



Te Ture ā-Rohe Tauhokohoko, Whakahaerenga me te Tango Kiriata Tūmatanui 2022 Public Trading, Events and Filming Bylaw 2022

(as at 25 November 2021)

Made by the Governing Body of Auckland Council

in resolution GB/2021/147

on 25 November 2021

Bylaw made under [sections 145](#), [146](#) and [149](#) of the Local Government Act 2002 and [section 22AB](#) of the Land Transport Act 1998.

Summary

This summary is not part of the Bylaw but explains the general effects.

Every day across Auckland, a wide variety of trading, events and filming occur in public places controlled by Auckland Council. These activities can increase vibrancy and appeal of public places and social and economic benefits. They may also however increase public safety risks, nuisance or misuse of public places by, for example, cluttering civic spaces with furniture, goods or micromobility devices.

The purpose of this Bylaw is to minimise public safety risks, public nuisance and misuse of council-controlled public places caused by trading, events and filming, by –

- requiring prior approval from council for most trading, event and filming activities (clause 6)
- allowing subject to conditions or exempting limited trading, event and filming activities (clause 6)
- enabling council to prohibit trading in specified places (clause 7)
- enabling council to prescribe requirements in relation to approvals and conditions (clause 8).

Other parts of this Bylaw assist with its administration by –

- stating its name, when it comes into force and where it applies (clauses 1, 2 and 3)
- stating the purpose of this Bylaw and defining key terms (clauses 4 and 5)
- providing transparency about how council makes controls and processes approvals (Part 3)
- referencing council's powers to enforce this Bylaw, including powers to cancel an approval, seize property, recover costs and seek monetary penalties up to \$20,000 (Part 4).

The Bylaw is part of a wider framework. The Bylaw does not seek to duplicate or be inconsistent with these requirements which include –

- rules about trading, events and filming for transport-related purposes on the [Auckland transport system](#) (for example, on footpaths, roadsides) which is the sole responsibility of Auckland Transport under the [Auckland Transport Trading and Events in Public Places Bylaw 2015](#)
- [landowner approval](#) and / or leases or licences, particularly on parks
- rules about activities on parks in any local or [Regional Parks Management Plan 2010](#)
- rules about food safety in the [Food Act 2014](#)
- rules about noise in the [Auckland Council Public Safety and Nuisance Bylaw 2013](#) and [Resource Management Act 1991](#)
- rules about traffic and roadside sale of cars in the Auckland Council and Auckland Transport [Traffic Bylaw 2012](#), [Traffic Bylaw 2015](#), and [Signage Bylaw 2015](#)
- rules about waste plans in the [Auckland Council Waste Management and Minimisation Bylaw 2019](#)
- rules about protection of wildlife, flora, fauna, and significance of heritage areas in the [Reserves Act 1977](#), [Resource Management Act 1991](#), [Waitakere Ranges Heritage Area Act 2008](#)
- rules about helmets and speed of micromobility devices (for example, e-scooters) and where they can be ridden in the [Road Users Rule 2004](#) (enforced by the New Zealand Police)
- rules about drones (UAVs) in the [Auckland Council Public Safety and Nuisance Bylaw 2013](#), [Civil Aviation \(Offences\) Regulations 2006](#) and [Privacy Act 1993](#) and as set by [Auckland Transport](#)
- rules about the health and safety of workers in the [Health and Safety at Work Act 2015](#)
- rules about advertising, broadcasting and classification in the Advertising Standards Authority [regulations](#) and [codes](#), [Broadcasting Act](#), and [Films, Videos, and Publications Classification Act](#)
- rules about sale of alcohol, tobacco products and weapons in the [Sale and Supply of Alcohol Act 2012](#), [Smokefree Environments and Regulated Products Act 1990](#) and [Arms Legislation Act 2020](#)
- the [Commerce Act 1986](#), which prohibits anti-competitive behaviour.

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1 Title

- (1) This Bylaw is the Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe Tauhokohoko, Whakahaerenga me te Tango Kiriata Tūmatanui 2022 / Auckland Council Public Trading, Events and Filming Bylaw 2022.

2 Commencement

- (1) This Bylaw comes into force on 26 February 2022.

3 Application

- (1) This Bylaw applies to Auckland.
- (2) This Bylaw does not apply to any matter that is transport-related on the [Auckland transport system](#).

Part 1

Preliminary provisions

4 Purpose

- (1) The purpose of this Bylaw is to help minimise public safety risks, nuisance and misuse of council-controlled public places by –
 - (a) allowing limited trading, events and filming to be undertaken without requiring a prior approval from council, subject to conditions;
 - (b) requiring prior approval from council for all other trading, events and filming;
 - (c) enabling council to prohibit trading in specified places; and
 - (d) enabling council to prescribe conditions and requirements in relation to all trading, events and filming.

5 Interpretation

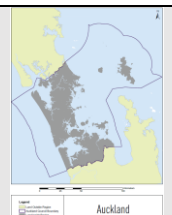
- (1) In this Bylaw, unless the context otherwise requires, –

approval means a licence, permit or other form of permission granted under this Bylaw and includes all conditions to which the approval is subject.

Auckland has the meaning given by [section 4\(1\)](#) of the Local Government (Auckland Council) Act 2009.

Related information

The Local Government (Auckland Council) Act 2009 enabled the Local Government Commission to determine Auckland's boundaries in a map titled [LGC-Ak-R1](#). The boundaries were formally adopted by [Order in Council](#) on 15 March 2010, and came into effect on 1 November 2010.



council means the Governing Body of the Auckland Council or any person delegated or authorised to act on its behalf. In relation to making a control in clause 8, the Governing Body of Auckland Council may only delegate this power to a committee and / or the Chief Executive of Auckland Council who may sub-delegate to a third-tier manager or above.

Related information about delegated authority

The Regulatory Committee can make decisions about controls.

Auckland Council's Licensing and Regulatory Compliance can process applications for trading approvals, make controls and enforce this Bylaw.

Auckland Council's Regional Service Planning, Investment and Partnerships and Auckland Unlimited can process applications and review approvals for events.

Screen Auckland can process applications and review approvals for filming.

council-controlled public place means –

- (a) a place that is owned, managed, maintained or controlled by council or a council-controlled organisation that, at any material time, is open to or is being used by the public, whether free or on payment of a charge; and
- (b) to avoid doubt –
 - (i) includes any park, reserve, recreational ground, sports field, public garden, public square, cemetery, beach, foreshore, dune, wharf, breakwater, ramp, pontoon, road, footpath, access way, grass verge, berm, and any part of those places; and
 - (ii) excludes any place under the control of the Tūpuna Maunga o Tāmaki Makaurau Authority.

event means a temporary organised activity that takes place on one or more days conducted for the purpose of attracting revenue, support, awareness, and / or for entertainment, community connection or competition.

film and filming means the recording of moving or still images as part of an organised activity whether or not for monetary gain.

market means the whole of the place and the whole of the activity that –

- has more than one stall at a common location;
- offers goods and / or services for sale and / or hire; and
- is for commercial and / or charitable purposes.

micromobility means small, lightweight devices personally driven by users.

Related information about micromobility devices

The types of micromobility devices continue to evolve. Current examples include bicycles, e-bikes, electric scooters, electric skateboards and electric pedal assisted (pedelec) bicycles.

mobile shop means a vehicle or vessel (whether self-propelled or not) from which goods and / or services are offered for sale and / or hire.

pavement art means temporary images or drawings for a purpose other than advertising goods and / or services, created either directly on to the pavement or on a removable surface (for example, on paper or plastic) laid out on the pavement.

person includes an individual, a corporation sole, a body corporate, and an unincorporated body.

premises means any separately occupied land, building, or part of the same.

stall means a stand, awning, table, vehicle or other temporary structure from which goods and / or services are offered for sale and / or hire.

street performance / busking means the provision of entertainment in a council-controlled public place (for example, playing an instrument, singing, dancing, juggling, mime, puppetry, performance art, conjuring, aerobatics, recitation, undertaking artworks and performing other acts of theatrical or visual forms).

trade, trading and trading activity means the sale, hire or offer of goods or services for payment, reward or otherwise.

Related information about commercial activities not within the definition of trading

Certain commercial activities where the good or service is subsequently used or delivered in a council-controlled public place but paid for elsewhere, may not meet the definition of 'trade, trading and trading activity'. For example:

- the delivery of goods ordered in advance and delivered to a private home or business by a service delivery vehicle
- outdoor fitness classes that do not involve on-site payment, and / or the sale of goods or services, display of advertising and promotional material will not usually meet the definition of 'trading' in this Bylaw. However, an event approval under this Bylaw may still be required if the outdoor fitness class involves a large group and/or exclusive use of an area in a council-controlled public place
- commercial dog walkers.

Commercial activities not defined as trading must still comply with other rules. For example, outdoor fitness classes must still comply with [other requirements](#) and bylaws about public safety and nuisance, commercial dog walkers must still comply with bylaws about dogs and the Dog Control Act 2000, and the delivery of goods must still comply with parking rules.

- (2) Unless the context requires another meaning, a term or expression defined in the [Local Government Act 2002](#), [Land Transport Act 1998](#) or the [Local Government \(Auckland Council\) Act 2009](#) and used in this Bylaw, but not stated in (1), has the meaning given by that Act.
- (3) Related information and links to webpages do not form part of this Bylaw and may be inserted, changed or removed without any formality.
- (4) [The Interpretation Act 1999](#) applies to this Bylaw.

- (5) To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, rules of law, and terms of any lease or licence.

Part 2

Trading, events and filming activities in council-controlled public places

6 Approval required to trade, hold an event or film in most circumstances

- (1) A person who wishes to trade, hold an event or film in a council-controlled public place must as specified in the table below either –
- (a) obtain an approval from council before conducting the activity; or
 - (b) for activities that are allowed without an approval, comply at all times with any conditions in a control made under clause 8; unless
 - (c) the activity is explicitly exempt from the requirements in (a) and (b).

| Approval required | Allowed subject to conditions | Exempt |
|---|---|--------|
| Trading | | |
| <ul style="list-style-type: none"> (i) markets and stalls; (ii) mobile shops; (iii) outdoor dining for the purpose of providing food or drink; (iv) production and sale of personal portraits; (v) hire of micromobility devices; (vi) hire of recreational equipment; (vii) fundraising for a charitable cause, soliciting of any subscription or collection of any one-off or on-going donation; (viii) distribution of promotional goods and materials (for example, a tasting, sampling or giveaway); (ix) street performance (for example, busking and pavement art); (x) any trading activity allowed without an approval that does not comply with any conditions in a control made under clause 7; or | <ul style="list-style-type: none"> (i) the outdoor display of goods and / or services adjacent to business premises from which the goods and / or services are usually provided; (ii) a mobile library service provided by council; (iii) the sale of produce adjacent to the premises where it was grown; or (iv) occasional sale of goods from a stall by a person under the age of 16 adjacent to the residential premises where the goods were made (for example, the sale of cupcakes or lemonade made at home, but excluding sale of goods associated with a Home Occupation as | - |

| Approval required | Allowed subject to conditions | Exempt |
|---|--|---|
| (xi) any other trading activity as defined in this Bylaw and not exempt. | defined in any Unitary Plan or District Plan . | |
| Events | | |
| (i) parade, festival or concert; (ii) multi-venue sports event, fun run, marathon, duathlon or triathlon; (iii) temporary art installation; (iv) wedding, private function or celebration; (v) exclusive use of a place; (vi) any event allowed without an approval that does not comply with any conditions in a control made under clause 7; or (vii) any other event as defined in this Bylaw and not exempt. | (i) a regular sporting activity (for example, a practice, training or game) carried out by amateur organised sports clubs in accordance with their lease or licence. | (i) indoor performance; (ii) indoor private function; (iii) non-exclusive use of a place for informal recreation (for example, a picnic in a park by an extended family); (iv) permanent art installations commissioned by council or a substantive council-controlled organisation; or (v) protest. |
| Filming | | |
| (i) recordings for a documentary, educational curriculum, television, feature or short film, social media or similar project; (ii) any filming allowed without an approval that does not comply with any conditions in a control made under clause 7; or (iii) any other filming as defined in this Bylaw and not exempt. | (i) filming of premises for lawful property sale or rental purposes; or (ii) filming of premises for lawful building inspection purposes. | (i) filming of a private celebration or private event; or (ii) filming for the purpose of current affairs or news. |

Related information about how to apply for an approval (for example a licence or permit)

For more information about how to apply for an approval, view the following links:

- [Markets, mobile shops, outdoor dining, fundraising, offering commercial services, distribution of promotional goods or materials, street performance / busking, pavement art](#) and [outdoor display of goods](#) for trading activities.
- [E-scooter, e-bike and bike](#) for rental micromobility operators, including:
 - [Rental E-scooter licence assessment criteria](#) and [Rental Bike licence assessment criteria](#)
 - [Rental E-scooter Code of Practice](#) and [Rental Bike Code of Practice](#).

Note, currently the approval of a licence for the hire of e-scooters is limited by a tiered device cap up to a maximum of 3200 devices across three tiers.

- [Event permit](#) and [Standard conditions for an event permit application](#) for events.
- [Film permit](#) and [Auckland Film Protocol](#) for filming.

Related information about conditions for activities allowed without an approval

Currently, conditions of use only apply to the outdoor display of goods and / or services contained in [Trading and Events in Public Places Shared Spaces Guidelines 2017](#).

Related information about other rules that must be complied with

The Bylaw is part of a wider framework. The Bylaw Summary gives examples of other rules that a person must comply with to trade, hold an event or film in a council-controlled public place.

7 A person is prohibited from trading in specified circumstances

- (1) A person must not trade in a council-controlled place if prohibited in a control made under clause 8.

Related information about prohibited trading

There are currently no controls that prohibit trading in council-controlled public places.

Part 3

Controls and Approvals

Subpart 1 Controls

8 Council may make controls about trading, events and filming

- (1) Council may make a control for one or more of the following purposes –
- (a) prescribing requirements in relation to the approval of trading, events and filming in council-controlled public places specified in clause 6(1)(a).
 - (b) prescribing conditions in relation to trading, events and filming in council-controlled public places specified in clause 6(1)(b).
 - (c) prohibiting trading in a council-controlled public place either generally or for any specified category of trading and / or any part of council-controlled public place.

Related information about controls

Current controls include:

- Kaupapa Te Mahi Tauhokohoko me nga Takunetanga ki ngā Wāhi Marea 2015, Trading and Events in Public Places Guidelines 2015
- [Trading and Events in Public Places Shared Spaces Guidelines 2017](#)
- [Ngā Tikanga Hopu Whakaahua i te Rohe o Tāmaki Makaurau, Auckland Film Protocol](#)
- [Rental E-scooter Code of Practice](#)
- [Rental Bike Code of Practice](#).

To make decision, council must comply with the decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002 (as reprinted on 26 March 2020).

Subpart 2 Approvals

9 This Subpart applies to people who must obtain or renew an approval

- (1) This Subpart applies to a person who must –
 - (a) obtain an approval from council under clause 6; and
 - (b) renew an approval from council prior to its expiration.
- (2) For the purposes of (1)(b), this Subpart applies with all necessary modifications as if that renewal was an application for an approval.

10 Applications for an approval must include required information and fees

- (1) A person to whom this Subpart applies must make an application that complies with the requirements of council, including –
 - (a) the form and manner of the application;
 - (b) the information in the application;
 - (c) any further supporting information; and
 - (d) being accompanied by any fee.
- (2) Without limiting (1), council may require an application for an approval to include information on one or more of the following matters in this table.

| All applications for approvals may require the following information |
|---|
| (a) details of the applicant and person involved in the activity (for example, details of the person offering goods for sale, performing services, or responsible for liaising with council); |
| (b) description, plans and maps, photos of the location (including multiple sites), nature, scale, frequency and duration of the activity; |
| (c) specifications of any furniture, structures, equipment, side awnings, vehicles, signs, displays and other items used or associated with the activity; |
| (d) assessment of impacts and proposed mitigation (read clause 11(2) and 13(2) for examples); |
| (e) the applicant's experience, reputation and track record; |
| (f) public liability insurance; and |
| (g) details of other approvals required / obtained (read clause 11(2) and 13(2) for examples). |

11 Applications for an approval will be considered against relevant matters

- (1) Council when considering an application for an approval –
 - (a) will have regard to any matter it considers relevant and reasonably necessary to determine the application in relation to this Bylaw's purpose
 - (b) will have particular regard to any controls in clause 8; and
 - (c) may inspect places related to the application for the purpose for which the approval is given.
- (2) Without limiting (1), council may consider an application for an approval against one or more of the following matters in this table.

| All applications for approvals may consider the following matters |
|---|
| (a) location (including multiple sites), nature, scale, frequency and duration of the activity; |
| (b) specifications of any furniture, structures, equipment, side awnings, vehicles, signs, displays and other items used or associated with the activity; |
| (c) actual or potential impact of the activity on the public, council-controlled public places and surrounding environment, for example: (i) impacts as a result of noise, glare, light spill, odour, anti-social behaviour; (ii) impacts on appearance and amenity; (iii) impacts to native fauna, flora and heritage features; (iv) obstruction or hazards to pedestrian or vehicular visibility, access or flow; (v) obstruction of access by emergency, maintenance or utility services; (vi) the impact on nearby business premises; and (vii) cumulative impacts of this approval in addition to other existing approvals; |
| (d) how any actual or potential impacts may be mitigated, for example through waste management and minimisation, traffic management, safety and risk management, adverse weather, emergency, customer conduct plans; |
| (e) whether the location is already approved for another activity under this Bylaw; |
| (f) suitability of the applicant to hold an approval taking into account any known past operational issues and the applicant's experience and track record; |
| (g) whether the applicant is a registered charity or a member of a registered organisation; |
| (h) whether the activity complies with relevant requirements in any Act, regulation or Bylaw to enable the activity to occur for example, obtaining and complying with an approved waste management and minimisation plan or compliance with food safety legislation; |
| (i) whether landowner approval (if required) has been obtained; |
| (j) whether the activity is consistent with relevant Auckland Council policies and plans . |

12 Applications may be granted or declined

- (1) Council may grant or decline an application for an approval having regard to matters in clause 11.

13 Conditions may be imposed if an application is granted

- (1) Council may impose any conditions on an approval it considers appropriate to achieve the purpose of this Bylaw.
- (2) Without limiting subclause (1), council may impose conditions about any one or more matters in this table.

| All approvals may include conditions about the following matters |
|--|
| (a) location (including multiple sites), nature, scale, frequency and duration of the activity; |
| (b) specifications on the use of any furniture, structures, equipment, side awnings, vehicles, signs, displays and other items used or associated with the activity; |
| (c) limits on the number of items used or associated with the activity (for example, the number of micromobility devices that may be offered for rent); |
| (d) times of operation (days and hours), including any 'set up' and 'pack down' times; |

| All approvals may include conditions about the following matters |
|--|
| (e) mitigating actual and potential impacts on the public, public place and surrounding environment (for example street, flora and fauna, heritage features, nearby residential or business areas) from the activity (for example in relation to public safety, nuisance and misuse of public places); |
| (f) ensuring a continuous accessible path of travel for pedestrians and vehicles not on the Auckland transport system free of nuisance, obstruction or hazards: (i) particularly near intersections, bus stops, vehicle crossings, traffic islands, driveways, grass verges and accessways; (ii) by developing queue management strategies; and (iii) by maintaining a minimum of unobstructed footpath width of no less than 1.8 meters; |
| (g) restrictions on the use of amplified sound; |
| (h) ensuring that the activity or any goods or materials sold or distributed are not discriminatory, defamatory and objectionable, and do not cause widespread or serious offence, threaten harm, incite or counsel any person to commit any offence; |
| (i) type, quality and standard of goods or materials sold or distributed or services offered; |
| (j) ensuring materials used for pavement art are washable, leave no residue, are non-slippery, and are not an advertisement; |
| (k) display and provision of identification and information; |
| (l) the manner in which people undertaking the activity can approach the public for money; |
| (m) compliance with approved impact mitigation plans (for example, a traffic management plan); |
| (n) any relevant matters contained in a control in clause 8; |
| (o) compliance with requirements in any other relevant Act, regulation or Bylaw ; |
| (p) compliance with relevant Auckland Council policies and plans and any shared space guidelines or policies; |
| (q) landowner approval is obtained before conducting the activity; |
| (r) reporting and / or monitoring before, during and / or after the activity; |
| (s) holding and maintaining appropriate public liability insurance; |
| (t) payment of one or more bonds, fees and / or charges; |
| (u) a termination plan to remove any equipment or items used or associated with the activity in the event the approval is suspended or cancelled. |

14 Display of an approval is required at all times

- (1) A person must prominently display an approval granted to them in a manner that is able to be read by the public at all times the approval is used.
- (2) However, (1) does not apply if the approval expressly provides otherwise.

15 Duration of an approval is 24 months unless otherwise specified

- (1) The duration of an approval is 24 months unless a shorter or longer duration is specified in the approval.

16 Transfer of an approval is not allowed

- (1) Any approval under this Bylaw attaches to the person who obtained it and is not transferable to any other person.
- (2) However, (1) does not apply if the approval expressly provides otherwise.

17 Council may review approval in certain circumstances

- (1) Council may review an approval granted under this Subpart –
 - (a) to be consistent with any changes to legislation;
 - (b) to deal with any public safety, nuisance or misuse issues which arise from the exercise of the approval (for example, unsafe or hazardous conditions, unreasonable obstruction, damage); and
 - (c) if the activity is likely to interfere with any authorised works by council, Auckland Transport or a network utility operator.
- (2) For the purposes of Subclause (1), this Subpart applies with all necessary modifications as if that review was an application for an approval (for example, the conditions on the approval may be amended or the approval may be suspended or cancelled).

Related information about applications for approval

For more information about how to apply, matters considered and conditions, view the links in the related information note under clause 6.

Relevant [council policies and plans](#) may include the [Auckland Plan](#), [Auckland Unitary Plan](#), [Auckland's Climate Plan](#), [Events Policy](#), [Auckland's Major Events Strategy](#), [Smokefree Policy](#), [Waste Management and Minimisation Plan](#), [Provisional Local Alcohol Policy](#) and [Gambling Venue Policies](#).

Part 4

Enforcement powers, offences and penalties

18 Council may take action for failure to comply with an approval

- (1) This clause applies to a person who has been granted an approval whom –
 - (a) fails to comply with the approval, including any condition of an approval; or
 - (b) provided inaccurate information on any application for an approval which materially influenced the decision made on the application.
- (2) Council may take any one or more of the following actions against a person to whom this clause applies –
 - (a) issue a written warning which may be used as evidence of a bylaw breach during any subsequent consideration of an approval or enforcement action;
 - (b) review of the approval which may result in its amendment, suspension or cancellation;

- (c) forfeiture of any bond or security;
 - (d) the use of statutory powers in clause 19 and 20; or
 - (e) the use of statutory penalties in clause 21.
- (3) For the purposes of (2)(b), Subpart 2 of Part 3 applies with all necessary modifications as if a review was an application for an approval.

19 Council can use statutory powers and other methods to enforce this Bylaw

- (1) Council may use its powers under the [Local Government Act 2002](#) or the [Land Transport Act 1998](#) to enforce this Bylaw.

Related information about enforcement

Council powers under the Local Government Act 2002 (as reprinted on 26 March 2020) and Land Transport Act 1998 (as reprinted on 1 December 2020) include court injunction ([section 162](#)), removal of works ([section 163](#)), seizure and disposal of property (sections [164](#), [168](#)), powers of entry (sections [171](#), [172](#), [173](#)), cost recovery for damage (section [176](#)) and power to request name and address (section [178](#)).

Council can also use other methods for example, audit, advice, information or warnings.

20 Council may remove materials and recover costs

- (1) Council may under [section 163](#) of the Local Government Act 2002, remove or alter any material or thing in breach of this Bylaw and may recover any costs of removal or alteration from the person who committed the breach.

21 A person can be penalised for not complying with this Bylaw

- (1) A person who fails to comply with this Bylaw commits an offence and is liable to a penalty under the [Local Government Act 2002](#) and the [Land Transport Act 1998](#).
- (2) However, a person does not commit an offence if the person proves that the failure to comply was due to compliance with the directions of council.

Related information about penalties

A person who is convicted of an offence against this Bylaw is liable to a fine not exceeding:

- \$20,000 under [section 242](#) of the Local Government Act 2002 (as reprinted 26 March 2020)
- \$500 under [section 22AB](#) of the Land Transport Act 1998 (as reprinted 1 December 2020).

Alternatively, council may impose a penalty under [section 15](#) of the Litter Act 1979 where a breach of this Bylaw is also an offence under that Act (for example, an instant fine up to \$400).

Part 5

Savings and Transactional Provisions

22 Existing controls, approvals and compliance action to continue

- (1) This clause relates to the Auckland Council Trading and Events in Public Places Bylaw 2015 / Te Ture ā-Rohe Te Mahi Tauhokohoko me nga Takunetanga ki ngā Wāhi Marea 2015 (2015 Bylaw).
- (2) Guidelines, protocols, controls, policies or codes of practice referred to in clauses 7(1), 10(2), 11(1)(h) and 25(1)(b)(i) of the 2015 Bylaw in (1) are –
 - (a) deemed to be controls made under clause 8 of this 2022 Bylaw; and
 - (b) continue to apply until amended, replaced or revoked by council.

Related information about controls

Guidelines, standards, controls, policies or codes of practice made under the Auckland Council Trading and Events in Public Places Bylaw 2015 are the:

- Kaupapa Te Mahi Tauhokohoko me nga Takunetanga ki ngā Wāhi Marea 2015, Trading and Events in Public Places Guidelines 2015
- [Trading and Events in Public Places Shared Spaces Guidelines 2017](#)
- [Ngā Tikanga Hopu Whakaahua i te Rohe o Tāmaki Makaurau, Auckland Film Protocol.](#)

- (3) Every approval (for example, a licence or permit) made using the 2015 Bylaw in (1) continues to apply until the expiration date in that approval or until it is renewed, reviewed, suspended or cancelled.
- (4) Any existing compliance or enforcement action (including inquiry) by council under the 2015 Bylaw in (1) that was not completed before the date this Bylaw commences, will continue to be actioned under the 2015 Bylaw as if it were still in force and as if this Bylaw had not been made.

23 Existing applications and renewals of approvals to be processed under this Bylaw

- (1) Any application for an approval under the 2015 Bylaw in clause 22(1) not approved or declined before the date this Bylaw commences, will continue to be processed as if it had been applied for under this Bylaw.
- (2) Any application to renew an approval made using the 2015 Bylaw in clause 22(1), will be processed as if the approval had been applied for under this Bylaw.

24 Existing markets considered to have an approval under this Bylaw

- (1) This clause applies to all markets approved to operate in a council-controlled public place prior to the commencement of the 2015 Bylaw in a resource consent, community lease or landowner approval.
- (2) Every market in (1) is deemed to be approved under this Bylaw and this Bylaw applies (for example, offences and penalties) with all necessary modifications.

| Related information about markets | | | |
|---|---|---------------------------------|---|
| Auckland Council and legacy councils have in the past used various regulatory and non-regulatory tools to approve markets in public places. Examples include: | | | |
| Market | Location | Owner | Method of Approval |
| Browns Bay Market | Auckland Transport Carpark 29-31 Anzac Road Browns Bay | Auckland Transport | Landowner approval from Auckland Transport |
| Clevedon Village Farmers Market | Clevedon A & P Showgrounds | Auckland Council | Community Lease with Clevedon A & P Association |
| Coatesville Market | Coatesville Settlers Hall and carpark Coatesville | Auckland Council | Pre-amalgamation resource consent |
| Grey Lynn Farmers Market | Grey Lynn Community Centre and Carpark | Auckland Council | Community Lease |
| Mangere Market | Auckland Transport Carpark at Mangere Town Centre | Auckland Transport | Landowner approval from Auckland Transport |
| Otara Market | Auckland Transport Carpark at 1 Newbury Street Otara | Auckland Transport | Landowner approval from Auckland Transport |
| Swanson Car Boot Market | Swanson Train Station and Auckland Transport Carpark | Auckland Transport and KiwiRail | Landowner approval from Auckland Transport and KiwiRail |
| Takapuna Market | Auckland Transport Carpark at 40 Anzac Street, Takapuna | Auckland Transport | Landowner approval from Auckland Transport |
| Titirangi Market | Titirangi War Memorial Hall and Carpark, 500 South Titirangi Road | Auckland Council | Operating as a permissible activity on reserve land |

| Related information, Bylaw history | |
|--|---|
| Date | Description |
| 01 November 2010 | Made legacy bylaws about trading in public places ¹ (Section 63 Local Government (Auckland Transitional Provisions) Act 2010) |
| 01 November 2010 | Commencement of legacy bylaws about trading in public places (Section 63 Local Government (Auckland Transitional Provisions) Act 2010) |
| 20 May 2014 | Review of legacy bylaws about trading in public places completed (RBC/2014/20) |
| 29 May 2014 | Proposal to make new bylaw about trading, events and filming in council-controlled public places and to revoke legacy bylaws (GB/2014/49) |
| 26 February 2015 | Made the Auckland Council Trading and Events in Public Places Bylaw 2015 (GB/2015/4) |
| 5 June 2015 | Public notice of making of the Auckland Council Trading and Events in Public Places Bylaw 2015 and revocation of legacy bylaws |
| 01 July 2015 | Commencement of Auckland Council Trading and Events in Public Places Bylaw 2015 and revocation of legacy bylaws (GB/2015/4) |
| 22 August 2019 | Amendment of Auckland Council Trading and Events in Public Places Bylaw 2015 (clauses 10(3) and 11(1)) (GB/2019/83) |
| 13 October 2020 | Review of Auckland Council Trading and Events in Public Places Bylaw 2015 completed (REG/2020/64) |
| 27 May 2021 | Proposal to make a new bylaw about trading, events and filming in council-controlled public places (GB/2021/51) |
| 25 November 2021 | Made the Auckland Council Public Trading, Events and Filming Bylaw 2022 (GB/2021/147) |
| [TBC] | Public notice of making of the Auckland Council Public Trading, Events and Filming Bylaw 2022 |
| 26 February 2022 | Commencement of the Auckland Council Public Trading, Events and Filming Bylaw 2022 (GB/2021/147) and revocation of the Auckland Council Trading and Events in Public Places Bylaw 2015 (section 160A Local Government Act 2002) |
| ¹ Legacy bylaws made: Auckland Regional Council Parks Bylaw 2007 (Part 2); Auckland City Council No 20 - Public Places Bylaw 2008 (clauses 20.6 – 20.7); Franklin District Council Trading in Public Places Bylaw 2008; Chapter 7 (Events and Trading in Parks and Public Places) of the Manukau City Consolidated Bylaw 2008; Part 3 (Trading in Public Places) of the North Shore City Council Bylaw 2000; Papakura District Council Trading in Public Places Bylaw 2008; Chapter 5 (Trading in Public Places) of the Rodney District Council General Bylaw 1998; Waitakere City Council Public Places Bylaw 2010 (Part 5). | |
| Related information, next bylaw review | |
| This Bylaw must be reviewed by 25 November 2027. If not reviewed by this date, the Bylaw will expire on 25 November 2029. | |

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