an injury are at risk of being socially excluded in Tāmaki Makaurau.**

**We contend the placement of signs must be centred on the needs of pedestrians over the needs of advertising.**

**We recommend additional clarification of the difference between free standing and portable signs, including their ability to be moved. We recommend a description is provided to inform how freestanding signs are to be moved.**

**We recommend consideration be given to extending the areas where bans are in place for portable signs to ensure the safe movement of pedestrians.**

**We strongly support clause 11 (4k) – “must be able to be easily detected by a blind or visually-impaired persons using a cane”.**

**We strongly support clause 23 (1) – “A person must not display a sign that endangers public safety or causes a nuisance”.**



**We strongly support clause 24 in relation to ensuring signage enables the safe and effective movement of people and traffic both in land based and marine environments.**

**We recommend that the Australia New Zealand Water Safety standard AS/NZS 2416.3:2010 be used to inform decisions pertaining to signage located in open spaces (21) in and water environments where applicable.**

### Introduction and context

1. The [Safety Collective Tāmaki Makaurau](#) is a network of agencies and community organisations focussed on addressing the injury harm caused by alcohol, transport and falls.
2. We are committed to honouring our collective obligations to Te Tiriti o Waitangi and recognising the special status of Māori.
3. The Safety Collective Tāmaki Makaurau is an accredited [Pan Pacific Safe Community](#), hosted by Auckland Council and chaired by Cr Filipaina. A Senior Advisor and a Project Support Coordinator funded by ACC to support its work.
4. We apply an equity lens across our work, given that harm falls disproportionately on Māori communities, as well as Pasifika and other ethnic communities and lower socio-economic populations.
5. As a network the Collective seeks to influence outcomes through evidence-based activities such as guiding vision and strategy, supporting aligned activities, improving the use of data, building public awareness, advancing policy, and mobilising funding and resources. It does not deliver frontline services.
6. Auckland Transport is a member of the Safety Collective. Although it has provided information to help this submission, it is not formally part of the submission as decisions on the plan will ultimately be made by the AT Board.
7. Cr Filipaina – Chair of the Safety Collective Tāmaki Makaurau did not take part in the Safety Collective Tāmaki Makaurau submission discussions.

## Comment

8. We commend and endorse the intention of the proposed bylaw to '(a) protect the public from nuisance, protect public safety, protect council-controlled public places from misuse; (b) manage impacts on the effectiveness, efficiency and safety of the Auckland transport system and (c) protect the environment.
9. **We contend the placement and type of signs on footpaths and surrounding areas can pose safety risks in terms of an obstruction on the pavement that could result in a fall or by obscuring visibility in the immediate road environment with the potential to lead to a pedestrian being injured or killed by a motor vehicle.** Waka Kotahi's guidance on the placement of advertising signs or boards states *"There should be no interference, obstruction or hazard for pedestrians. Any items should only be placed in the frontage or street furniture zone and no part should be sited on, or extend into, the through route. Placement of hazardous items should be banned, and rules on these items enforced"*. (1, p14-13)
10. The Auckland Regional Land Transport Plan 2021-2031<sup>(2)</sup> seeks to enhance walking levels within the city and acknowledges the quality of the pedestrian environment is a barrier to increasing walking as a mode for commuting in Auckland. The embedding of principles and initiatives that will enhance the safety and profile of walking both in terms of transport planning and implementation, as well as a sustainable transport mode is imperative. Ultimately this will contribute to improving the health and wellbeing of Aucklanders. **We recommend and support enhanced investment in strategies, policies and initiatives from Auckland Council, Auckland Transport and Waka Kotahi to support safe walking in Auckland.**
11. The Safety Collective support the collaborative approach being undertaken between Auckland Council and Auckland Transport in seeking to amalgamate their individual by-laws. **We believe the provision of clear and consistent expectations in the use of signs is crucial to enhance the safety of pedestrians navigating footpaths and crossing roads. We contend robust efforts to support and enforce bylaw changes are imperative, to ensure the intent of the change in bylaws is upheld.**
12. At the heart of ensuring streets are safe for all users are universal design principles which seek to ensure streets are designed to accommodate the needs of all people, regardless of age or abilities and seek to facilitate inclusive access for all. This leads to increased accessibility and connectivity between areas due to decreased barriers to movement. (3)
13. Walkable cities with universal access principles result in an increased sense of independence for residents and reductions in inequities that exist if there are barriers that preclude some groups to participating fully and safely in society. Auckland Transport states *"Walking has the capacity to promote equality and reduce social exclusion. As a free means of transport, walking can provide access to a range of facilities, and socio-economic status does not limit opportunity"*. (3, p66)

14. Pedestrians including those that are older, children, mobility-impaired, sensory impaired and are wheeled pedestrians have characteristics that require due consideration in planning relating to pedestrian activities. All require their individual needs to be considered in the placement and type of signage to be allowed on and around footpaths and roads to enable their safe movement. <sup>(1)</sup>
15. A 2019 Peoples Panel survey explored feedback on what would constitute an Age-friendly Auckland. Transport was identified as the leading area where respondents wanted to comment on overall. In total 65 percent of participants identified– “*Good quality footpaths e.g., well maintained, wide and smooth, mobility cotter/wheelchair friendly*” as the top key transport action that was needed to achieve an Age Friendly Auckland out of 18 potential transport action areas. Feedback comments acknowledged a need to ensure safe walking space for older people, minimising encroachment from the likes of signs. <sup>(4)</sup>
16. Falls are the most common cause of injury, death and hospital admission in older adults aged 65 years and over. Every year those aged over 65 years have a one in three chance of falling. For people aged 80 and over, the risk of falling increases to one in two. <sup>(5)</sup> Between 2018 and 2021 (business years) a total of 25, 613 older adults aged 65 plus in Auckland were hospitalised due to a fall. (Health Quality & Safety Commission, personal communication, 2021) Falls in the elderly can have very serious consequences that can be life changing.
17. Older pedestrians aged over 60 years have a disproportionately higher incidence of slips, trips and falls within the transport network which require hospital treatment in Auckland. The majority of these occurred on footpaths (or sidewalk), with the majority of the remaining occurring on the road itself and were proposed to have occurred due to tripping over the kerbs. <sup>(6)</sup>
18. **The Safety Collective contend that those who experience an injury or live with long term disabilities from an injury are at risk of being socially excluded in Tāmaki Makaurau.**
19. We note the recommended size of a footpath is at least 1.8 metres wide for residential streets, 2.4 metres in neighbourhood main streets and three metres in areas of commercial/retail street footpaths. This necessitates consideration of the appropriate placement of all signs in relation to each areas unique purpose and the community members that frequent such areas. It is noted that an ‘average’ pedestrian require a minimum space of .8 metres diameter around them to walk safely. Whereas a person in a wheelchair requires a space of at least 1.8 metres. <sup>(3)</sup>  
**We contend the placement of signs must be centred on the needs of pedestrians over the needs of advertising.**
20. **We recommend additional clarification of the difference between free standing and portable signs, including their ability to be moved.** Whilst we acknowledge clause 11 (1) for portable signs states, “*A sign that can be readily moved ... able to be moved by a single person using their hands or a hand trolley*”  
**We recommend a description is provided to inform how freestanding signs are to be moved.** We are also concerned that freestanding signs can be very large

and have the capacity to block vision if placed in or adjacent to areas where vehicles park and are required to exit the road over footpaths.

21. In relation to clause 11 (4e) we note in the feedback documentation a rationale for increasing the area where portable signs are prohibited in to cover the entire City Centre Zone. We are concerned at the accompanying statement - *“This removes potential safety risks, nuisance and clutter. It also improves accessibility for pedestrians who are mobility or vision impaired, and prioritises the area for pedestrians and place-making activities”* Given clause 23 states *“A sign must not endanger public safety or cause a nuisance”*, we seek clarification on why the ban is only proposed for City Centre zone. If safety is the key reason behind the ban should other areas not be included as well such as neighbourhood centre zones in residential areas? **We recommend consideration be given to extending the areas where bans are in place for portable signs to ensure the safe movement of pedestrians.**
22. **We strongly support clause 11 (4k) – “must be able to be easily detected by a blind or visually-impaired persons using a cane”.**
23. **We strongly support clause 23 (1) – “A person must not display a sign that endangers public safety or causes a nuisance”.**
24. **We strongly support clause 24 in relation to ensuring signage enables the safe and effective movement of people and traffic both in land based and marine environments.**
25. **We recommend that the Australia New Zealand Water Safety standard AS/NZS 2416.3:2010 be used to inform decisions pertaining to signage located in open spaces (21) in and water environments where applicable. In particular in 24- 2a. and b. and 25- 2a., b., and c. (7)**

### Contact for enquiries:

, Senior Advisor - Safety Collective Tāmaki  
Makaurau

**On behalf of the Safety Collective Tāmaki Makaurau**

### References

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- (2) Auckland Transport (2021). *Auckland Land Transport Plan 2021-2031*  
<https://at.govt.nz/about-us/transport-plans-strategies/regional-land-transport-plan/>
- (3) Auckland Transport (2021). *Auckland Transport Design Manual-Urban Street and road design guide version 1*. <https://at.govt.nz/about-us/manuals-guidelines/transport-design-manual/>

- (4) Auckland Council. Auckland Council (2019). People Panel Survey results: Age-Friendly Auckland  
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- (7) [Standards Australia & Standards New Zealand. \(2021\). Water safety signs and beach safety flags part 3: Guidance of use \(AS/NZ 2416:3:2010 incorporating amendment \(No1\)](#)



19 October 2021

[alcoholsigns@aucklandcouncil.govt.nz](mailto:alcoholsigns@aucklandcouncil.govt.nz)

### **SIGNS BY-LAW**

Te Rūnanga o Ngāti Whātua supports the recognition of the rangatiratanga of marae and that the by law for signs should exempt signs on marae.

Ngā mihi



Manahautū



**Blind Citizens NZ**

27 October 2021

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## **Submission Auckland Council / Auckland Transport 2022 Signs Bylaw**

### **Who are we?**

- 1 Blind Citizens NZ is the oldest disability consumer advocacy group – disabled people's organisation – in New Zealand. We write on behalf of blind, deafblind and vision impaired members of the Auckland Branch. Our members are proud to be Aucklanders and we accept and enjoy our responsibilities to participate in our community as much as we can.
- 2 Auckland Branch membership:  
The Auckland Branch of Blind Citizens NZ is made up of:  
adults, 16 years of age and over;  
ethnicity, primarily New Zealand European;  
residents across the Auckland Council area;  
all members cannot legally drive cars, so are transport disadvantaged;  
all members are print disabled and several are not online, so are information disadvantaged.
- 3 New Zealand signed the United Nations Convention on the Rights of Persons with Disabilities (Disability Convention) on 30 March 2007 and ratified it on 26 September 2008. The purpose of the Disability Convention is to promote, protect, and ensure universal human rights and fundamental freedoms for disabled people, and promote respect for their dignity. It recognises the right of disabled people to make free and informed decisions about their own lives. It sets out in practical terms how the rights of disabled people can be realised. All rights discussed in the Disability Convention are also established in current New Zealand law. Local government, including Auckland Council and Auckland Transport, is bound to honour the Disability Convention. Blind Citizens NZ Auckland Branch asks Auckland Council and Auckland Transport to uphold the Disability Convention in its decision-making. See



<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

- 4 The UNCRPD Articles most relevant to our submission are:
  - Article 4.3 Involving disabled people and our organisations in decisions that affect us;
  - Article 5: Equality and non-discrimination;
  - Article 9: Accessibility;
  - Article 19: Living independently and being included in the community;
  - Article 20: Personal mobility;
  - Article 21: Freedom of expression and opinion, and access to information.
  
- 5 The New Zealand Government policies and strategies which are relevant to this submission are as follows:
  - New Zealand Disability Strategy 2016-2026:
  - Outcome 5 - Accessibility.

### **Support in principle, but we have blindness-related concerns**

- 6 We are pleased to see that Auckland Council is updating its Signs Bylaw to make it much easier to interpret for all stakeholders. From a disability perspective, signage must be placed in such a way that it does not create accessibility issues for blind and vision impaired pedestrians. The information in the signs must also be accessible to our community.

### **Access to information**

- 7 You make the point that “Aucklanders use signs every day to advertise goods and services and to communicate information.” Current reliance on non-electronic signage means that most blind and vision impaired people have no access to this information which is seen only by sighted people.
  
- 8 We urge you to take the opportunity to promote the use of electronic signage placed out of the way of pedestrian walkways. Electronic signs should be driven by a central database storing the text of the signs with the instructions about the visual displays on the signs. iBeacons on signs connected to the database could speak or send braille messages of the text to passing smartphones used by blind pedestrians.

### **Placement of signs**

- 9 Free standing signage including any permanent (fixed) signage such as signage on monuments, poles and pylons should be placed in a way that does not impede the pedestrian access corridors and ensures the safety of all members of the public. This applies especially to blind and vision impaired people as well as people with mobility impairments who may use mobility devices such as wheelchairs, mobility scooters, walkers, etc.

- 10 We strongly support the provision in Section 11 (4) of the bylaw around the need for the safe separation of portable, free-standing signage, so that it can maintain an unobstructed footpath width of 1.8 metres and that it be detectable by blind or vision impaired people using long canes.
- 11 In the longer-term, we ask you to ban free-standing signage (especially sandwich boards) on pedestrian access ways such as footpaths. These are unnecessary obstacles that create disabling barriers for blind and vision impaired pedestrians and the wider disability community. If such a policy were to be introduced, then we would favour a transition period to enable the development of alternative marketing and signage strategies which don't include footpath level signage.
- 12 We strongly support the banning of free standing signage in much of the Auckland CBD as provided for in Schedule 4 given the high volumes of pedestrian traffic in the area. We would also recommend that other areas be considered for signage bans as well, particularly those which experience high pedestrian traffic volumes.
- 13 For health and safety reasons we urge you to make provision for the enforcement of this bylaw, rather than rely on us to lodge complaints following near misses, even collisions with wrongly placed signs.

## Conclusion

- 14 We feel the new Signs Bylaw creates greater clarity for all stakeholders including businesses, council, motorists and pedestrians. However, in the longer term, we would like Council to consider banning sandwich boards and other potentially hazardous free-standing signage, given the accessibility and safety hazards that they represent.
- 15 We urge you to look for ways of introducing electronic signage so blind and vision impaired people can gain access to information on signs.

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Hon. Secretary  
Auckland Branch  
Blind Citizens NZ

Submission on the Proposed Signs Bylaw 2022  
*Local Government Act 2002*

**To:** **Auckland Council**  
**Private Bag 92300**  
**Victoria Street West**  
**Auckland 1142**

Name of submitter: Shout Media Limited

## 1. Introduction

- 1.1 This is a submission made on behalf of Shout Media Limited (**Shout**) on the Proposed Signs Bylaw 2022 (**the Proposed Bylaw**).
- 1.2 The specific provisions of the Proposed Bylaw that this submission relates to are:
  - (a) Clause 4 – Purpose.
  - (b) Clause 13 – A poster may be displayed in certain circumstances.
  - (c) Clause 33 – Applications for an approval will be considered against relevant matters.
  - (d) Clause 34 – Applications may be granted or declined.
  - (e) Clause 37 – Transfer of an approval is not allowed.

## 2. Background

- 2.1 Shout is a leading outdoor advertising company, specialising in street posters and dairy signage. The company has a combined portfolio comprising over 440 sites (1,780 ‘frames’) nationwide. Within the Auckland Council jurisdiction, the company currently has over 190 sites (990 ‘frames’).
- 2.2 The nature of Shout’s business is such that they typically operate in communities that are not reached by billboard operators or bus shelter advertising. As a result, a significant proportion of the advertising relates to community events, local government information, and Covid/public health messaging (in addition to more standard forms of advertising), with Auckland Council being one of the biggest users of Shout’s poster board sites.
- 2.3 Signage of the type provided by Shout not only provides economic benefits to Auckland, but also has an important role in providing for the social well-being of the community.
- 2.4 Almost all of Shout’s poster sign sites comprise six, 1.2m<sup>2</sup> signs that are grouped together with a total display area of 7.2m<sup>2</sup> (excluding the frame). This represents the industry “standard”, however variations do exist.
- 2.5 Since the promulgation of the Operative Signage Bylaw 2015 (**the Operative Bylaw**), technology for outdoor digital signage has advanced to a stage where Shout is able to (and is in the process of) replace some of its traditional poster board signs with digital

media. This enables Shout to consolidate six poster signs, into a single, changeable message, thereby improving the overall look and appearance of the signs and reducing visual clutter (the number of images that are displayed at any one time reduces from six to one).

- 2.6 However, as the provisions of the Operative Bylaw have not sufficiently caught up with these technological advances, Shout has been required to advance the digitisation of its poster board sites under the provision of the Auckland Unitary Plan (through the Resource Management Act 1991), as opposed to under the Signage Bylaw (under the Local Government Act 2002). This has significantly increased the cost and complexity of the approval process and has resulted in an uneven playing field in respect of other similar outdoor advertisers who utilise street furniture, and whose digital signs are typically provided for as a permitted activity.
- 2.7 The Proposed Bylaw contains several changes and new provisions that, both individually and cumulatively, will effectively exclude Shout (and other poster sign advertisers) from operating within large areas of the Auckland region, and will wipe out the value of their business, and years of financial investment, by preventing the transfer of approvals.
- 2.8 No explanation or justification has been provided for such a fundamental change in approach to the management of poster signs. The consultation documents are extremely misleading; describing the changes as “clarifications” to “make the rules easier to read”,<sup>1</sup> and to “allow more flexibility in identification of poster board sites and conditions if use”,<sup>2</sup> as opposed to setting out clearly and accurately the restrictive and onerous approach that is proposed under the Proposed Bylaw. But for a detailed review of the Proposed Bylaw, a reader of the consultation documents would be under the impression that the existing poster sign regime under the Operative Bylaw was to be retained, when plainly this is not the case.
- 2.9 Shout is therefore **opposed** to the Proposed Bylaw in its current form and seeks the amendments that are detailed below and appended to this submission as **Attachment 1**.
- 2.10 Shout wishes to be heard in relation to this submission.

### 3. Clause 4 – Purpose

- 3.1 The stated purpose of the Proposed Bylaw is set out as follows:

#### 4 Purpose

- (1) The purpose of this Bylaw is to –
- (a) protect the public from nuisance, protect public safety, protect council-controlled public places from misuse;
  - (b) manage impacts on the effectiveness, efficiency and safety of the Auckland transport system; and
  - (c) protect the environment.

<sup>1</sup> Refer to Appendix C of the Statement of Proposal for Signs Bylaw. There is no reference to the changes in the Findings Report, or the High Level Options Report.

<sup>2</sup> Refer to Appendix A of the Detailed Options Report.

- (2) The Bylaw seeks to achieve this purpose by –
- (a) providing for signs that directly relate to the primary use or activities occurring on the site of the signs (for example a sign advertising a business on the same commercial property) subject to conditions;
  - (b) limiting signs that do not directly relate to the primary use or activities on the site of the signs (for example signs relating to the sale of a property);
  - (c) limiting signs not located on a site (for example on a footpath);
  - (d) providing more opportunities for signs about elections, by-elections, polls and referendums during specified periods that would otherwise be limited in (b) and (c);
  - (e) further limiting signs related to more sensitive places or activities; and
  - (f) providing a process to approve signs that do not comply with sign rule related to (a) to (e).

3.2 This contrasts with the purpose of the Operative Bylaw; the purpose of which is set out as follows:

#### **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 nuisance.

3.3 Importantly, enabling the economic benefits of signage to Auckland is not proposed to be a ‘purpose’ of the Proposed Bylaw. As a result, the positive effects of signs, and their ability to provide for the social and economic well-being of the community are not proposed to be recognised. This has resulted in an unbalanced Bylaw that is skewed towards restricting signage, as opposed to enabling it to be provided.

3.4 No explanation or justification has been provided as to why the positive effects of signs are not considered within then Proposed Bylaw. Such an outcome is not supported by the evidence that has been put forward in support of the Proposed Bylaw. In particular, the supporting analysis confirms that:

- (a) complaints about signage are decreasing, rather than increasing;
- (b) only 30% of those surveyed by the People’s Panel thought that signage created safety hazards for the public;
- (c) only 28% of those surveyed by the People’s Panel felt that visual amenity was an issue.

3.5 However, despite a minority of respondents identifying an issue with signs, the Findings report is almost exclusively skewed towards the adverse effects of signage and the need to regulate it further. As a result, the Proposed Bylaw is onerous and places unreasonable

and significant constraints on the continued operation of Shout’s business (discussed further within this submission).

- 3.6 In addition to the above, the methods by which the purpose of the Proposed Bylaw will be achieved only provide for signs that directly relate to the primary use or activities occurring on the site of the signs (for example a sign advertising a business on the same commercial property), subject to conditions. No provision is made for poster signs despite containing standards in respect of this matter.
- 3.7 Further, the while method (2)(a) provides for signs “subject to conditions”, this does not adequately recognise the approval process that applies to signs that do not comply with the conditions.
- 3.8 The purpose Proposed Bylaw is not enabling of poster signs, or the economic and social well-being that such signs bring to the community. This outcome is unreasonable, and Shout therefore seeks the following amendments to the purpose of the Bylaw:

#### 4 Purpose

- (1) The purpose of this Bylaw is to –
- (a) protect the public from nuisance, protect public safety, protect council-controlled public places from misuse;
  - (aa) enable the benefits of signs to the economic and social well-being of the community;
  - (b) manage impacts on the effectiveness, efficiency and safety of the Auckland transport system; and
  - (c) protect the environment.
- (2) The Bylaw seeks to achieve this purpose by –
- (a) providing for signs that directly relate to the primary use or activities occurring on the site of the signs (for example a sign advertising a business on the same commercial property) and poster signs, subject to conditions and the approvals process;
  - (b) limiting signs that do not directly relate to the primary use or activities on the site of the signs (for example signs relating to the sale of a property);
  - (c) limiting signs not located on a site (for example on a footpath);
  - (d) providing more opportunities for signs about elections, by-elections, polls and referendums during specified periods that would otherwise be limited in (b) and (c);
  - (e) further limiting signs related to more sensitive places or activities; and
  - (f) providing a process to approve signs that do not comply with sign rule related to (a) to (e).

#### 4. Clause 13 – A poster may be displayed in certain circumstances

- 4.1 Shout recognises that Clause 13 of the Proposed Bylaw is largely a “roll over” of the existing provisions of the Operative Bylaw. However, as discussed at paragraph 2.4 to 2.6 above, the conditions do not provide for the ‘industry standard’ size of 7.2m<sup>2</sup> (excluding the frames). Posters are no longer exclusively paper, and digital posters are now becoming increasingly commonplace, representing a cleaner, uncluttered, and engaging medium.

- 4.2 Clause 13 does not provide for the prospect of digital poster signs, which has significant cost implications and has resulted in an uneven playing field with other outdoor advertising operators.
- 4.3 Signs that are an integrated part of street furniture (a structure installed by the relevant authority on a council-controlled public place, for example seating or bus shelters) are exempt from the provisions of the Proposed Bylaw,<sup>3</sup> and are provided for as a permitted activity under the provisions of the Auckland Unitary Plan.<sup>4</sup> It is unclear why digital poster signs established on street furniture are treated differently to other outdoor advertisement operators. As Clause 13 of the Proposed Bylaw does not adequately provide for the poster board industry, either in terms of its size requirements, or the enablement of digital poster signs, the result is one that inhibits competition.
- 4.4 It is also unreasonable to include the frame within the maximum size requirements for poster signs. The frames of the signs have been designed to improve the visual appearance of the signs, and outdoor advertising operators such as Shout should not be penalised for ensuring that their advertisements are framed in an appropriate manner.
- 4.5 The outcome is unreasonable, and Shout seeks the following amendments to Clause 13 to address this matter:

**13 A poster may be displayed in certain circumstances**

- (1) This clause applies to a poster sign, which in this Bylaw means a temporary sign fixed to a structure without the need for a supporting device, or displayed on a sign that uses changeable messages.
- (2) A person may display a poster sign if the sign is on –
- a poster board approved in Subpart 2 of Part 3; or
  - a window.
- (3) A poster sign must comply at all times with the conditions in this table –

<b>Conditions for the display of all poster signs in (1) without an approval</b>
<b>Duration and removal</b>
(a) If the sign relates to an event, it must comply with the duration and removal rules for events in clause 16;
<b>Compliance with other rules</b>
(b) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.
<b>Conditions for the display of poster signs on poster boards in 2(a)</b>
<b>Maximum size</b>
(c) Must not exceed a size of <del>6m<sup>2</sup>- 7.2m<sup>2</sup> excluding frames-(5A0)</del> ;
<b>Conditions for the display of poster signs on windows in (2)(b)</b>
<b>Placement</b>
(d) Must be on the inside of the window;
<b>Maximum size</b>
(e) Must not exceed a size of 0.594m by 0.841m (A1);
<b>Other rules</b>
(f) Must comply at all times with any conditions specified in clause 10 about window signs. For the avoidance of doubt, the rules in this clause prevail over any rule in clause 10 if there is a conflict;

<sup>3</sup> Clause 6(2)(l).

<sup>4</sup> Rule E23.4.2(A46)-(A48)



- (4) For the avoidance of doubt, a person must obtain prior approval in Subpart 2 of Part 3 for any poster board (a structure intended for the display of posters, including a board, poster bollard or pole wrap, or a sign that uses changeable messages).

## 5. Clause 33 – Applications for an approval will be considered against relevant matters

5.1 Under the provisions of the Operative Bylaw, the relevant matters for considering an exemption application and approval are limited to those matters that are specified under Clause 29, as follows:

### 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.

- 5.2 The above matters are broad enough to enable Council to undertake a full and comprehensive assessment of the effects of a signage proposal, while at the same time provide certainty to applicants and users of the Operative Bylaw as to the matters that they need to address within an application. Shout has found the current system to work well, with Council applying a consistent interpretation to the relevant assessment matters, which in turn enables Shout to undertake an informed site selection process prior to progressing with an application.
- 5.3 The Proposed Bylaw proposes a significant change to the way applications are required to be considered. Instead of limiting Council's discretion to the matters specified in the Bylaw, Clause 33(1) now requires Council to *"have regard to any matter it considers relevant and reasonably necessary to determine the application in relation this Bylaw's purpose"*.
- 5.4 The matters set out within Clause 33(2) of the Bylaw do not seek to limit the matters Council may consider, leaving the Proposed Bylaw open to inconsistent administration between individual officers. This provides applicants with no certainty as the matters that will be considered and will result in an unnecessarily onerous and arduous application process.
- 5.5 This highlights the necessity of ensuring that the Proposed Bylaw provides in a clear and unambiguous way an appropriate range of matters to be considered when assessing an application and, importantly, for the consideration of the positive effects to be enabled, as discussed at paragraph 2.2 above. No justification has been provided as to why such an onerous application process is now required, and it is unreasonable to impose such an outcome.
- 5.6 Retaining the approach of the Operative Bylaw (whereby the relevant matters are limited to those which are specified) is the appropriate course of action and will enable applicants to undertake a more focussed analysis of the effects generated by the proposal, thereby reducing the scale, complexity, and cost of the application process, while at the same time enable Council officers to retain control as to whether to approve or decline a specific application.
- 5.7 The necessary degree of certainty is not currently achieved with Clause 33 as proposed. Shout considers that it is more appropriate if Clause 33 of the was amended to make it clear that:
- (a) the Council will only consider the matters contained in Clause 33(2) to determine an application in relation to the Proposed Bylaw; and
  - (b) the Council will (not "may") assess applications against the specified matters for consideration in Clause 33(2); and
  - (c) the Council will consider the positive effects of the sign on the economic and social well-being of the community.
- 5.8 The following changes are therefore sought to Clause 33 of the Proposed Bylaw:
- 33 Applications for an approval will be considered against relevant matters**
- (1) The relevant authority when considering an application for an approval –

- (a) will have regard to the matters in (2) ~~any matter it considers relevant and reasonably necessary~~ to determine the application in relation to this Bylaw's purpose; and
- (b) may inspect places and signs related to the application for the purpose of considering the application.
- (2) ~~Without limiting (1),~~ †The relevant authority ~~may~~ will consider an application for an approval against one or more of the following matters in this table –

<b>Matters that may be considered on all applications for approvals</b>
(a) The location (including multiple sites) and intended duration of display of the sign;
(b) The design, material, colour, size, structure and specifications of the sign, including its lighting and luminance;
(c) The likely impact of the sign on traffic safety and public safety, for example – <ul style="list-style-type: none"> <li>(i) obstructions or hazards to pedestrian or vehicular visibility, access or flow;</li> <li>(ii) whether the sign resembles or is likely to be mistaken for a traffic control device;</li> <li>(iii) whether the sign is made of materials that are slippery, reflective, or that shimmer or move;</li> <li>(iv) whether the sign is made of materials that can be washed off with water without leaving any residue and that will not have an adverse effect on the stormwater network;</li> <li>(v) whether the sign contains changeable messages;</li> </ul>
(d) The impact of the proposed sign on amenity values, for example the extent to which the proposed sign – <ul style="list-style-type: none"> <li>(i) detracts from the character of any public place, including the characteristics of the streetscape, natural environment, landscaping and open space;</li> <li>(ii) dominates views from any residential zone, residential precinct or residential land unit;</li> <li>(iii) creates adverse cumulative effects;</li> <li>(iv) 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;</li> </ul>
(e) Whether the proposed sign, if it will be placed on a building, will – <ul style="list-style-type: none"> <li>(i) integrate into the building's appearance;</li> <li>(ii) respect and positively relate to structural bays, structural elements, architectural features, building proportions and the overall design of the building;</li> </ul>
(f) Actual or potential impact of the activity on the public, public place and surrounding environment, for example – <ul style="list-style-type: none"> <li>(i) the impact on nearby business premises; and</li> <li>(ii) cumulative impacts of this approval in addition to other existing approvals;</li> </ul>
(g) Whether the activity complies with relevant requirements in any Act, regulation or Bylaw;
(h) Whether the activity is consistent with the relevant authority's policies and plans;
(i) Whether landowner approval (if required) has been obtained.
<u>(j) The positive effects of the sign on the economic and social well-being of the community.</u>

## 6. Clause 34 – Applications may be granted or declined

- 6.1 Of fundamental concern to Shout is Clause 34(2) of the Proposed Bylaw. The use of the words “may only” within the Clause prevents Council from granting consent to an application for a poster board if it does not comply with the size rules for wall-mounted signs in Clause 9:

**34 Applications may be granted or declined**

- (1) ...
- (2) An application for a poster board in clause 13(4) may only be granted if the poster board –
  - (a) complies with the size rules for wall-mounted signs in clause 9; and
  - (b) does not directly face a Residential Zone.
- (3) ...

6.2 The Operative Bylaw does not contain any similar restriction, and its implications to outdoor advertising businesses are significant, removing the ability of Shout to obtain consent for, or for Council to exercise its discretion to grant consent to, a poster board that exceeds the following conditions:

- (a) City Centre: Height 3m above ground level if on the ground floor of a building.  
Area 6m<sup>2</sup>.
- (b) Metropolitan Centre: Height 3m above ground level if on the ground floor of a building.  
Area 6m<sup>2</sup>.
- (c) Town Centre: Height 3m above ground level if on the ground floor of a building.  
Area 3m<sup>2</sup>.
- (d) Local Centre: Height 3m above ground level if on the ground floor of a building.  
Area 3m<sup>2</sup>.
- (e) Neighbourhood Centre: Height 3m above ground level if on the ground floor of a building.  
Area 3m<sup>2</sup>.
- (f) Mixed Use: Height 3m above ground level if on the ground floor of a building.  
Area 3m<sup>2</sup>.

6.3 Clause 34(2) of the Proposed Bylaw renders the size conditions of Clause 13 redundant. It also removes the ability to seek, or discretion to approve, poster boards that are larger and has significant implications on the ability of the industry to continue to operate within the Auckland region.

6.4 No justification has been provided as to why it is necessary to remove the discretion of Council officers to grant or decline an application for a new poster board on its merits, and no consideration has been given to the impact that it will have on businesses who are reliant on such signs. Such an approach is untenable, will exclude Shout (and other poster signage companies) from operating within large areas of the Auckland region, and is opposed outright, in its entirety.

6.5 Shout therefore seeks the deletion of Clause 34(2) from the Proposed Bylaw, as follows:

**34 Applications may be granted or declined**

- (1) ...
- ~~(2) An application for a poster board in clause 13(4) may only be granted if the poster board –~~

- ~~(a) — complies with the size rules for wall mounted signs in clause 9; and~~
- ~~(b) — does not directly face a Residential Zone.~~

(3) ...

## 7. Clause 37 – Transfer of an approval is not allowed

7.1 The Proposed Bylaw seeks to introduce a new constraint that prevents the transfer of an approval to another person:

### 37 Transfer of an approval is not allowed

- (1) Any approval under this Bylaw attaches to the person who obtained it and is not transferable to any other person.
- (2) However, (1) does not apply if the approval expressly provides otherwise.

7.2 In contrast, the provisions of the Operative Bylaw attach sign approvals to the land. This is an essential component of any approval granted under the Bylaw. For example, it enables signage areas on buildings to continue to be utilised and change over the life of the building, regardless of who the owner of the building is, or who the tenant is.

7.3 The effect will be to require purchasers of buildings or signage inventory, or new tenants within buildings, to reapply to retain existing signs that have been granted under the Proposed Bylaw. Such an outcome is unreasonable and represents an inefficient, time consuming, and costly process.

7.4 More fundamentally, Clause 37 has the effect of wiping out the value of Shout's business and years of financial investment, by preventing the transfer of its approvals. For example, Shout purchased some of its signage inventory from Profile Plus; something that would be prevented from occurring under Clause 37 of the Proposed Bylaw.

7.5 Shout considers that the ownership of the sign is irrelevant to the effects that the sign will have on the transport system and wider environment. No justification is provided for the proposed constraint, and there is no reasonable rationale that would justify such a position. Shout is therefore opposed to Clause 37, which is unreasonable and will have significant effect on the continued operation of its business.

7.6 The more appropriate approach, consistent with the Resource Management Act 1991, is to provide a process that enables the transfer of an approval to another person by way of written notice to the consent authority.

7.7 Shout therefore seeks the following amendments to Clause 37:

### 37 Transfer of an approval ~~is not allowed~~

~~(1) Any approval under this Bylaw attaches to the person who obtained it and is not transferable to any other person.~~

~~(2) However, (1) does not apply if the approval expressly provides otherwise.~~

(1) A holder of an approval under this Bylaw may transfer the whole or any part of the holder's interest in the approval to any other person.

(2) The transfer of the holder's permit under (1) has no effect until written notice of the transfer is given to the consent authority.

## 8. Conclusion

- 8.1 The Proposed Bylaw, as currently proposed, would have significant adverse effects on the continued operation of Shout's business. It lacks understanding of the requirements of poster board sign operators or acknowledgement of the benefit that such signs provide to the economic and social well-being of the community.
- 8.2 For all the reasons outlined above, Shout opposes the Proposed Bylaw as it relates to poster signs and seeks that these parts of the Bylaw are amended in accordance with the relief set out within this submission and appended as **Attachment 1**.
- 8.3 Shout wishes to be heard in relation to this submission.

### Shout Media Limited

**Date:** 27 October 2021

**Signature:**

A black rectangular box redacting the signature of the representative of Shout Media Limited.

**Address for service:** Shout Media Limited

**Telephone:**

**Email:**

**Attachment 1**

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Changes sought by Shout  
Media Limited to the  
Proposed Signs Bylaw 2022

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Changes sought by Shout Media Limited are shown in ~~strikethrough~~ and underline.

**Amend ‘Clause 4 – Purpose’ as follows:**

**4 Purpose**

- (1) The purpose of this Bylaw is to –
  - (a) protect the public from nuisance, protect public safety, protect council-controlled public places from misuse;
  - (aa) enable the benefits of signs to the economic and social well-being of the community;
  - (b) manage impacts on the effectiveness, efficiency and safety of the Auckland transport system; and
  - (c) protect the environment.
- (2) The Bylaw seeks to achieve this purpose by –
  - (a) providing for signs that directly relate to the primary use or activities occurring on the site of the signs (for example a sign advertising a business on the same commercial property) and poster signs, subject to conditions and the approvals process;
  - (b) limiting signs that do not directly relate to the primary use or activities on the site of the signs (for example signs relating to the sale of a property);
  - (c) limiting signs not located on a site (for example on a footpath);
  - (d) providing more opportunities for signs about elections, by-elections, polls and referendums during specified periods that would otherwise be limited in (b) and (c);
  - (e) further limiting signs related to more sensitive places or activities; and
  - (f) providing a process to approve signs that do not comply with sign rule related to (a) to (e).

**Amend ‘Clause 13 – A poster may be displayed in certain circumstances’ as follows:**

**13 A poster may be displayed in certain circumstances**

- (1) This clause applies to a poster sign, which in this Bylaw means a temporary sign fixed to a structure without the need for a supporting device, or displayed on a sign that uses changeable messages.
- (2) A person may display a poster sign if the sign is on –
  - (a) a poster board approved in Subpart 2 of Part 3; or
  - (b) a window.
- (3) A poster sign must comply at all times with the conditions in this table –

<b>Conditions for the display of all poster signs in (1) without an approval</b>
<b>Duration and removal</b>
(g) If the sign relates to an event, it must comply with the duration and removal rules for events in clause 16;
<b>Compliance with other rules</b>
(h) Must comply with all special and general rules in Subparts 2 and 3 of Part 2.
<b>Conditions for the display of poster signs on poster boards in 2(a)</b>
<b>Maximum size</b>

(i) Must not exceed a size of <del>6m<sup>2</sup>- 7.2m<sup>2</sup></del> ( <del>5A0 6 x 920mm x 1320mm excluding frames</del> );
<b>Conditions for the display of poster signs on windows in (2)(b)</b>
<b>Placement</b>
(j) Must be on the inside of the window;
<b>Maximum size</b>
(k) Must not exceed a size of 0.594m by 0.841m (A1);
<b>Other rules</b>
(l) Must comply at all times with any conditions specified in clause 10 about window signs. For the avoidance of doubt, the rules in this clause prevail over any rule in clause 10 if there is a conflict;

- (4) For the avoidance of doubt, a person must obtain prior approval in Subpart 2 of Part 3 for any poster board (a structure intended for the display of posters, including a board, poster bollard or pole wrap, or a sign that uses changeable messages).

### Amend ‘Clause 33 – Applications for an approval will be considered against relevant matters’ as follows:

#### 33 Applications for an approval will be considered against relevant matters

- (1) The relevant authority when considering an application for an approval –
- will have regard to the matters in (2) ~~any matter it considers relevant and reasonably necessary~~ to determine the application in relation to this Bylaw’s purpose; and
  - may inspect places and signs related to the application for the purpose of considering the application.
- (2) ~~Without limiting (1),~~ ~~†~~ The relevant authority ~~may~~ will consider an application for an approval against one or more of the following matters in this table –

<b>Matters that may be considered on all applications for approvals</b>
(g) The location (including multiple sites) and intended duration of display of the sign;
(h) The design, material, colour, size, structure and specifications of the sign, including its lighting and luminance;
(i) The likely impact of the sign on traffic safety and public safety, for example – <ol style="list-style-type: none"> <li>obstructions or hazards to pedestrian or vehicular visibility, access or flow;</li> <li>whether the sign resembles or is likely to be mistaken for a traffic control device;</li> <li>whether the sign is made of materials that are slippery, reflective, or that shimmer or move;</li> <li>whether the sign is made of materials that can be washed off with water without leaving any residue and that will not have an adverse effect on the stormwater network;</li> <li>whether the sign contains changeable messages;</li> </ol>
(j) The impact of the proposed sign on amenity values, for example the extent to which the proposed sign – <ol style="list-style-type: none"> <li>detracts from the character of any public place, including the characteristics of the streetscape, natural environment, landscaping and open space;</li> <li>dominates views from any residential zone, residential precinct or residential land unit;</li> <li>creates adverse cumulative effects;</li> <li>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;</li> </ol>
(k) Whether the proposed sign, if it will be placed on a building, will – <ol style="list-style-type: none"> <li>integrate into the building’s appearance;</li> </ol>

(ii) respect and positively relate to structural bays, structural elements, architectural features, building proportions and the overall design of the building;
(l) Actual or potential impact of the activity on the public, public place and surrounding environment, for example – (i) the impact on nearby business premises; and (ii) cumulative impacts of this approval in addition to other existing approvals;
(g) Whether the activity complies with relevant requirements in any Act, regulation or Bylaw;
(h) Whether the activity is consistent with the relevant authority's policies and plans;
(i) Whether landowner approval (if required) has been obtained.
<u>(j) The positive effects of the sign on the economic and social well-being of the community.</u>

**Amend 'Clause 34 – Applications may be granted or declined' as follows:**

**34 Applications may be granted or declined**

(1) ...

~~(2) An application for a poster board in clause 13(4) may only be granted if the poster board –~~

~~(a) complies with the size rules for wall-mounted signs in clause 9; and~~

~~(b) does not directly face a Residential Zone.~~

(3) ...

**Amend 'Clause 37 – Transfer of an approval is not allowed' as follows:**

**37 Transfer of an approval ~~is not allowed~~**

~~(1) Any approval under this Bylaw attaches to the person who obtained it and is not transferable to any other person.~~

~~(2) However, (1) does not apply if the approval expressly provides otherwise.~~

(1) A holder of an approval under this Bylaw may transfer the whole or any part of the holder's interest in the approval to any other person.

(2) The transfer of the holder's permit under (1) has no effect until written notice of the transfer is given to the consent authority.

**Qualification and disclaimer:** *The following comments represent the opinions of the author intended to inform the Signage Bylaw 2015 review and the Signs Bylaw 2022 Consultation. While care has been taken, and efforts made to accurately describe events, verifying documents have been withheld from the author and this may impact on accuracy. For the avoidance of doubt the author defers to Auckland Council LGOIMA 8140009166 response documentation with respect to any material fact contained in those documents.*

On the December 7, 2020 I contacted Councillor Pippa Coom raising concerns about the proliferation of Electronic Billboards across the city, noting that the pace of change was alarming and appeared to be occurring in a regulatory vacuum. A number of supporting documents were supplied.

Also noted in the email was the fact that Electronic Billboards are encroaching on the natural landscape, affecting the value of thousands of Aucklanders' homes and investments and are likely to be also negatively impacting on the safety of the road corridor and surrounds.

The question was asked: 'Has there been any discussion amongst Councillors regarding this?'

I was referred onto the Waitemata Local Board and informed of the 2015 Signage Bylaw Review.

E-billboards continued to pop up as the Bylaw review timelines were pushed out. Further investigations delivered unwelcome news: that the Signage Bylaw review would not be considering the impacts or regulation of e-Billboards.

I became interested in one particular case. An e-Billboard outside of Motat that had been installed three times. It was first installed directly in the T intersection, so large in size in comparison to the intersection I had never seen anything like it in an in New Zealand. It then moved out of the intersection, and then back in. Something unusual was going on, so I used the Local Government Official Information and Meetings Act 1987 to request the following information from both Auckland Council, Auckland Transport and the Waitemata Local Board:

1. Copies of any advice or recommendations sought, received or made
2. Policies and procedures relating to;
3. Reasons for decision(s);
4. Drawings or images;
5. Copies of the consent applications, consent amendment requests or appeals submitted by the applicant/ billboard operator.

in relation to the Electronic Billboard currently located, and those previously located, at (and or adjacent to) the intersection of Great North Road and St Lukes Road outside of MOTAT.

Auckland Transport initially denied holding any information at all. Subsequently they claimed that 'As Auckland Council had all the advice/ or should have all the advice on file, they were able provide what advice we gave to them alongside the rest of the file.'

The relevance to the 2015 Signage Bylaw Review and the 2022 Signs Bylaw Consultation is clear.

This is what I discovered in Auckland Council's response.

In 2018 MOTAT investigated the desirability, feasibility and practicality of changing its four static signs on Great North Road street frontage to a singular digital sign.<sup>1</sup> MOTAT decided to partner with APN an Out Of Home Advertising partner who would operate the e-Billboard in a revenue sharing agreement. This e-Billboard would replace the 4 existing site specific activity promotional signs that had been on site for some time<sup>2</sup>

The initial application was for a 12 metre (w) by 4 metre (h) free-standing digital LED Billboard.<sup>3</sup>

According to the documents in the LGOIMA response there were concerns from the Auckland Council regarding size and location onsite. Due to Council staff not supporting the proposal as tendered, appeals for help with support in obtaining greater operational latitude in relation to e-Billboard size were eventually extended by MOTAT Director, Michael Frawley to ex Council CE Stephen Town, cc'ing in also Cr Penny Hulse.<sup>4</sup>

The current location of the MOTAT e-Billboard reflects the end point of negotiations between the Resource Consent applicants and Council which concluded with a non-notified Consent<sup>5</sup> issued by a Duty Commissioner.

I was hoping that my LGOIMA would uncover some of the discussion that must have occurred when:

(a) the initial massive e-Billboard was installed in the T intersection. It is possible this was the 12m (w) x 4m (h) e-Billboard that MOTAT was pushing for, or more likely the 9m (w) x 3m (h) smaller proposed iteration.

(b) the e-Billboard was moved out of the intersection completely at a reduced size

(c) the e-Billboard was moved back into the intersection at the reduced size that was eventually consented.

It is possible that the first installation was not supported by a Resource Consent at all, and was in fact somehow approved with a Signage Bylaw 2015 exemption. However one would think that this would certainly have generated correspondence which the Council should then have provided.

The regulatory instrument governing the second installation location is also unclear, however it obviously did not suit MOTAT or APN, an exemption to the TCDM 3 standard minimum distance from intersection guideline was obtained and the E-Billboard was relocated back into the intersection proper.

Unfortunately none of the potentially controversial information has been provided in the Councils LGOIMA response, and to date Auckland Transport has denied holding any information relating to the installation(s) at all.

If indeed MOTAT/ APN did establish the two earlier electronic Billboard locations as unconsented or exempted 'signs' they clearly lost the battle to establish the legality of that approach. Nonetheless

<sup>1</sup> AK Council LGOIMA response Doc# LUC60339176 MOTAT correspondence 120219

<sup>2</sup> AK Council LGOIMA response Doc# LUC60331976\_OfficerRecommendation

<sup>3</sup> AK Council LGOIMA response Doc# Application Form A

<sup>4</sup> AK Council LGOIMA response Doc# LUC60339176 agent correspondence 150519

<sup>5</sup> AK Council LGOIMA response Doc# LUC60331976 805 Great North Road Duty Co 2

the viability of a process in which a sign or signs could be converted into an advertising e-Billboard clearly was established by the granting of the eventual Resource Consent.

It is possible that Ports of Auckland Solent St e-Billboard was also a sign conversion, which may also explain the non-compliant animated Air NZ that was displayed at that site. Other non-compliant signs in some of Auckland's city centre businesses and in Uptown<sup>6</sup> have featured animated content, even full video, and these have been allowed to remain in operation despite some blatantly over the top examples, specifically on Queen St.

The email correspondence also discusses Regional Facilities Auckland, the CCO entity empowered to provide the landowner permission component, in the context of justifying the granting of more favourable consent conditions, specifically the size of the Billboard, due to this permission.

Ian Smallburn, General Manager, Resource Consents indicates at this point that *'all applications involving CCOs go through the duty commissioner process'* so as to avoid any conflict of interest.<sup>7</sup>

This conforms to expectations of probity; however it is worth noting here the observation of Manager Resource Consents – Central that *'in some cases, the decision makers have preferred the evidence provided by the applicant's experts over the evidence prepared by Auckland Transport or council's experts.'*<sup>8</sup>

It is unclear whether a CCO would seek to overrule, or is permitted to attempt to sidestep a regulatory decision of Council. If subsequent to the MOTAT application E-Billboard overtures were extended by the OOH advertising industry to the wider CCO family, and there was evidence of Commissioners approving applications with unusual or more permissive conditions, especially in non-notified consents, then there would be cause for concern.

MOTAT clearly represents a worthy educational cause. However it would be unfortunate if the support that the MOTAT application received, or the approval of a non-notified Resource Consent relating to a sign conversion, set an enabling 'precedent'.

Despite opposing the MOTAT installation, at least initially, Auckland Transport has subsequently changed its position in relation to e-Billboards in transport corridors and now earns revenue from a partnership with QMS who own and run two large digital billboards located on the AT Fanshawe St parking building.

oOH Media is Auckland Transport's other major media partner, in a relationship that dates back to the early 2000's, oOH Media own and maintain 40% of all bus shelters located across the city. They advertise at these shelters to offset their upfront investment, and presumably also earn ongoing revenue. From both the QMS and oOH Media relationships AT gains advertising revenue and cost avoidance (CAPEX and OPEX) which flow back to the Metro & Facilities team.<sup>9</sup>

<sup>6</sup> AK Council complaint references # 8100683187, #8100700345, # 8100726810

<sup>7</sup> LUC60339176 agent correspondence 150519

<sup>8</sup> Correspondence Manager Resource Consents Central

<sup>9</sup> Complaint to Ombudsman ref 562981 supporting Doc# Emails illustrating potential regulator profiteer conflict of interest

There is a clear financial incentive for Auckland Transport to ensure that the activities of its media partners are not overly curtailed. It is also evident that as an organisation that is involved in the placement of roadside advertising signage, Auckland Transport may be compromised in advising on, or regulating similar installations, be they a static, changeable message Billboard or Sign.

The issue of sign conversion needs to be specifically dealt with in the Signs Bylaw 2022. If every sign owner is able to convert its signs into an e-billboard running general advertising not related to site activities the Council and AT will truly have let the genie out of the bottle.

It should not be possible for Auckland Council or Auckland Transport to shirk their responsibilities as regulators by misusing part 3 of NZTA's TCDM published in 2011 and asserting that "private landowners managing roads used by the public, including car parks, shopping centres, hospitals, universities and airports and other private landowners" are the Road Controlling Authority. Quite clearly this manual is out of date and unable to respond to contemporary developments.

Public Notification of e-Billboard Resource Consents would greatly assist efforts to establish retrospectively what has occurred in specific circumstances, I note here the concerning comment of Duty Commissioner David Hill: *Under step 4, there are no special circumstances that warrant the application being publicly notified because there is nothing exceptional or unusual about it. Digital billboards are now commonplace across Auckland.*<sup>10</sup>

Just because something is 'commonplace' does not mean a consent should be issued for it without public scrutiny and consultation, this is especially true when the something is a massive, bright and deliberately attention grabbing advertising installation.

In the section titled Review 12.a (ii) of the MOTAT Billboard consent reference is made to '*reducing the number of moving images*' and also:

*The consent holder is advised that the content of any of the changeable messages displayed on the billboard hereby consented is to comply with Clauses 13 and 23 of the Auckland Council / Auckland Transport Signage Bylaw 2015.*<sup>11</sup>

Moving images are not permitted on electronic Billboards at all and certainly not on or near roads or intersections. It is possible that the moving image error is a carry-over from conditions suggested by ex AT staffer Mat [full name redacted by Council] despite the fact that an earlier condition he listed was that '*Image content shall be static, and shall not incorporate flashes, movement, animation or other dynamic effects*'.<sup>12</sup>

Whether or not the Duty Commissioner's error contributed to an animated Air New Zealand ad being run on the Ports of Auckland Solent St e-billboard is unclear. I would need to have a look at the consent conditions, related documents and correspondence for the E-Billboard at that site and check the respective ad campaign dates to even begin to establish a link.

<sup>10</sup> AK Council LGOIMA response Doc# LUC60331976 805 Great North Road Duty Co 2

<sup>11</sup> AK Council LGOIMA response Doc# LUC60331976 805 Great North Road Duty Co 2

<sup>12</sup> AK Council LGOIMA response Doc# LUC60339176 s92 RFI



What is interesting here is that the Signage Bylaw 2015 has been used as a guide for conditions on e-Billboard Resource Consents.

This makes it extremely important that the Signs Bylaw 2022 is drafted in a way that prevents a more permissive operating environment for Out Of Home e-Billboard advertisers/operators arising from it. It is equally important that the overly permissive e-Billboard conditions and exemptions that have thus far characterised the regulatory approach of the Unitary Plan are not taken as being a starting point for regulation of Signs under the new Bylaw.

Illumination/ luminosity limits are an area of particular concern for regulation of both e-Billboards and Signs. The upper limit of 5000cd/m<sup>2</sup> during the day is quite clearly far too bright in most operating conditions. Electronic Billboards and Signs are supposed to be responsive and adjust their brightness so as to not dominate the landscape. This is definitely not always happening in practice, with some operators like LUMO and JCDecaux being repeat offenders.

The 2022 Bylaw proposal limits the maximum luminance of changeable message signs to 250 cd/m<sup>2</sup> between sunset and sunrise. from the Council's Bylaw review panel also noted that  
 'this corrects a drafting error in the 2015 Signage bylaw, where sunset and sunrise were reversed.'  
 One does wonder quite how this 'error' came to be, and what regulatory environment has reigned in the absence of a reality aligned constraint.

Night time limits have also been exceeded, with the excuse of malfunctioning or incompletely installed equipment having been proffered by at least one operator. Auckland's Signage Bylaw 2015 limit is 250cd/m<sup>2</sup> however Hamilton City Council has received applications for night time values of 350cd/m<sup>2</sup> and 500cd/m<sup>2</sup> (application status unknown). As illumination impacts on residents and visual pollution impacts are greatly increased during the night any push for a higher limit needs to be firmly held in check, with the 250cd/m<sup>2</sup> limit likely needing to be revised downwards.

Animation is clearly also an area where the industry is also looking to push further, having already deployed an animated Air NZ advertisement at the Ports of Auckland Solent St site, and established full video screens in the some of the city's road facing shop windows.

Despite 'flashing' being a currently prohibited feature of an electronic Billboard or Sign, rapid transitions currently employed by e-Billboard operators do result in ad slides 'flashing' into place especially when there is a large discrepancy in the colour palette of the ad. This effect greatly exacerbates the adverse illumination effect experienced by residents living near installations, and also the distraction experienced by road users.

While it may be a stretch to call this subliminal advertising in the strictest sense of the word, when a closer look is taken at how flash transitions and short duration dwells play out in a high demand task scenario it becomes clear that it is a rather happy coincidence for advertisers that the end result is the same.

It is not like advertisers have not tried it, apologies, experienced this kind of 'malfunction' before:

### **Viewers worried about 'subliminal' advertising<sup>13</sup>**

*"The incidents occurred between May and July this year during ad breaks.*

*Most of the complainants, fearing subliminal advertising, came from the Auckland and Waikato regions.*

*Flashes of images and logos appeared on the screen, to then be quickly replaced by advertising.*

*However, MediaWorks - owner of the two TV stations - explained the images had been a technical fault, occurring when the broadcaster switched to regional advertising.*

*"On a random basis, the server would pick up a few frames of another commercial before switching to the programmed ad," the lawyer for Mediaworks told the ASA.*

*"I can understand how this might create an impression that we were airing subliminal advertising but I would like to assure you that this is not the case."*

I spotted a needlessly flashing Motat advertisement on a JCDecaux billboard on the corner of Great North rd and Ponsonby rd On October 2 2021. While malfunctions do occur there is no way that a flashing billboard, or flashing billboard-like sign improves road safety. Malcolm Heinrich Auckland Council Senior Compliance Officer contacted JCDecaux and advised that:

*"New software has been installed and the company is confident it has solved the problem. Mike from JCDecaux, has just updated me that the billboard has been repaired. There was a malfunction, which caused the flashing of the Motat Add...Mike from JCDecaux, has just updated me that the billboard has been repaired."*

I was not convinced that JCDecaux was telling the truth.

Advertisement (image/message/ slide) transition time is clearly an area where more nuanced regulation could achieve less visual disturbance and thus minimise distraction. The advertising industry is quite capable of achieving smooth transitions which do not attract attention. Although the current regulatory approach is apparently largely agnostic in relation to content<sup>14</sup> it may not be possible to ignore functional components of content like relative brightness or colour balance of the ads in any given rotation.

There is currently (as at September 2021) a variety of transition times being employed at different locations, as well as the attendant variable, dwell time. There really is no valid excuse for the many abuses that the people of Auckland have endured thus far with respect to these features of electronic Billboards and Signs. Efforts to eliminate undesirable animation style transitions should not have resulted in snap or flash, very short duration transitions becoming standard.

It is very concerning that some of the shortest advertisement dwell times that I have seen, much shorter than eight seconds, have been in an Auckland Transport e-Billboard campaign. This appears to have occurred in proximity to advertising industry promotion of 'nudge' marketing.<sup>15</sup> Whether AT

<sup>13</sup> <https://www.nzherald.co.nz/nz/viewers-worried-about-subliminal-advertising/3Q2FTEYSCBREBBHMXI4QA3Q/>

<http://www.stuff.co.nz/national/30790/Technical-problems-behind-apparent-subliminal-advertising>

<sup>14</sup> Recording of Board Meeting 26 August – Open <https://youtu.be/epUSROCSu38>

<sup>15</sup> <https://www.stuff.co.nz/motoring/123593886/heineken-wants-to-trick-your-brain-to-cut-down-on-drinkdriving>

was engaged in a nudge experiment, or a short dwell experiment is unclear, however it is clear that the short dwell made the AT campaign an outlier, one heading in the wrong direction for road user safety, and for residents.

Fast, or flash transitions are eye catching, and good for the industry, but bad for people quietly going about their business that do not want to experience visual pollution, awful for residents who experience incidental spillage into their homes from an installation and obviously terrible for road safety. The intertwined variable dwell time, is as closely linked to profit, and unfortunately, what is good for advertisers is bad for the public. Short dwells equal more ads, which equal more advertising noise and visual pollution, and more disturbances for residents and distraction for road users.

Disappointingly some quite ridiculous claims continue to be made by consultants. Claims like that of Tim Grace, Technical Director Planning, Lands and Survey who asserted that 'an image change on a digital billboard would not be *immediately noticeable* [my emphasis] to most people as an unusual or distracting occurrence in an urban setting.' He goes to unscientifically assert the 'Casual observations of pedestrians and motorists in the vicinity of existing digital billboards has shown that people generally only take a quick glance at the digital display, and the change in images on the billboard does not attract any noticeably longer attention to the displays by pedestrians or motorists..'<sup>16</sup>

The cumulative effect of rapid transitions and short dwells is however, more glances, more distraction, and absolutely by design, more cut through for the advertisers.

has advised me that 'Auckland Transport assessed that shorter transition time between displays were safer and recommended' i.e., a one second transition time between images, and an eight second dwell time. 'An increase on the Traffic Control Devices Manual requirement of only 5 seconds.' No research data or links were provided to support this claim.

A unpopulated reference<sup>17</sup> to the NZTA National guidelines for Changeable Message Signs (CMS) in the draft document illustrates however the impracticality of a one size fits all approach to transition and dwell times. Highway CMS requires use-specific dwell times for critical messaging due to the speed of traffic, and functional limits of signs. These however should not carry over into the regulation of CMS on other road types or on ramps, or CM Signs unrelated to traffic management.

Dwell duration, transition time and illumination are obvious problems that have not been well managed in the current regulatory environment and are not properly addressed in the draft Signs Bylaw 2022. In Section 26 (c) the Bylaw sets a very short minimum transition time of one second, and in S26 (b) a minimum dwell time of only eight seconds.

Involuntary reflex action/ reaction to ad flash transitions is a gold mine for advertisers. It generates high turnover, high impact interactions with advertising. The bigger the sign or billboard the greater the effect.<sup>18</sup>

<sup>16</sup> AK Council LGOIMA response Doc# LUC60339176 agent specialist comments 17

<sup>17</sup> Image# Signs Bylaw Draft S 26 sourced from Waitemata LB Attachement A 29\_09\_21

<sup>18</sup> JCDecaux Eye Tracking Study

The Eye Tracking Study claims for JCDecaux billboard signs a heightened overall attention of +60% uplift, a longer average viewing length +35% uplift, more views on average +38% uplift versus competitors. Also a greater overall impact versus street furniture +65% uplift. It is unclear whether this study was performed prior to Auckland Transport's media partner oOH Media introducing flash transitions on street furniture.

The energy cost of visual processing cannot be discounted in the accounting.<sup>19</sup> Much has been made of some research that claims that the billboard and sign eye saccades improve tracking overall *despite* negatively impacting on perceptual accuracy.<sup>20</sup>

However this is a pretty dubious claim really, and misses an important point - that billboard and sign flashes command involuntary attention in the same way as an indicator, stop or traffic light.

Involuntary attention is handy for attention to matters relating to vehicle piloting safety, but by definition distracting if attention is drawn away from navigation. Not only that cumulative involuntary eye movements are tiring, and we know that fatigue contributes to crashes.

It is unclear whether the speed reduction programme and possibility of lower speeds has been, or is intended to be used to bolster the safety profile of billboard signs. Or whether billboard signs may be in the future referred to as design element that might reduce speeds due to the introduced increase in the complexity of the visual field. Quite clearly either of these moves would be an exercise in choosing artifice over actuality.

For road users the effect is clear. A feeling of having one's eyes wrenched from billboard to sign, to traffic imperative back to billboard or sign, all the while hearing the voice of some marketer or wealthy advertising executive whispering, dance Marionette, dance.

The draft Bylaw also makes no mention of luminosity *relative* to ambient levels, referring in S 26 (e) only to a requirement for an adaptive response to changes in ambient lighting, a response that may well be inadequate. If these conditions remain in their current form it is sure that we will continue to encounter problems with Signs, and due to 'condition crossover' or 'alignment' with the Unitary Plan, also with electronic Billboards.

It is important to remember that the easy regulatory journey that electronic Billboards have enjoyed thus far has been predicated on the assumption that they were substantially similar to the static Billboards that they are either replacing or superseding. However they are not. They are vastly more intrusive, vastly brighter, bigger in most cases, more aggressively positioned, more dangerous for road users, much more lucrative for the owner/operator and much more likely to be misused.

The issue of non- equivalence will impact also on the management of Signs. As Manager, Resource Consents Central noted, there 'has been an increase in electronic signage which reflects the international changes to signage trends and more readily available signage technology.' It is certain that there will be more e-Signs, just as there are now more e-Billboards, and the Signs Bylaw 2022 needs to proactively anticipate and prevent the inevitable issues that will arise.

<sup>19</sup> Energy metabolism of the visual system <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3515641/>

<sup>20</sup> <https://www.pnas.org/content/115/9/2240> Execution of saccadic eye movements affects speed perception. Alexander Goettker, Doris I. Brauna, Alexander C. Schützb, and Karl R. Gegenfurtner,1

A public register of Billboard Resource Consents, including conditions, featuring up to date owner, operator and agency details should be made readily available. This would assist the public in monitoring compliance and bringing to attention any problems.

Any Signs that are exempted from standard conditions should also likewise be publicly listed.

A complaints roadmap needs to be developed, illustrating what the process will look like for common Billboard/ Sign complaints, which authority is responsible, who handles the calls, who stores and who can access the complaint data, what the action steps are, so as to troubleshoot and reduce the number of scenarios are likely to result in no improvement to the problem and no operator censure. Complaints I made to the Council call centre regarding window e-signage reportedly did not survive intact, with comment content missing when I enquired at a later date.

Inclusion of the Electoral Commission or Local Government NZ in a monitoring or complaints process relating to Election Signage would also seem wise, noting the potential or rather, inevitability, of e-Billboard or Changeable Message Sign additive or reactive campaigning on issues or in relation to news media or publicity announcements, campaigning across sites, or sabotage counter-campaigning. While policing of content is not the principle focus of the Bylaw, it should enable and empower democratic monitoring agencies to do their jobs.

I asked how does Auckland Council intend to ensure that the Signage review is not affected by Auckland Transport's desire to generate additional revenue from advertising. I was advised that before the advertisement is installed, a traffic engineering report and safety assessment may be sought from Auckland Transport and Auckland Transport's advertising policy and Advertising Standards Authority standards are also applied to ensure the content is appropriate.

Auckland Transport has denied holding any such policies. Meanwhile anti-vax lobby group Voices For Freedom run campaigns on Lumo and Lighthouse Digital Billboards.

from the Council Bylaw working group has indicated that the Council has 'ensured the rules comply with current electoral requirements.' It would be reassuring if they would go further that this and ensure via consultation that the 2022 Bylaw was not a regulatory instrument which would potentially *necessitate* changes to electoral requirements.

There will always be those that seek to justify an e-billboard or sign by claiming that a problem such as clutter, graffiti or a poorly lit area can be fixed by a highly illuminated advertising installation. This type of rationale needs to be called out for the self-serving opportunism that it is.

The incentive for landowners to create the undesirable conditions that enable an installation cannot be ignored.

An unappealing vista is not improved by advertising; this gambit is simply the exchange of a not particularly eye catching area of aesthetic neglect for an attention grabbing ugly.

---ENDS---



13 Oct 2021

Project Team

Signa Bylaw

Auckland Council

[signsbylaw@aucklandcouncil.govt.nz](mailto:signsbylaw@aucklandcouncil.govt.nz)

## SUBMISSION ON THE PROPOSED NEW SIGNS BYLAW 2022 AND ALCOHOL ADVERTISING

Parnell Business Association represents the interests of over 1,170 businesses in the area and is happy to provide feedback on this policy as requested by council.

Auckland Council are proposing a new bylaw which makes several key changes to the current rules including:

- increasing the area where portable signs are prohibited to cover the entire city centre zone
- enable the display of election signs on places not otherwise allowed up to nine weeks prior to an election or referendum
- increasing the maximum area of flat wall-mounted signs in the heavy industry zone
- clarifying the rules so they are easier to understand, reflect current practice, remove confusion and fill perceived gaps.

We will restrict our feedback to six areas that affect ourselves and our members the most; being Portable Signs as well as Portable ladder board Signs, Verandah Signs, Window Signs, Event Signs, Election Signs and Alcohol Signs.

### 1. PORTABLE SIGNS and PORTABLE LADDERBOARD SIGNS

We welcome the definition and illustration of a portable sign or flag as being '*a sign that can be readily moved (for example a sandwich board, teardrop flag, flag banner, portable ladder board, inflatable-air-dancer or similar device able to be moved by a single person using their hands or a hand trolley not propelled by mechanical power)*'.

The proposal notes that

- a. A portable board or flag sign may be displayed if it relates to a premises with direct ground floor frontage and direct ground level access to a council-controlled public place.
- b. A second option is a portable ladder board related to premises that do not have direct ground floor frontage and direct ground level access to a council-controlled public place.
- c. The signs should maintain an unobstructed footpath width of at least 1.8m.
- d. Portable signs must maintain a distance from the roadway at least 5m if there is no kerb; must maintain a distance of at least – 5 metres from the intersection of any roads; and; 2 metres from any access way, service lane, or vehicle crossing. In the case of portable ladder board signs, must maintain a minimum distance of 5m between signs.
- e. Signs may only be displayed during hours the business is open to the public; Must be removed at the close of business and whenever likely to be displaced by adverse weather conditions (for example blown over in high winds);

### Feedback

- a. We have always had an issue with this ruling in Parnell. We have several retail businesses who are located down small, cobbled alleyways, and although they are on ground floor premises, they do not have direct frontage. The businesses who have direct frontage, need the signs less than the businesses tucked away, out of sight, so this has never made sense to us.
- b. We welcome the definition of a portable ladder board (in terms of size and structure), which was missing in the previous Signage Bylaw, but the current proposal still does not address who is responsible for such a sign, as by its very definition it would advertise several businesses. Some landowners are helpful in this regard, while others are not, and the costs for updating and maintaining the sign as well as taking it in and out every day is seldom complied with.
- c. We welcome the clarity that portable signs should be placed adjacent to the kerb and not against the building, as the previous rulings were confusing, but note that an unobstructed footpath of 1.8m is not always achievable. We note this does not apply if there is a moving vehicle lane or bus route against the kerb and believe this should be highlighted under that section.
- d. We note that within a town centre, where there are small retailers and a few laneways into private property, these distances are impractical.
- e. These regulations are sensible and we agree.

## 2. VERANDAH SIGNS

A verandah sign may be displayed in certain circumstances which in this Bylaw means a sign on a verandah, portico, balcony, awning or similar structure.

The proposal notes that verandah signs

- a. Must only advertise products, services, goods or events available or taking place on the site, and only one per premises is allowed.
- b. Are only to be placed on the fascia of the verandah, under the verandah and not for example on top of a verandah). And that it is not permitted to 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; except with the approval of the relevant authority. That it is not permissible for signage to obscure the architectural top of the building, but there is provision for wall mounted signage above a verandah.
- c. Must be removed from a business that has ceased to trade. A person must remove the display of all signs on a site associated with a business that ceases to operate (for example closes down) within 60 working days of the date that the business ceased to operate.

### Feedback

- a. The definition of 'site' in your proposal indicates that several buildings and or businesses could be accommodated in one 'site'. This is very common in Parnell Village, thus the suggestion that only one is allowed per premises appears contradictory.
- b. We note that there are existing signs erected on top of verandas in our area, that in our view add to the vibrancy and colour of our business precinct. We also note that 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.
- c. We welcome this inclusion as some landowners leave signs up several years after tenants have vacated.



### 3. WINDOW SIGNS

As noted in this bylaw the definition is a sign on or within 0.015 metres (15 millimetres) of the inside face of a window of a building, including any etching, branding, graphics, promotions, decals, self-adhesive vinyl stickers, posters, stencils, and changeable message signage.

The proposal notes that

- a. 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. Window signage on the ground floor of a building in the specified areas in subclause (3) must not account for more than 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 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.
- b. The City Centre is exempt from these restrictions.

#### Feedback

- a. While we understand that these are generally good guidelines to keep in mind for the likes of dairies, from the perspective of both amenity and safety, there are several high-end retail premises who would breach these rules with beautiful, semi-transparent decals.
- b. We do not agree that the City Centre should be exempt from these restrictions as this disadvantages our retailers in Parnell.
- c. In addition, the proposal does not take account of the use of decal/vinyl for vacant premises. This has been utilised all over the city to neaten the appearance of vacant premises and we totally support its usage.

### 4. EVENT SIGNS

The proposal notes that event signs

- a. Can be displayed on the same roadside sites as election signs, and that community event signs on sites associated with the community may only be displayed if the event is provided by a not-for-profit group.

#### Feedback

- a. We welcome this opportunity for additional signage for our events.

### 5. ELECTION SIGNS

The Proposal combines and replaces the current Signage Bylaw 2015 and Election Signs Bylaw 2013 and notes that relation to election signs

- a. It will enable the display of election signs on places not otherwise allowed up to nine weeks prior to an election or referendum.
- b. Clarifies that election signs on private property must not be primarily directed at a park, reserve or Open Space Zone.
- c. Will remove the display of election signs related to Entrust.

Feedback

- a. Election signs really compromise the amenity of an area and create a confronting visual clutter for the 9 weeks prior to election. The suggestion that more sites would be available than otherwise allowed is concerning.
- b. We agree that election signs on private property should not be primarily directed at a park, reserve or open space.

**IN GENERAL**

- In general we think the new proposal, which aligns the bylaws to the Unitary Plan is clearer and easier to understand.
- The addition of graphics makes it easier to communicate.
- We understand the provisions for Health & Safety and Traffic and have not made comment in this regard.

**6. ALCOHOL ADVERTISING USED BY OFF-LICENCE ALCOHOL OUTLETS**

You have stated that you are committed to contributing to reducing alcohol-related harm across communities in Tāmaki Makaurau for the health and well-being of our communities and that you would like our views on alcohol advertising at off-licence alcohol outlets, such as liquor stores and bottle shops.

These views will not be used for making the proposed new Signs Bylaw as rules for alcohol advertising are out of scope. Your views will be considered separately from the bylaw.

Herewith our response to your questions.

- a. Do you think alcohol advertising signs at off-licence alcohol outlets should be restricted or banned?  
**No – do not restrict or ban alcohol advertising.**
- b. Do you think the size and number of alcohol signs at off-licence alcohol outlets should be restricted?  
**No, restrictions should be in line with all other retail signage bylaws.**
- c. Do you think signs at off-licences should be restricted so they can only display objective product information (such as type of beverage)?  
This would mean signs would not be able to display alcohol marketing images  
**No, we do not believe they should be restricted.**
- d. Do you think alcohol advertising signs at off-licence alcohol outlets should be banned from public places?  
This would include sandwich board signs on a footpath.  
**No, we do not believe they should be banned from public places.**
- e. Do you think all alcohol marketing signs at off-licence alcohol outlets should be banned?  
This would include all wall-mounted signs, verandah signs and window signs, and would mean these stores could only display their own business branding (name, logo and brand colours).  
**No, we do not believe that all alcohol marketing sign should be banned.**



- f. Do you think off-licence alcohol outlets should only use neutral colours?  
This would mean no alcohol marketing signs, logos or branding on the outside of stores. Stores could only display their own business name and a neutral colour.  
**No, we do not believe that all off-licence alcohol outlets should only use neutral colours.**

Yours Sincerely

Parnell Business Association

I tried to make a submission under the title "Proposed new Signs Bylaw and Alcohol advertising" but the submission button did not work. I paste here a copy of what I wrote in the text boxes: The council has regulations for the compulsory display of street numbers with different sizes for business and residential but these are not enforced. Any rules on signage should make it compulsory for any sign-writer to include a street number on any commercial sign. Including street numbers on all signs would be easy and improve road safety. Street numbers are such a fundamental of civilised life that I've never been able to understand why businesses are so reluctant to use them. Make it compulsory for sign-writers to include them.

Response to question on estate agents signs:

BUT... the main problem with estate agents' signs is obscuring oncoming traffic at junctions. The proposal here is that agents are encouraged to put signs at nearby junctions. This is a road safety problem which might be helped by training agents to actually drive through a junction to see whether their sign obscures their view on oncoming vehicles.

General comment on signs on commercial buildings and enforcement measures:

Please ENFORCE THE EXISTING RULES on the display of street numbers on commercial property. Street numbers are a fundamental of civilised life but have ceased to be used on most commercial properties. Compel, or at least educate, signwriters to include the street number on any sign they produce for a client. People looking for street numbers are a road safety hazard which can so easily be avoided.

**From:**  
**To:** [signsbylaw](#)  
**Subject:** signs bylaw consultation  
**Date:** Saturday, 25 September 2021 8:27:16 pm

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Dear team,

There have been repeated problems with a second hand car dealership placing sandwich board style signs on a narrow footpath in a high traffic area of Great South Road where it crossed Papakura Stream. Pedestrians have tripped. People have had to walk around and onto the road in a dangerous area. Reports requesting help have been unsuccessful. Businesses need to know that their licence to operate does not include obstructing passersby, even if they want to advertise.

In our community, we have had repeated problems with real estate agents leaving portable directional signs in place for days at a time. School children have used these signs in play and one school child was hurt. The signs clutter clear views in busy roundabouts and should be confined to one day at a time. Real estate agents do need to adhere to the rules proposed. Many do. However, over and over again, we experience new real estate agents coming into the area and breaching the existing rules, inadvertently creating hazards for others in public spaces.

Please help create a culture of support for these bylaws. Council and Auckland Transport need to fund more effective enforcement.

Temporary transport signs like 'work ahead' are often placed on footpaths and road edges in ways which make it hard for pedestrians and cyclists and wheel chair users to get past. Could Auckland Transport please work out better practices for contractors to use?

Thank you for doing this work. It will help make Auckland a more liveable city.

warm regards

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**From:**  
**To:** [signsbylaw](#)  
**Subject:** Feedback on Proposed Signage Bylaw  
**Date:** Wednesday, 27 October 2021 10:39:41 am  
**Attachments:** [image001.png](#)

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Good Morning,

Just a couple of items of feedback on the proposed Signage Bylaw;

- Overall, it's great to combine multiple bylaws into one, more concise document.
- We like the illustrations which more clearly outline what the regulations are.
- You need to consider the consistency of language used – for example when discussing under veranda signs the language is 4 per *business* but when discussing sandwich boards or flags it is 1 per *premise*
- In relation to window signage – we note dairies regularly fill their whole windows which is also a safety risk, do the bylaws team do regular reviews or are you reliant on people complaining about bylaw breaches?
- Who is responsible for the removal of business signs from premises where the business has moved or closed down? We would note that this is not really a problem unless the building is empty for some time, or the signage is run down. Actually, on this point we probably have more issues relating to run down signage, apologies if I missed the section relating to this, but is there a process to review dangerous or unsightly signs?
- It is great to have a list of sites that can be utilised for community event signage for not for profits.

Kind Regards,

Pukekohe Business Association

Phone:

www: [www.pukekohe.org.nz](http://www.pukekohe.org.nz)



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