

PROPOSED PUBLIC PLACES BYLAW 2016 AND POLICY

What is the difference between the Public Places Bylaw and the Public Places Policy?

The policy and bylaw work together and it is important they are read together as a set. The Public Places Policy provides policy guidance for a wide range of activities in public places across the city, including outdoor dining, signage, mobile trading and busking. The Public Places Bylaw provides Council with powers to regulate activities in public places based on the content of the policy, and is enforced by Council.

Why have we reviewed the current policy and bylaw, and proposed some changes?

The Council is required to review the bylaw under the Local Government Act 2002 to ensure it is working well. It is important that the Council continually reviews and updates its policies to make sure they meet the needs of the people of Hamilton. Changes are being proposed to bring the policy and bylaw up to date and ensure they continue to support a city that is attractive, clean, safe and welcoming to all users.

What are the proposed changes?

- changing the time that buskers are allowed to operate, from 8.30am to 8.30pm, to 7am to 1am (the following day)
- policy guidance around activities that can occur on footpaths such as commercial promotional activities
- a change in time for outdoor dining barriers and supervision to start, from 9pm to 6pm
- allowing up to three mobile traders to operate in the central city
- increasing the trading hours that mobile shops can operate across Hamilton from 8am to 8.30pm, to 6am to 10pm
- standardise the layout of footpath clearways
- remove specific criteria for Garden Place activities
- a change to the type of signs that require a permit

What is meant by 'mobile traders' and why is Council proposing for up to three of them to operate in the central city?

A mobile trader could be a van, truck or caravan, for example, which travels from place to place and from which goods are sold. Approximately 45 mobile traders currently operate in Hamilton selling coffee, food, and other goods. All mobile traders require a permit to trade but none are allowed in the central city. In the proposed policy up to three permits may be granted for mobile traders to operate in the central city at any one time, for a maximum of six months. The Council is of the view that this could add to the vibrancy it is trying to enhance through the Central City Transformation Plan.

How much would a permit for a mobile trader in the central city cost?

If Council approves mobile trading in the central city, a market rental fee for central city trading can be determined when the bylaw is adopted.

Why are changes being proposed to standardise the layout of footpath clearways?

Clearway layout and width currently vary across the central city which can be confusing.

Can my restaurant/café continue to trade on the footpath with an Outdoor Dining Permit?

Yes, outdoor dining permits remain but there are some changes proposed to the conditions (see clause 1 of the policy). These include:

- an earlier time of 6pm for outdoor dining barriers and supervision to start
- new layout requirements that provide a consistent footpath clearway

Do signs still require a permit?

Yes, if it is erected in a public place. See clause 2 of the policy for guidance around signs. Signs erected on zoned land continue to be regulated by the District Plan.

What kind of sign requires a permit?

If you currently require a permit for a sign you will continue to need one. It is proposed that the definition of a sign is expanded to include flags and banners. See clause 2 and schedule 2 of the policy for more information.

Are streets markets and stalls still allowed?

Yes, but they will continue to need a permit. See clause 3 of the policy for more information.

What does 'remove specifications for Garden Place activities' mean?

At the moment, the Public Places Policy contains guidelines about the use of Garden Place. However we are proposing these are removed as the use of Garden Place is already covered by the Council's event application process. This would be consistent with the use of other public places in the city.

When will buskers be allowed to trade?

With a permit, busking would be allowed between 7am and 1am (the following day) but no busker is permitted to remain in a single location for more than two hours. Buskers must also maintain a reasonable level of noise and cannot impede or inconvenience pedestrians.

Can I continue to collect money for charity in public places?

Yes, however you will require a permit. This is to ensure it is a genuine charity collection.

How can I view the draft bylaw and policy, and give feedback?

More information on the bylaw and policy, and how to lodge a submission can be found at hamilton.govt.nz/haveyoursay. Hard copies of the draft bylaw and policy are available from the Ground Floor Reception of the Council Municipal Building in Civic Square, any Hamilton City Library or by phoning 07 838 6537. Feedback can also be sent to the Strategy and Communications Group, Freepost 172189, Hamilton City Council, Private Bag 3010, Hamilton. Submissions can be made from Wednesday 2 December until Friday 15 January.