1st October 2014

Proposed new Signage Bylaw

With reference to our detailed submission attached, on behalf of the businesses we represent in Parnell we have a number of concerns, especially with regard to portable signage.

The inherent character and charm of the shopping precinct of Parnell is in its cobblestone alleyways, side streets and 'undiscovered' corners which shoppers love to explore. Numerous retail and hospitality businesses in Parnell are small, individual and owner operated. Often located up a flight of stairs or in a rear courtyard, many of these concerns rely on visibility from the street and passing trade - even more so, those located without street frontage. These businesses have all leased premises in good faith that they will be able to advertise themselves.

The current signage bylaws are already restrictive and hard to comply with, and the new proposals on width allowances for footpaths and bus route clearances appear as if the new bylaw intends to effectively prohibit portable footpath signage (which we really hope is not the case)?

In addition, we have highlighted several instances in which the proposal document is unclear and confusing. Many important changes do not appear to have been highlighted in the consultation documents or explained.

While we do understand the need for bylaws, we feel that it is completely unrealistic to adopt a one-size-fits-all approach for all of Auckland. Regardless of the width of the walkway, you cannot compare a footpath in Parnell with one the same width in the middle of the CBD adjacent to a transport hub that sustains far more footraffic. We suggest that some of the new proposed restrictions are insensitive to the needs of business and will make for bland suburbs in the future, devoid of vibrant business.

We thank you for the consultation process and we wish to speak at a hearing.

Yours sincerely,

Cheryl Adamson
General Manager
Parnell Inc.

Proposed new Signage Bylaw

Submission by Parnell Inc. (Parnell Business Association)

Introduction

Parnell Inc. the Parnell Business Association ('Association') welcomes the opportunity to make this submission to the new Auckland Council and Auckland Transport Signage Bylaws.

As the two Bylaws largely mirror each other, our submissions are directed mainly to the Auckland Council Bylaw, but should be treated as a submission to both.

By way of introduction, an important aspect of the colour and vibrancy of our area as a community and business precinct is the signage in public places. We wish to maintain and enhance this.

While we accept it is necessary for some regulation of signage in public places where there is potential for nuisance, care needs to be taken by Auckland Council and Auckland Transport that any regulation is reasonable, clear and certain. We hold concerns that in some instances these Bylaws do not meet these standards.

We also have concerns that the consultation relating to this Bylaw has not demonstrated clearly the differences between the existing regulatory environment for signage and the new proposed Bylaw. It has been very difficult and time consuming for our Association to identify the differences and make submissions in this regard.

Once in place, Bylaws must also be capable of and be seen to be appropriately enforced. Poorly enforced or overzealously enforced Bylaws weaken their legitimacy.

Any fees charged must also be appropriate to the locality in which they are charged and not be regionalised. An acceptable level of fee in the Auckland waterfront or CBD is very unlikely to be acceptable in fringe or suburban locations.

Amenity

Clause 7 of the Bylaw provides that a person must not add a structure to a 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 signage. Nor may a person display publicly visible signage on the roof of any building or that obscures the architectural top of the building.

The equivalent provision in the current legacy Auckland City Council Signs Bylaw simply provides that a person must not "display a sign on or over the roof of any building".

It appears that the intention of clause 7 is to substantially tighten the regulation of signs on or over the roof of any building, or that extend above the profile of the front of a building. However, there are many examples of signs in our business precinct that do just that, particularly on the front of the building facing the road. In our view, these signs generally add to the vibrancy of the street frontage and do not detract from amenity.

Submission: We suggest that the 'problem' to be regulated here should be considered more carefully and the Bylaw drafted more along the lines of the legacy Auckland City Council Signs Bylaw so that it does not result in poorer or more 'bland' amenity.

Safety and maintenance

Clause 8 of the Bylaw provides that a person must not display signage unless it is properly secured so that it does not endanger health or safety. It must not emit noise or smoke, or obstruct property numbering. Signage must be properly maintained.

Submission: We agree with this provision of the Bylaw.

Traffic

Clause 9 of the Bylaw provides that a person must not display signage that obstructs the line of sight for traffic (such as near bends in roads or that interferes with the movement of people, traffic lights, or traffic travelling at legal speed limits; it must not contain reflective material or flashing lights).[1] Signage must not be displayed on a traffic island, kerb projection, traffic light, or guidance strip for blind people. Nor may signage be displayed closer to the kerb than 0.8m (where there is a bus route) or 0.6m (where there is no bus route).

Submission: While we generally agree with these provisions, we have concerns that clause 9(e) is drafted very broadly in that signs that contain reflective materials that 'may' reflect headlights are included. We believe the intention here is whether such signs may interfere with a road user's vision and suggest it be amended to address this issue.[2]

Submission: We also have concerns about how clause 9(f) is to be interpreted, as most signage visible from roads is intended at some level to be read by people travelling in vehicles. The Statement of Proposal refers to the Land Transport Rule: Traffic Control Devices 2004 ('TCD Rule 2004'), which uses the phrase "causes alarm or unduly attracts the attention of people operating vehicles on the road".[3] We suggest this more narrow phrase be used in clause 9(f).

Submission: Clause 9(g) includes a broad reference to the 'amenity of the surrounding area'. We are concerned that the phrase 'surrounding area' is not defined, but might be interpreted broadly. The term 'amenity' is already defined very broadly in the Bylaw. We suggest that if there is a concern about the effects of flashing lights on amenity, this be carefully set out in clause 7 rather than in clause 9 (which regulates signage and effects on traffic).

Submission: We note that the set-back distance for signs from the kerb has been increased from the Auckland City Council Signs Bylaw to 0.8m (where there is a bus route) or 0.6m (where there is no bus route). This appears to be along the entire route, rather than just at or near bus stops. The Statement of Proposal does not appear to discuss why this is necessary. We also have some concerns that clause 9(4) has immediate effect on the establishment of a bus route, rather than a six month or one year transition period. We do not agree that the set back is necessary other than near a bus stop.

Changeable message signage

Clause 10 of the Bylaw provides that a person must not display certain changeable message signage (such as that which scrolls, changes rapidly or exceeds a certain luminage). While the Statement of Proposal states that the reason for this regulation is to address distraction to drivers, and states it is consistent with national transport legislation and NZTA guidelines, no specific reference is made to precisely what legislation or guidelines are being referenced. We note that the NZTA Traffic Control Devices Manual Part 3 Advertising signs includes a section (page 6-4) on changeable message signage, but this does not include the detail of regulation proposed in clause 10 of the Bylaw.

Submission: We suggest that the requirements in the NZTA Manual are sufficient.

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[1] We note that the word "intersection" is used twice in this clause and the Austroads Guide to Road Design reference should be dated so it is clear what version the Bylaw refers to.

[2] See clause 27.2.1.2 h(iv) of the Auckland City Council Signs Bylaw.

[3] See Statement of Proposal, *Introduction of a new Signage Bylaw 2014*, pg 13.

Static illuminated signage

Clause 11 of the Bylaw provides that a person must not display certain static illuminated signage (such as that which does not comply with the NZTA Traffic Control Devices Manual Part 3 Advertising Signs, has upwardly facing lighting unless shielded, or exceeds a certain luminage).

Submission: We suggest that the reference to the NZTA Traffic Control Devices Manual Part 3 Advertising Signs should be dated (i.e. First Edition, January 2011).

Coastal marine area

As our business precinct is not located adjacent to any coastal marine area, we have no submissions to make on clause 12.

Content of signage

Clause 13 of the Bylaw provides that a person must not display signage that does not comply with the latest Code of Ethics or relevant Code of Practice issued by the New Zealand Advertising Standards Authority. It also states that if the New Zealand Advertising Standards Authority upholds a complaint relating to a sign, effect must be given to the decision within two working days. Signage must not be discriminatory, objectionable, defamatory, or incite any person to commit any offence.

Submission: While we acknowledge that these provisions were included in the Auckland City Council Signs Bylaw, we have concerns that this clause of the Bylaw is inconsistent with the freedom of expression under the New Zealand Bill of Rights Act 1990.

Submission: In addition, the clause simply restates existing civil or private rights available to any person to raise complaints about signage that may infringe the latest Code of Ethics or relevant Code of Practice issued by the New Zealand Advertising Standards Authority, or that is discriminatory, objectionable, defamatory, or may incite any person to commit any offence. Complaints concerning these matters may be made to the New Zealand Advertising Standards Authority or to the Human Rights Commission. While the Chief Censor does have a role concerning signs that may be objectionable within the meaning of the Films, Videos and Publications Classification Act 1993, we understand these are typically handled by the New Zealand Advertising Standards Authority.

Submission: Overall, we do not believe that the Auckland Council or Auckland Transport are appropriate bodies to consider and decide matters or complaints of this nature. It is better to leave these matters and judgments to independent bodies dedicated to these issues who have far greater expertise. We submit that clause 13 be deleted from the Bylaw. Instead an Explanatory Note might be included acknowledging that the public have recourse to these other bodies should they wish to make a complaint about the content of a sign.

Portable Signage

In accordance with clause 14, portable signage (such as sandwich boards and flags signs) must comply with certain size requirements.[4] Portable signage may only be displayed outside premises that have direct ground floor street frontage and access. Businesses without direct ground floor street frontage may display their name and contact details on one 'portable ladder board' located outside their premises.[5] Portable signage must be displayed outside the business entrance and towards the kerb. 1.8m of the footpath must remain clear. The set-

[4] See Table 2 in Schedule 1. *Board signs* (not to exceed 1.1 metres high x 0.715 metres wide x 0.46 metres deep including frame). These measurements are greater than those permitted under the legacy Auckland City Council Signs Bylaw. Part of a portable sign must be within 0.15m of the ground or able to be detected by a visually impaired person using a cane. *Flag signs* (not to exceed 1.85 metres high x 0.5 metres wide and a maximum total height of 2.2 metres from the base).

[5] A portable ladder board must be no more than 1.5m high, 0.715m wide and 0.46m deep including the frame.

back distance from the kerb must be 0.8m (where there is a bus route) or 0.6m (where there is no bus route), 5m from an intersection, 2m from a vehicle crossing, preferably on the grass verge, and at least 5m from a road if there is no kerb. Portable signage must not be displayed in a shared space area or in relation to a home occupation. All portable signage must be removed at the close of business or if it could be knocked over by the weather. Portable signage may be prohibited from specified roads or public places.

Submission: We agree with the sandwich board size requirements, which are larger than the legacy Auckland City Council Signs Bylaw.

Submission: We also have concerns about the set-back distances. As the Bylaw requires 1.8m of footpath to remain clear, an allowance of 0.715m for the portable board, and 0.8m (on a bus route) or 0.6m to remain clear, footpaths must (to comply with those dimensions) be at least 3.315m wide (on a bus route). Our observations are that few footpaths are that wide. In fact, the Auckland Transport Code of Practice (Section 12.4) provides that footpath width is to be no more than 3m in the Auckland region. Although we expect this is not the intention, the Bylaw seems to effectively prohibit portable signage on footpaths.

Submission: While we welcome the potential to offer businesses without ground floor street frontage the possibility of displaying their name and contact details on one 'portable ladder board', we have certain concerns. First, there is no definition of portable ladder board or requirements as to dimensions. As potentially multiple businesses must use a portable ladder board, it is also unclear who is responsible for such a board.

Stencil signage

Clause 15 provides that a person must not display stencil signage on a roadway, or on road or public place without approval. Conditions or approval may relate to the time of display as well as location and content. The material used for stencils must be able to be washed off with water and not be slippery, reflective or impact on safety or the stormwater network. A stencil may not resemble a traffic light. Certain footpaths and public places may be identified as places where stencils are allowed.

Submission: While it seems reasonably clear what a 'stencil' is, the Bylaw may benefit from the term being defined. It also appears the Bylaw is only regulating stencils that advertise services or products. In other words, stencils that are 'artworks' appear to be unregulated. However, if the intention is to regulate these as well, we suggest the Bylaw be clarified so that these stencils be permitted anywhere subject to requirements that they be able to be washed off with water and not be slippery, reflective or impact on safety or the stormwater network.

Submission: We have concerns that this clause regulates the 'content' of a stencil when that seems inconsistent with freedom of expression in the New Zealand Bill of Rights Act 1990.

Submission: We note that clause 9 of the Bylaw requires that no sign (including stencils) not resemble a traffic light. As a consequence it is unnecessary (or even confusing) to include it again here in this clause.

Free standing signage

In accordance with clause 16, free standing signage must comply with new height and size requirements.[6] Under the legacy Auckland City Council Signs Bylaw, businesses in Business Zones 1, 2, 3 and 8 were restricted to having freestanding signs only 4m in height. This appears to have been extended under the Bylaw to 8m in height. In Business Zones 4, 5, 6

[6] See Table 3 in Schedule 1. *Freestanding identification sign* (not to exceed 8m height, 2m width, and surface area 4m^2) in town centre zones or general business, heavy/ light industrial zones. One per street frontage, located directly outside the premises. While the term 'free standing signage' is defined, the terms used in Table 3 ('freestanding identification', 'menu board' and 'way finding') for signs are not. While it appears the zones correspond with the Unitary Plan, this is not explained.

and 7 under the legacy Auckland City Council Signs Bylaw, freestanding signs were permitted to be only 6m in height, but 8m^2 in size. They now appear under the Bylaw to be allowed to be 8m in height, but only 4m^2 in size.

Submission: These quite significant changes do not appear to have been highlighted in the consultation documents.

Submission: Also, in accordance with clause 16, only one free standing sign is allowed per street frontage per site and it must be located directly outside the premises/facility on that site. Again, under the legacy Auckland City Council Signs Bylaw, it appears that four freestanding signs were allowed cumulatively on a site.

Submission: It is unclear whether flagpoles are included in the definition of a 'free standing sign'. Our submission is that flagpoles should be not be included as 'free standing signs' or if they are, be permitted in addition to any free standing sign, particularly if they fly 'national' flags.

Submission: We do not understand clause 16(2)(d), as it appears that generally only one sign identifying a business is permitted on a site, while this sub-clause gives the impression that more than one is permitted.

Poster signage

Clause 17 provides that poster signage must now not exceed 'A1' in size (i.e. 0.594m by 0.841m). This is a reduction in the 1.5m^2 size permitted under the legacy Auckland City Council Signs Bylaw.

Contact details must now be displayed on the poster of the person responsible for the poster (including their telephone details). Poster advertising events must be removed three days after the event.

Submission: We suggest that these new requirements may simply be impractical to implement for most poster signage. We suggest that a website or email address be given rather than or as an alternative to a telephone number (if this is practical).

Posters may only be displayed on poster boards or inside shop windows. Poster boards must not exceed 6m^2 and include boards, bollards, or pole wraps.

Poster board sites may be identified by Auckland Council or Auckland Transport, and now may require a proportion of the site be used only for advertisements for artistic, cultural, religious, community or regional events.

Submission: It may not be the intention, but this sub-clause suggests these advertisements are only for events. We note that while this was also a condition in the legacy Auckland City Council Signs Bylaw, it provided that it would be not less than 50% of the area of board or site, measured over a period of time, not a permanent portion of the site. We suggest this is a better provision.

Banners

Auckland Council and Auckland Transport may specify approved sites for the display of banners. However, when banners are displayed over public open space, additional consents are required.

Submission: We question if this secondary consent over public open space is really necessary?

There are certain requirements regarding horizontal banners that correspond with the requirements in the legacy Auckland City Council Signs Bylaw.

Submission: While Auckland Council and Auckland Transport may specify a portion of the area of a banner site that must be used only advertisements for artistic, cultural, religious, community, regional or major events, we question how this will be implemented in practice.

There are certain new requirements regarding vertical banners (0.9m width, 2m height, minimum 6.5m above the road). Vertical banners may not be displayed in a residential zone. They may only be attached to approved multi-functional or light poles.

Veranda signage

In accordance with clause 19, veranda signage must comply with new requirements.

With regard to veranda fascia signage, only one sign is allowed per tenancy.

Submission: The term 'tenancy' is not defined. It appears that signs advertising multiple businesses are no longer permitted.

The maximum height is 0.4m or the height of the fascia (if lesser), must not project more than 0.3m from the fascia and be a minimum 2.7m clear of the ground. The legacy Auckland City Council Signs Bylaw provided for differences in fascia signage. In special character areas, the height was limited to 0.4m, but in all other areas it was 0.6m (with 20% of the sign able to extend up to 0.8m) and in the Central Area up to 1m in height if it advertised 3 or more distant businesses. The minimum height clearance required was only 2.5m.[7]

Submission: These quite important changes do not appear to have been highlighted in the consultation documents or explained. We suggest the legacy Auckland City Council Signs Bylaw provisions were satisfactory and no change to them is necessary or desirable.

With regard to under veranda signage, in town centres, up to four signs are permitted per business, but also limited to one for each 5m of shop frontage. The maximum height is 0.6m and depth is 0.25m, with a minimum height clearance of 2.7m. Signs must be positioned at 90 degrees to the wall and be 0.5m from the fascia line. They must be a minimum of 5m from other under veranda signs. The legacy Auckland City Council Signs Bylaw provided for differences in under veranda signage. Four signs were permitted for each premise. In the Central Area, the height was permitted to be more than 0.4m and the limitation did not extend to the support structures. The minimum distance from other under veranda signs was only 3m (thus potentially allowing for more signs).

Submission: Again, these quite significant changes do not appear to have been highlighted in the consultation documents or explained. We suggest the legacy Auckland City Council Signs Bylaw provisions were satisfactory and no change to them is necessary or desirable.

In addition, veranda signs may not be must be erected on top of a veranda. They may also only advertise products, services, goods or events available or taking place on the premises.

Submission: While we understand the issue regarding advertising, we note that there are any existing signs erected on top of verandas that add to the vibrancy and colour of our business precinct. We suggest it is desirable that these veranda signs be allowed, subject to approval from Auckland Council or Auckland Transport.

Wall mounted signage

In accordance with clause 20, wall mounted signage must comply with new requirements.

Horizontal wall mounted signs (formerly called 'Tavern' signs) must not exceed $2m^2$. They must be mounted at 90 degrees to the wall, with one allowed every 5m of wall face. They

[7] See clause 27.6.2.2, legacy Auckland City Council Signs Bylaw.

must not protrude more than 1m from the wall and must be located a minimum of 3m and a maximum of 8m above street level. The legacy Auckland City Council Signs Bylaw provided for some differences. These types of signs were able to extend to 1.5m. They could be up to $3m^2$ in size in business zones 4, 5 and 6. They could in certain circumstances be placed above the roofline.

Submission: These changes do not appear to have been highlighted in the consultation documents or explained. We suggest the legacy Auckland City Council Signs Bylaw provisions were satisfactory and no change to them is necessary or desirable.

Flat wall mounted signs, in town centres, must not exceed $3m^2$. Cumulatively these signs must not cover more than 25% of the street frontage or 50% of the side or rear wall. They must be a maximum of 3m above ground level. The legacy Auckland City Council Signs Bylaw provided for differences in size, wall coverage and height above ground level across different business zones, with certain zones (e.g. 1, 2 and 8) permitting larger signs, wall coverage and height, the more 'industrial' the zoning. Large building naming signs do not appear to be addressed in this clause.

In addition, wall mounted signage may not be mounted over any window. They may also only advertise products, services, goods or events available or taking place on the premises.

Submission: These changes do not appear to have been highlighted in the consultation documents or explained. We suggest the legacy Auckland City Council Signs Bylaw provisions were satisfactory and no change to them is necessary or desirable.

Window signage

Window frontage on the ground floor of a building with a 'key retail frontage overlay' (as defined by the Unitary Plan) must not be more than 25% of its width and 25% of its height (i.e. a quarter of the window).

In certain specified areas, window frontage on the ground floor of a building must not be more than 50% of the width and 50% of its height (i.e. half of the window). Further, where the window fronts a public open space that is on the side or rear boundary, it shall be not more than 70% of the width and 25% of its height (about half of the window).[8]

Where a publicly accessible link is provided through a site, window signage on the ground floor of those buildings facing the through-link must not account for more than 70% of the length of the ground floor building façade that faces the through-site link and 25% of its height.

Submission: We feel that this provision is restrictive for certain types of businesses that use extensive window frontage such as flight centres , travel or property companies. The current wording does not provide provision for empty premises that are up for rent. In this regard we believe the landowners should be allowed to completely cover the windows.

Signage in public open spaces

As the activities of our business precinct do not affect public open spaces, we have no submissions to make on clause 22.

Signage advertising commercial sexual services

Clause 23 addresses signage advertising commercial sexual services. These signs must be wall mounted signs no more than $0.33m^2$ in a residential zone or $1m^2$ in all other zones. They

[8] These specified areas are: (a) General Commercial Frontage Overlay; (b) Local centre Zone; (c) Neighbourhood Centre Zone; Mixed Use Zone; (d) Mixed Use Zone; (e) Business Park Zone; (f) General Business Zone; (g) those areas in the Metropolitan Centre and Town Centre zones not subject to a key retail frontage overlay.

may only contain the business name, street and telephone number. They must not contain flashing lights, changeable message signage or sexualized shapes or images.

This is a significant change. Under the legacy Auckland City Council Brothels Bylaw, signs could not be visible from a Residential Zone. Now signs advertising commercial sexual services are permitted in residential zones.

The legacy Auckland City Council Brothels Bylaw also prohibited words that were sexually explicit, lewd or offensive and neon lights, whereas the new Bylaw does not address these matters.

Submission: We are of the view that the provisions of the legacy Auckland City Council Brothels Bylaw should remain in force.

Real estate signage

We have no submissions to make concerning the regulation of real estate signage under clause 24.

Vehicle signage

Clause 25 addresses vehicle signage. Vehicles or trailers cannot be used primarily to display advertising. We note that no definition or explanatory note is provided of what is meant by this. Signage on vehicles must not protrude from the vehicle if that is unsafe or is causing a nuisance. Motor vehicle traders may only display sales signs on vehicles when they are on the road when they are being taken for a test drive or to a garage for testing.

The legacy Auckland City Council Signs Bylaw did not regulate vehicle signage.

Submission: We agree with this provision of the Bylaw, but suggest it would be useful to provide an explanatory note of when the principal function of the vehicle or trailer is to display advertising material. We have concerns that the Auckland Council may interpret this clause very broadly and capture vehicles in (or even travelling through Auckland).

Community event signage

Community event signage must comply with the provisions in clause 26. A community event is defined as an event that is not a major event or a regional event. An event is an organized temporary activity that take place on one or more days including an organized gathering, outdoor market, parade, festival, concert, etc. Community event signs must be $1.5m^2$ with a maximum height of 1.5m from ground level and not less than 0.5m from the ground. One sign is permitted per street frontage. They may be put up 21 days prior to an event and removed within 3 days of the end of the event. They cannot be used for more than 4 occasions in one calendar year. There are also requirements for contact details to be included on the sign.

The legacy Auckland City Council Signs Bylaw provided that temporary signs could be $4m^2$ and used on six occasions (although they could only be put up 14 days prior to an event and removed within 2 days of the end of the event, with the sign only advertising events on that site).

Submission: We agree with these provisions of the Bylaw, but suggest that the reduction in the size of the signage from $4m^2$ to $1.5m^2$ is unnecessary and excessive.

Regional and major event signage and major recreational facilities

We have no submissions to make concerning the regulation of regional and major event signage and major recreational facilities under clause 27.

Approval of signage and conditions

Application may be made under clause 28 for approval to display signs that either require approval under the Bylaw or do not comply with the Bylaw. Approvals for signs that do not comply with the Bylaw may only be made if granting the approval would not significantly prejudice the achievement of the purpose of the Bylaw and along with other matters, be in substantial compliance with it. Certain matters may be considered when making approvals under clause 29. Conditions may be applied under clause 30.

By contrast, the legacy Auckland City Council Signs Bylaw provided for dispensations on the grounds where "full compliance would needlessly and injuriously affect any person or business, without a corresponding benefit to the public or any section of it."

Submission: We suggest that the dispensation provisions of the legacy Auckland City Council Signs Bylaw are far more appropriate than those of the Auckland Council Bylaw and should be preferred.

Transitional Provisions

Clause 35 provides that all portable signage will need to comply with the requirements of the new Bylaw within six months of it coming into force. The intention of the Bylaw is that all other legally established signage that meets current requirements or has a permit will be allowed to remain in place as long as there is no fundamental change to the signage. As and when any existing permit expires, at that point existing signage will have to meet all of the requirements of the new Bylaw.

We have concerns, however, that the drafting of clause 35(1) suggests that only signage with approvals or permits obtains these rights. In addition, there appears to be an error in clause 35(5), which seems to suggest any past approvals granted must be assessed against the new Bylaw. We believe it should say they are assessed against the legacy Council's Bylaw.

Submission: We suggest clause 35(1) be redrafted as follows: "Signage, other than portable signage, lawfully established prior to this bylaw coming into force may remain in place without breaching this bylaw, subject to compliance with the requirements of Part 2 of this bylaw. In addition, signage, other than portable signage, that has an existing approval, may remain in place for the period of the approval without breaching this bylaw, subject to compliance with the requirements of Part 2 of this bylaw." We also suggest clause 35(5) be redrafted as follows: "Any application for a licence, consent, permit, dispensation, permission or other form of approval made under a bylaw referred to in clause 36(1) that was filed before the day on which this bylaw commences must be dealt with by the relevant authority as if it had been made under the relevant legacy Bylaw set out in clause 36."

Conclusion

The Association welcomes the opportunity to make this submission to the new Auckland Council and Auckland Transport Bylaws regulating Signage.

As noted above, while the Association is largely supportive of the Bylaws, there are a number of concerns that should be addressed.

For and on behalf of the Association

Cheryl Adamson
General Manager