

## MEMORANDUM

**TO:** Otara-Papatoetoe and Mangere-Otahuhu Local boards  
**FROM:** Dirk Timp, Team Leader Bylaws and Compliance South, Auckland Council  
**DATE:** 18 October 2016  
**SUBJECT:** Community-led response to off-licence alcohol signage compliance

Thank you for your query relating to:

1. If the widespread boarding over of window glazing complies with the relevant council regulations.
2. If brightly contrasting colours in signage used by off licence premises is subject to council regulations.

The Auckland Council Signage Bylaw 2015 defines a sign as follows:

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

Therefore the material used for the boarding up/over of window glazing does not meet the definition of a sign and is not controlled by the Signage Bylaw 2015.

The Signage Bylaw makes the following controls in relation to materials/colours used in signage which is visible from a public place:

Section 9 (1) (e):

### **9. Traffic**

- (1) A person must not display any publicly visible signage that:
- (e) contains reflective, fluorescent or phosphorescent materials that may reflect headlights, distract, or interfere with the vision of a person using the public place or road;

Other than the above control, the Signage bylaw does not regulate the colours used in publically visible signage.

In relation to the Auckland Council District Plan (Manukau Section) or the Proposed Auckland Unitary Plan – Decisions version (19 Aug 2016) there are no council regulations that control the boarding up/over of window glazing.

The only time there may be controls on colours is if an application is subject to conditions of a resource consent.

The Building Code requires some form of light or ventilation to the space but this does not need to be natural light through glazing.

Regards



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