

Dear Sir/Madam,

### **New Trading & Events in Public Places Bylaw**

Auckland Council is introducing a Trading and Events in Public Places Bylaw to manage commercial operations in public places fairly and consistently across the Auckland region. The proposed bylaw is expected to come into effect 1 July 2015.

### **What this means for your business**

Under the new bylaw, all businesses trading in public places must hold a licence to operate. The licence allows exclusive use of certain public places such as outdoor dining on the street frontage of a café or a mobile vendor on a road.

All businesses trading in public places will be required to complete an application form and pay an annual registration fee to Auckland Council. We will send you further information about this closer to registration time.

### **New registration fees**

Auckland Council proposes to standardise fees for all trading and events activities across the region to coincide with the introduction of the Trading and Events in Public Places Bylaw coming into effect 1 July 2015. The new fee structure for licences proposes:

- An annual licence fee to cover the cost of inspection by a Bylaw Enforcement Officer, licensing certification and administration;
- A rental fee based on public space used for businesses offering outdoor dining, mobile vendors or temporary stalls, market operators and the distribution of promotional materials;
- Fee to be confirmed in May 2015.

### **Auckland's 10-year budget: Provide feedback on fees and the key issues**

These changes are being proposed as part of Auckland Council's next 10-year budget (2015-2025). A summary of the proposal document, along with a feedback form, will be delivered to your letterbox in late January. Public consultation on the 10-year budget runs from 23 January to 16 March 2015 and all Aucklanders are encouraged to have their say.

A consultation document that outlines detailed information on the issues and proposals included in the council's budget will be available at [shapeauckland.co.nz](http://shapeauckland.co.nz) from the start of consultation. Any feedback you have on the proposed licence fees should be included under the heading 'Any other feedback' on the feedback form. You can also provide feedback in person by attending one of the 'have your say' events, which are being held across the region.

More information on the proposed licensing fees is available in the attached FAQs and the Financial Policies Summary (Section 8) on Shape Auckland.

For a complete copy of the new Trading and Events in Public Places Bylaw, please visit [www.aucklandcouncil.govt.nz/bylaws](http://www.aucklandcouncil.govt.nz/bylaws). If you have any other queries, please contact Customer Services on 09 301 0101.

Licensing and Compliance Services  
Auckland Council

## Trading & Events in Public Places Bylaw

### ***What is the new bylaw?***

Auckland Council and Auckland Transport inherited a number of bylaws relating to trading and events in public places. The proposed Trading and Events in Public Places Bylaw 2014 introduces a region-wide bylaw to manage commercial activities in public places fairly and consistently across Auckland. The new bylaw is expected to come into effect 1 July 2015.

### ***Why do we need a Trading & Events in Public Places Bylaw?***

The purpose of the bylaw is to ensure that outdoor dining, mobile shops, markets, buskers and events contribute to the vibrancy of Auckland in a positive way. The bylaw is in place to manage these activities so there is no impact on public safety, pedestrian and vehicle access, and visual amenity is maintained for residents and visitors.

### ***Why is the council charging a rental fee for outdoor dining?***

The proposed fee recognises that there is a commercial benefit to those who are using the public space (footpaths and so on) to conduct their business. The licence allows exclusive use of certain public space, e.g. dining area on the street frontage of a café, which reduces some accessibility for the general public.

### ***Has there always been a fee for outdoor dining spaces?***

Many of the former legacy councils had outdoor licensing fees based on the outdoor area of the footpath used. A separate charge for occupancy of public spaces in addition to licence fees is a common occurrence in other councils in New Zealand, Australia and the UK.

### ***How have the rental fees been calculated?***

Rental charges for outdoor dining have been based on commercial land yields - the value of the location - and the demand, which is measured by the volume of street trading activities in the area. The proposed fees are heavily discounted (40 percent). As mobile vendors/temporary stalls tend to be on roadsides or in carparks, the rental charge has been based on council parking charges.

### ***Why have some outdoor dining fees increased substantially?***

Some legacy council areas were heavily subsidised or will face a charge for the first time.

A business facing an increase on what they currently pay of more than \$500 (licence fee and rental combined) will have the increase capped at \$500 per annum for a period of three years to help manage the impact.

### ***As demand varies across the city due to location, are there different rental rates?***

Yes, they have been broken down into three tiers to allow for fairness and affordability.

Tier 1 (T1)	Auckland CBD
Tier 2 (T2)	Orewa, Browns Bay, Takapuna, Birkenhead, Devonport, Ponsonby, Herne Bay, Freemans Bay, Mission Bay, Grey Lynn, Newmarket, Ellerslie, Howick, Epsom, Kingsland, Milford, Mount Eden, Newton Parnell, Remuera, St Heliers.
Tier 3 (T3)	All other suburbs

### ***Are fees increasing for mobile traders/roadside stalls?***

Fees for mobile traders and roadside stalls are dependent on the suburb that the trading activity is occurring in. Fees may increase or decrease compared to current fees depending on the location of the activity.

**What are the general proposed fees for 2015/16?**

Licence type	Annual licence fee	Plus rental fee of public space per year* *unless otherwise stated
Outdoor dining and drinking	\$360	T1: \$140/m <sup>2</sup> T2: \$85/m <sup>2</sup> T3: \$20/m <sup>2</sup>
Mobile vendor/temp stall	\$300	T1: \$0.30/m <sup>2</sup> /hr T2: \$0.20/m <sup>2</sup> /hr T3: \$0.05/m <sup>2</sup> /hr
Market operator	\$360	\$0.35m <sup>2</sup> per day
Distribution of promotional material	\$60	\$75/distribution stand

**Does Auckland Council have rules in place around smoking in outdoor dining spaces?**

Not currently but the council's wider Smokefree policy will be reviewed later in 2015 and outdoor dining spaces will come under that review.

**What other fees other than outdoor dining and mobile traders/roadside stalls align to the Trading & Events in Public Places Bylaw?**

Fees are proposed for: Market operators, distribution of promotional materials, events permits and filming in public places.

A charge for street performance has not been proposed as this activity has minimal impact, we want to keep it affordable and it adds to the cities vibrancy.

**Who issues events permits and how have the fees been structured?**

The Auckland Council Events team issue permits for events. Proposed permit fees have been based on whether it is a commercial/private event or a community event and the number of people attending. Fees cover permit (regulatory) costs as well as facilitation support for commercial events whereas a community event will pay just 50 percent of the regulatory fee.

A community event funded by the council will not pay a permit fee.

**Is there a fee for filming in public places?**

Yes. ATEED issues permits for filming in public places and these are currently based on legacy council charges. A review and simplification of these charges is underway and the new fees are scheduled to come into effect on 1 July 2015.

## **Auckland 10-year budget**

**What is Auckland's 10-year budget about?**

Auckland Council has developed its draft 10-year budget for 2015-2025. The budget includes a number of key issues such as whether to invest more to fix Auckland's transport and how to pay for it, how much to invest in Auckland over the next decade and how this cost is shared across ratepayers. The budget also proposes changes to a number of fees and financial policies.

The public is invited to provide feedback on these issues and changes from 23 January by going to [shapeauckland.co.nz](http://shapeauckland.co.nz)