

2.47 – Signs - section 32 evaluation for the Proposed Auckland Unitary Plan

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1 Overview and Purpose

This evaluation should be read in conjunction with Part 1 in order to understand the context and approach for the evaluation and consultation undertaken in the development of the Unitary Plan.

1.1 Subject Matter of this Section

The subject matter of this report is the control of particular types of advertising signs, namely billboards and signs that are part of a comprehensive development of a site. For the purpose of the Proposed Auckland Unitary Plan (the Unitary Plan) a billboard is defined as:

Any sign, message or notice conveyed using any visual media which can be seen from a public place (including the coastal marine area) which is used to advertise any business, service, good, products, activities or events that are not directly related to the primary use or activities occurring on the site of the sign. A billboard includes both the sign and any associated frame and supporting device, whether permanent, temporary or movable whose principal function is to support the message or notice. A billboard does not include a flag or banner flown over a public place that is subject to the Signs Bylaw, a real estate sign or a poster sign or poster board as defined and controlled in the Signs Bylaw

Signs that are part of a comprehensive development are defined by the development controls to be signs that are related to the construction of a building or the alteration of an existing building where the building or alteration requires a resource consent, and/or the building work is to the value of at least \$100,000 (assessed at the time a building consent application is lodged with the council).

1.2 Resource Management Issue to be Addressed

Large signs in particular if placed in inappropriate locations can have adverse effects on the environment in which they are placed and/or on the site or building/s on which they appear. Similarly, a large number of signs on one site or building can have negative impacts on the appearance of that site or building and on adjacent sites. The legacy councils approached the control of signs and billboards in an inconsistent manner as is outlined in Appendix 3.47.1 – Legacy controls on billboards and signs. It is appropriate that Auckland Council provides consistent controls for the regulation of billboards and signs.

1.3 Significance of this Subject

The control of signs and billboards is important to maintain the visual amenity of the city. Nearly every bricks and mortar business requires some sort of advertising sign to advertise their presence and the products, services or goods they might sell on site. Signs are also required on private or public land to advertise community, cultural or sporting events. Billboard signs are not used to identify the business, products or services available on a site but they are important means of advertising products, services, events and community messages. The economic benefits of billboard advertising was been estimated by the industry in 2011 to directly contribute approximately \$100 million per year to the output to the Auckland economy under the existing legacy controls. Typical sizes for billboard images/skins are 6 metres x 3 metres or 12 metres by 3 metres. Large signs are often also used on large sites and buildings to advertise the products or services available on that site.

1.4 Auckland Plan

The proposed provisions are consistent with the following directives from the Auckland Plan:

- Identify, protect and conserve our locally, regionally, nationally and internationally significant historic heritage (Ch 4, Directive 4.2)
- Ensure that our historic heritage appropriately informs new development and redevelopment, and inspires high-quality, sympathetic design. (Ch 4, Directive 4.4)

- Ensure an efficient and effective regulatory process with strong public-private relationships, and implement a streamlined regulatory process that offers reduced uncertainty around cost, timing and outcome (Ch 6 Directive 6.2)
- Protect, enhance and improve business-zoned areas and business improvement districts. (Ch 6 Directive 6.3)

1.5 Current Objectives, Policies, Rules and Methods

A number of legacy plans control signs and billboards by a number of methods. Most of the legacy district plans except the Waitakere District Plan recognised the difference between signs that are site related and those that are not (i.e. billboards) and generally have more permissive controls for site related signs compared to those that are not site related. Bylaws are used to control all signs including billboards in the former Auckland City Council area. In the former North Shore City Council area, billboards are considered as temporary signs. Billboards are not provided for in the legacy district plans for the Papakura and Rodney District Council areas.

The comprehensive use of signs in the development of a new building or as part of the redevelopment of existing buildings was addressed by most legacy district plans. Appendix 3.47.1 provides a more detailed analysis of the existing rules.

1.6 Information and Analysis

A review of the existing legacy provisions identified a large variation in how signs and billboards were controlled by district plan rules or bylaws. A review of other New Zealand district plans was also undertaken.

A large number of the billboards that are found in the region are located in the legacy Auckland City Council area and the effectiveness of these provisions which included a registration system to ensure all billboards were lawfully erected, were examined and compared with other legacy provisions. Billboard companies are now looking at changing a number of existing static billboards to variable image billboards and the research by Auckland Council staff on the implications of this was considered in formulating the objectives, policies and rules.

1.7 Consultation Undertaken

Several meetings were held in 2012 and 2013 with the Outdoor Media Association of New Zealand (OMANZ) to discuss the regulation of billboard signs. At the last meeting with OMANZ it was agreed there should be some provisions for billboards in the road reserve. Discussions with Auckland Council staff also occurred in the drafting of the provisions.

Numerous discussions were held with Auckland Transport during this period because they have an interest in creating a signs bylaw under section 22AB(y) of the Land Transport Act 1998. This power allows road controlling authorities such as Auckland Transport and NZTA to make bylaws regulating, controlling, or prohibiting signs visible from roads or public places adjoining any land or road which is the property of, or under the control of the relevant road controlling authority. In the consultation it has been agreed at an officer level that Auckland Council will control billboard signs, signs that are part of a comprehensive development or redevelopment of building, and signs on scheduled items through Unitary Plan provisions.

Twenty eight pieces of feedback were also considered in the finalisation of the objectives, policies and rules.

1.8 Decision-Making

The consideration of these provisions began in 2011 with a review of all the legacy council's district plan and bylaw provisions for advertising signs.

Prior to 10 May 2011, section 684(15) of the Local Government Act 1974 (LGA74) allowed local authorities to make bylaws controlling advertising signs. On 10 May 2011 section 684(15) was repealed by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011. The amendment act transferred these provisions into section 22AB(y) of the Land Transport Act 1998 allowing only road controlling authorities such as Auckland Transport and NZTA to make bylaws:

- *regulating, controlling, or prohibiting the display or continuance of the display of posters, placards, handbills, writings, pictures, or devices for advertising or other purposes on or over public buildings or bridges, or on or over buildings, walls, fences, posts, trees, pavements, or hoardings, that are situated—*
 - (i) in or on or adjoining any land or road that is the property of, or under the control of, the relevant road controlling authority; or*
 - (ii) where that display is visible from a road or public place*

This change meant Auckland Transport was heavily involved in the decision making process because of their ability and intention to make a bylaw controlling advertising signs using the above powers.

Initially it was proposed and discussed with the Auckland Unitary Plan Political Working Party meeting of 2 August 2012 that all small signs should be regulated by a bylaw developed in conjunction with Auckland Transport, and the regulation of all large signs more than 12 square metres in area would be dealt with by the Unitary Plan, because of the visual dominance effects large signs can have. The Working Party also agree that signs that are part of a comprehensive development or redevelopment of a site or building should be included in the consent for that work and be controlled by the Unitary Plan. The Working Party also supported the current practice that signs on heritage buildings, heritage sites and in conservation areas should continue to get a resource consent.

A reconsideration of these resolutions occurred in early 2013 and because of enforcement issues in determining what was and wasn't more than 12 square metres in area and because of the different nature of billboard signs (signs that are not related to the primary use of the site on which the billboard is placed) from other signs. The Auckland Planning Committee subsequently re-considered the types of signs that should be controlled by the Unitary Plan at their workshop of 3 July 2013. The committee agreed that they were comfortable with a bylaw controlling site related signs and the Unitary Plan controlling billboards and sought tight control over new billboards in all zones except industrial zones. The committee believed that there was a need for greater amenity in the light industrial zone as opposed to the heavy industrial zone and consequently the provisions for billboards should be more restrictive in the light industrial zone. The committee also indicated that free-standing billboards should generally have a more stringent activity status than billboards attached to buildings and billboards on the front façade of buildings should have a more stringent activity status than billboards attached to the side or rear facades of buildings. The committee agreed to manage billboards in the road reserve as a restricted discretionary activity when they are placed on street furniture such as bus shelters or phone booths whilst all other billboards in the road reserve should have the same activity status as the adjacent land use zone.

1.9 Proposed Provisions

It is proposed that billboards will be controlled by the zoning of the land on which they are placed. In high amenity areas such as residential zones, conservation zones or rural zones

billboards are proposed to be non-complying or discretionary activities whilst in mixed use areas and business areas billboards are proposed to be discretionary or restricted discretionary activities. In industrial areas billboards are identified as restricted discretionary activities or permitted activities depending on their placement.

Free-standing billboards generally have a more stringent activity status than billboards attached to buildings. Billboards on the front façade of buildings (where there are more likely to be design/architectural features that should not be covered) have a more stringent activity status than billboards attached to the side or rear facades of buildings.

Billboards in the road reserve are proposed to be a restricted discretionary activity when they are placed on existing street furniture such as bus shelters or phone booths whilst all other billboards in the road reserve have the same activity status as the adjacent zone.

There are numerous controls to manage the placement and size of free standing billboards on sites and to control their placement and size on buildings to avoid clutter and visual dominance. These include the placement of billboards in relation to other signs on the site to avoid clutter and to allow adjacent properties the opportunity to use signage that can be seen by passing traffic. There are also controls to minimise traffic safety effects.

Signs except billboards that are related to the construction of a new building or the significant alteration of an existing building are proposed to be assessed as a restricted discretionary activity.

1.10 Reference to other Evaluations

This section 32 report should be read in conjunction with the following evaluations:

- 2.3 Residential zones
- 2.4 Business
- 2.6 Business building form and design
- 2.7 Design statements
- 2.13 Historic heritage
- 2.19 Landscapes
- 2.33 Moorings
- 2.37 Schools
- 2.41 Strategic transport corridor
- 2.46 City Centre precincts

2 Objectives, Policies and Rules

2.1 Objectives

The following objectives are proposed:-

In Chapter C, 5 – General - 5.4 Signs:

1. The role of signs in identification of places, buildings and businesses is recognised and provided for.
2. The adverse effects of signs on traffic and pedestrian safety and the visual amenity of surrounding environments are avoided.

In Chapter D, 1 – Residential zones

1.1: General objectives for residential zones:

1. Auckland's residential areas are attractive environments with quality development that positively responds to and enhances the street, public open space and neighbourhood

and contributes to safety and a positive sense of place.

3. Non-residential activities that locate in residential areas contribute to and support the amenity of the neighbourhood and provide opportunities for social, economic and cultural well-being.

In Chapter D, 2 – Public Open Space

2.1 Objectives for the conservation zone:

2. Recreational activities and associated buildings and structures complement and protect the values and qualities of the public open space

2.3 Objectives for the sport and active recreation zone:

3. The amenity values of the public open space and surrounding areas, including the CMA, are maintained.

In Chapter D, 3 – Business zones

3.1 General objectives for centres, mixed use, general business and business park zones:

2. Development is of a form, scale and design quality so that centres are reinforced as focal points for the community

3.2 Objectives for the City Centre zone:

4. The distinctive built form, scale, identified historic character and functions of particular areas within and adjoining the city centre are maintained and enhanced.

3.11 Objectives for the Heavy Industry Zone:

4. Adverse effects on the natural environment and general amenity, both within the zone and on adjacent areas, are managed.

In Chapter D, 6.1.2 - Rural character and amenity values:

1. The character and amenity values of rural areas is recognised and maintained while accommodating the localised character of different parts of these areas.

Relevance

Relevance - Addressing the key Unitary Plan issues

The objectives address the following issues identified in Chapter B of the Unitary Plan which contains the Regional Policy Statement:

- 2: Enabling quality urban growth
- 3: Enabling economic wellbeing
- 4: Protecting our historic heritage, historic character and natural heritage

Relevance - Achieving the purpose of the Resource Management Act

Section 5

S.5(1) states that the purpose of the Act is:

“to promote the sustainable management of natural and physical resources”.

The objectives are in accordance with this purpose. The controls on billboards and signage used for a comprehensive development or redevelopment of a building enables people and communities to provide for their social, economic and cultural well being and for their safety while avoiding, remedying or mitigating any adverse effects of these activities on the environment.

The objectives also seek to sustain the character and visual amenity of areas where amenity values are already high.

Section 6

S.6 of the Act identifies the matters of national importance which need to be recognised and provided for in achieving the purpose of the Act. The following are of specific relevance to the objectives.

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(f) the protection of historic heritage from inappropriate subdivision, use, and development

The controls on billboards and signage used for the comprehensive development or redevelopment of a building will ensure that such advertising signs are not used in a manner that fails to comply with section 6.

Section 7

S.7 of the Act identifies 'other matters' which need to be given particular regard to in achieving the purpose of the Act. The matters of particular relevance to the objectives are:

(b) The efficient use and development of natural and physical resources

(c) The maintenance and enhancement of amenity values

(f) Maintenance and enhancement of the quality of the environment

The controls on billboards and signage used for the comprehensive development or redevelopment of a building provide for the efficient use of physical resources, while maintaining amenity values and the quality of the environment.

Section 8

S.8 requires the principles of the Treaty of Waitangi (Te Tiriti O Waitangi) to be taken into account in achieving the purpose of the Act. The objectives need to be considered in the context of the Unitary Plan as a whole. When viewed within that context, the objectives do not require amendment to reflect the principles of the Treaty of Waitangi (Te Tiriti O Waitangi).

Section 31

S.31 outlined the functions of territorial authorities. They include

(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:

The objectives seek to achieve the integrated management of the use, development and protection of land.

Usefulness

The objectives will be useful for assisting decision making when assessing resource consent applications to place billboards in areas where a consent will be required and in assessing signs that part of a comprehensive development or redevelopment of a building.

Achievability

The objectives are in accordance with the council's functions as a territorial authority under s.31(1)(a) of the RMA i.e.:

"The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:"

The Unitary Plan will contribute to the achievement of these objectives by policies and rules which:

- Control the use of both freestanding billboards and billboards placed upon existing buildings on private land or when they are placed on roads or other public land;
- Control signage that will be used in the development of a new building or that will be used where an existing building undergoes substantial alteration.

Reasonableness

The proposed rules are considered to be reasonable because they seek to avoid or mitigated the adverse effects billboard signs may have on the built and natural environment. The rules will also control the adverse effects that might occur when large signs and/or a large numbers of signs are used in the comprehensive development or redevelopment of a building. The billboard or signs will be assessed for their effects on the visual amenity of both the buildings and sites they may be placed upon and on surrounding environments and on their effects on traffic safety. The development controls would allow billboards placed on a wall to be of an area up to 25 per cent of the wall area or 36m², whichever is the lesser. It is proposed that free standing signs can have a display area of up to 13m long and 3m high which provides for existing billboard industry standards.

If not properly regulated, signage can be disproportionately large for its surrounding physical environment. Most existing billboards are 6 metres long by 3m high or 12m by 3m but some existing billboards on buildings are much larger than this. Site related signage can also be very big, depending on the zone in which they are used and where they are placed, either as a free standing sign or when placed on a building. Similarly, unless adequate controls are in place, signs in close proximity to one another may produce unsightly clutter and may force businesses to compete for signage space - sometimes this results in the obscuration of other businesses signage, creating visual clutter and traffic safety issues. Large numbers of inappropriately placed signs may also prevent traffic and information signs from being clearly visible.

Wall/building mounted signs can obscure a building's architectural form and features. Poorly positioned and placed signs can also detract from the character and appearance of a building. The proposed provisions assumes that the most important architectural features will be found on the walls of buildings that face the street and thus a higher level of protection is provided to these walls compared to side and rear walls.

The outcomes proposed are expected to have greater benefits to amenity than the costs of applying for a resource consent. In all but a few areas the costs are however are generally similar to the costs of locating the same billboard in the same zone in the same manner using the existing legacy district plan controls. The costs in applying for a restricted discretionary resource consent to use signage as part of the comprehensive development or

redevelopment of a building are likely (depending on the proposed location of the sign) to be similar to locating the same signs using the existing legacy district plan controls.

2.1.1 Policies

The following policies are relevant to the objectives above:

In Chapter C, 5 – General - 5.4 Signs:

- 1. Require signs to be in keeping with the scale and design requirements of the building and zone in which they are located.*
- 2. Require the placement, location and size of signs on buildings to not significantly detract from the profile or appearance of the building or cover any significant architectural features on the façade of the building.*
- 3. Enable signage for businesses and organisations to be easily identified without creating clutter or domination of the building or environment by controlling the size number and location of signs.*
- 4. Apply traffic and pedestrian traffic safety standards particularly to the wording, lighting and location of signage and variable image signage.*
- 5. Develop bylaws for site related signage and for directional signs.*
- 6. Control all non-site related signs (billboards), signs on scheduled historic places and signs that form part of a comprehensive site development or redevelopment by Unitary Plan rules.*
- 7. Take an approach to billboards that recognises the changes likely to occur to the form and use of urban and rural areas by limiting the duration of consents for billboards.*

In Chapter D, 1 – Residential zones 1.1 General policies for residential zones:

1. Require developments to contribute positively to the visual quality and safety of streets, public open spaces and neighbourhoods.
6. Enable non-residential activities that provide benefits to local communities and which will have minimal adverse effects on amenities of the residential area.

In Chapter D, 2 – Public Open Space

2.1 Policies for the conservation zone:

4. Limit buildings and structures to those where there is a demonstrated need to enhance the ability for people to appropriately use and enjoy the public open space including for education purposes, public safety and the management of the public open space.

2.3 Policies for the sport and active recreation zone:

3. Require the location, scale and design of new buildings and structures and additions to complement the character of the public open space, retain a level of spaciousness, enable opportunities for informal surveillance, and maintain a reasonable level of amenity for users of the public open space.

2.4 Policies for Civic Spaces

3. Encourage the design, location and orientation of buildings and structures within and adjacent to civic public open spaces to enhance amenity and use

of the public open space and avoid over-shadowing, glare and adverse noise and wind conditions.

7. Require the design of buildings and structures within civic public open spaces to integrate with adjoining properties and public streets.

In Chapter D, 3 – Business zones

3.1 General policies for centres, mixed use, general business and business park zones:

3. Require development of a quality and design that positively contributes to the public realm and maximises pedestrian amenity, movement, safety and convenience for people of all ages and abilities.

3.2 Policies for the City Centre zone:

12. Limit activities within the residential and learning precincts that would adversely affect the amenity and character of those precincts.

2.2 Rules and other methods

The proposed provisions are summarised in 1.9 above. The efficiency and effectiveness of the proposed provisions are summarised in section 3 below.

It is proposed that the activity status of billboards will be related to the zoning of the land on which they are placed. In high amenity areas such as residential zones, conservation zones or rural zones billboards are proposed to be non-complying or discretionary activities whilst in mixed use areas and business areas billboards are proposed to be discretionary or restricted discretionary activities. In industrial areas billboards are identified as restricted discretionary activities or permitted activities depending on where they are placed. The rules for billboards are not too dissimilar to the existing provisions.

Because of the visual dominance of free-standing billboards they have generally a more stringent activity status than billboards attached and integrated into buildings. Billboards on the front façade of buildings (where there are more likely to be design/architectural features that should not be covered) have a more stringent activity status than billboards attached to the side or rear facades of buildings.

To protect the amenity of roads and adjacent sites, billboards in the road reserve are proposed to be a restricted discretionary activity when they are placed on existing structures such as street furniture (e.g. bus shelters or phone booths) whilst all other billboards in the road reserve will have the same activity status as the adjacent land use.

There are numerous controls to manage the placement and size of free standing billboards on sites and to control their placement and size on buildings to avoid clutter and visual dominance. These controls include the placement of billboards in relation to other signs on the site to minimise this potential clutter and to allow adjacent properties the opportunity to use signage that can be seen by passing traffic. There are also controls to minimise traffic safety effects.

Signs except billboards that related to the construction of a new building or the significant alteration of an existing building are proposed to be assessed as a restricted discretionary activity.

As an alternative to Unitary Plan rules Auckland Transport could make a bylaw to control all signage including billboards and signage that is part of the comprehensive development or redevelopment of a building. It is appropriate however to have a clear distinction between what Auckland Transport and what Auckland Council wants to control. As the authority that

manages the road reserve Auckland Transport can decline any sign or billboard placed in the road reserve.

2.3 Costs and Benefits of Proposed Policies and Rules

The costs and benefits of the proposed policies and rules are outlined in the consideration of the alternatives in section 3 of this report. The economic costs of this option are the costs of applying for consent to place a billboard in a zone or in a manner or at a scale where a billboard is not a permitted activity. At the present time the cost of applying for a restricted discretionary resource consent such as to use signage as part of the comprehensive development or redevelopment of a site or building, is a \$1500 deposit.

The benefit of the proposed policies and rules is regionally consistency in the treatment of billboard signs and signs used for the comprehensive development or redevelopment of a building. This consistency simplifies the existing complexity and variation of the present rules and the enforcement of those rules.

The economic benefits of billboard advertising in 2011 were estimated by the Outdoor Media Association of New Zealand (OMANZ) to directly contribute approximately \$100 million per year in output to the Auckland economy, operating under the existing legacy regulations.

The environmental benefits of the proposed controls are the protection of the visual amenity of sites and buildings and adjacent areas where large signs (including those that are not related to the site on which they are placed) are inappropriate or when those signs obscure the architectural features of a building, they are disproportionately large compared to the surrounding physical environment or they are of a incompatible with surrounding environments e.g. in residential, rural or conservation zones.

The social benefits of this option is the ability of the community to have a greater opportunity through the resource consent process to challenge whether the rules and resource consent application decisions are consistent with or promote the wider objectives and policies of the plan.

2.4 Adequacy of Information and the risk of not acting

It is considered that there sufficient information on which to base the proposed policies and methods.

3 Alternatives

The proposed preferred alternative (2) is discussed in 1.9 and 2.7 above. The other alternatives are:

Alternative 1: Status quo - Retain existing district plan and bylaw controls on signs

Alternative 3: Control all signs by Unitary Plan provisions

Alternative 4: Control all signage by bylaws made by Auckland Transport

The table below discusses each alternative compared to the preferred alternative

	Status Quo Alternative 1: retain the existing legacy provisions	Alternative 2 – Preferred option	Alternative 3 - Control all signs by Unitary Plan provisions	Alternative 4 – Bylaw controls
Appropriateness	Many of the existing provisions support the proposed objective to avoid the adverse effects of signs on traffic and pedestrian safety and on the visual amenity of sites and their surrounding environments, but arguably do so in an inconsistent manner.	This alternative is consistent with the requirements of section 5 of the RMA to promote the sustainable management of natural and physical resources, the requirements of section 6 of the RMA and those of section 7 of the RMA to have regard to the maintenance and enhancement of amenity values. This alternative provides an appropriate split between the bylaw making powers of Auckland Transport and the section 2 requirements placed upon Auckland Council.	The provisions of this alternative should best support the objectives of the Unitary Plan - Unitary Plan rules should directly reflect all of the objectives of the plan. However because of the bylaw making powers given to Auckland Transport and their desire to exercise control over advertising signs particularly to protect traffic safety it is appropriate that Auckland Council control only those signs that it thinks are likely to have the greatest effect on the environment.	The provisions of this alternative support the objectives in part – an Auckland Transport made bylaw however may be more focused on traffic safety than visual amenity and not fully address matters in Par 2 of the RMA.
Effectiveness	This proposal is not effective because a vast number of inconsistent rules would apply across the region making it more difficult for the sign industry to put up signs, for the council to administer a plethora of rules and for the residents of the council to determine how the rules will or will not adversely affect the amenity of their area. The existing rules would not be consistent with the new zones in the Unitary Plan.	This activity status proposed for billboards and for signs that are part of a comprehensive development or redevelopment of a site or building will ensure this alternative will be effective in controlling the adverse effects on the environment of these types of signs which are often very large.	The effectiveness of this proposal would depend on the agreement of Auckland Transport that the controls on all advertising signs in the Unitary Plan can adequately address all concerns they may have regarding signage effects on traffic safety and any Auckland Transport bylaw controls are therefore unnecessary.	The effectiveness of this alternative may be compromised because a signs bylaw made by Auckland Transport may have a focus more on traffic safety than on protecting the amenity of Auckland. This would be particularly so for large signs.
Efficiency	The efficiency of this proposal is low because of the difficulties inherent in administering a large number of inconsistent sign objectives, policies and rules across the region based on old zones. The costs of administering a multitude of existing controls outweigh any benefits in maintaining the existing controls.	A standardised region-wide set of controls for the control of all billboards and for signs that are part of a comprehensive development or redevelopment of a site or building will improve the efficiency of resource consent processing and enforcement of those rules.	This alternative's efficiency would depend on the amount of litigation that may occur when the proposed rules are notified and when the council makes decisions on resource consent applications. The efficiency of this alternative would also depend on whether Auckland Transport exercises controls on advertising signs and how this would integrate with the Unitary Plan controls and whether or not approval from both Auckland Council and Auckland Transport would be required for all or some types of signs. It is also arguably inefficient to control the smallest of advertising signs particularly those placed in commercial, mixed use and industrial areas by Unitary Plan rules when the effects of these signs on urban amenity are very small and/or difficult to determine.	The efficiency of this alternative is that all sign controls could be managed by one organisation (Auckland Transport (AT) avoiding two possible sets of rules (Unitary Plan rules and an AT bylaw).
Costs	There are a number of inconsistencies and anomalies in the control of advertising signs across the region. As can be noted in appendix one billboards are not provided for in the Rodney and Papakura district plans (making them a non-complying activity in any area), and in the legacy North Shore City Council area and the Auckland City Council area they are controlled by bylaw. In the legacy Waitakere City Council area there are no controls on the size of billboards if they are placed on buildings in the Working Environment and Community Environment areas. These inconsistencies potentially create environmental and economic costs because different	The economic costs of this option are the costs of applying for consent to place a billboard in a zone or in a manner or at a scale where such an activity is not a permitted activity. These costs are however generally similar to the costs of locating the same billboard in the same zone in the same manner using the existing legacy district plan controls. Additional costs to the council, appellants and sign applicants may arise if the decisions of resource consent applications are appealed to the environment court. The costs in applying for a restricted discretionary resource consent to use signage as part of the comprehensive development or redevelopment of a	The costs of this alternative may be high to the council and businesses if members of the public wish to litigate the provisions of the Unitary Plan when it is notified, even for small signs with relatively little effect on visual amenity e.g. real estate signs or posters. There are also potential costs in to the council and businesses dealing with appeals to resource consent decisions on small signs that have little effect on visual amenity. There are also the costs of a plan change process and potential appeals to make even small changes to the controls on signs if the controls are found to be inadequate in a particular area or for a particular type of sign. There are also potential higher enforcement costs	Because the decisions Auckland Transport makes about bylaws can only be challenged on questions of reasonableness in the High Court, the social costs of this alternative is that the community has less opportunity (compared to Unitary Plan rules) to challenge whether the bylaw rules are consistent with or promote the wider objectives and policies of the Unitary Plan. Similarly the community has a very limited ability to challenge any dispensation to the bylaw that might be given by Auckland Transport. The economic costs of this alternative may be high to the signs industry as they also have a limited ability to challenge any decisions made by Auckland Transport on signs matters. The economic costs

	Status Quo Alternative 1: retain the existing legacy provisions	Alternative 2 – Preferred option	Alternative 3 - Control all signs by Unitary Plan provisions	Alternative 4 – Bylaw controls
	<p>standards would apply to different areas of the region. Costs would arise from the complexity of administering and enforcing different requirements in different part of the region. The inconsistencies also fail to protect the visual amenity of the region in a consistent manner.</p> <p>Costs will also arise because the existing controls will apply to land uses or land zones that are likely to no longer exist in the Proposed Auckland Unitary Plan rules.</p>	<p>building are likely (depending on the proposed location of the sign) to be similar to locating the same signs using the existing legacy district plan controls. At the present time this requires a deposit of \$1500.</p> <p>The costs of enforcement are potentially lower than using bylaws to control large signs as infringement notices can be used by the council under section 343 of the Resource Management Act for non-complying signs. Infringement notices cannot presently be issued for infringements of a bylaw made under section 22AB(y) of the Land Transport Act 1998.</p>	<p>for small signs– the RMA does not have the same easy to use provisions to remove non-complying signs that the Local Government Act 2002 has. This act allows the removal of work or thing (e.g. a sign) that has been constructed in breach of a bylaw. This provision is a quick, cheap and effective enforcement tool particularly for small signs.</p> <p>The costs of this alternative are potentially a dual approval system. A sign may be a permitted activity under the Unitary Plan but may not comply with a bylaw made by Auckland Transport under their powers in the Land Transport Act 1998. Similarly a sign may require a resource consent from Auckland Council and a bylaw dispensation under a signs bylaw made by Auckland Transport if Auckland Transport has a signs bylaw.</p>	<p>may also be high to the signs industry as a bylaw is not required to protect existing use rights.</p> <p>The economic costs however may be low to some members of the signs industry if they are happy with the bylaw provisions. Similarly if they have been given a dispensation for a sign by Auckland Transport this decision will not easily be challenged by other parties unless the dispensation was completely unreasonable.</p> <p>It is difficult to determine the effect small signs have on amenity values and the council's s.7 obligations to maintain and enhance amenity values and the quality of the environment. This is particularly difficult when such signs are moveable/temporary (e.g. sandwich boards or real estate signs) especially when they are used in industrial, commercial or mixed use areas. The environmental costs however of regulating all signs by a bylaw made by Auckland Transport are potentially higher than regulating all signs by Unitary Plan rules because the focus of an Auckland Transport signs bylaw may be more likely focused on transport related issues, particularly traffic safety, rather than amenity, especially for larger signs.</p>
Benefits	<p>The benefits of maintaining the status quo is that they are an already agreed upon method of controlling advertising signage which supports the desires of the local communities where those rules apply. If the existing provisions were carried over there could potentially be less re-litigation of existing issues.</p>	<p>The benefit of this option is regionally consistency in the treatment of billboard signs and of signs used for the comprehensive development or redevelopment of a building. This consistency simplifies the existing complexity and variation of the present rules and the enforcement of those rules.</p> <p>The economic benefits of billboard advertising were estimated by the industry in 2011 to directly contribute approximately \$100 million per year in output to the Auckland economy operating under the existing legacy regulations.</p> <p>The environmental benefits of the proposed controls are the protection of the visual amenity of sites and buildings and adjacent areas where large signs are inappropriate if they obscure the architectural features of a building, if they are disproportionately large compared to the surrounding buildings or they are of a incompatible with surrounding environments e.g. large signs in residential, rural or public open space areas.</p> <p>The social benefits of this option is the ability of the community to have a greater opportunity (compared to bylaws) to challenge whether the rules and resource consent application decisions are consistent with or promote the wider objectives and policies of the plan</p>	<p>The benefits are that there is a seamless treatment of all signs using the same RMA assessment and approval process if required.</p> <p>The benefits are the community has a greater opportunity to challenge whether all of the rules for all sign types and any decisions on resource consent applications are consistent with or promote the strategic objectives of the plan and are avoiding, remedying or mitigating the adverse effects of all signs on the environment.</p>	<p>The benefit of this alternative is that all signs are regulated by one organisation (Auckland Transport).</p> <p>Additional benefits of this alternative are that there are decreased litigation costs to the council, the public and the signs industry because the decisions of Auckland Transport can only be challenged on reasonableness.</p> <p>There are enforcement benefits with bylaws as s.163 of the Local Government Act 2002 allows a local authority to remove or alter a work or thing that is, or has been, constructed in breach of a bylaw. This is sometimes the easier, quickest and most effective tool to deal with small signs that don't comply with a bylaw. It is assumed in this statement that Auckland Council officers will be enforcing any Auckland Transport signs bylaw made to control advertising signs</p>
Risks	<p>The risks with this proposal are that the existing</p>	<p>The risks of acting on this option are low because</p>	<p>The risks with this alternative is the control of signs</p>	<p>The risks of this alternative is that an Auckland</p>

	Status Quo Alternative 1: retain the existing legacy provisions	Alternative 2 – Preferred option	Alternative 3 - Control all signs by Unitary Plan provisions	Alternative 4 – Bylaw controls
	<p>controls will fail to give effect to the objectives and policies developed for the new land use zones that are introduced by the Unitary Plan.</p>	<p>the control of billboards has been in place for many years in most legacy council areas. All legacy district plans except the Waitakere District Plan recognised the difference between signs that are site related and those that were not and had more permissive controls on site related signs to those that were not site related. The billboard industry has confirmed their preference to be controlled by Unitary Plan rules rather than bylaws.</p> <p>The risk of acting on this option for signs that form a part of a comprehensive development or redevelopment of a building are thought to be low as this type of application could have occurred in legacy areas of the council. The risk for this alternative is that it will only regulate new large site related signs that are part of a comprehensive development or redevelopment of a building. It will not regulate new large site related signs that replace existing signs or those erected as part of minor changes to a building.</p>	<p>could potentially be subject to a dual approval system depending on Auckland Transport's wish to exercise its power to enact a bylaw under their powers to do so in the Land Transport Act 1998.</p>	<p>Transport bylaw controlling signage may be less responsive to issues of visual amenity and less connected to the objectives and policies of the Proposed Auckland Unitary Plan than rules within the Plan.</p>

4 Conclusion

Based on the above discussion, the following conclusions are drawn:

Because of the adverse effects signs (particularly large signs) can have on the amenity on the sites and buildings they are placed on, and on adjacent land uses, and on traffic safety, it is appropriate to control the use of signs by a mixture of Unitary Plan rules and bylaws, with non-sited related signs (billboards) and comprehensive signage applications controlled by the Unitary Plan.

The following alternatives are therefore not recommended:

Alternative 1: Status quo - Retain existing district plan and bylaw controls on signs

Alternative 3: Control all signs by Unitary Plan provisions

Alternative 4: Control all signage by bylaws made by Auckland Transport

In conclusion from the preceding discussion the following are the recommended objectives and policies:

Recommended Objectives:

In Chapter C, 5 – General - 5.4 Signs:

1. The role of signs in identification of places, buildings and businesses is recognised and provided for.
2. The adverse effects of signs on traffic and pedestrian safety and the visual amenity of surrounding environments are avoided.

In Chapter D, 1 – Residential zones

1.1 General objectives for residential zones:

1. Auckland's residential areas are attractive environments with quality development that positively responds to and enhances the street, public open space and neighbourhood and contributes to safety and a positive sense of place.
3. Non-residential activities that locate in residential areas contribute to and support the amenity of the neighbourhood and provide opportunities for social, economic and cultural well-being.

In Chapter D, 2 – Public Open Space

2.1 Objectives for the conservation zone:

2. Recreational activities and associated buildings and structures complement and protect the values and qualities of the public open space

2.3 Objectives for the sport and active recreation zone:

3. The amenity values of the public open space and surrounding areas, including the CMA, are maintained.

In Chapter D, 3 – Business zones

3.1 General objectives for centres, mixed use, general business and business park zones:

2. Development is of a form, scale and design quality so that centres are reinforced as focal points for the community

3.2 Objectives for the City Centre zone:

4. The distinctive built form, scale, identified historic character and functions of particular areas within and adjoining the city centre are maintained and enhanced.

3.11 Objectives for the Heavy Industry Zone:

4. Adverse effects on the natural environment and general amenity, both within the zone and on adjacent areas, are managed.

In Chapter D, 6.1.2 - Rural character and amenity values:

1. The character and amenity values of rural areas is recognised and maintained while accommodating the localised character of different parts of these areas.

Recommended policies

In Chapter C, 5 – General - 5.4 Signs:

1. Require signs to be in keeping with the scale and design requirements of the building and zone in which they are located.
2. Require the placement, location and size of signs on buildings to not significantly detract from the profile or appearance of the building or cover any significant architectural features on the façade of the building.
3. Enable signage for businesses and organisations to be easily identified without creating clutter or domination of the building or environment by controlling the size number and location of signs.
4. Apply traffic and pedestrian traffic safety standards particularly to the wording, lighting and location of signage and variable image signage.
5. Develop bylaws for site related signage and for directional signs.
6. Control all non-site related signs (billboards), signs on scheduled historic places and signs that form part of a comprehensive site development or redevelopment by Unitary Plan rules.
7. Take an approach to billboards that recognises the changes likely to occur to the form and use of urban and rural areas by limiting the duration of consents for billboards.

In Chapter D, 1 – Residential zones 1.1 General policies for residential zones:

1. Require developments to contribute positively to the visual quality and safety of streets, public open spaces and neighbourhoods.
6. Enable non-residential activities that provide benefits to local communities and which will have minimal adverse effects on amenities of the residential area.

In Chapter D, 2 – Public Open Space

2.1 Policies for the conservation zone:

4. Limit buildings and structures to those where there is a demonstrated need to enhance the ability for people to appropriately use and enjoy the public open space including for education purposes, public safety and the management of the public open space.

2.3 Policies for the sport and active recreation zone:

3. Require the location, scale and design of new buildings and structures and additions to complement the character of the public open space, retain a level of spaciousness, enable opportunities for informal surveillance, and maintain a reasonable level of amenity for users of the public open space.

2.4 *Policies for Civic Spaces*

3. Encourage the design, location and orientation of buildings and structures within and adjacent to civic public open spaces to enhance amenity and use of the public open space and avoid over-shadowing, glare and adverse noise and wind conditions.

7. Require the design of buildings and structures within civic public open spaces to integrate with adjoining properties and public streets.

In Chapter D, 3 – Business zones

3.1 *General policies for centres, mixed use, general business and business park zones:*

3. Require development of a quality and design that positively contributes to the public realm and maximises pedestrian amenity, movement, safety and convenience for people of all ages and abilities.

3.2 *Policies for the City Centre zone:*

12. Limit activities within the residential and learning precincts that would adversely affect the amenity and character of those precincts.

5 Record of Development of Provisions

5.1 Information and Analysis

- Appendix 3.47.1 – Legacy Controls on billboards and signs

5.2 Consultation Undertaken

Several meetings were held in 2012 and 2013 with the Outdoor Media Association of New Zealand (OMANZ) to discuss the regulation of billboard signs. At the last meeting with OMANZ it was agreed there should be some provisions for billboards in the road reserve. Discussions with Auckland Council staff also occurred in the drafting of the provisions. Numerous discussions were held with Auckland Transport during this period because they have an interest in creating a signs bylaw under section 22AB(y) of the Land Transport Act 1998.

5.3 Decision making

As noted in section 1.8 above the proposed provisions were also discussed with the Auckland Unitary Plan Political Working Party meeting of 2 August 2012 and with the Auckland Planning Committee at their workshop of 3 July 2013.

A finalised signs bylaw that will regulate all signage not controlled by the Unitary Plan will not be ready for public notification to commence the special consultative process until mid 2014.