

Auckland City Council Billboards Amendment Bylaw No 1 of 2010

The Auckland City Council Billboards Bylaw 2007 is amended with effect from 04 October 2010 as follows (additions are underlined and deletions are struck through):

1. Insert a definition of *associated/association* and a related explanatory note in the definition clause in the appropriate alphabetical position:

Associated/association means a relationship of connection between a person and a major event that has been authorised under section 12(1)(a) or (b) of the Major Events Management Act 2007.

Section 12(1)(a) and (b) of the Major Events Management Act 2007 provide that the restrictions on representations of association with a major event in section 10 of the Act do not apply to associations or representations that have the written authorisation of the major events organiser.

2. Insert a definition of *major event* and a related explanatory note in the definition clause in the appropriate alphabetical position:

Major event has the same meaning as in the Major Events Management Act 2007.

The Major Events Management Act 2007 states: Major event means an event that is declared by Order in Council under section 7(1) to be a major event.

3. Insert a new clause 27B.4.10 and explanatory note after clause 27B.4.9. The new clause and explanatory note are to state:

27B.4.10 Major events

- a. When a major event is declared pursuant to the Major Events Management Act 2007, the council may grant or decline a dispensation for a billboard associated with the major event that does not comply with the provisions of this bylaw.
- b. Notwithstanding clauses 27B.4.1 and 27B.4.3 to 27B.4.9, the council may grant a dispensation to a person associated with the major event only if it is satisfied that:
 - i. the major events organiser has authorised the association of the person with the major event; and
 - ii. the billboard will not cause a significant disruption to traffic flows or public passage; and
 - iii. public safety can be maintained; and
 - iv. there are no other reasonable grounds for declining the dispensation.
- c. The council may grant a dispensation subject to any conditions (including a condition as to duration) as it considers appropriate.
- d. A dispensation may not exceed the duration of the major event but may include the reasonable time required for the construction and removal of the sign.

A dispensation granted pursuant to this clause of the bylaw does not exempt the holder thereof from any applicable provisions of the Building Act 2004 (building consent), the Resource Management Act 1991(resource consent) and the Major Events Management Act 2007. The Major Events Management Act 2007 requires that no person may make any representation in a way likely to suggest that there is an association between the major event and goods, services or persons without meeting the requirements of the Act. Section 12(1)(a) and (b) of the Act requires that any representation of association between goods, services or persons with the major event must have the written authorisation of the major event organiser. The written authorisation of the major events organiser must be included with any application for a dispensation made to the council under this bylaw.